

A BILL

24-285

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To enact and amend provisions of law necessary to support the Fiscal Year 2022 budget.

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166 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
167 act may be cited as the “Fiscal Year 2022 Budget Support Act of 2021”.

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

169 **SUBTITLE A. INSPECTOR GENERAL SUPPORT FUND**

170 Sec. 1001. Short title.

171 This subtitle may be cited as the “Inspector General Support Fund Establishment
172 Amendment Act of 2021”.

173 Sec. 1002. -The District of Columbia Procurement Practices Act of 1985, effective
174 February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), is amended by
175 adding a new section 208a to read as follows:

176 “Sec. 208a. Office of the Inspector General Support Fund.

177 “(a) There is established as a special fund the Office of the Inspector General Support
178 Fund (“Fund”), which shall be administered by the Office of the Inspector General (“OIG”) in
179 accordance with subsection (d) of this section.

180 “(b) The following funds shall be deposited into the Fund:

181 “(1) Twenty-five percent of the revenue received by the District from each
182 restitution and recoupment resulting from a criminal action that was initiated based on a referral
183 by the Office of the Inspector General of a criminal matter to the United States Attorney’s Office
184 or the Office of the Attorney General for the District; provided, that such revenue is not due to
185 another party or encumbered by federal or other legal restrictions; provided further, that before

186 the deposit of such revenue into the Fund in each of Fiscal Years 2022 through 2025, there shall
187 be deposited first into the General Fund of the District of Columbia \$284,000 from such
188 recoveries or from recaptured payments described in paragraph (2) of this subsection; and

189 “(2) Twenty-five percent of the revenue received by the District resulting from
190 recaptured overpayments identified by the Office of the Inspector General during the course of
191 an audit, inspection, or evaluation; provided, that, such revenue is not due to another party or
192 encumbered by federal or other legal restrictions; provided further, that before the deposit of
193 such revenue into the Fund in each of Fiscal Years 2022 through 2025, there shall be deposited
194 first into the General Fund of the District of Columbia \$284,000 from such recaptured
195 overpayments or from recoveries described in paragraph (1) of this subsection.

196 “(c)(1) Notwithstanding subsection (b) of this section:

197 “(A) No more than \$1 million may be deposited into the Fund in any fiscal
198 year; and

199 “(B) No additional revenue shall be deposited into the Fund if the deposit
200 of the additional revenue would result in the total amount in the Fund exceeding \$2.5 million.

201 “(2) Revenue described in subsection (b) of this section that is not deposited into
202 the Fund as a result of the restrictions set forth in this subsection shall instead be deposited in the
203 General Fund.

204 “(d) Money in the Fund shall be used to support OIG’s statutory responsibilities as set
205 forth in section 208.

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

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

211 “(f) For the purposes of this section, the term “recaptured overpayments” means local
212 funds disbursed by a District agency, a District contractor, a District grantee, or other entity
213 administering a District program or activity in excess of statutory, contractual, or other
214 applicable legal requirements, when such excess disbursements are identified by the OIG in an
215 audit or investigation, and when such excess disbursements are recovered by the District based
216 on the OIG audit or investigation.”.

217 **SUBTITLE B. COVID-19 PUBLIC HEALTH EMERGENCY PROCUREMENT**
218 **ANALYSIS**

219 Sec. 1011. -Short title.

220 This subtitle may be cited as the “COVID-19 Public Health Emergency Procurement
221 Analysis Amendment Act of 2021”.

222 Sec. 1012. -Section 204(b) of the Procurement Practices Reform Act of 2010, effective
223 April 8, 2011 (D.C. Law 18-371, D.C. Official Code § 2-352.04(b)), is amended as follows:

224 (a) Paragraph (16) is amended by striking the phrase “; and” and inserting a semicolon in
225 its place.

226 (b) Paragraph (17)(C) is amended by striking the period and inserting the phrase “; and”
227 in its place.

228 (c) A new paragraph (18) is added to read as follows:

229 “(18) To issue a report to the Mayor and the Council no later than October 22,
230 2021~~within 90 days after the end of the public health emergency that began on March 11, 2020~~
231 ~~(“Public Health Emergency”)~~, that includes:

232 “(A) A review and analysis of emergency procurements conducted ~~under~~
233 during the Public Health Emergency that began on March 11, 2020 (“Public Emergency”) that
234 includes:

235 “(i) A comprehensive listing of each emergency procurement
236 conducted, including:

237 “(I) The date of contract award~~;~~_;

238 “(II) The source selection method, including whether the
239 procurement was competitively sourced~~;~~_;

240 “(III) The name and certified business enterprise status of
241 the awardee~~;~~_;

242 “(IV) The award amount~~;~~_;

243 “(V) The category of goods or services procured~~;~~_; and

244 “(VI) A description of the specific goods or services
245 procured;

246 “(ii) A breakdown of expenditures by funding source, including the
247 extent to which funds have been reimbursed by the federal government, or are in process of
248 reimbursement;

249 “(iii) The value of goods or services procured by each agency;

250 “(iv) A listing of inventory levels by product type on the date of
251 the last day of the Public Health Emergency;

252 “(v) A list of any IDIQ contracts awarded under the Public Health
253 Emergency, including the value of orders placed against each IDIQ contract;

254 “(vi) A process map of the emergency procurement process used
255 during the Public Health Emergency, including receipt of goods, quality assurance, and
256 inventory and distribution steps;

257 “(vii) Any lessons learned or areas for improvement in the
258 effective management of emergency procurements;

259 “(viii) A plan for disposition of any excess supplies and
260 equipment; and

261 “(ix) A plan for retaining or decommissioning the additional
262 warehouse space acquired during the ~~public~~Public Hhealth ~~emergency~~Emergency;

263 “(B) An analysis of emergency procurements with certified local, small, or
264 disadvantaged business enterprises, as defined in section 2302 of the Small and Certified

265 Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C.
266 Law 16-33; D.C. Official Code § 2-218.02), including:

267 “(i) The total value of procurements with certified business
268 enterprises relative to the total value of emergency procurements;

269 “(ii) The number of emergency procurement contracts awarded to
270 certified business enterprises relative to the total number of emergency procurement contracts
271 awarded;

272 “(iii) The number of distinct certified business enterprises that
273 received an emergency procurement award; and

274 “(iv) An analysis of the types of goods or services the District
275 needed, when no more than ~~two~~2 certified business enterprises were capable of performing the
276 contract requirements.”.

277 **SUBTITLE C. FAIR ELECTIONS CLARIFICATION**

278 Sec. 1021. Short title.

279 This subtitle may be cited as the “Fair Elections Clarification Amendment Act of 2021”.

280 Sec. 1022. The Board of Ethics and Government Accountability Establishment and
281 Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-
282 124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

283 (a) Section 101(10D) (D.C. Official Code § 1-1161.01(10D)) is amended by striking the
284 phrase “member of the Council, and member of the State Board of Education” and inserting the

285 phrase “member of the Council elected at -large, member of the Council elected by ward,
286 member of the State Board of Education elected at -large, and member of the State Board of
287 Education elected by ward” in its place.

288 (b) Section 332c(c)(4) (D.C. Official Code § 1-1163.32c(c)(4)) is amended by striking
289 the phrase “his or her candidacy” and inserting the phrase “the participating candidate’s
290 candidacy” in its place.

291 (c) Section 332e(d) (D.C. Official Code § 1-1163.32e(d)) is amended to read as follows:

292 “(d) The maximum amount participating candidates may receive under this section shall
293 be:

294 “(1) For candidates for Mayor, 110% of the average expenditures per election
295 cycle of all candidates who were elected Mayor in the prior 4 general elections for Mayor;

296 “(2) For candidates for Chairman of the Council, 110% of the average
297 expenditures per election cycle of all candidates who were elected Chairman of the Council in
298 the prior 4 general elections for Chairman of the Council;

299 “(3) For candidates for Attorney General, 110% of the average expenditures per
300 election cycle of all candidates who were elected Attorney General in all prior general elections
301 for Attorney General, until such time as 4 general elections for Attorney General have been held,
302 after which time, 110% of the average expenditures per election cycle of all candidates who were
303 elected Attorney General in the prior 4 general elections for Attorney General;

304 “(4) For candidates for member of the Council elected at ~~at~~-large, 110% of the
305 average expenditures per election cycle of all candidates who were elected member of the
306 Council ~~elected~~ at ~~at~~-large in the prior 2 general elections for member of the Council elected at ~~at~~-
307 large;

308 “(5) For candidates for member of the Council elected by ward, 110% of the
309 average expenditures per election cycle of all candidates who were elected member of the
310 Council ~~elected~~ by ward in the prior 2 general elections for member of the Council elected by
311 ward;

312 “(6) For candidates for member of the State Board of Education elected at ~~at~~-large,
313 110% of the average expenditures per election cycle of all candidates who were elected member
314 of the State Board of Education ~~elected~~ at ~~at~~-large in the prior 2 general elections for member of
315 the State Board of Education elected at-large; and

316 “(7) For candidates for member of the State Board of Education elected by ward,
317 110% of the average expenditures per election cycle of all candidates who were elected member
318 of the State Board of Education ~~elected~~ by ward in the prior 2 general elections for member of
319 the State Board of Education elected by ward.”.

320 (d) Section 332f(d)(3) (D.C. Official Code § 1-~~1163.32~~f(d)(3)) is amended by striking
321 the phrase “campaign purposes” and inserting the phrase “campaign purposes, including the
322 participating candidate’s childcare expenses” in its place.

323 (e) Section 333 (D.C. Official Code § 1-1163.33) is amended as follows:

324 (1) Subsection (l) is amended by striking the phrase “and (j)(2)” and inserting the
325 phrase “(j)(2), and (m)” in its place.

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

327 “(m) A candidate may make expenditures to reimburse the candidate for the candidate’s
328 childcare expenses incurred for campaign purposes.”.

329 **SUBTITLE D. ATTORNEY GENERAL SUPPORT AND RESTITUTION**

330 **FUNDS**

331 Sec. 1031. Short title.

332 This subtitle may be cited as the “Attorney General Support and Restitution Fund
333 Expansion and Clarification Amendment Act of 2021”.

334 Sec. 1032. The Attorney General for the District of Columbia Clarification and Elected
335 Term Amendment Act of 2010, effective ~~October 22, 2015~~May 27, 2010 (D.C. Law ~~21-3618-~~
336 160; D.C. Official Code § 1-301.81 *et seq.*), is amended as follows:

337 (a) Section 106b (D.C. Official Code § 1-301.86b) is amended as follows:

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

339 “(b) Revenue from the following sources shall be deposited into the Fund:

340 “(1) Subject to the limitations of subsection (d)(3) of this section and not
341 withstanding any other provision of District law, any recoveries from claims or litigation brought
342 by the Office of the Attorney General on behalf of the District shall be deposited into the Fund;

343 “(2) Funds collected pursuant to section 1043(a-4)(1) of the Delinquent Debt
344 Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
345 350.02(a-4)(1)); and

346 “(3) Funds recovered from owners under section 506(j)(~~12~~) of the Abatement and
347 Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27,
348 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06(j)(~~12~~)), and not deposited into the
349 Tenant Receivership Abatement Fund, in accordance with section 106e(b)(1)(B).”.

350 (2) Subsection (d)(3) is amended as follows:

351 (A) Subparagraph (A) is amended by striking the number “\$17 million”
352 both times it appears and inserting the number “\$19 million” in its place.

353 (B) Subparagraph (B) is repealed.

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

355 “(C) Notwithstanding subparagraph (A) of this subsection, recoveries
356 obtained on behalf of the District, pursuant to contingency fee contracts shall be deposited into
357 the Fund and may remain in the Fund until paid to the contractor to satisfy costs and fees or
358 transferred to another fund by the Office of the Attorney General to pay contingency fee
359 contracts.”.

360 (3) Subsection (e) is amended to read as follows:

361 “(e) For the purposes of this section, the term “recovery” shall include funds obtained
362 through court determinations or through the settlement of claims in which the Office of the

363 Attorney General represents the District, but shall not include funds obtained through an
364 administrative proceeding or funds obligated to another source by federal law or pursuant to
365 section 2(b)(2) of the Subrogation Fund Establishment Act of 2018 (D.C. Law 22-122; D.C.
366 Official Code § 1-325.391(b)(2)), or section 2332 of the District of Columbia Government
367 Comprehensive Merit Personnel Act of 1979, effective March 3, 1979 (D.C. Law 2-139; D.C.
368 Official Code § 1-623.32). Recoveries shall be deposited into the Fund regardless of whether the
369 amounts payable to satisfy the underlying obligations ~~would~~ otherwise would have been required
370 to be deposited into a different District special fund.”.

371 (b) Section 106c (D.C. Official Code § 1-301.86c), is amended as follows:

372 (1) Subsection (b) is amended as follows:

373 (A) The lead-in language is amended by striking the phrase “awards shall
374 be” and inserting the phrase “shall be” in its place.

375 (B) Paragraph (1) is amended by striking the phrase “; and” and inserting a
376 semicolon in its place.

377 (C) Paragraph (2) is amended by striking the period and inserting the
378 phrase “; and” in its place.

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

380 “(3) Funds collected pursuant to section 1043(a-4)(2) of the Delinquent Debt
381 Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
382 350.02(a-4)(2)).”.

383 (2) Subsection (h) is repealed.

384 (c) Section 106d(b) (D.C. Official Code § 1-301.86d(b)) is amended to read as follows:

385 “(b) Revenue from the following shall be deposited in the Restitution Fund:

386 “(1) Awards of restitution and costs to individuals imposed under a court order,

387 judgment, or settlement in any action or investigation brought to enforce to section 203a of the

388 Criminal Abuse, Neglect, and Financial Exploitation of Vulnerable Adults and the Elderly Act of

389 2000, effective November 23, 2016 (D.C. Law 21-166; D.C. Official Code § 22-933.01); and

390 “(2) Funds collected pursuant to section 1043(a-4)(3) of the Delinquent Debt

391 Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-

392 350.02(a-4)(3).”.

393 **SUBTITLE E. CONSUMER PROTECTION PROCEDURES STAY**

394 Sec. 1041. Short title.

395 This subtitle may be cited as the “Attorney General Stay of Parallel Private Attorney

396 General Actions Amendment Act of 2021”.

397 Sec. 1042. Section 28-3905(k) of the District of Columbia Official Code is amended by

398 adding a new paragraph (7) to read as follows:

399 “(7)(A) Commencement of an action by the Attorney General under § 28-3909,

400 including the maintenance of an action previously commenced and pending as of the effective

401 date of this act, shall serve to stay until the resolution of the Attorney General’s action any civil

402 action that includes any claim that is:

403 “(i) Made pursuant to this subsection by a public interest
404 organization or on behalf of the general public; and

405 “(ii) Based in whole or in part on any matter complained of in the
406 action commenced by the Attorney General.

407 “(B) A plaintiff that is a public interest organization or is acting on behalf
408 of the general public shall provide notice to the Office of the Attorney General within 10 days of
409 the filing of an action that includes a claim made under this subsection.”.

410 **SUBTITLE F. MEDICAL MARIJUANA PROGRAM PATIENT EMPLOYMENT**
411 **PROTECTION REGULATION CLARIFICATION**

412 Sec. 1051. Short title.

413 This subtitle may be cited as the “Medical Marijuana Program Patient Employment
414 Protection Regulation Clarification Amendment Act of 2021”.

415 Sec. 1052. The District of Columbia Government Comprehensive Merit Personnel Act of
416 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is
417 amended as follows:

418 (a) Section 1503a(h) (D.C. Official Code § 1-615.03a(h)) is amended by striking the
419 word “rules” and inserting the phrase “rules pertaining to Council employees” in its place.

420 (b) Section 2062(e) (D.C. Official Code § 1-620.62(e)) is amended by striking the word
421 “rules” and inserting the phrase “rules pertaining to Council employees” in its place.

422 **SUBTITLE G. DISABILITY INSURANCE OVERPAYMENT REMEDY**

423 Sec. 1061. Short title.

424 This subtitle may be cited as the “Disability Insurance Overpayment Remedy Act of
425 2021”.

426 Sec. 1062. Definitions.

427 For the purposes of this subtitle, the term:

428 (1) “Affected employee” means each past and current District government
429 employee ~~who determined by DCHR to have determines~~ overpaid premiums on disability
430 insurance at any time during the period from January 1, 2010, through December 31, 2020.

431 (2) ~~“DCHR” means the Department of Human Resources.~~

432 (3) “Disability insurance” means short-term or long-term disability insurance
433 provided as a voluntary opt-in benefit for District government employees.

434 (3) ~~“DCHR” means the Department of Human Resources.~~

435 (4) “Overpayment” means money paid by a District government employee for
436 disability insurance premiums in excess of what the employee owed.

437 Sec. 1063. Notification and repayment of premiums.

438 By September 30, 2022, DCHR shall:

439 (1) Identify all affected employees;

440 (2) Individually notify each affected employee regarding:

441 (A) About the fact of the overpayment;

- 442 ~~(B) The~~ date range of the employee's overpayment~~;~~;
- 443 ~~(C) The~~ total dollar amount of the overpayment; overpaid by the
- 444 ~~employee,~~ and
- 445 ~~(D) The~~ formula DCHR used to arrive at the affected employee's
- 446 overpayment amount;
- 447 (3) Provide affected employees a process to contest the overpayment calculation
- 448 provided pursuant to paragraph (2) of this subsection;
- 449 (4) Reimburse each affected employee by the amount DCHR determines the
- 450 affected employee overpaid, after considering any ~~contested~~-calculations contested pursuant to
- 451 paragraph (3) of this section; and
- 452 (5) Submit to the Council a report containing the:
- 453 (A) Total number of affected employees;
- 454 (B) Date the District collected the first overpayment and the date the
- 455 District ceased collecting overpayments;
- 456 (C) Total amount of all overpayments paid by all affected employees;
- 457 (D) Average amount by which affected employees overpaid their
- 458 disability insurance premiums from 2010 through 2019; and
- 459 (E) Total amount of money the District reimbursed to all affected
- 460 employees.
- 461 Sec. 1064. Sunset.

462 This subtitle shall expire 30 days after DCHR reimburses all affected employees and the
463 Council receives the report described in section 1063.

464 **SUBTITLE H. DISTRICT GOVERNMENT EMPLOYEE RESIDENCY**

465 **RESEARCH**

466 Sec. 1071. -Short title.

467 This subtitle may be cited as the “District Government Employee Residency Research
468 Amendment Act of 2021”.

469 Sec. 1072. -The Jobs for D.C. Residents Amendment Act of 2007, effective February 6,
470 2008 (D.C. Law 17-108; D.C. Official Code § 1-515.01 *et seq.*), is amended as follows:

471 (a) Section 101 (D.C. Official Code § 1-515.01) is amended as follows:

472 (1) New paragraphs (1A), (1B), and (1C) are added to read as follows:

473 “(1A) “Common jurisdiction of residence” means a local jurisdiction in which
474 ~~where~~ at least 500 District government employees reside; provided, that the counties commonly
475 known as the “eastern shore of Maryland” may be grouped together as one jurisdiction and all
476 counties in West Virginia may be grouped together as one jurisdiction.

477 “(1B) “DCHR” means the ~~District~~ Department of Human Resources.

478 “(1C) “Demographics” means socioeconomic factors such as a District
479 government employee’s race, household size, number of dependents, status as a parent of school-
480 aged children, jurisdiction of birth, and household income.”.

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

482 “(2A) “Employment information” means:

483 “(A) The agency for which the employee works;

484 “(B) The employee’s job title, salary, employment service and grade,
485 occupation, and occupational group;

486 “(C) The employee’s status as a full-time, part-time, term, or permanent
487 employee; and

488 “(D) The employee’s status as a highly-compensated employee.”.

489 (3) New paragraphs (4) and (5) are added to read as follows:

490 “(4) “Jurisdiction of residence” means the city, county, and state, as applicable, in
491 which a District government employee maintains the employee’s primary or permanent
492 residence.

493 “(5) “Residency-related policies” includes the preference points for District
494 residents who apply to District government employment and the District residency mandates in
495 sections 102 and 103, respectively, or in other District law.”.

496 (b) A new section 106a is added to read as follows:

497 “Sec. 106a. Study of District government employee residency.

498 “(a)(1) DCHR shall conduct a study on District government employee and applicant
499 residency and residency-related policies (“study”), which it shall submit to the Council no later
500 than October 1, 2022. The study shall utilize the results of each of the components described in

501 subsection (b) of this section to provide a comprehensive analysis on the District government
502 workforce as a whole and ~~on~~of sworn police officers, firefighters, and other groups regarding:

503 “(A) Current patterns related to District government employees’

504 jurisdictions of residence;

505 “(B) Barriers to higher rates of District residency;

506 “(C) Reasons for District residency;

507 “(D) Effectiveness of current residency-related policies; and

508 “(E) Factors or policies that, if changed, could increase the rates of

509 District residency for District government employees.

510 “(2) DCHR shall provide the Council Committee on Labor and Workforce

511 Development a status update on the research, in writing, 3 months, 6 months, 9 months, 10

512 months, and 12 months following the applicability date of the District Government Employee

513 Residency Research Amendment Act of 2021, passed on 1st reading approved by the Committee

514 ~~of the Whole~~ on July 20, 2021 (Engrossed version Committee print of Bill 24-285).

515 “(b) The study shall consist of the following components:

516 “(1) Results from a data analysis of the jurisdiction of residence of District

517 government employees and applicants, consistent with the requirements of subsection (c) of this

518 section;

519 “(2) Results of an anonymous survey or confidential focus groups, or both, of

520 District government employees and former employees related to their opinions and experiences

521 regarding their jurisdictions of residence, consistent with the requirements of subsection (d) of
522 this section; and

523 “(3) Results of a review and analysis of District government agencies’ hiring
524 practices and outcomes through data analysis and interviews or surveys, or both, of agency hiring
525 directors, consistent with the requirements of subsection (e) of this section.

526 “(c)(1) The study’s data analysis component shall collect and analyze data, to the extent it
527 is available, for the purpose of documenting~~g~~ for the District government workforce:

528 “(A) Patterns, including correlations, between District government
529 employees’ current jurisdictions of residence and employees’:

530 “(i) Employment information;

531 “(ii) Demographics;

532 “(iii) Median housing costs, including monthly rent and home sale
533 price, in common jurisdictions of residence; and

534 “(iv) Applicable residency-related policies;

535 “(B) Patterns, including rates of application and of hire, of District
536 government job applicants, by jurisdiction of residence and then by agency, salary level,
537 employment service and grade, occupation, and occupational group; and for District resident
538 applicants, the analysis also shall ~~also~~ include a review of total workforce and agency-level
539 patterns and rates at which applicants:

540 “(i) Were qualified for the applied-for jobs based on the 100-point
541 scale;

542 “(ii) Sought and received District residency preference points;

543 “(iii) Received an interview;

544 “(iv) Received job offers; and

545 “(v) Accepted job offers; and

546 “(C) Patterns related to District government employees moving into the
547 District, maintaining residency in the District, or moving out of the District, and factors or
548 circumstances that include the following:

549 “(i) Employees’ jurisdictions of residence immediately before
550 commencing work with the District government;

551 “(ii) Residency-related policies, including the end of the 7-year
552 period of required residency for employees who received a hiring preference pursuant to section
553 102;

554 “(iii) The length of time employees resided in the District before
555 commencing employment with the District government;

556 “(iv) Employment information; and

557 “(v) Demographics and changes in demographics.

558 “(2) Upon completion of the research and analysis conducted pursuant to
559 paragraph (1) of this subsection, DCHR shall issue and submit to the Council a report
560 documenting the findings of the data analysis for:

- 561 “(A) The District’s workforce as a whole;
- 562 “(B) Subordinate agency employees;
- 563 “(C) Independent agency employees;
- 564 “(D) Employees in jobs that require District residency;
- 565 “(E) Employees in jobs that do not require District residency;
- 566 “(F) Sworn police officers;
- 567 “(G) Firefighters;
- 568 “(H) Employees who received residency preference points;
- 569 “(I) Employees with long tenures with the District government;
- 570 “(J) Employees with short tenures with the District government; and
- 571 “(K) Other groups and subgroups that produce findings of interest,
- 572 relevance, or import, including disaggregation by demographics, employment information,
- 573 occupation, and other factors, ~~where-when~~ such disaggregation demonstrates observable patterns
- 574 of interest or importance.

575 “(d)(1) The study’s anonymous survey or confidential focus groups component shall:

- 576 “(A) Be conducted after issuance of the report required pursuant to
- 577 subsection (c)(2) of this section and be informed by its findings;

578 “(B) Include a sample size that is large and diverse enough for
579 disaggregation into the groups of employees listed in subsection (c)(2) of this section.

580 “(C) Capture demographic information as well as information on actual
581 housing costs of survey participants;

582 “(D) Capture data not available through the data analysis conducted
583 pursuant to subsection (c)(1)(A) and (C) of this section;

584 “(E) Include questions, and allow open-ended responses, related to:

585 “(i) Why District government employees choose to live in the
586 District or not to live in the District;

587 “(ii) The decision-making considerations of employees as to their
588 jurisdiction of residence, with a particular focus on housing costs, educational options, and other
589 significant or common factors;

590 “(iii) For public safety jobs, including sworn police officers and
591 firefighters, the unique factors of their jobs and how those factors’ impact their decisions related
592 to jurisdiction of residence;

593 “(iv) How District resident employees are able to afford to live in
594 the District; and

595 “(v) Other questions aimed at collecting the information required
596 in paragraph (3)(A) of this subsection or of interest, relevance, or importance to the study.

597 “(2) DCHR may utilize up to \$10,000 to incentivize survey participation.

598 “(3) Upon completion of the survey or focus groups and analysis conducted
599 pursuant to paragraph (1) of this subsection, DCHR shall issue and submit to the Council a report
600 with findings from the survey and confidential focus groups, which shall:

601 “(A) Include findings on:

602 “(i) The circumstances under which and reasons why District
603 residents hired into District government positions move out of the District;

604 “(ii) The circumstances under which and reasons why new District
605 government hires who are not District residents move into the District or do not move into the
606 District;

607 “(iii) Factors that would influence a non-District resident to
608 voluntarily live in the District or allow the individual to live in the District if the employee’s job
609 required District residency, including salary thresholds above which District employees who are
610 not District residents would be willing or able to become District residents; and

611 “(iv) Factors that would influence a District resident to remain a
612 District resident in the long term;

613 “(B) Disaggregate results by demographics, salary level, the employee
614 groups listed in subsection (c)(2) of this section, and other factors;

615 “(C) Provide average and median actual housing costs of survey or focus
616 group participants, in sum and disaggregated by demographics, salary level, and other factors
617 and;

618 “(D) Withhold or combine data to the extent failure to do so would
619 otherwise disclose a participant’s identity.

620 “(e)(1) The study component related to a review and analysis of agencies’ hiring
621 practices and outcomes shall utilize data gathered pursuant to subsection (c)(1)(B) of this section,
622 related to District government employee applicants, and interviews with or surveys of agency
623 hiring directors to inform the component, and shall include:

624 “(A) A review of:

625 “(i) District government agencies’ actual recruitment, hiring,
626 retention, and promotion practices~~;~~;

627 “(ii) Whether and to what extent such practices focus on hiring
628 District residents~~;~~;

629 “(iii) Success or lack of success of such practices at hiring District
630 residents~~;~~;

631 “(iv) ~~how~~ How to improve practices to increase hiring of District
632 residents~~;~~ and

633 “(v) The main challenges, as supported by data or reported by
634 hiring directors, in hiring District residents and recruiting to positions that require District
635 residency;

636 “(B)(i) Identification of specific occupations or occupational groups and
637 patterns or correlations related to occupations or occupational groups for which District residents
638 represent less than 40% of new hires;”

639 “~~(ii) Each occupation’s or occupational group’s starting salary;~~”

640 and

641 “~~(iii) S~~pecific credentials necessary for each occupation or
642 occupational group; and

643 “(C) For agencies that consistently have an annual rate of new hires that is
644 less than 40% District residents, data analysis of, and agency hiring directors’ perspective on, the
645 reasons for such rates, such as inadequate recruitment, bona fide hard-to-fill positions, lack of
646 qualified District-resident applicants, lack of positions that require residency, or other legitimate
647 reasons.

648 “(2) Upon completion of the research conducted pursuant to paragraph (1) of this
649 subsection, DCHR shall issue and submit to the Council a report with findings of the review of
650 hiring practices conducted pursuant to this subsection.

651 “(f)(1) To perform the study and complete the reports required pursuant to this section,
652 including to prepare the reports required in subsections (a), (c)(2), (d)(3), and (e)(2) of this
653 section, DCHR may contract with or otherwise hire an outside entity with relevant expertise in
654 conducting related research and using research methodologies required to produce the study.

655 “(2) DCHR may use electronic communication tools, including e-mail, to
656 facilitate a contractor or other external entity’s outreach to District government employees.

657 “(3) DCHR shall:

658 “(A) Provide a contractor or hired entity, should one be procured or hired,
659 with the information and data necessary to facilitate completion of the study components
660 outlined in subsection (b) of this section and shall assist the contractor or hired entity in
661 obtaining data from other agencies, including the Office of the Chief Financial Officer
662 (“OCFO”) Office of Tax and Revenue.

663 “(B) Provide all raw data, survey questions, survey results, and all
664 research components and other materials prepared by a contractor or hired entity for the research
665 required by the study, but excluding individual-level data, to the Council upon request.

666 “(g) In complying with the provisions of this section, DCHR shall take steps to ensure the
667 privacy and ~~confidentially~~ confidentiality of current and former District government employees.
668 DCHR may not release to the public or to the Council any findings or data that contain
669 personally identifying information.

670 “(h)(1) OCFO shall provide all information requested by DCHR or DCHR’s hired entity
671 for the purposes of the research described in this subtitle unless sharing such information would
672 violate District or federal laws. DCHR shall enter a data-sharing agreement with OCFO if
673 necessary.

674 “(2) Independent agencies shall provide all information requested by DCHR for
675 the purposes of the research described in this subtitle. DCHR shall enter a data-sharing
676 agreement with the agencies if necessary.”.

677 (c) Section 108 (D.C. Official Code § 1-515.08) is amended as follows:

678 (1) Paragraph (1) is amended by striking the phrase “this act” and inserting the
679 phrase “this title” in its place.

680 (2) Paragraph (2) is amended by striking the phrase “this act” and inserting the
681 phrase “this title” in its place.

682 **SUBTITLE I. DELINQUENT DEBT**

683 Sec. 1081. Short title.

684 This subtitle may be cited as the “Delinquent Debt Recovery Amendment Act of 2021”.

685 Sec. 1082. The Delinquent Debt Recovery Act of 2012, effective September 20, 2012
686 (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), is amended as follows:

687 (a) Section 1043 (D.C. Official Code § 1-350.02) is amended as follows:

688 (1) Subsection (a) is amended by striking the phrase “subsection (a-1)” and
689 inserting the phrase “subsections (a-1) and (a-4)” in its place.

690 (2) A new subsection (a-4) is added to read as follows:

691 “(a-4) The Office of the Attorney General may, in its discretion, transfer and refer
692 delinquent debts associated with settlements and judgments to the Central Collection Unit for
693 collection. Beginning in Fiscal Year 2022 and for each fiscal year thereafter:

694 “(1) Funds collected by the Central Collection Unit arising out of delinquent debts
695 associated with settlements and judgments transferred and referred to the Central Collection Unit
696 by the Office of the Attorney General for collection, net of costs and fees, shall be deposited into
697 the Litigation Support Fund established by section 106b of the Attorney General for the District
698 of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22,
699 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.86b), within 60 days;

700 “(2) Funds collected by the Central Collection Unit arising out of delinquent debts
701 payable as restitution pursuant to a court order, judgment, or settlement under D.C. Official Code
702 § 28-3909 and section 6(a)(2)(A)(iii) of An Act To provide for the payment and collection of
703 wages in the District of Columbia, approved August 3, 1956 (70 Stat. 977; D.C. Official Code §
704 32-1306(a)(2)(A)(iii)), transferred and referred to the Central Collection Unit by the Office of the
705 Attorney General for collection shall be deposited into the Attorney General Restitution Fund
706 established by section 106c of the Attorney General for the District of Columbia Clarification
707 and Elected Term Amendment Act of 2010, effective December 13, 2017 (D.C. Law 22-33; D.C.
708 Official Code § 1-301.86c), within 60 days; and

709 “(3) Funds collected by the Central Collection Unit arising out of delinquent debts
710 payable as restitution pursuant to a court order, judgment, or settlement in any action or
711 investigation brought to enforce section 203a of the Senior Protection Amendment Act of 2000,
712 effective November 23, 2016 (D.C. Law 21-166; D.C. Official Code § 22-933.01), transferred
713 and referred to the Central Collection Unit by the Office of the Attorney General for collection

714 shall be deposited into the Vulnerable Adult and Elderly Person Exploitation Restitution Fund
715 established by section 106d of the Attorney General for the District of Columbia Clarification
716 and Elected Term Amendment Act of 2010, effective September 11, 2019 (D.C. Law 23-16;
717 D.C. Official Code § 1-301.86d), within 60 days.”.

718 (b) Section 1045(b)(2) (D.C. Official Code § 1-350.04(b)(2)) is amended by striking the
719 phrase “section 1043(a-1), (a-2) and (a-3)” and inserting the phrase “section 1043(a-1), (a-2),
720 (a-3), and (a-4)” in its place.

721 **SUBTITLE J. TENANT RECEIVERSHIP**

722 Sec. 1091. Short title.

723 This section may be cited as the “Tenant Receivership Amendment Act of 2021”.

724 Sec. 1092. Rehabilitation Funding.

725 Section 506 of the Abatement and Condemnation of Nuisance Properties Omnibus
726 Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-
727 3651.06), is amended by adding a new subsection (j) to read as follows:

728 “(j)(1) In a case in which the court has appointed a receiver in response to a petition made
729 pursuant to section 503, if the court finds, after notice and hearing, that the owner of the rental
730 property currently lacks sufficient funds to pay for rehabilitation of the rental housing
731 accommodation, and that such funds cannot be feasibly and timely obtained through grants or
732 subsidies:

733 “(A) The court may issue an order authorizing the Attorney General to supply
734 funding to the receiver, for initial and emergency repairs, from any funds available in the Tenant
735 Receivership Act Abatement Fund, established by section 106e of the Attorney General for the
736 District of Columbia Clarification and Elected Term Amendment Act of 2010, ~~as approved by~~
737 ~~the Committee of the Whole passed on 1st reading~~ on July 20, 2021 (~~Committee print~~Engrossed
738 ~~version~~ of Bill 24-285); or

739 (B) The Court may extend the receivership in place under this act based on a
740 showing of demonstrated need and authorize the receiver to do either of the following:

741 “(i) Sell the property for a fair~~—~~market price to an owner capable of
742 maintaining the property; or

743 “(ii) If the owner is a District of Columbia corporation or other entity, file
744 a petition in the appropriate federal bankruptcy court to place the corporate owner into
745 bankruptcy proceedings pursuant to, and in a manner consistent with, the federal Bankruptcy
746 Code.

747 “(2)(A) If a court issues an order pursuant to paragraph (1)(A) of this subsection,
748 the owner shall be required to repay the funding supplied by the Attorney General no later than
749 30 days after the receiver receives those funds. Any funds unpaid as of that 30-day deadline shall
750 incur interest at the rate of 6% per annum until repaid. The Attorney General may petition the
751 court to convert the order into a final judgment, and once the order is so converted, the Attorney

752 General may take actions to collect on any unpaid balance, using all available collection methods
753 authorized under District or other applicable law.

754 “(B) An owner’s obligation to repay funding pursuant to subparagraph (A)
755 of this paragraph shall automatically become a lien on the owner’s real property as of the date
756 the Attorney General supplies funds to the receiver pursuant to paragraph (1)(A) of this section.

757 “(C) A lien established pursuant to subparagraph (B) of this paragraph
758 shall be a prior and preferred lien over all other liens or encumbrances on the real property.”.

759 Sec. 1093. Tenant Receivership Abatement Fund.

760 The Attorney General for the District of Columbia Clarification and Elected Term
761 Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-
762 301.81 *et seq.*), is amended as follows:

763 (a) Section 106c(c) (D.C. Official Code § 1-301.86c(c)) is amended as follows:

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

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

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

769 “(3) Supplying initial funding for, and from time-to-time replenishing, the Tenant
770 Receivership Act Abatement Fund pursuant to section 106e(b)(1)(A).”.

771 (b) A new section 106e is added to read as follows:

772 “Sec. 106e. Tenant Receivership Abatement Fund.

773 “(a) There is established as a special fund the Tenant Receivership Abatement Fund
774 (“Fund”), which shall be administered by the Attorney General in accordance with subsections
775 (b) and (c) of this section.

776 “(b)(1) Funds from the following sources shall be deposited into the Fund:

777 “(A) Funds from the Attorney General Restitution Fund, which the
778 Attorney General may use to supply initial funding for, and to from time to time to replenish, the
779 Fund; and

780 “(B) All funds recovered from owners under section 506(j)(~~12~~) of the
781 Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000,
782 effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06(j)(~~12~~)); except, that
783 when the deposit of such funds into the Fund would cause the Fund balance to exceed \$2 million,
784 the excess of such funds instead shall be deposited into the Litigation Support Fund established
785 by section 106b.

786 “(2) Amounts on deposit in the Fund shall not exceed \$2 million.

787 “(c) Money in the Fund shall be used to comply with orders issued by the Superior Court
788 under section 506(j) of the Abatement and Condemnation of Nuisance Properties Omnibus
789 Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-
790 3651.06(j)).

791 “(d)(1) Except as provided in subsection (b)(2) of this section, the money deposited into
792 the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the
793 General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

796 **SUBTITLE K. EARLY CHILDHOOD EDUCATOR COMPENSATION**

797 **TASKFORCE**

798 Sec. 1101. Short title.

799 This subtitle may be cited as the “Early Childhood Educator Equitable Compensation
800 Task Force Act of 2021”.

801 Sec. 1102. Definitions.

802 For purposes of this subtitle, the term:

803 (1) “Child development facility” shall have the same meaning as provided in
804 section 2(3) of the Child Development Facilities Regulation Act of 1998, effective April 13,
805 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031(3)).

806 (2) “Community-based organization” or “CBO” shall have the same meaning as
807 provided in section 101(1C) of the Pre-K Enhancement and Expansion Amendment Act of 2008,
808 effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38–271.01(1C)).

809 (3) “Early childhood development provider” shall have the same meaning as
810 provided in section 101(1G) of the Pre-K Enhancement and Expansion Amendment Act of 2008,
811 July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38–271.01(1G)).

812 (4) “Subsidy” means supplemental payments made by the Mayor pursuant to
813 section 5a of the Day Care Policy ~~Amendment~~ Act of ~~1998~~1979, effective April 13, 1999 (D.C.
814 Law 12-216; D.C. Official Code § 4-404.01).

815 Sec. 1103. Early Childhood Educator Equitable Compensation Task Force Establishment.

816 (a) ~~There is The Council of the District of Columbia shall~~ established by the Council an
817 Early Childhood Educator Equitable Compensation Task Force (“Task Force”) to provide
818 recommendations on how to implement an employee compensation scale for early childhood
819 development providers.

820 (b)(1) The Task Force shall be comprised of the Chairman of the Council, or his or her
821 designee, the State Superintendent of Education, or his or her designee, and 12 District residents,
822 appointed by the Chairman. representing the following entities or groups:

823 (A) Families whose children are receiving or have received childcare
824 services from an early childhood development provider in the District;

825 (B) Community-based organizations;

826 (C) Early childhood advocacy organizations;

827 (D) Operators of child development facilities who participate in the
828 childcare subsidy program;

829 (E) Operators of child development facilities who do not currently
830 participate in the childcare subsidy program;

831 ~~(F) Operators of home-based child development facilities;~~

832 ~~(FG) Educators Employees~~ of child development facilities; and

833 ~~(GH)~~ An individual with an expertise in economics or policy, who has an
834 understanding of the District's early childhood development and education sector.

835 (2) At least 2 members of the Task Force shall be employees of child
836 development facilities.

837 (3) The Chairman, or his or her designee, shall serve as the Chairperson of the
838 Task Force.

839 (c) The Task Force shall:

840 ~~(1) Meet a minimum of 4 times;~~

841 ~~(2)~~ Review the findings and recommendations of the Early Childhood Educator
842 Compensation in the Washington Region study completed by the Urban Institute and any
843 completed employee compensation scale and other relevant materials provided by the Office of
844 the State Superintendent of Education; and

845 ~~(3)~~ Submit a report to the Mayor and Council by January 15, 2022, that:

846 ~~(A) Assesses overall readiness for early childhood development providers~~
847 ~~to implement a competitive employee compensation scale that includes salary, benefits,~~
848 ~~professional development, and workforce development;~~

849 ~~(B)~~ Assesses the potential impact of implementing an employee
850 compensation scale on early childhood development providers that:
851 (i) Do not provide childcare services to children eligible for
852 subsidy; or
853 (ii) Serve a minimum number of children who receive subsidy;
854 ~~(C)~~ Proposes an employee compensation scale for early childhood
855 development providers that accounts for employee role, credentials, and experience; and
856 ~~(D)~~ Provides recommendations for implementing the employee
857 compensation scale, which at a minimum considers:
858 (i) Equitable implementation that accounts for different staffing
859 models, types, and sizes of early childhood development facilities;
860 (ii) Long-term implications of the District providing funds to early
861 childhood providers to implement the pay scale, including how to allocate funds for new early
862 childhood development facilities that open after legislation is enacted; provided, that
863 recommendations do not exceed the \$70 million appropriated in the Early Childhood Educator
864 Pay Equity Fund, plus any amounts adjusted for inflation in years beyond Fiscal Year 2023; and
865 (iii) Oversight, reporting, and accountability mechanisms for the
866 use of funds allocated to early childhood development providers from the Early Childhood
867 Educator Pay Equity Fund.

868 **SUBTITLE L. FALSE CLAIMS CLARIFICATION**

869 Sec. 1111. Short title.

870 This subtitle may be cited as the “False Claims and Vacant Property Amendment Act of
871 2021”.

872 Sec. 1112. Section 814(d) of the District of Columbia Procurement Practices Act of 1985,
873 effective May 8, 1998 (D.C. Law 12-104, D.C. Official Code § 2-381.02(d)), is amended to read
874 as follows:

875 “(d) This section shall not apply to claims, records, or statements made pursuant to those
876 portions of Title 47 that refer or relate to taxation, unless:

877 “(1)(A) The claim, record, or statement was made on or after January 1, 2015; and

878 “(B) The District taxable income, District sales, or District revenue of the
879 person against whom the action is being brought equals \$1 million for any taxable year subject to
880 any action brought pursuant to this part, and the damages pleaded in the action total \$350,000 or
881 more; or

882 “(2) The claim, record, or statement was made on or after January 1, 2015, and
883 relates to the classification of real property as vacant or blighted pursuant to An Act To provide
884 for the abatement of nuisances in the District of Columbia by the Commissioners of said District,
885 and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01
886 *et seq.*)

887 **~~SUBTITLE M. BUILDING PATHWAYS GRANT~~**

888 ~~Sec. 1121. Short title.~~

889 ~~— This subtitle may be cited as the “Building Pathways Grant Act of 2021”.~~

890 ~~— Sec. 1122. Notwithstanding the Grant Administration Act of 2013, effective December~~
891 ~~24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2022, the~~
892 ~~Department of General Services shall have grant-making authority to provide a \$1,000,000 grant~~
893 ~~to Building Pathways—Charter School Incubator Initiative for the purpose of replacing the~~
894 ~~HVAC system at the Patricia R. Harris Educational Center school building.~~

895 **SUBTITLE M. CHIEF FINANCIAL OFFICER AUTHORITY**

896 Sec. 1121. Short title.

897 This subtitle may be cited as the “Chief Financial Officer Authority to Budget New
898 Agencies Act of 2021”.

899 Sec. 1122. The Chief Financial Officer may, for the purpose of establishing a budget
900 structure for new agencies within the financial system for Fiscal Year 2022:

901 (a) Create new agencies in the financial system, as necessary, and reallocate funds in the
902 Office of the Chief Financial Officer for the purpose of implementing the Child Wealth Building
903 Act of 2021, as approved by the Committee on Business and Economic Development on July 12,
904 2021 (Committee print of Bill 24-236).

905 (b)(1) Create the Department of Buildings and redesignate the Department of Consumer
906 and Regulatory Affairs (“DCRA”) as the Department of Licensing and Consumer Protection in
907 the financial system; and

908 (2) Reallocate funds budgeted in DCRA and in the Non-Departmental Account as
909 necessary to implement the Department of Buildings Establishment Act of 2020, effective April
910 5, 2021 (D.C. Law 23-269; 68 DCR 1490).

911 **SUBTITLE N. RESIDENTIAL REENTRY DEVELOPMENT PLAN**

912 Sec. 1131. Short Title.

913 This subtitle may be cited as the “Residential Reentry Development Plan ~~Amendment~~
914 Act of 2021”.

915 Sec. 1132. During Fiscal Year 2022, the Council will engage an analysis to develop and
916 submit a plan on how to open at least ~~eight~~ 8 small to mid-sized residential reentry centers across
917 the District, including one in each ward.

918 **SUBTITLE O. LGBTQ COMMUNITY BUSINESS EVALUATION AND**
919 **SUPPORT**

920 Sec. 1141. Short title.

921 This subtitle may be cited as the “LGBTQ Community Business Evaluation and Support
922 Amendment Act of 2021”.

923 Sec. 1142. The Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of
924 ~~2005~~2006, effective April 4, 2006 (D.C. Law 16-89, D.C. Official Code § 2-1381 *et seq.*), is
925 amended as follows:

926 (a) Section 2 (D.C. Official Code § 2-1381) is amended by adding a new paragraph
927 (~~2a~~2A) to read as follows:

928 “(2A) “LGBTQ Community Business” means a for-profit business that:

929 “(A) Is authorized to do business in the District;

930 “(B) Either maintains at least one physical facility in the District that is

931 regularly open to the public; or is a publication that dedicates a majority of its coverage to news
932 and issues in the District;

933 “(C) Is either majority-owned or primarily managed by LGBTQ
934 individuals; and

935 “(D) Holds itself out to the public as catering to LGBTQ customers or
936 communities, including through advertising or regular events; ~~however~~except, that; a business
937 that declines to advertise widely its practice of catering to LGBTQ customers or communities to
938 protect the privacy and safety of its clientele, but can demonstrate that it willingly cultivates
939 LGBTQ individuals as customers through other means, such as word of mouth, may satisfy this
940 criterion.”.

941 (b) Section 4(b) (D.C. Official Code § 2-1383(b)) is amended as follows:

942 (1) Paragraph (11) is amended by striking the phrase “; and” and inserting a
943 semicolon in its place.

944 (2) Paragraph (12) is amended by striking the period and inserting the phrase “;
945 and” in its place.

946 (3) A new paragraph (13) is added to read as follows:

947 “(13) No later than July 31, 2022, in coordination with the Advisory Committee
948 and after consultation with the LGBTQ community, submit to the Council a report on the state of
949 LGBTQ Community Businesses that shall include:

950 “(A) An evaluation of the state of the LGBTQ Community Business
951 economy and how that economy has changed over time;

952 “(B) The economic and social value of the LGBTQ Community Business
953 economy to the District as a whole;

954 “(C) The key challenges currently faced by LGBTQ Community
955 Businesses;

956 “(D) Recommendations for maintaining vibrant and diverse LGBTQ
957 Community Businesses; and

958 “(E) Recommendations for ensuring that LGBTQ Community Businesses
959 remain open and welcoming to all members of the LGBTQ community.”.

960 **SUBTITLE P. LEASE OF K.C. LEWIS SCHOOL BUILDING**

961 **Sec. 1151. Short Title.**

962 This subtitle may be cited as the “K.C. Lewis School Lease Authorization Act of 2021”.

963 Sec. 1152. Notwithstanding the requirements of section 2209(b) of the District of
964 Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-244; D.C.
965 Official Code § 38-1802.09(b)), the Mayor may lease to Howard University the real property
966 located at 355 W Street, N.W., commonly known as K.C. Lewis Elementary School or the
967 former Washington Metropolitan High School (Lots 0067, 0854, 0855, and 0856 in Square
968 3069), with the terms and conditions to be established by the Mayor and which shall include the
969 following:

970 (1) That the lease shall be for a period no greater than 4 years; and

971 (2) That Howard University shall make improvements to the building at its own
972 expense.

973 Sec. 1153. Applicability.

974 This subtitle shall apply as of August 30, 2021.

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

976 **SUBTITLE A. ARTS AND HUMANITIES GRANT FUNDING**

977 Sec. 2001. -Short title.

978 This subtitle may be cited as the “Equity in the Arts and Humanities Amendment Act of
979 2021”.

980 Sec. 2002. -Section 115 of Title III of Division C of the Consolidated Appropriations
981 Resolution, 2003, approved February 20, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01), is
982 amended by adding a new subsection (f) to read as follows:

983 “(f) This section shall not apply to the Commission on the Arts and Humanities, which
984 may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the
985 Commission on the Arts and Humanities without prior approval by the Mayor.”.

986 Sec. 2003. -Section 1108(c-2) of the District of Columbia Government Comprehensive
987 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
988 611.08(c-2)), is amended as follows:

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

991 (b) Paragraph (5) is amended by striking the phrase “rulemaking.” and inserting the
992 phrase “rulemaking; and” in its place.

993 (c) A new paragraph (6) is added to read as follows:

994 “(6) Each member of an advisory panel appointed pursuant to Section 5(6) of the
995 Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C.
996 Official Code § 39-204(6)), may receive compensation from the Commission in the form of a
997 stipend of up to \$250 for each day the panel convenes to review applications~~.”; and”.~~

998 Sec. 2004. The Commission on the Arts and Humanities Act, effective October 21, 1975
999 (D.C. Law 1-22; D.C. Official Code § 39-201 *et seq.*), is amended as follows:

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(a) Section 3 (D.C. Official Code § 39-202) is amended as follows:

(1) Paragraph (3) is repealed.

(2) Paragraph (9) is repealed.

(ab) Section 4 (D.C. Official Code § 39-203) is amended as follows:

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

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

“(1) The Commission shall consist of 12 members appointed by the Mayor, with the advice and consent of the Council, in accordance with section 2(e)(32) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(32));); except, that:

“(A) Until June 30, 2022, the Commission shall consist of 18 members.

“(B) From ~~June 30~~ July 1, 2022, until June 30, 2023, the Commission shall consist of 16 members.

“(BC) From July 1, 2023, until June 30, 2024, the Commission shall consist of 14 members.”.

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

“(1A) Notwithstanding section (2)(c) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(c)), a member with a term that expires June 30, 2023, or June 30, 2024 may not serve in a hold-over capacity unless a resolution

1019 confirming the nomination for reappointment of the member has been transmitted by the Mayor
1020 to the Council.”.

1021 (2) Subsection (b)(1) is amended by striking the phrase “that 6 terms” and
1022 inserting the phrase “that, beginning on July 1, 2022, 4 terms” in its place.

1023 (3) Subsection (c) is amended by striking the phrase “Council shall” and inserting
1024 the phrase “Chairman of the Council shall” in its place.

1025 (4) Subsection (d) is amended by striking the phrase “from among the 18
1026 members” and inserting the phrase “from among the members” in its place.

1027 (~~bc~~) Section 5(6) (D.C. Official Code § 39-204(6)) is amended by striking the phrase
1028 “shall serve without compensation” and inserting the phrase “may be compensated, pursuant to
1029 section 1108(c-2)(6) of the District of Columbia Government Comprehensive Merit Personnel
1030 Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(6)),
1031 from funds allocated pursuant to section 6(c-1)(1), ~~); except, provided~~ that no District of
1032 Columbia government employee or Commissioner of the Commission may be compensated.”.

1033 (~~ed~~) Section 6(c-1) (D.C. Official Code § 39-205(c-1)) is amended to read as follows:

1034 “(c-1) For ~~the~~ Fiscal Year 2022 ~~budget~~ and every fiscal year thereafter the Commission
1035 shall allocate the annual budget as follows:

1036 “(1) Not more than 22% of the annual budget shall be allocated for administrative
1037 costs.

1038 “(2) Not less than 78% of the annual budget shall be allocated for the following
1039 purposes:

1040 “(A) 17% for grants to fund capital projects in support of all eligible arts
1041 and humanities organizations; provided, that during Fiscal Years 2021 and 2022, these grant
1042 funds may be used, if approved by the Commission, to pay:

1043 “(i) Rent or mortgage expenses for the operation of a grant
1044 recipient’s arts-or humanities-related home-based office in the District; and

1045 “(ii) Rent or mortgage expenses for the operation of a grant
1046 recipient’s space in the District used to produce or publicly present arts-or humanities-related
1047 work.

1048 “(B)(i) 54% for General Operating Support grants to all eligible arts and
1049 humanities organizations.

1050 “(ii) Awards of General Operating Support grants shall be
1051 competitive, and each application of an eligible organization shall be reviewed in cohorts of
1052 similar budget size, and with grant award amounts tiered in relation to the grantee’s budget size;
1053 and

1054 “(C) 25% for other art grant programs established by the Commission.

1055 “(D) 4% the for the Humanities Grant Program administered by
1056 HumanitiesDC.”.

1057 (e) Section 6b (D.C. Official Code § 39-205.02) is amended as follows:

1058 (1) Subsection (b) is amended to read as follows:

1059 “(b)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1060 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13 *et seq.*), the Commission shall have
1061 grantmaking authority to provide funds to HumanitiesDC; provided, that such funds be included
1062 in an approved budget and designated for the HumanitiesDC; provided further, that, except as
1063 provided in paragraph (2) of this subsection, such funds shall be used to make subgrants in the
1064 humanities for the purpose of promoting cross-cultural understanding and appreciation of local
1065 history in all District neighborhoods.

1066 “(2) Up to 30% of each disbursement from the Humanities Grant Program budget
1067 to HumanitiesDC may be utilized by HumanitiesDC for administrative expenses, capacity
1068 building, technical assistance, and evaluation of the Humanities Grant Program.”

1069 (2) Subsection (d) is repealed.

1070 (3) Subsection (e) is amended as follows:

1071 (A) Strike ~~by striking~~ the phrase “The grant-managing entity” and insert
1072 the word ~~wherever it appears and inserting the phrase~~ “HumanitiesDC” in its place.

1073 (B) Strike the phrase “the grant-managing entity” both times it appears
1074 and insert the word “HumanitiesDC” in its place.

1075 Sec. 2005. -Section 1072(b)(1)~~(F)~~ of the Cultural Plan for the District Act of 2015,
1076 effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 39-231(b)(1)~~(F)~~), is amended
1077 ~~to read~~ as follows:

1078 (a) Subparagraph (E) is amended by striking the phrase “Chairman of the Council’s
1079 designee” and inserting the phrase “Chairman of the Council’s first designee” in its place.

1080 (b) Subparagraph (F) is amended to read as follows:

1081 “(F) The Chairman of the Council’s second designee; and”.

1082 **SUBTITLE B. -GREAT STREETS PROGRAM**

1083 Sec. 2011. Short title.

1084 This subtitle may be cited as the “Great Streets Amendment Act of 2021”.

1085 Sec. 2012. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004
1086 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

1087 (a) Subsection (f) is amended by striking the phrase “; continuing south along 12th Street,
1088 N.E.” and inserting the phrase “; to 12th Street, N.E.; thence north to include all properties
1089 abutting the west side of 12th Street, N.E.; to Michigan Avenue, N.E.; thence south to include all
1090 properties abutting the east side of 12th Street, N.E.” in its place.

1091 (b) Subsection (g) is amended by striking the phrase “parcels, squares, and lots within the
1092 area” and inserting the phrase “parcels, squares, and lots within or abutting the area” in its place.

1093 (c) Subsection (o) is amended by striking the phrase “parcels, squares, and lots within the
1094 following area:” and inserting the phrase “parcels, squares, and lots within or abutting the
1095 following area:” in its place.

1096 **SUBTITLE C. -SUPERMARKET TAX INCENTIVES**

1097 Sec. 2021. Short title.

1098 This subtitle may be cited as the “Supermarket Tax Incentives Amendment Act of 2021”.

1099 Sec. 2022. Chapter 38 of Title 47 of the District of Columbia Official Code (~~D.C. Official~~
1100 ~~Code § 47-3801 et seq.~~), is amended as follows:

1101 (a) The table of contents ~~for the Chapter 38~~ is amended by adding a new section
1102 designation to read as follows:

1103 “§ 47-3801.01. Expansion of supermarket investment areas.”.

1104 (b) Section 47-3801 is amended as follows:

1105 (1) Paragraph (1D) is amended to read as follows:

1106 “(1D) “Eligible area” means:

1107 “(A)(i) An area consisting of those Properties-properties within or abutting
1108 the boundaries of low-income census tracts where a significant number of residents are more
1109 than 1/2 mile from the nearest supermarket, as designated based on the 2019 data from the
1110 United States Department of Agriculture Food Access Research Atlas, not including any census
1111 tract, as identified by the Mayor, in which a college or university campus is located; or nearby;
1112 that has been designated as a low-income census tract due primarily to the incomes of college or
1113 university students residing within the census tract; or

1114 “(ii) An area consisting of Properties-properties within or abutting
1115 proximal neighborhood groups with over 20% participation in the Supplemental Nutrition
1116 Assistance Program or other public assistance programs as designated in the 2018 District of
1117 Columbia Health Equity Report; or

1118 “(B) For supermarkets under construction as of January 1, 2021, for which
1119 a certificate of occupancy is issued on or before July 1, 2023 and for which an application for
1120 certification under this chapter is filed on or before July 1, 2023:

1121 “(i) A historically underutilized business zone, as defined by
1122 section 3(p)(1) of the Small Business Act, approved July 18, 1958 (72 Stat. 384; 15 U.S.C. §
1123 632(p)(1)); ~~and~~ or

1124 “(ii) Census tracts 103, 33.01, 94, 95.05, 95.07, or 95.08.”.

1125 (2) Paragraph (3)(A) is amended as follows:

1126 (A) Sub-subparagraph (ii) is amended to read as follows:

1127 “(ii) Offers for sale at least 6 of the following categories of food or
1128 beverages:

1129 “(I) Fresh fruits and vegetables;

1130 “(II) Fresh and uncooked meats, poultry, and seafood;

1131 “(III) Dairy products;

1132 “(IV) Canned foods;

1133 “(V) Frozen foods;

1134 “(VI) Dry groceries and baked goods; ~~or~~ and

1135 “(VII) Non-alcoholic beverages;”

1136 (B) Sub-subparagraph (iii) is amended by striking the period and inserting a
1137 semicolon in its place.

1138 (C) New sub-subparagraphs (iv) and (v) are added to read as follows:
1139 _____“(iv) Dedicates either 50% of the establishment’s total square
1140 footage of selling area (defined as the area in the establishment that is open to the public and not
1141 including storage areas, preparation areas, or bathrooms), or 6,000 square feet of the
1142 establishment’s selling area to the sale of the categories of food or beverages listed in sub-
1143 subparagraph (ii) of this subparagraph; and
1144 _____“(v) Dedicates at least 5% of the establishment’s total square
1145 footage of selling area to each of at least 6 of the categories of food or beverages listed in sub-
1146 subparagraph (ii) of this subparagraph.”.

1147 (b) A new section 47-3801.01 is added to read as follows:

1148 “§ 47-3801.01. Expansion of supermarket investment areas.

1149 “(a) If the Mayor determines that there is an area that warrants investment pursuant to
1150 this chapter that is not an eligible area, as defined by § 47-3801(1D), the Mayor shall submit
1151 prepare a plan describing the area, geographically and otherwise, along with a detailed rationale
1152 for extending the supermarket tax incentives ~~and any other aid the Mayor proposes~~ provided for
1153 by this chapter, a fiscal impact statement, and an explication of the benefits to be derived for the
1154 area and the District as a whole.

1155 “(b) The Mayor shall transmit the plan to the Council, with a proposed resolution for a
1156 45-day period of review, excluding days of Council recess. If the Council does not approve or
1157 disapprove the plan, in whole or in part, by resolution within this 45-day review period, the plan

1158 shall be deemed approved and the area described in the plan shall be considered an eligible area
1159 for purposes of this chapter.”.

1160 (c) Section 47-3802 is amended as follows:

1161 (1) Subsection (c)(1) is amended ~~by adding the following sentence at the end to~~
1162 read as follows:

1163 “(1) Effective for applications filed on or after January 1, 2011, to be eligible for
1164 any exemption provided under subsection (a) of this section, an applicant shall file with the
1165 Mayor, in such manner and form as the Mayor may prescribe, an application requesting
1166 certification of eligibility for the exemption. As part of the application, and as a condition of
1167 certification, ~~an the~~ applicant seeking an exemption for a qualified supermarket shall agree in
1168 writing to:

1169 “(A) Become authorized to accept Supplemental Nutrition Assistance
1170 Program (“SNAP”) benefits as payment at the qualified supermarket, and to accept SNAP
1171 benefits for payment after such authorization;

1172 “(B) Apply to the Department of Health (“DOH”) for approval to accept
1173 Special Supplemental Nutrition Program for Women, Infants, and Children (“WIC”) benefits as
1174 payment at the qualified supermarket, and accept WIC benefits as payment at the qualified
1175 supermarket if approved by DOH to accept WIC benefits; and

1176 “(C) Conduct community listening sessions on the store’s product
1177 offerings and operations at least once every 2 years.”.

1178 (2) New subsections (e) and (f) are added to read as follows:

1179 “(e) To remain eligible to continue to receive the tax benefits provided by this chapter, a
1180 qualified supermarket shall:

1181 “(1) Accept SNAP benefits for payment at the qualified supermarket;

1182 “(2) Accept WIC benefits for payment at the qualified supermarket, unless
1183 determined ineligible by ~~the Department of Health~~DOH to accept payments by WIC benefits;
1184 and

1185 “(3) Conduct a community listening session on the store’s product offerings and
1186 operations at least once every 2 years.

1187 “(f) The Mayor shall review the definition of the term “eligible area” at least once every 5
1188 years to determine whether it continues to appropriately reflect the areas of the District where tax
1189 incentives for new supermarkets provide substantial benefits to District residents and
1190 neighborhoods.”.

1191 **SUBTITLE D. -REAL PROPERTY TAX APPEALS COMMISSION**
1192 **MEMBERSHIP**

1193 Sec. 2031. Short title.

1194 This subtitle may be cited as the “Real Property Tax Appeals Commission Membership
1195 Amendment Act of 2021”.

1196 Sec. 2032. Section 47-825.01a of the District of Columbia Official Code is
1197 amended as follows:

1198 (a) Subsection (a) is amended as follows:

1199 _____ (1) Paragraph (1) is amended as follows:

1200 _____ (A) Subparagraph (B) is amended as follows:

1201 _____ (i) Sub-subparagraph (ii) is amended by striking the
1202 semicolon and inserting the phrase “; and” in its place.

1203 (ii) Sub-subparagraph (iii) is amended by striking the
1204 phrase “; and” and inserting a period in its place.

1205 (iii) Sub-subparagraph (iv) is repealed.

1206 _____ (B) Subparagraph (C) is amended to read as follows:

1207 _____ “(C)(i) The Commission may non-competitively appoint to
1208 temporary appointments up to 8 hearing examiners, who each shall be appointed for a
1209 term not to exceed 6 months each year, who shall hear cases of single-family residential
1210 property or any noncommercial real property assessed during the administrative review
1211 (or under the notice of assessment if the administrative review is unavailable) at \$3
1212 million or less;”

1213 ~~“(i) provided, that t~~The Chairperson may assign hearing
1214 examiners appointed pursuant to sub-subparagraph (i) of this subparagraph to hear cases
1215 of ~~other~~ real property assessments other than those described in sub-subparagraph (i) of
1216 this subparagraph.”

1217 _____ (C) Subparagraph (D) is amended as follows:

1218 _____(i) Sub-subparagraph (i) is amended to read as follows:
1219 _____“(i) The Chairperson of the Commission shall:
1220 _____“(I) Be a District of Columbia certified appraiser
1221 with at least 3 years of professional experience; or
1222 _____“(II) Have at least 5 years of commercial real estate
1223 property appraisal experience.”.
1224 _____(ii) Sub-subparagraph (iv) is amended by striking the
1225 phrase “All Commissioners” and inserting the phrase “All Commissioners and hearing
1226 examiners” in its place.
1227 _____(~~E~~D) Subparagraph (E) is amended by striking the phrase “The
1228 Commissioners” and inserting the phrase “The Commissioners and hearing examiners” in
1229 its place.
1230 _____(2) Paragraph (2) is amended as follows:
1231 _____(A) Subparagraph (A) is amended to read as follows:
1232 _____“(A) Each Commissioner and hearing examiner shall be prohibited
1233 from representing any client or business interest before the Commission for a period of 2
1234 years after the separation of the Commissioner or hearing examiner from the
1235 Commission.”.
1236 _____(B) Subparagraph (B) is amended as follows:
1237 _____(i) Strike the phrase “A Commissioner” and insert the

1238 phrase “Each Commissioner and hearing examiner” in its place; ~~and.~~
1239 _____ (ii) Strike the phrase “the Commissioner” and insert the
1240 phrase “the Commissioner or hearing examiner” in its place.
1241 _____ (C) Subparagraph (C) is amended to read as follows:
1242 _____ “(C) A Commissioner or hearing examiner shall not review an
1243 appeal for which that Commissioner or hearing examiner has a direct or indirect
1244 interest.”.
1245 _____ (3) Paragraph (3) is amended by adding a new subparagraph (C) to read as
1246 follows:
1247 _____ “(C)(i) Each part-time Commissioner serving on the day before the
1248 effective date of the Real Property Tax Appeals Commission Membership Amendment
1249 Act of 2021, ~~as approved by the Committee of the Whole~~ passed on 1st reading on July
1250 20, 2021 (~~Committee print~~ Engrossed version of Bill 24-285) (“Act”), shall, with the
1251 Commissioner’s consent, be converted to a hearing examiner on the effective date of the
1252 Act.
1253 (ii) The position of part-time Commissioner shall be
1254 abolished as of the effective date of the Act, and no individual shall continue to serve in
1255 the position of part-time Commissioner after that date.”.
1256 _____ (4) Paragraph (5) is amended by striking the phrase “Commissioners
1257 shall” and inserting the phrase “Commissioners and hearing examiners shall” in its place.

1258 _____(5) Paragraph (6) is amended to read as follows:

1259 _____“(6) The Commission shall employ staff in addition to the hearing
1260 examiners, including an executive director and a general counsel.”.

1261 (b) Subsection (c) is amended as follows:

1262 _____(1) Paragraph (1) is amended as follows:

1263 _____(A) Subparagraph (A) is amended as follows:

1264 _____(i) The lead-in text is amended by striking the word
1265 “Commissioners” and inserting the phrase “Commissioners and hearing examiners” in its
1266 place.

1267 _____(ii) Sub-subparagraph (i) is amended as follows:

1268 _____(I) Strike the phrase “one-Commissioner” and insert
1269 the phrase “one-Commissioner or hearing examiner” in its place; and

1270 _____(II) Strike the phrase “multi-Commissioner panel”

1271 and insert the phrase “multi-member panel” in its place.

1272 _____(iii) Sub-subparagraph (ii) is amended to read as follows:

1273 _____“(ii) In the case of all other real property, a panel consisting
1274 of 3 members shall be convened; provided, that a panel consisting of 2 members may be
1275 convened if the appellant and OTR agree.”.

1276 (B) Subparagraph (B) is amended by striking the word

1277 “Commissioner” and inserting the phrase “Commissioner or hearing examiner” in its

1278 place.

1279 _____ (2) Paragraph (2) is amended by striking the word “Commissioners” and
1280 inserting the ~~phrase word~~ “members” in its place.

1281 _____ (3) Paragraph (3) is amended as follows:

1282 _____ (A) Strike the phrase “deciding Commissioner” and insert the
1283 phrase “deciding Commissioner or hearing examiner” in its place;

1284 _____ (B) Strike the phrase “multi-Commissioner” and insert the phrase
1285 “multi-member” in its place; and

1286 _____ (C) Strike the phrase “each Commissioner” and insert the phrase
1287 “each member” in its place.

1288 _____ (4) Paragraph (4)(C) is amended to read as follows:

1289 _____ “(C) The names of the member who were on the panel that
1290 established the assessment or classification, or both, indicating whether each participating
1291 member agreed with, or dissented from, the decision of the panel.”.

1292 (c) Subsection (e) is amended as follows:

1293 _____ (1) Paragraph (3) is amended by striking the word “Commission or a
1294 Commissioner” and inserting the phrase “Commission, or a Commissioner or hearing
1295 examiner,” in its place.

1296 _____ (2) Paragraph (6)(C) is amended to read as follows:

1297 _____ “(C) In the case of a rehearing, a panel shall be convened

1298 consisting of the Chairperson, Vice-Chairperson, and a Commissioner or hearing
1299 examiner who was a member of the panel that heard the underlying appeal.”.

1300 (d) A new subsection (~~jk~~) is added to read as follows:

1301 “(~~jk~~) For the purposes of this section, the word “member” means a Commissioner
1302 or hearing examiner.”.

1303 Sec. 2033. Section 406(b) of the District of Columbia Government _Comprehensive Merit
1304 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
1305 604.06(~~b~~)), is amended as follows:

1306 (a) Paragraph (27) is amended by striking the phrase “; and” and inserting a
1307 semicolon in its place.

1308 (b) Paragraph (28) is amended by striking the period at the end and inserting a
1309 semicolon ~~the phrase “; and”~~ in its place.

1310 (c) Paragraph (29) is amended by striking the period and inserting the phrase “; and” in
1311 its place.

1312 (~~ed~~) A new paragraph (~~2930~~) is added to read as follows:

1313 “(~~2930~~) For the Real Property Tax Appeals Commission, the personnel authority
1314 is the Real Property Tax Appeals Commission.”.

1315 Sec. 2034. Section 15 of An Act To provide for the abatement of nuisances in the District
1316 of Columbia by the Commissioners of said District, and for other purposes, approved April 14,
1317 1906 (34 Stat. ~~44115~~); D.C. Official Code § 42-3131.15), is amended by adding a new

1318 subsection (d) to read as follows:

1319 “(d) The District, through the Office of the Attorney General, may appeal a decision of
1320 the Real Property Tax Appeals Commission to the Superior Court of the District of Columbia
1321 within 2 months after receipt~~the date~~ of the written decision ~~or receipt of the written decision,~~
1322 whichever is later.”.

1323 **SUBTITLE E. LOCAL RENT SUPPLEMENT PROGRAM**

1324 Sec. 2041. Short title.

1325 This subtitle may be cited as the “Local Rent Supplement Program Enhancement
1326 Amendment Act of 2021”.

1327 Sec. 2042. The District of Columbia Housing Authority Act of 1999, effective May 9,
1328 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

1329 (a) Section 2 (D.C. Official Code § 6-201) is amended as follows:

1330 (1) A new paragraph (7B) is added to read as follows:

1331 “(7B) “Capital-based assistance” means capital gap financing for the construction
1332 or rehabilitation of housing units for which project-based voucher assistance or sponsor-based
1333 voucher assistance was previously awarded as an operating subsidy.”.a

1334 (2) A new paragraph (43C) is added to read as follows:

1335 “(43C) “Tenant-based voucher assistance” means housing subsidy payments
1336 provided for households with extremely low incomes or histories of homelessness to pay all or a
1337 portion of the household’s rent in privately owned housing units in the District.”.

1338 (b) Section 26a (D.C. Official Code § 6-226), is amended as follows:

1339 (1) Subsection (a) is amended to read as follows:

1340 “(a) The Rent Supplement Program is established to provide housing assistance to
1341 extremely low-income District residents, including those who are homeless and those in need of
1342 supportive services, such as elderly individuals or those with disabilities. The funding of this
1343 program is subject to appropriation. The assistance under this section, section 26b, and section
1344 26c shall not constitute an entitlement.”

1345 (2) Subsection (b) is amended to read as follows:

1346 “(b)(1) The Authority shall award the funds appropriated for the program’s sponsor-
1347 based voucher assistance and capital-based assistance.”

1348 “(2) The Department of Housing and Community Development shall award the
1349 funds appropriated for the program’s project-based voucher assistance.

1350 “(3) The Authority shall award the funds appropriated for ongoing tenant-based
1351 voucher assistance.

1352 “(4) The Authority shall award the funds appropriated for new tenant-based
1353 voucher assistance, including funds appropriated to the Department of Human Services as
1354 described in section 26a-1(c)(5), to the extent that such funds are transferred to the Housing
1355 Authority Rent Supplement Program Fund pursuant to section 26a-1(c)(4).”

1356 ~~“(5) For the purposes of this subsection, the phrase “ongoing tenant-based~~
1357 ~~voucher assistance” means tenant-based voucher assistance funded by money deposited into the~~
1358 ~~Housing Authority Rent Supplement Program Fund pursuant to section 26a-1(a)(2)(C).”.~~

1359 (3) Subsection (c) is amended to read as follows:

1360 “(c)(1) The Authority shall promulgate rules, subject to Council approval, for sponsor-
1361 based voucher assistance as required by section 26b, ~~tenant-based voucher assistance~~, and
1362 capital-based assistance as required by section 26d, which shall govern the administration of
1363 funds for these types of assistance.

1364 “(2) The Authority shall promulgate emergency and final rules for tenant-based
1365 voucher assistance. Rules issued pursuant to this paragraph shall establish a process to allow
1366 applicants to self-certify eligibility factors when an applicant cannot easily obtain verification
1367 documentation. Emergency rules shall be issued by November 1, 2021. Final rules shall be
1368 subject to Council approval.

1369 “(3) The Department of Human Services shall promulgate emergency and final
1370 rules governing the referral of applicants to the Authority for tenant-based voucher assistance,
1371 including eligibility criteria for Targeted Affordable Housing. In Fiscal Year 2022, such
1372 eligibility criteria for Targeted Affordable Housing shall include a prioritization for families that
1373 have been in rapid re-housing the longest but are not eligible for Permanent Supportive Housing.
1374 Emergency rules shall be issued by November 1, 2021. Final rules shall be subject to Council
1375 approval.

1376 “(4) The Authority shall promulgate rules, subject to Council approval, for
1377 project-based voucher assistance, which shall govern the administration of funds for this type of
1378 assistance; except, that the Department of Housing and Community Development shall
1379 promulgate rules governing the award of project-based voucher assistance, as provided in
1380 paragraph ~~(35)~~ of this subsection.

1381 “(35) The Department of Housing and Community Development shall promulgate
1382 rules, subject to Council approval, governing the award of project-based voucher assistance;
1383 provided, that the rules previously promulgated by the Authority that govern the award of funds
1384 for project-based voucher assistance shall remain in effect unless amended or repealed by the
1385 Department of Housing and Community Development.

1386 “(46) The rules proposed pursuant to this subsection shall:

1387 “(A) Provide for allocating project-based and sponsor-based funds to
1388 maintain or create new affordable housing units, including by combining funds under this
1389 program with other sources of funds for housing production and development and for allocating
1390 tenant-based funds to expand affordable housing choices for households through housing
1391 subsidies; and

1392 “(B) Be submitted to the Council for a 45-day period of review, excluding
1393 Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve
1394 or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review
1395 period, the proposed rules shall be deemed approved.”.

1396 (4) Subsections (d) and (e) are repealed.

1397 (c) A new section 26a-1 is added to read as follows:

1398 “Sec. 26a-1. Rent Supplement Program Funds.

1399 “(a) Housing Authority Rent Supplement Program Fund.

1400 (1) There is established as a special fund the Housing Authority Rent Supplement

1401 Program Fund, which shall be administered by the Authority in accordance with paragraph (3) of

1402 this subsection.

1403 “(2) There shall be deposited into the Housing Authority Rent Supplement

1404 Program Fund:

1405 “(A) Money appropriated for sponsor-based voucher assistance;

1406 “(B) Money appropriated for capital-based assistance;

1407 “(C) Money appropriated to the Authority for ~~the ongoing provision of~~

1408 tenant-based voucher assistance;

1409 “(D) Money appropriated to the Authority for the ongoing provision of

1410 project-based voucher assistance previously awarded by the Department of Housing and

1411 Community Development;

1412 “(E) Money for project-based voucher assistance transferred to the

1413 Housing Authority Rent Supplement Program Fund pursuant to subsection 26b(b-1)(3);

1414 “(F) Money for tenant-based voucher assistance transferred to the Housing

1415 Authority Rent Supplement Program Fund pursuant to subsection (c)(4) of this section; and

1416 “(G) Money remaining in the Rent Supplement Fund, established by
1417 section 26a(d)(1), at the end of Fiscal Year 2021.

1418 “(3) Money in the Housing Authority Rent Supplement Program Fund shall be
1419 used solely to:

1420 “(A) Provide sponsor-based voucher assistance and capital-based
1421 assistance;

1422 “(B) Provide project-based voucher assistance to projects awarded such
1423 assistance by the Authority before October 1, 2021;

1424 “(C) Provide project-based voucher assistance to projects awarded such
1425 assistance by the Department of Housing and Community Development after September 30,
1426 2021, including assistance from funds transferred to the Housing Authority Rent Supplement
1427 Program Fund from the Rent Supplement Program Project-Based Allocation Fund established by
1428 subsection (b) of this section;

1429 “(D) Provide ~~ongoing~~ tenant-based voucher assistance; ~~and~~

1430 ~~_____“(E) Provide new tenant-based voucher including~~ assistance from funds
1431 transferred from the Rent Supplement Program Tenant-Based Allocation Fund established by
1432 subsection (c) of this section; ~~and~~

1433 ~~_____“(E) Provide new tenant-based voucher assistance to families on the~~
1434 ~~Housing Choice Voucher Program wait list.~~

1435 “(4)(A) The money deposited into the Housing Authority Rent Supplement
1436 Program Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of
1437 the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

1438 “(B) Subject to authorization in an approved budget and financial plan,
1439 any funds in the Housing Authority Rent Supplement Program Fund shall be continually
1440 available without regard to fiscal year limitation.

1441 ~~“(5) For the purposes of this subsection, the term “ongoing tenant-based voucher~~
1442 ~~assistance” means tenant-based voucher assistance paid for from funds appropriated to the~~
1443 ~~Housing Authority Rent Supplement Program Fund pursuant to paragraph (2)(C) of this~~
1444 ~~subsection.~~

1445 “(b) Rent Supplement Program Project-Based Allocation Fund.

1446 (1) There is established as a special fund the Rent Supplement Program Project-
1447 Based Allocation Fund, which shall be administered by the Department of Housing and
1448 Community Development in accordance with paragraph (3) of this subsection.

1449 “(2) Amounts appropriated for new project-based voucher assistance shall be
1450 deposited into the Rent Supplement Program Project-Based Allocation Fund.

1451 “(3)(A) Money in the Rent Supplement Program Project-Based Allocation Fund
1452 shall be used to fund awards to applicants selected for project-based voucher assistance as
1453 defined in section 2(39A) and shall be transferred to the Housing Authority Rent Supplement
1454 Program Fund as described in section 26b(b-1)(3).

1455 “(B) Money in the Rent Supplement Program Project-Based Allocation
1456 Fund may be used to increase the amount of project-based voucher assistance previously
1457 awarded to an applicant to account for a documented need to increase the proposed rent charged
1458 on a rental unit.

1459 “(4)(A) The money deposited into the Rent Supplement Program Project-Based
1460 Allocation Fund shall not revert to the unrestricted fund balance of the General Fund of the
1461 District of Columbia at the end of a fiscal year, or at any other time.

1462 “(B) Subject to authorization in an approved budget and financial plan,
1463 any funds appropriated in the Rent Supplement Program Project-Based Allocation Fund shall be
1464 continually available without regard to fiscal year limitation.”.

1465 “(c) Rent Supplement Program Tenant-Based Allocation Fund.

1466 (1) There is established as a special fund the Rent Supplement Program Tenant-
1467 Based Allocation Fund, which shall be administered by the Department of Human Services in
1468 accordance with paragraph (3) of this subsection.

1469 “(2) The following funds shall be deposited into the Rent Supplement Program
1470 Tenant-Based Allocation Fund:

1471 “(A) Amounts appropriated to the Department of Human Services for new
1472 tenant-based voucher assistance; and

1473 “(B) Any unspent local dollars appropriated for supportive services, as
1474 that term is defined in section 2(39) of the Homeless Services Reform Act, effective October 22,

1475 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(39)), for the Targeted Affordable
1476 Housing Program or a permanent housing program, as that term is defined in section 2(27C) of
1477 the Homeless Services Reform Act, effective October 22, 2005 (D.C. Law 16-35; D.C. Official
1478 Code § 4-751.01(27C)), in the operating budget of the Department of Human Services at the end
1479 of each fiscal year.

1480 “(3) Money in the Rent Supplement Program Tenant-Based Allocation Fund shall
1481 be used in a fiscal year to fund awards to applicants selected for tenant-based voucher assistance,
1482 to the extent that the dollar amount of all new or previously awarded tenant-based voucher
1483 assistance awarded to applicants in that fiscal year or a prior fiscal year, for which the Authority
1484 continues to be obligated to make payments, exceeds the amount of money deposited into the
1485 Housing Authority Rent Supplement Program Fund during the then-current fiscal year for the
1486 ongoing provision of tenant-based voucher assistance pursuant to subsection (a)(2)(C) of this
1487 section.

1488 “(4) Money in the Rent Supplement Program Tenant-Based Allocation Fund
1489 shall, at the direction of the Director of the Department of Human Services, be transferred to the
1490 Housing Authority Rent Supplement Program Fund when such funding is necessary to fund the
1491 award of new tenant-based vouchers because the dollar amount of tenant-based vouchers for
1492 which the Authority would be obligated to make payments would otherwise exceed the amount
1493 of money deposited into the Housing Authority Rent Supplement Program Fund during the

1494 applicable fiscal year for the ongoing provision of tenant-based voucher assistance pursuant to
1495 subsection (a)(2)(C) of this section.

1496 “(5)(A) The money deposited into the Rent Supplement Program Tenant-Based
1497 Allocation Fund shall not revert to the unrestricted fund balance of the General Fund of the
1498 District of Columbia at the end of a fiscal year, or at any other time.

1499 “(B) Subject to authorization in an approved budget and financial plan,
1500 any funds appropriated in the Rent Supplement Program Tenant-Based Allocation Fund shall be
1501 continually available without regard to fiscal year limitation.

1502 “(6) For the purposes of this subsection, the phrase “new tenant-based voucher
1503 assistance” means, with respect to the amount of money to be deposited into the Rent
1504 Supplement Program Tenant-Based Allocation Fund, the amount of money appropriated to the
1505 Department of Human Services in a fiscal year for the provision of tenant-based voucher
1506 assistance”.

1507 (d) Section 26b (D.C. Official Code § 6-227), is amended as follows:

1508 (1) Subsection (a) is amended by striking the phrase “project-based and sponsor-
1509 based voucher assistance” and inserting the phrase “sponsor-based voucher assistance” in its
1510 place”.

1511 (2) A new subsection (b-1) is added to read as follows:

1512 “(b-1)(1) The funds allocated under the program for new project-based voucher
1513 assistance shall be awarded by the Department of Housing and Community Development for the

1514 construction of new housing, or rehabilitation or preservation of existing housing, for extremely
1515 low-income District residents.

1516 “(2) The Department of Housing and Community Development shall promulgate
1517 rules to govern the awarding of project-based voucher assistance and the continuing eligibility
1518 for such assistance.

1519 “(3) The funds awarded pursuant to paragraphs (1) and (2) of this subsection shall
1520 be held in the Rent Supplement Program Project-Based Allocation Fund, established by section
1521 26a-1(b), ~~until a certificate of occupancy is issued for the project for which the funds were~~
1522 ~~awarded. After the certificate of occupancy is issued, the funds shall, at the direction of the~~
1523 ~~Director of the Department of Housing and Community Development, be transferred to the~~
1524 ~~Housing Authority Rent Supplement Program Fund established by section 26a-1(a).”.~~

1525 “(4) Prior to the Authority’s submission to the Council, pursuant to section 451 of
1526 the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C.
1527 Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010,
1528 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), for approval by the
1529 Council of an Agreement to Enter into a Long-Term Subsidy Contract (“ALTSC”), the
1530 Department of Housing and Community Development shall submit in a form satisfactory to the
1531 Authority:

1532 (A) A letter of commitment that confirms the project-based voucher
1533 assistance funding allocation to the Authority for the initial 15-year term Long-Term Subsidy

1534 Contract in accordance with the proposed terms of the ALTSC and the required certification to
1535 the Council under section 202(c)(6) of the Procurement Practices Reform Act of 2010, effective
1536 April 8, 2011 (D.C. Law 18-371; D.C. Code Official § 2-352.02(c)(6)); and
1537 _____ (B) An acceptable memorandum of agreement between the Department of
1538 Housing and Community Development and the Authority that details the terms and conditions
1539 between the parties and shall include the transfer by the Department of Housing and Community
1540 Development of funds to the Housing Authority Rent Supplement Program Fund established by
1541 Section 26a-1(a).”.

1542 _____ (3) Subsection (c) is amended to read as follows:

1543 “(c) The Authority shall apply its existing Partnership Program and Housing Choice
1544 Voucher Program rules to govern eligibility, admission, and continuing occupancy by tenants in
1545 units receiving sponsor-based or project-based voucher assistance under this section, section 26a,
1546 and section 26d, except if the rules are inconsistent with this section, section 26a, or section 26d;
1547 provided, that the Authority ~~may shall~~ modify or waive such rules so as not to exclude
1548 households on the basis of immigration status, ~~or~~ or pending criminal
1549 matters. The Authority shall promulgate such additional rules as are necessary to ensure that
1550 eligibility for tenancy in the units supported by grants under this section is limited to households
1551 with gross income at or below 30% of the area median income. The Authority shall promulgate
1552 rules with respect to eligibility, admission, and continuing occupancy by tenants in units
1553 receiving project-based voucher assistance that are consistent with similar rules previously

1554 promulgated by the Authority for eligibility for tenants in units receiving sponsor-based voucher
1555 assistance.”.

1556 (4) Subsection (d) is amended to read as follows:

1557 “(d) To maintain consistency for households receiving rental housing support, the
1558 Authority shall, to the extent possible, given funding resources available in the Housing
1559 Authority Rent Supplement Program Fund, continue to fund project-based and sponsor-based
1560 grantees at the same level, adjusted for inflation on an annual basis, or on such other basis as
1561 may be agreed to with the grantee, unless the Authority determines that a grantee is not meeting
1562 the criteria set forth in the rules governing project-based or sponsor-based voucher assistance.”.

1563 (5) Subsection (e) is repealed.

1564 (e) Section 26c (D.C. Official Code § 6-228), is amended as follows:

1565 (1) Subsection (a) is amended by striking the phrase “procedures for the Housing
1566 Choice Voucher Program.” and inserting the phrase “procedures for the Housing Choice
1567 Voucher Program; provided, that the Authority ~~may~~shall waive or modify such rules,
1568 regulations, policies, and procedures so as not to exclude households on the basis of immigration
1569 status, ~~or~~ prior criminal convictions, or pending criminal matters.” in its place.

1570 (2) Subsection (b) is amended as follows:

1571 (A) The lead-in ~~text language~~ is amended by striking the phrase “Eligible
1572 families shall be selected from the households” and inserting the phrase “Eligible households
1573 shall be selected from the individuals and families” in its place.

1574 (B) Paragraph (1) is amended by striking the phrase “Eligible families”
1575 and inserting the phrase “Eligible households” in its place.

1576 (C) Paragraph (2) is amended to read as follows:

1577 “(2)(A)(i) The Authority shall develop rules that give preference in awarding a
1578 percentage of the vouchers funded under this program to District residents who are homeless
1579 applicants with one or more children under 18 years of age.

1580 “(ii) The percentage to be applied in sub-subparagraph (i) of this
1581 subparagraph shall be determined by the Authority and shall be included in the rules adopted for
1582 the program.

1583 “(B) Notwithstanding subparagraph (A) of this paragraph, in Fiscal Year
1584 2022, preference in awarding all vouchers funded under this program shall be given to District
1585 residents who are homeless applicants with one or more children under 18 years of age.

1586 “(C) Families who participate in time-limited housing programs shall be
1587 considered homeless for purposes of this paragraph.”.

1588 (3) Subsection (c) is amended by striking the phrase “Eligible families may be
1589 referred” and inserting the phrase “Individuals and families may be referred for eligibility
1590 determination” in its place.

1591 (4) Subsection (g)(2) is amended by striking the phrase “eligible to participate in
1592 the Authority’s Housing Choice Voucher Program” and inserting the phrase “eligible for tenant-
1593 based voucher assistance” in its place.

1594 (f) New sections 26d-1, 26d-2, and 26d-3 are added to read as follows:

1595 “Sec. 26d-1. Housing Authority Rent Supplement Program quarterly reporting.

1596 “(a) The Authority shall submit to the Mayor and the Council, within 30 days after the
1597 end of each fiscal quarter, a Rent Supplement Program report.

1598 “(b) Each report shall include the following information with respect to the Housing
1599 Authority Rent Supplement Program Fund:

1600 “(1) The total amount of money in the fund at the beginning and end of the
1601 reporting period;

1602 “(2) The amount of money in the fund allocated to project-based voucher
1603 assistance at the beginning of the reporting period, the amount of money expended from the fund
1604 on project-based voucher assistance during the reporting period, and the amount of money in the
1605 fund allocated to project-based voucher assistance at the end of the reporting period;

1606 “(3) The amount of money in the fund allocated to sponsor-based voucher
1607 assistance at the beginning of the reporting period, the amount of money expended from the fund
1608 on sponsor-based voucher assistance during the reporting period, and the amount of money in the
1609 fund allocated to sponsor-based voucher assistance at the end of the reporting period;

1610 “(4) The amount of money in the fund allocated to tenant-based voucher
1611 assistance at the beginning of the reporting period, the amount of money expended from the fund
1612 on tenant-based voucher assistance during the reporting period, and the amount of money in the
1613 fund allocated to tenant-based voucher assistance at the end of the reporting period;

1614 “(5) The amount of money in the fund allocated to capital assistance at the
1615 beginning of the reporting period, the amount of money expended from the fund on capital
1616 assistance during the reporting period, and the amount of money in the fund allocated to capital
1617 assistance at the end of the reporting period; and

1618 “(6) The amount of money expended from the fund during the reporting period on
1619 administrative costs, which shall include a breakdown by category of expense.

1620 “(c) Each report shall include the following information with respect to project-based
1621 voucher assistance:

1622 “(1) For each project that has a contract with the Authority for project-based
1623 voucher assistance, the name of, address of, number of total housing units in, number of units
1624 subsidized by project-based voucher assistance (“project-based units”) in, and contract end date
1625 of the project;

1626 “(2) For each project listed pursuant to paragraph (1) of this subsection:

1627 “(A) The dollar amount of project-based voucher assistance received
1628 during the reporting quarter;

1629 “(B) The occupancy status of each project-based unit;

1630 “(C) The contract rent for each project-based unit, including both the
1631 tenant-paid portion of the rent and project-based subsidy amount associated with the unit; and

1632 “(D) The income level at the most recent income certification of the
1633 household occupying the unit.

1634 “(3) The name of, address of, number of project-based units in, and project-based
1635 voucher assistance contract end date of, each project that has a contract with the Authority for
1636 project-based voucher assistance that is scheduled to expire within 24 months after the last day
1637 of the reporting period;

1638 “(4) The name of, address of, number of project-based units in, and contract end
1639 date of each project whose contract with the Authority for project-based voucher assistance
1640 expired during the reporting period;

1641 “(5) The name of, address of, and number of project-based units to be located in
1642 each project that has been awarded project-based voucher assistance but for which a contract
1643 with the Authority for such assistance has not been entered into, along with the date by which the
1644 Authority expects to enter into such a contract.

1645 “(d) Each report shall include the following information with respect to sponsor-based
1646 voucher assistance:

1647 “(1) The name and address of each non-profit organization or landlord
1648 (“sponsor”) with sponsor-based vouchers, along with the number of vouchers issued to the
1649 sponsor;

1650 “(2) For each sponsor listed pursuant to paragraph (1) of this subsection, the
1651 following information with respect to each sponsor-based unit of the sponsor:

1652 “(A) The address of the sponsor-based unit;

1653 “(B) The occupancy level of each sponsor-based unit, defined as the
1654 number of days in the reporting quarter the unit was leased to a household eligible for Rent
1655 Supplement Program assistance;

1656 “(C) The contract rent of the unit, including the tenant-paid portion of the
1657 rent and the sponsor-based subsidy amount allocated to the unit; and

1658 “(D) The income level at last income certification of the household
1659 occupying the sponsor-based unit.

1660 “(e) Each report shall include the following information with respect to tenant-based
1661 voucher assistance:

1662 “(1) The number of households, categorized separately as individual households
1663 and family households, receiving tenant-based voucher assistance on the first day and last day of
1664 the reporting quarter, listed separately by the program in which the household is participating,
1665 including the Permanent Supportive Housing and Targeted Affordable Housing program;

1666 “(2) The total dollar amount of rental payments made for tenant-based voucher
1667 recipients during the reporting quarter and fiscal year to date, listed separately by the program in
1668 which the household is participating, including the Permanent Supportive Housing and Targeted
1669 Affordable Housing program;

1670 “(3) The average monthly rent of housing units leased by households receiving
1671 tenant-based voucher assistance, listed separately by the program in which the household is

1672 participating, including the Permanent Supportive Housing and Targeted Affordable Housing
1673 program;

1674 “(4) The number of households receiving tenant-based vouchers at the beginning
1675 of the fiscal year that were no longer receiving tenant-based vouchers on the last day of the
1676 reporting quarter, listed separately by the program in which the household is participating,
1677 including the Permanent Supportive Housing and Targeted Affordable Housing program; and

1678 “(5) Tenant-based voucher assistance funding spent on security deposits,
1679 administrative services, and any other non-rental expenses, by expenditure type, during the
1680 reporting quarter and fiscal year to date.

1681 “(f) Each report shall include the following information with respect to capital-based
1682 assistance:

1683 “(1) The name of, address of, and number of project-based and sponsor-based
1684 units in each project that received capital-based assistance during the reporting quarter; and

1685 “(2) The dollar amount of capital assistance provided to each project listed
1686 pursuant to paragraph (1) of this subsection.

1687 “Sec. 26d-2. Rent Supplement Program Project-Based Allocation Fund quarterly
1688 reporting.

1689 “(a) The Department of Housing and Community Development shall submit to the
1690 Council, within 30 days after the end of each fiscal quarter, a Project-Based Rent Supplement
1691 Program report.

1692 “(b) Each report shall include the following information with respect to the Rent

1693 Supplement Program Project-Based Allocation Fund:

1694 “(1) The total amount of money in the fund at the beginning and end of the
1695 reporting period;

1696 “(2) The amount of money in the fund transferred to the Authority for project-
1697 based voucher assistance during the reporting period, listed separately by the project for which
1698 the funds were awarded;

1699 “(3) The amount of money in the fund awarded to projects that do not yet have a
1700 certificate of occupancy, listed separately by project;

1701 “(4) For each project that has been awarded project-based voucher assistance, the
1702 developer, address, planned number of total housing units, planned number of units subsidized
1703 by project-based voucher assistance, planned period of project-based voucher assistance, date of
1704 award, expected completion date, and whether the project is new construction or existing
1705 housing rehabilitation or preservation; and

1706 “(5) The amount of money expended from the fund during the reporting period on
1707 administrative costs, which shall contain a breakdown by category of expense.

1708 “Sec. 26d-3. Rent Supplement Program Tenant-Based Allocation Fund quarterly
1709 reporting.

1710 “(a) The Department of Human Services shall submit to the Council, within 30 days after
1711 the end of each fiscal quarter, a Rent Supplement Program Tenant-Based Allocation Fund report.

1712 “(b) Each report shall include the following information with respect to the Rent

1713 Supplement Program Tenant-Based Allocation Fund:

1714 “(1) The total amount of money in the fund at the beginning and end of the
1715 reporting period;

1716 “(2) The amount of money in the fund transferred to the Authority for each
1717 tenant-based voucher assistance program during the reporting period, listed separately by the

1718 program ~~in which the household is participating, including the Permanent Supportive Housing,
1719 Targeted Affordable Housing program, and the Rapid Rehousing program, and categorized by
1720 individual households and family households;~~

1721 “(A) In which the household is currently participating, including the
1722 Permanent Supportive Housing, Targeted Affordable Housing program, and the Rapid
1723 Rehousing program if applicable, and categorized by individual households and family
1724 households; and

1725 “(B) To which the household is being referred, including the Permanent
1726 Supportive Housing and Targeted Affordable Housing program;

1727 “(3) The amount of money remaining in the fund at the end of the reporting
1728 period, listed separately by the program in which the household is participating, including the

1729 Permanent Supportive Housing, Targeted Affordable Housing program, and the Rapid
1730 Rehousing program, and categorized by individual households and family households;

1731 “(4) The number of households, categorized separately as individual households
1732 and family households, matched with a tenant-based voucher assistance program during the
1733 reporting quarter, listed separately by the program in which the household is participating,
1734 including the Permanent Supportive Housing and Targeted Affordable Housing program; and

1735 “(5) The amount of money expended from the fund during the reporting period on
1736 administrative costs, which shall contain a breakdown by category of expense.”.

1737 “(g) Section 22b of the Homeless Services Reform Act of 2005, effective February 28,
1738 2018 (D.C. Law 22-65; D.C. Official Code § 4-754.36b), is amended by adding a new subsection
1739 (e) to read as follows:

1740 “(e) In Fiscal Year 2022, a provider may exit a client pursuant to this section only if the
1741 Mayor determines that the client has a reasonable likelihood of sustaining housing stability
1742 independently of the rapid re-housing program. Such a determination shall be based on the
1743 client’s rent burden at the time of program exit, the client’s job stability and income, and other
1744 factors known to cause housing instability.”.

1745 **SUBTITLE F. HOUSING PRODUCTION TRUST FUND CONTRACTS**

1746 Sec. 2051. Short title.

1747 This subtitle may be cited as the “Housing Production Trust Fund Pipeline Advancement
1748 Amendment Act of 2021”.

1749 Sec. 2052. Section 3(f)(2) of the Housing Production Trust Fund Act of ~~1989~~1988,
1750 effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(f)(2)), is repealed.

1751 **SUBTITLE G. -PROPERTY TAX RELIEF FOR LOW INCOME HOUSING**

1752 Sec. 2061. Short title.

1753 This subtitle may be cited as the “Property Tax Relief for Low Income Housing

1754 Harmonization Act of 2021”.

1755 Sec. 2062. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as

1756 follows:

1757 (a) Section 47-1005.02 is amended as follows:

1758 (1) Subsection (a) is amended as follows:

1759 (A) Paragraph (1) is amended to read as follows:

1760 “(1) Real property eligible for the low-income housing tax credit provided by
1761 section 42 of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2189; 26
1762 U.S.C. § 42), (“affordable housing”) that is owned by or leased to an organization that is not
1763 organized or operated for private gain, or that is owned by or leased to an entity controlled,
1764 directly or indirectly, by such an organization, for which a certification has been made as to both
1765 the real property and owner or lessee pursuant to subsection (b)(1) of this section (and that has
1766 not been revoked under subsection (b)(2) of this section) shall be exempt from the taxes imposed
1767 by Chapters 8 and 10 of this title and from a payment in lieu of tax imposed under § 47-1002(20)
1768 during the time that the real property is being developed for or being used as affordable housing
1769 and is subject to restrictive covenants governing the income of residents that occupy the
1770 affordable housing units during the federal low-income housing tax credit compliance period,

1771 including any extended use period; provided, that if the property is eligible for the tax relief
1772 provided by this subsection in part because it is leased to an organization that is not organized or
1773 operated for private gain, or is leased to an entity controlled, directly or indirectly, by such an
1774 organization, the owner and lessee shall certify to the Mayor, and the Mayor shall confirm, that
1775 the value of the tax abatement provided by this subsection will be passed through to the lessee.”.

1776 (B) Paragraph (2) is amended by striking the word “owner” wherever it
1777 appears and inserting the phrase “owner or lessee” in its place.

1778 (2) A new subsection (a-1) is added to read as follows:

1779 “(a-1)(1) Real property shall be exempt from the taxes imposed by Chapters 8 and 10 of
1780 this title and from a payment in lieu of tax imposed under § 47-1002(20), for the time period set
1781 forth in paragraph (2) of this subsection, if:

1782 “(A) The real property is owned by or leased to a nonprofit owner, as
1783 defined by § 47-1005.03(a)(2), or leased to a nonprofit organization that provides rental housing
1784 in buildings that it owns and that satisfies the requirements of § 47-1005.03(a)(2)(B);

1785 “(B) Affordable housing developed or to be developed on the real property
1786 has been awarded financial assistance in the form of a grant or a loan from the Housing
1787 Production Trust Fund or other District government low-income housing financing assistance
1788 program designated by the Mayor to provide housing affordable to households earning not in
1789 excess of 80% of the adjusted median income, as defined by § 47-1005.03(a)(1);

1790 “(C) The financial assistance described in subparagraph (B) of this
1791 paragraph was awarded after the effective date of the Property Tax Relief for Low Income
1792 Housing Harmonization Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version
1793 of Bill 24-285);

1794 “(D) A certification as to both the real property and owner or lessee has
1795 been made pursuant to subsection (b)(1) of this section (and that has not been revoked under
1796 subsection (b)(2) of this section); and

1797 “(E) The real property is subject to, and in compliance with, restrictive
1798 covenants governing the income of residents that occupy or will occupy the affordable housing
1799 units developed or to be developed on the real property.

1800 “(2) Real property described in paragraph (1) of this subsection shall be exempt
1801 from the taxes imposed by Chapters 8 and 10 of this title and from a payment in lieu of tax
1802 imposed under § 47-1002(20) during the time that the real property is being developed for or
1803 being used as affordable housing.”.

1804 (3) Subsection (b) is amended as follows:

1805 (A) Paragraph (1) is amended as follows:

1806 (i) The lead-in text is amended to read as follows:

1807 “The Mayor shall certify to the Office of Tax and Revenue (“OTR”) each property and
1808 owner or lessee eligible for an exemption. The certification shall identify:”.

1809 (ii) Subparagraph (B) is amended by striking the word “owner”
1810 and inserting the phrase “owner or lessee” in its place.

1811 (iii) Subparagraph (E) is amended to read as follows:

1812 “(E) The effective date of the exemption, which shall be:

1813 “(i) In the case of an application by an eligible owner, the date on
1814 which the eligible owner acquired the real property or October 1, 2012, whichever is later; and

1815 “(ii) In the case of an application by an eligible lessee, the date on
1816 which the eligible lessee leased the real property, or October 1, 2021, whichever is later.”.

1817 (B) Paragraph (2) is amended as follows:

1818 (i) The lead-in ~~text language~~ is amended as follows:

1819 (I) Strike the phrase “owner or property” and insert the
1820 phrase “property₁ ~~or~~ owner₂ or lessee” in its place.

1821 (II) Strike the phrase “subsection (a)” and insert the phrase
1822 “subsection (a) or (a-1)” in its place.

1823 (ii) Subparagraph (B) is amended by striking the word “owner”
1824 and inserting the phrase “owner or lessee” in its place.

1825 (iii) Subparagraph (E) is amended by striking the phrase “taxpayer
1826 or property” and inserting the phrase “property, owner, or lessee” in its place.

1827 (C) Paragraph (3) is amended as follows:

1828 (i) Strike the phrase “subsection (a)” and insert the phrase
1829 “subsection (a) or (a-1)” in its place.

1830 (ii) Strike the word “owner” and insert the phrase “owner or lessee,
1831 whichever is applicable,” in its place.

1832 (4) Subsection (c) is amended by striking the word “owner” and inserting
1833 the phrase “owner or lessee” in its place.

1834 (b) Section 47-1005.03 is amended as follows:

1835 (1) Subsection(a)(2)(B) is amended as follows:

1836 (A) Sub-subparagraph (i) is amended by striking the ~~word phrase~~ “; or”
1837 and inserting a semicolon in its place.

1838 (B) Sub-subparagraph (ii) is amended by striking the period and inserting
1839 the phrase “; or” in its place.

1840 (C) A new sub-subparagraph (iii) is added to read as follows:

1841 “(iii) Is a limited-equity cooperative as defined by § 42~~—~~2061(2).”.

1842 (2) Subsection (b) is amended as follows:

1843 (A) The lead-in language is amended by striking the phrase “provided,
1844 that” and inserting the phrase “provided, that the land and buildings are acquired by the nonprofit
1845 owner in an arm’s-length transaction on or after October 1, 2020, or, in the case of a nonprofit
1846 owner that is a limited-equity cooperative as defined by § 42~~—~~2061(2), on or after October 1,
1847 2021; provided further, that” in its place.

1848 (B) Paragraph (6) is amended to read as follows:

1849 “(6) Such nonprofit owner, or its sole member if the nonprofit owner is
1850 disregarded for income tax purposes, is the subject of a Determination Letter issued by the
1851 Internal Revenue Service providing for recognition under section 501(c)(3) of the Internal
1852 Revenue Code; except, that this requirement shall not apply to a limited-equity cooperative.”.

1853 **SUBTITLE H. SECTION 108 DEBT RESERVE ACCOUNT**

1854 Sec. 2071. Short title.

1855 This subtitle may be cited as the “Section 108 Debt Reserve Account Establishment Act
1856 of 2021”.

1857 Sec. 2072. Section 108 debt reserve account.

1858 (a) The Chief Financial Officer shall establish as a special fund under section 450 of the
1859 District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official
1860 Code § 1-204.50), or as an account at a financial institution outside the District government, the
1861 Section 108 Debt Reserve Account (“Account”).

1862 (b) ~~The Chief Financial Officer There shall be deposited~~ into the Account ~~such amounts~~
1863 ~~as are appropriated for the Account. The amount of money in the Account at any point during a~~
1864 ~~fiscal year should be at least equal to the~~ an amount necessary sufficient to pay the principal and
1865 interest due during the remainder of that fiscal year to the Department of Housing and Urban
1866 Development (~~“HUD”~~) in the event of a default on a loan on of amounts borrowed by the
1867 District under the federal loan guarantee program authorized by section 108 of the Housing and

1868 Community Development Act of 1974, approved August 22, 1974 (88 Stat. 647; 42 U.S.C. 5308)
1869 (“Section 108 Loan Guarantee Program”).

1870 **SUBTITLE I. PARK MORTON REDEVELOPMENT**

1871 Sec. 2081. Short title.

1872 This subtitle may be cited as the “Park Morton Redevelopment Act of 2021”.

1873 Sec. 2082. Park Morton Redevelopment.

1874 The use of funds allocated for the redevelopment of public housing at Park Morton shall

1875 be limited to furthering the project requirements and shall be subject to the guidelines,

1876 conditions, and standards as approved by the Zoning Commission for the District of Columbia in

1877 Zoning Commission Order Nos. 16-11 and 16-12, and in any subsequent applicable orders ~~issued~~

1878 ~~by the Zoning Commission.~~

1879 **SUBTITLE J. REENTRY HOUSING AND SERVICES PROGRAM**

1880 Sec. 2091. Short title.

1881 This subtitle may be cited as the “Reentry Housing and Services Program Act of 2021”.

1882 Sec. 2092. Definitions

1883 For purposes of this subtitle, the term:

1884 (1) “Area median income” means the area median income of the Washington

1885 Metropolitan Statistical Area as set forth in the periodic calculation provided by the U.S.

1886 Department of Housing and Urban Development.

1887 (2) “Community Housing Development Organization” means a private nonprofit
1888 community-based organization with the capacity to develop affordable housing for the target
1889 population.

1890 (3) “Extremely low-income” means having a household income equal to 30% or
1891 less of the area median income.

1892 (4) “Housing production” means the construction, rehabilitation, or preservation
1893 of decent, safe, and affordable housing.

1894 (5) “Low-income” means having a household income that is less than 60% of the
1895 area median income.

1896 (6) “On-site services” means services, provided in connection with housing,
1897 designed primarily to help tenants maintain housing, including coordination or case
1898 management, physical and mental health support, substance use management and recovery
1899 support, job training, literacy and education, youth and children’s programs, and money
1900 management.

1901 (7) Project-based assistance” means funds allocated to a particular Community
1902 Housing Development Organization to subsidize rent and social services in units owned and
1903 operated by the Community Housing Development Organization for a maximum number of
1904 households as established by contract.

1905 (8) “Qualifying housing project” means a development that has an approved
1906 building permit and provides permanent and transitional housing with on-site services for the
1907 target population.

1908 (89) “Returning citizen” means a District resident who was previously
1909 incarcerated.

1910 ~~(9) “Sponsor-based assistance” means funds allocated to a particular Community~~
1911 ~~Housing Development Organization to subsidize rent and social services in units owned and~~
1912 ~~operated by the Community Housing Development Organization for a maximum number of~~
1913 ~~households as established by contract.~~

1914 (10) “Target population” means low-income, very low-income, and extremely
1915 low-income individuals, families, or returning citizens.

1916 (11) “Very low-income” means a household income equal to or less than 50% of
1917 the area median income.

1918 Sec. 2093. (a)(1) The Department of Housing and Community Development (“DHCD”)
1919 shall establish a Reentry Housing and Services Program (“Program”), subject to available
1920 funding, to provide ~~sponsor~~project-based assistance to a Community Housing Development for
1921 qualifying housing projects.

1922 (2) The Program shall allocate ~~sponsor~~project-based funds to produce and
1923 maintain new affordable housing units and subsidize the cost of monthly rent and on-site services
1924 for the target population at a qualifying housing project.

1925 (3) In Fiscal Year 2022 only, DHCD may use up to \$174,000 of funds allocated
1926 for this project for administrative costs associated with implementing the Program.

1927 (b) To be eligible, a qualifying housing project shall provide:

1928 (1) No fewer than 60 units of housing, which may include single room occupancy
1929 units;

1930 (2) On-site services for the target population; and

1931 (3) A preference for returning citizens as tenants.

1932 (c) The agency shall issue a request for proposals no later than January 31, 2022, and
1933 issue awards no later than July 1, 2022.

1934 (d)(1) The Mayor, pursuant to Title I of the District of Columbia Administrative
1935 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
1936 shall issue rules to implement the provisions of this act, including rules addressing:

1937 (A) The distribution of funds under this program; and

1938 (B) The allocation of ~~sponsor~~project-based funds pursuant to this section,
1939 including by combining funds under this program with other sources of funds for housing
1940 production and development.

1941 (2) The proposed rules shall be submitted to the Council for a 45-day period of
1942 review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council
1943 does not approve or disapprove the proposed rules, by resolution, within the 45-day review
1944 period, the proposed rules shall be deemed approved.²²

1945 **SUBTITLE K. -EMORY BEACON OF LIGHT TAX EXEMPTION**

1946 Sec. 2101. Short title.

1947 This subtitle may be cited as the “Emory United Methodist Church Tax Exemption and
1948 Equitable Tax Relief Act of 2021”.

1949 Sec. 2102. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as
1950 follows:

1951 (a) The table of contents is amended by adding a new section designation to read as
1952 follows:

1953 “47-1099.11. Emory United Methodist Church; Square 2940, ~~lots~~Lots 826, 828, 831,
1954 832, 7007, 7008, 7009, 7010, 7011, and 7012.”.

1955 (b) A new section ~~§~~47-1099.11 is added to read as follows:

1956 “§ 47-1099.11. Emory United Methodist Church; Square 2940, ~~L~~Lots 826, 828, 831, 832,
1957 7007, 7008, 7009, 7010, 7011, and 7012.

1958 “(a) The real property described for assessment and taxation purposes as Square 2940,
1959 Lots 826, 828, 831, 832, 7007, 7008, 7009, 7010, 7011, and 7012 (“real property”) shall be
1960 exempt from real property taxation and possessory interest taxation so long as the real property
1961 is:

1962 “(1) Owned by Emory United Methodist Church or an entity controlled directly or
1963 indirectly by Emory United Methodist Church;

1964 “(2) If leased, leased to Beacon Center QALICB, LLC, or a nonprofit
1965 organization, including Emory Beacon of Light;
1966 “(3) If subleased, subleased to Beacon Center QALICB, LLC, or a nonprofit
1967 organization, including Emory United Methodist Church or Emory Beacon of Light; and
1968 “(4) Used, or, if vacant, held for use, by Emory United Methodist Church, an
1969 entity controlled directly or indirectly by Emory United Methodist Church, Beacon Center
1970 QALICB, LLC, or a nonprofit organization, including Emory Beacon of Light, for affordable
1971 housing or community-serving purposes, such as a church, gymnasium, classroom, food pantry,
1972 community or incubator kitchen, immigration clinic, small-business services, restaurant staffed
1973 by returning citizens, youth leadership academy, or health clinic.
1974 “(b) Any transfer, assignment, or other disposition of all or any portion of the real
1975 property, including a lease or sublease of the real property between Emory United Methodist
1976 Church or any entity controlled directly or indirectly by Emory United Methodist Church
1977 including Emory Beacon of Light, and Beacon Center QALICB, LLC, and any security interest
1978 instrument in the real property granted by Emory United Methodist Church, an entity controlled
1979 directly or indirectly by Emory United Methodist Church, or Beacon Center QALICB, LLC,
1980 shall be exempt from the tax imposed by § 42-1103 and § 47-903.”.
1981 Sec. 2103. The Council orders that all recordation and transfer taxes, interest, and
1982 penalties assessed or assessable, fees, and other related charges assessed with respect to
1983 documents recorded concerning the real property, for the period beginning with January 1, 2016,

1984 through the end of the month following the effective date of this ~~aet-subtitle~~ shall be forgiven,
1985 and any payments made of such taxes, interest, penalties, fees, or other related charges shall be
1986 refunded.

1987 Sec. 2104. This section shall apply as of January 1, 2016.

1988 **SUBTITLE L. DSLBD GRANTS**

1989 Sec. 2111. Short title.

1990 This subtitle may be cited as the “Department of Small and Local Business Development
1991 Grant Act of 2021”.

1992 Sec. 2112. Notwithstanding the Grant Administration Act of 2013, effective December
1993 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2022, the
1994 Department of Small Business and Local Development shall award:

1995 (a) By November 1, 2021, a grant in the amount of \$175,000 to Columbia Heights Day
1996 Initiative DBA District Bridges to hire two full-time positions to provide direct support,
1997 relationship development, and resource brokering to individuals who spend time in the Columbia
1998 Heights Civic Plaza who face systemic challenges and mental health or substance abuse issues.

1999 (b)(1) A grant in the amount of up to \$250,000 to the DC Community Development
2000 Consortium (“Consortium”) to develop a Ward 8 Community Investment Fund to provide access
2001 to capital to entrepreneurs residing in Ward 8 or to assist in operating a small business in Ward 8.

2002 (2) Grant funds shall be matched with private capital and shall be used to provide
2003 grants or microloans to eligible entrepreneurs.

2004 (3) The Consortium shall give Ward 8 residents control over the deployment of
2005 capital in the Community Investment Fund through an investment committee comprised of Ward
2006 8 residents and supported by technical and administrative staff, as necessary.

2007 (c) A grant of not less than \$300,000 to an organization partnering with property owners
2008 in the Friendship Heights neighborhood for place making, place management, branding, and
2009 economic development.

2010 **SUBTITLE M. -REDEVELOPMENT OF THE CENTER LEG FREEWAY**

2011 Sec. 2121. Short title.

2012 This subtitle may be cited as the “Redevelopment of the Center Leg Freeway (Interstate
2013 395) Amendment Act of 2021”.

2014 Sec. 2122. Section 47-4640 of the District of Columbia Official Code is amended by
2015 adding a new subsection (i) to read as follows:

2016 “(i)(1) For the purposes of this subsection, the term “Property” means the real property,
2017 including any improvements thereon, described as Lots 50, 861, and 862 in Square 566 and Lots
2018 44 and 865 in Square 568, including any future subdivisions of those lots.

2019 “(2) The Owner ~~may~~shall make ~~a real property tax~~real property tax payments to the District in the
2020 amount of 25% of the real property taxes that would otherwise be imposed on the Property by
2021 Chapter 8 of this title for 10 years starting October 1, 2027; provided, that:

2022 “(A) The residential building on the Property is constructed and has
2023 received its final certificate of occupancy by September 30, 2027;

2024 “(B) The Owner and the Mayor, prior to October 1, 2022, have executed
2025 an amendment to the documents governing the transfer of the Center Leg Freeway (Interstate
2026 395) PILOT Area to the Owner pursuant to section 3 of the Redevelopment of the Center Leg
2027 Freeway (Interstate 395) Act of 2010, effective October 26, 2010 (D.C. Law 18-257; 57 DCR
2028 8144), to require, in addition to completion of the residential building on the Property by
2029 September 30, 2027, completion of all remaining development of the Property by September 30,
2030 2033, and such economic inclusion requirements as the Mayor may require;

2031 “(C) The Owner is in compliance with the amended documents described
2032 in subparagraph (B) of this paragraph; and

2033 “(D) The total amount of real property taxes ~~that may be~~ abated under this
2034 paragraph shall not exceed \$100 million.”.

2035 **SUBTITLE N. DMPED GRANTS AND INITIATIVES**

2036 Sec. 2131. Short title.

2037 This subtitle may be cited as the “Deputy Mayor for Planning and Economic
2038 Development Grants and Initiatives Amendment Act of 2021”.

2039 Sec. 2132. Vibrant places recovery support.

2040 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2041 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2042 Official Code § 1-328.04), is amended by adding new subsections (j) and (k) to read as follows:

2043 “(j)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2044 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make
2045 grants to eligible BID corporations, as defined by section 2(4) of the Business Improvement
2046 Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-
2047 1215.02(4)), and Main Street corridors supported by the Department of Small and Local
2048 Business Development for the purpose of making the area served by the BID corporation or
2049 Main Street organization (“commercial district”) and the surrounding area more people-focused
2050 and engaging to attract more residents and visitors to the commercial district and surrounding
2051 area.

2052 “(2) A grant awarded pursuant to paragraph (1) of this subsection may be used to
2053 pay for the costs of:

2054 “(A) The development of neighborhood brand identities;

2055 “(B) Investments to implement neighborhood brand identities guidelines;

2056 “(C) Marketing campaigns for the commercial district and surrounding
2057 area;

2058 “(D) Wayfinding signage and resources for the commercial district and
2059 surrounding area;

2060 “(E) Training of employees who work in the commercial district;

2061 “(F) Market studies that examine visitor attraction, hotel occupancy,
2062 marketing campaigns in competitive jurisdictions, and other indicators that may inform actions
2063 that may be taken to gain market share; and

2064 “(G) Public space improvements and activation, including pedestrian
2065 priority zones in the commercial district and surrounding area.

2066 “(3) A BID corporation or Main Street organization seeking a grant under
2067 paragraph (1) of this subsection shall submit to the Deputy Mayor an application, in a form
2068 proscribed to the Deputy Mayor. The application shall include:

2069 “(A) A description of how the applicant proposes to spend the grant funds
2070 to attract visitors to its commercial district and surrounding area to shop, eat, and attend or
2071 engage in cultural and entertainment activities.

2072 “(B) A description of how the increased spending by visitors attracted
2073 through the expenditure of the grant funds will directly impact local businesses in the
2074 commercial district and surrounding area; and

2075 “(C) Any additional information requested by the Deputy Mayor.

2076 “(k) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013
2077 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make grants:

2078 “(1) To the Anacostia BID to support an art and culture district;

2079 “(2) To the Southwest Waterfront BID to support autonomous vehicle shuttles;

2080 and

2081 “(3) To the Golden Triangle BID for an innovation district.”.

2082 Sec. 2133. Small Business Rent Relief Program.

2083 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited

2084 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.

2085 Official Code § 1-328.04), is amended by adding a new subsection (l) to read as follows:

2086 “(l)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2087 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and subject to the availability of
2088 funds, the Deputy Mayor shall establish the Small Business Rent Relief Program to award grants
2089 to small businesses operating a restaurant, tavern, nightclub, entertainment venue, or retail
2090 establishment on leased property to pay one-third of the applicant’s past-due rent for the period
2091 of April 1, 2020, through ~~March 31~~June 30, 2021.

2092 “(2)(A) To be eligible for rent relief, a small business operating a restaurant,
2093 tavern, nightclub, entertainment venue, or retail establishment on leased property shall meet the
2094 following criteria:

2095 “(i) The restaurant, tavern, nightclub entertainment venue, or retail
2096 establishment shall be physically located in the District;

2097 “(ii) The small business shall have operated the restaurant, tavern,
2098 nightclub entertainment venue, or retail establishment continuously since at least December 1,
2099 2018, except for any interruptions required by Mayor’s Orders 2020-045 and 2020-046 and
2100 subsequent public health emergency orders;

2101 “(iii) The small business shall be in good standing with the District
2102 of Columbia’s Office of Tax and Revenue;

2103 “(iv) The small business shall have experienced a 50% decrease in
2104 revenue during any ~~three~~3-month period from April through March 2021 when compared to the
2105 same time period in 2019;

2106 “(v) The lease for the restaurant, tavern, nightclub entertainment
2107 venue, or retail establishment shall extend at least until December 31, 2023;

2108 “(vi) If the small business is a franchisee of a franchise with
2109 multiple locations, the business receiving assistance ~~must~~shall be independently owned and
2110 operated;

2111 “(vii) The small business ~~shall not have~~ ~~did not~~ received funding
2112 from the Restaurant Revitalization Fund established by ~~Section~~section 5003 of the American
2113 Rescue Plan Act of 2021, approved March 11, 2021 (~~135 Stat. 85; Pub. L. 117 2; H.R. 1319 15~~
2114 ~~U.S.C. § 9009c~~);

2115 “(viii) The small business ~~shall~~ ~~did not~~ ~~have~~ received funding from
2116 the Shuttered Venue Operators Grant established by ~~s~~Section 324 of the Economic Aid to Hard-
2117 Hit Small Businesses, Nonprofits and Venues Act ~~of 2020 (Economic Aid Act)~~, approved
2118 December 27, 2020 (~~134 Stat. 2022; 15 U.S.C. § 9009a~~~~Pub. L. 116 260; H.R. 748~~); and”

2119 “(ix) The small-business owner shall demonstrate that he or she
2120 will pay one-third of the amount of past due rent.

2121 “(B) In addition to the requirements set forth under subparagraph (A) of
2122 this paragraph, as part of the grant application, the landlord of a small-business owner applying
2123 to receive grants shall certify that:

2124 “(i) He or she will forgive one-third of the past due rent; and

2125 “(ii) The grant will make the business current on rent.

2126 “(3) The Mayor shall prioritize grant funding under this subsection for eligible
2127 small businesses that did not receive Paycheck Protection Program loans from the Coronavirus
2128 Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. §
2129 9001 *et seq.*) or section 501 of Division N of the Consolidated Appropriations Act, 2021,
2130 approved December 27, 2020 (134 Stat. 2069; 15 U.S.C. § 9058a).

2131 ~~“(4) —“(A)~~ The Mayor may issue one or more grants to a third-party grant-
2132 managing entity for the purpose of administering the grant program under this subsection ~~(u) of~~
2133 ~~this section~~ and making subgrants on behalf of the Mayor in accordance with the requirements of
2134 this subsection.

2135 ~~“(5) —“(BA)~~ The Mayor, and any third-party entity chosen pursuant to
2136 ~~sub~~paragraph ~~(A4)~~ of this ~~paragraph~~subsection, shall, at a minimum, maintain the following
2137 information for each grant award:

2138 “(i) The name, location and business license number of the grant
2139 recipient;

2140 “(ii) Proof of revenue declines as required by ~~subsection-paragraph~~
2141 ~~(H)~~(2)(A)(iv) of this subsection;

2142 “(iii) The date and amount, if any, of Paycheck Protection Program
2143 loans received by the small business for purposes of compliance with paragraph (3) of this
2144 subsection;

2145 “(iv) The date of the award;

2146 “(v) The intended uses of the award;

2147 “(vi) A certification of rent forgiveness by the landlord as required
2148 by ~~paragraph subsection (H)~~(2)(B)(i) of this subsection;

2149 “(vii) Proof of the small-business owners’ ability to pay a third of
2150 past due rent as required by ~~subsection-paragraph (H)~~(2)(A)(~~viii~~) of this subsection;

2151 “(viii) The award amount; and

2152 “(ix) Any other information deemed necessary to implement the
2153 requirements of this section.

2154 “~~(CB)~~ The Mayor shall issue a report with information required to be
2155 maintained pursuant to by-subparagraph (3)(BA) of this ~~subsection-paragraph~~ to the Council no
2156 later than June 1, 2022.

2157 “~~(46)~~ For purposes of this subsection, the term “small business” means a brick-
2158 and-mortar, for-profit establishment located in the District that made no more than \$5 million in
2159 revenue in 2020.”

2160 “(7) The Deputy Mayor may use up to 1% of the funds allocated for the grants in
2161 this subsection for administrative expenses associated with implementing the grant programs
2162 authorized in subsections (j) through (v) of this section.”.

2163 Sec. 2134. LGBTQ+ Center.

2164 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2165 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2166 Official Code § 1-328.04), is amended by adding a new subsection (m) to read as follows:

2167 “(m) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2168 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make
2169 grants to support the buildout or acquisition of new office and community space for the DC
2170 Center for the LGBT Community, currently located at the Frank D. Reeves Center.”.

2171 Sec. 2135. Employment center vitality and local jobs creation.

2172 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2173 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2174 Official Code § 1-328.04), is amended by adding a new subsection (n) to read as follows:

2175 “(n)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2176 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may award
2177 grants to attract large companies, in sectors designated by the Deputy Mayor, that have the
2178 ability to attract additional businesses to the District.

2179 “(2) Grants awarded pursuant to this subsection may be used for the following
2180 purposes:

2181 (A) As initial startup capital;

2182 (B) To cover operational costs;

2183 (C) As down-payment assistance or to subsidize rent;

2184 (D) Tenant improvements;

2185 (E) Workforce training or professional development costs not eligible for
2186 support through other workforce programs; and

2187 (F) Recruitment and hiring costs.

2188 “(3) To be eligible to receive a grant under this subsection, a business must:

2189 “(A) Have 25 or more employees;

2190 “(B) Lease or own, or agree to lease or acquire, a physical office or
2191 business location of at least 20,000 square feet in the District’s central business District and enter
2192 into an agreement with the District to remain in the leased or owned space for at least 10 years;

2193 “(C) Be in the field of cloud and computer systems, food technology,
2194 cybersecurity, artificial intelligence, big data, life sciences, education, education technology,
2195 research, consulting services, professional services, marketing, or communications;

2196 “(D) Enter into an agreement with the District to implement a workforce
2197 development program that offers District residents opportunities for training or employment
2198 within the business or the industry in which it operates;

2199 “(E) Commit to spending at least 5% of its total annual contracting with
2200 businesses eligible for certification as local business enterprises, pursuant to section 2331 of the
2201 Small ~~and Certified, Local, and Disadvantaged~~ Business Enterprise Development and
2202 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-
2203 218.31), during the 10-year period referred to in subparagraph (B) of this subsection~~paragraph~~;
2204 and

2205 “(F) Require its employees, in the aggregate, to be on-site at the location
2206 referred to in subparagraph (B) of this subsection~~paragraph~~ for at least 50% of their work
2207 hours.”.

2208 Sec. 2136. Local food access.

2209 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2210 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2211 Official Code § 1-328.04), is amended by adding a new subsection (o) to read as follows:

2212 “(o)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2213 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*) the Deputy Mayor may make
2214 grants and loans for the purpose of supporting the equitable distribution of food businesses in
2215 Wards 7 and 8 and in eligible areas, including:

2216 “(A) Grants and loans to assist in the startup, growth, and long-term
2217 sustainability of food business in Wards 7 and 8 and in eligible areas; and

2218 “(B) Grants for the provision of technical assistance to food businesses
2219 and individuals seeking to establish food businesses in the District.

2220 “(2) The Deputy Mayor may issue one or more grants to a third-party grant-
2221 managing entity to issue or administer, or both, the grants and loans authorized by this
2222 subsection.

2223 “(3) For the purposes of this subsection, the term “eligible areas” shall have the
2224 same meaning as set forth in D.C. Official Code § 47-3801(1D).”.

2225 Sec. 2137. Guaranteed income pilot.

2226 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2227 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2228 Official Code § 1-328.04), is amended by adding a new subsection (p) to read as follows:

2229 “(p)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
2230 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in ~~fiscal-Fiscal year-Year~~
2231 2022, the Deputy Mayor shall have grant-making authority for the purpose of providing funds,
2232 on or before ~~November-December~~ 1, 2021, and in amount of at least \$1.5 million to support
2233 District-based direct cash assistance programs or pilot programs that provide unrestricted cash
2234 assistance directly to individuals or households and that are administered by a nonprofit
2235 organization or ~~an organizations that provides unrestricted cash assistance directly to individuals~~
2236 ~~or households.~~

2237 “(2) By September 30, 2022, a grantee who has received a grant pursuant to
2238 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the
2239 grant funds, including a description of:

2240 “(A) The cash assistance program, including how often cash was
2241 distributed and in what amounts, and for any grant funds not yet distributed, the plan for their
2242 distribution and in what amounts;

2243 “(B) The eligibility requirements for the program or pilot, including the
2244 total number of individuals or households served;

2245 “(C) The funding structure for the program or pilot program; and

2246 “(D) Information on how the program or pilot-program participants used
2247 the cash assistance they received.

2248 “(3) By ~~November~~December 1, 2022, the Deputy Mayor shall provide to the
2249 Council a report based on the information required by paragraph (2) of this subsection, along
2250 with a summary analysis of the efficacy and benefits of the cash assistance issued by the grantee
2251 or grantees.”.

2252 Sec. 2138. CDFI and MDI small business assistance.

2253 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2254 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2255 Official Code § 1-328.04), is amended by adding a new subsection (q) to read as follows:

2256 “(q)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
2257 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in ~~fiscal~~ Fiscal Year
2258 2022, the Deputy Mayor shall make grants to multiple Community Development Financial
2259 Institutions or Minority Depository Institutions located in the District of Columbia in an
2260 aggregate amount of up to \$~~6~~1 million to ~~asses~~ assist activities that support equitable economic
2261 recovery and increase access to loans, grants, technical assistance, and financial services to
2262 eligible entities.

2263 “(2) An applicant shall submit a grant application in the form and with the
2264 information required by the Deputy Mayor, which may include:

2265 “(A) An explanation of proposed activities to be supported by the grant
2266 funds; and

2267 “(B) A demonstration that the applicant has a record of success in serving
2268 small business based in the District of Columbia.

2269 “(3) Grant funds may be used:

2270 “(A) To provide technical assistance to eligible entities that have
2271 outstanding loans from the CDFI or MDI or to borrow funds from the CDFI or MDI within one
2272 year of the date of the CDFI or MDI’s ~~-~~application for grant funds. Technical assistance shall be
2273 tailored to help ensure the success of borrowers and repayment of loans;

2274 “(B) For loan capital; provided, that the approved loan is for a business
2275 purpose;

2276 “(C) For risk capital, including loan loss reserves, loan guarantees, and
2277 cash collateral support for business loans;

2278 “(D) For administrative support for the CDFI or MDI, including the
2279 provision of technical and financial assistance; except, that the amount of grant proceeds used for
2280 this purpose may not exceed the NICRA between a CDFI and the federal government, or 10% of
2281 the grant proceeds if the CDFI does not have a NICRA in effect.

2282 “(4) By November 1, 2022, a grantee who has received a grant pursuant to
2283 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the
2284 grant funds, including:

2285 “(A) A description of services provided through the grant funds;

2286 “(B) The aggregate number of eligible entities receiving support from the
2287 grantee and the aggregate amount received; and

2288 “(C) Except as may be prohibited by federal law, the business name and
2289 address for each business receiving support from the grantee and the amount received by each
2290 such business.

2291 “(5) By December 1, 2022, the Deputy Mayor shall provide to the Council a
2292 report based on the information required by paragraph (4) of this subsection, along with a
2293 summary analysis of the efficacy and benefits of the use of the grant funds by the grantee.

2294 “(6) For purposes of this subsection, the term:

2295 “(A) “Community Development Financial Institution” or “CDFI” means
2296 an organization operating the District that has been certified as a community development
2297 financial institution by the federal community development institutions fund, pursuant to the
2298 Riegle Community Development and Regulatory Improvement Act of 1994, approved
2299 September 23, 1994 (108 Stat. 2160; 12 U.S.C. § 4701 et seq.).

2300 “(B) “Eligible entity” means an equity impact enterprise, as defined in
2301 section 2302(8A) of the Small and Certified Business Enterprise Development and Assistance
2302 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)),
2303 or a business entity that meets the definition of an equity impact enterprise.

2304 “(C) “Minority Depository Institution” or “MDI” means an organization
2305 operating in the District that qualifies as a minority depository institution pursuant to the
2306 Financial Institutions Reform, Recovery, and Enforcement Act of 1989, approved August 9,
2307 1989 (Pub. L. No. 101-73; 103 Stat. 183).

2308 “(D) “NICRA” means a Negotiated Indirect Cost Rate Agreement, which is
2309 an agreement that estimates the indirect cost rate negotiated between the federal government and
2310 a grantee organization that reflects indirect costs and fringe benefit expenses incurred by the
2311 organization that the federal government may reimburse.

2312 Sec. 2139. Equity impact enterprise growth.

2313 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2314 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2315 Official Code § 1-328.04), is amended by adding a new subsection (r) to read as follows:

2316 “(r)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
2317 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in ~~fiscal~~Fiscal Year
2318 2022, the Deputy Mayor shall award a grant in an amount of up to \$400,000 to an organization
2319 based and located in the District and founded in 2017 that is an affiliate of a national
2320 organization and that promotes and supports the growth of equity impact enterprises, as defined
2321 in section 2302(8A) of the Small and Certified Business Enterprise Development and Assistance
2322 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)),
2323 to provide resources for advocacy and education and the facilitation of networking opportunities.

2324 “(2) By November 1, 2022, a grantee who has received a grant pursuant to
2325 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the
2326 grant funds, including a description of services it provided through the grant funds.

2327 “(3) By December 1, 2022, the Deputy Mayor shall provide to the Council a
2328 report based on the information required by paragraph (2) of this subsection, along with a
2329 summary analysis of the efficacy and benefits of services provided by the grantee.”.

2330 Sec. 2140. Great Streets grants.

2331 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2332 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2333 Official Code § 1-328.04), is amended by adding a new subsection (s) to read as follows:

2334 “(s) For fiscal year 2022, the Deputy Mayor may make grants in an aggregate amount of
2335 up to \$800,000 to businesses that are located within the geographical boundaries set forth in the
2336 Great Streets Neighborhood Retail Priority Amendment Act of 2021, as introduced on March 31,
2337 2021 (Bill 24-179), and that would otherwise qualify for a Great Streets Small Business grant.”.

2338 Sec. 2141. Bridge Fund recovery and special events support grants.

2339 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2340 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2341 Official Code § 1-328.04), is amended by adding a new subsection (t) to read as follows:

2342 “(t)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2343 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), the Mayor may make grants,
2344 loans, and other financial assistance for the purpose of supporting the reopening, recovery, and
2345 long-term viability of businesses within the restaurant, retail, and hospitality sectors, along with
2346 arts, cultural, and entertainment venues that incurred significant financial losses due to the
2347 impacts of COVID-19, and to support arts, cultural, entertainment, and other special events,
2348 including through the waiver of District government fees associated with such events.

2349 “(2) The Deputy Mayor may issue one or more grants to a third-party grant-
2350 managing entity for the purpose of issuing or administering grants or loans authorized by this
2351 subsection on behalf of the Deputy Mayor.”.

2352 Sec. 2142. Small and medium business recovery and growth program.

2353 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2354 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2355 Official Code § 1-328.04), is amended by adding a new subsection (u) to read as follows:

2356 “(u)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2357 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make
2358 grants to new and existing District businesses to support activities that are likely to increase the
2359 revenue of the business, result in the hiring of additional employees by the business, or to
2360 improve the short-term and long-term sustainability of the business.

2361 “(2) To be eligible for a grant pursuant to this subsection, a business must:

2362 “(A) Be eligible for certification as a local business enterprise pursuant to
2363 section 2331 of the Small and Certified Business Enterprise Development and Assistance Act of
2364 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31);

2365 “(B) Be independently owned and operated, in the case of franchises;

2366 “(C) Have no more than 100 employees; and

2367 “(D) Have annual revenues less than \$15 million.

2368 “(3) A grant awarded pursuant to paragraph (1) of this subsection may be used for
2369 purposes such as:

2370 “(A) Capital improvements to existing property owned or leased by the
2371 grantee;

2372 “(B) Digital technology upgrades for the grantee’s business; or

2373 “(C) Acquiring or improving equipment for the grantee’s business.

2374 “(4) The Deputy Mayor may issue one or more grants to a third-party grant-
2375 managing entity for the purpose of issuing or administering grants authorized by this subsection
2376 on behalf of the Deputy Mayor.

2377 “(5) The Deputy Mayor, and any third-party entity chosen pursuant to paragraph
2378 (4) of this subsection, shall maintain a list of all grants awarded pursuant to this subsection. The
2379 list shall identify the grant recipient, date of award, and award amount.”.

2380 Sec. 2143. Equity impact enterprise commercial property acquisition.

2381 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2382 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2383 Official Code § 1-328.04), is amended by adding a new subsection (v) to read as follows:

2384 “(v)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2385 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make
2386 grants to a District equity impact enterprise business or a business eligible to be a certified equity

2387 impact enterprise to provide down payment assistance of up to \$750,000 or 25% of the sale
2388 price, whichever is less, for the acquisition of commercial property in the District.

2389 “(2) For the purposes of this section, “equity impact enterprise” shall have the
2390 same meaning as defined in section 2302(8A) of the Small and Certified Business Enterprise
2391 Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C.
2392 Official Code § 2-218.02(8A)).

2393 “(3) To be eligible for a grant pursuant to this subsection, an equity impact
2394 enterprise or business eligible to be an equity impact enterprise must:

2395 “(A) Be independently owned and operated, in the case of a franchise;

2396 “(B) Have no more than 100 employees;

2397 “(C) Have annual revenues less than \$15 million; and

2398 “(D) Commit to own and operate a business in at least 25% of the leasable
2399 square footage of the acquired commercial property as a small business enterprise or business
2400 eligible to be a small business enterprise for at least 7 years.

2401 “(4) The Deputy Mayor may issue one or more grants to a third-party grant-
2402 managing entity for the purpose of issuing or administering the grants authorized by this
2403 subsection on behalf of the Deputy Mayor.

2404 “(5) The Deputy Mayor, and any third-party grant-making entity chosen pursuant
2405 to paragraph (4) of this subsection, shall, by April 1, 2021, submit information to the
2406 Chairperson of the Committee on Business and Economic Development, that includes:

2407 “(A) An explanation of the methods used to promote the grant program;

2408 “(B) The number of grant applications received; and

2409 “(C) The number of grants awarded, including the grant recipient, award

2410 date, award amount, and property location.

2411 “(6)(A) If a grant recipient seeks to sell or transfer the commercial property

2412 within 7 years of purchase, uses the grant funds for an unauthorized purpose, uses the grant funds

2413 for any purpose other than the acquisition of the commercial property, including costs and fees

2414 associated with the acquisition, or otherwise breaches the grant agreement, the grant recipient

2415 shall return all grant funds to the District.

2416 “(B) In the event of a breach of the grant agreement by the

2417 recipient or, in the event of one the failure of the recipient to return all grant funds as required by

2418 subparagraph (A) of this paragraph, the Deputy Mayor shall have all applicable remedies

2419 available at law or equity.”.

2420 Sec. ~~21422~~144. Conforming amendments; rulemaking authority grants authorization from
2421 the Economic Development Special Account.

2422 (a) The Deputy Mayor for Planning and Economic Development Limited Grant-Making

2423 Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code

2424 passim~~59 DCR 8050~~), is amended by adding a new section 2032a to read as follows:

2425 “Sec. 2032a. Rules.

2426 “The Mayor may, pursuant to Title I of the District of Columbia Administrative
2427 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
2428 issue rules to implement section 2032.”.

2429 (b) Section 301 of the National Capital Revitalization Corporation and Anacostia
2430 Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-
2431 138; D.C. Official Code § 2-1225.21), is amended by adding a new subsection (d-2) to read as
2432 follows:

2433 “(d-2) Monies credited to the Account may be used to provide grants authorized by the
2434 section 2032 (j) and (k) of the Deputy Mayor for Planning and Economic Development Limited
2435 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2436 Official Code § 1-328.04(j) and (k)), ~~as introduced on May 27, 2021 (Bill 24-285)~~.”.

2437 **SUBTITLE O. BID CLARIFICATION**

2438 Sec. 2151. Short title.

2439 This subtitle may be cited as the “Business Improvement Districts Clarification
2440 Amendment Act of 2021”.

2441 Sec. 2152. Section 206 of the Business Improvement Districts Act of 1996, effective
2442 March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56), is amended by adding a new
2443 subsection (a-1) to read as follows:

2444 “(a-1)(1) Notwithstanding any other provision of law or order to the contrary, the initial
2445 term of the Adams Morgan BID began, pursuant to Mayor’s Order 2005-121, dated August 22,
2446 2005, on June 30, 2005, and expired on September 30, 2011.

2447 “(2) This subsection shall apply as of January 1, 2010.”.

2448 **SUBTITLE P. -D.C. HOUSING AUTHORITY BOARD OF COMMISSIONERS**
2449 **REFORM**

2450 Sec. 2161. Short title.

2451 This subtitle may be cited as the “District of Columbia Housing Authority Board of
2452 Commissioner~~s~~ Reform Amendment Act of 2021.”

2453 Sec. 2162. Section 12 of the District of Columbia Housing Authority Act of 1999,
2454 effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-211), is amended as follows:

2455 (a) Subsection (a) is amended as follows:

2456 (1) The lead-in language is amended by striking the number “11” and inserting
2457 the number “13” in its place.

2458 (2) Paragraph (4) is amended by striking the word-phrase “; and” and inserting a
2459 semicolon in its place.

2460 (3) Paragraph (5) is amended by striking the period and inserting the phrase “;
2461 and” in its place.

2462 (4) A new paragraph (6) is added to read as follows:

2463 “(6) Two Commissioners, who shall not be employees of the Authority, one
2464 nominated by the Mayor, with the advice and consent of the Council by resolution, and one
2465 appointed by the Council, who shall be representatives with professional experience designing
2466 and developing public and private multi-family housing and who shall:

2467 “(A) Have demonstrated professional competence in at least one of the
2468 following areas:

2469 “(i) Public housing law and regulations;

2470 “(ii) Public or affordable housing development, operation, and
2471 management;

2472 “(iii) Subsidized or nonprofit housing production and
2473 development;

2474 “(iv) Community-based redevelopment;

2475 “(v) Legal or counseling services provided to public or affordable
2476 housing tenants for the purposes of obtaining or maintaining housing; or

2477 “(vi) Multifamily residential housing construction; and

2478 “(B) Not be an officer or employee of the federal government or the
2479 District government.”.

2480 (b) Subsection (b) is amended as follows:

2481 (1) The lead-in language is amended by striking the phrase “nominated by the

2482 Mayor pursuant to subsection (a)(1) of this section” and inserting the phrase “nominated by the

2483 Mayor pursuant to subsection (a)(1) and (a)(6) of this section or appointed by the Council
2484 pursuant to subsection (a)(6) of this section” in its place.

2485 (2) Paragraph (1) is amended by striking the word “individual’s” and inserting the
2486 word “Commissioner’s” in its place.

2487 (3) Paragraph (2) is amended by striking the phrase “Each individual shall be
2488 selected by the Mayor from among District residents” and inserting the phrase “Each
2489 Commissioner shall be selected from among District residents” in its place.

2490 (c) Subsection (j) is amended to read as follows:

2491 “(j)(1) The Commissioners shall serve 3-year terms, which shall be staggered.

2492 “(2) On the initial Board, the 3 elected Commissioners shall each serve a term of
2493 3 years, the Chairperson shall serve a term of 3 years, 2 of the appointed Commissioners shall
2494 each serve initial terms of 2 years, and the remaining Commissioners shall each serve a term of
2495 one year.

2496 “(3) The 2 Commissioners appointed by the Council shall serve 3-year terms-;
2497 except, that t Their initial terms may be less than 3 years and shall end in 2024.”.

2498 (d) Subsection (v)(1) is amended to read as follows:

2499 “(v)(1) To review and approve all contracts for goods or services having a value of more
2500 than \$500,000;”.

2501 **SUBTITLE Q. CNHED TOPA STUDY**

2502 Sec. 2171. Short title.

2503 This subtitle may be cited as the “The Coalition for Non-Profit Housing and Economic
2504 Development TOPA Study and Grant Act of 2021”.

2505 Sec. 2172. Tenant Opportunity to Purchase Act Outcomes Study.

2506 In Fiscal Year 2022, the Department of Housing and Community Development shall
2507 issue a grant in the amount of \$250,000 to the Coalition for Non-Profit Housing and Economic
2508 Development to conduct a study of Tenant Opportunity to Purchase Act outcomes. The study
2509 shall be completed and delivered to the Council by September 30, 2022.

2510 **SUBTITLE R. -MCMILLAN SLOW SAND FILTRATION SITE DEVELOPMENT**

2511 Sec. 2181. This subtitle may be cited as the “McMillan Site Development **Amendment**
2512 Act of 2021.”

2513 Sec. 2182. (a) Notwithstanding any provision of law, the development of the McMillan
2514 Slow Sand Filtration Site described in subsection (b) of this section, shall proceed expeditiously
2515 and without further delay through all phases of demolition and construction of the foundation of
2516 the community center consistent with the permits already issued by the Department of Consumer
2517 and Regulatory Affairs, including Demolition Permit number D1600814 and Foundation Permit
2518 number FD1800040, and any extensions or reinstatements of, or amendments to, those permits,
2519 and other permits for the project.

2520 (b) The “McMillan Slow Sand Filtration Site” is the property that is located at 2501 First
2521 Street, N.W., and known for tax and assessment purposes as Lot 0800 in Square 3128 (“McMillan
2522 Site”).

2523 Sec. 2183. Applicability.

2524 This subtitle shall apply as of the effective date of the Fiscal Year 2022 Budget Support
2525 Emergency Act of 2021.

2526 **SUBTITLE S. COVID-19 HOTEL RECOVERY**

2527 Sec. 2191. Short Title.

2528 This subtitle may be cited as the “COVID-19 Hotel Recovery Grant Program Act of
2529 2021”.

2530 Sec. 2192. Hotel Recovery Grant Program.

2531 (a) To be eligible for a grant under this section, a business ~~operating a hotel, motel, inn,~~
2532 ~~or bed and breakfast shall meet the following criteria:~~

2533 (1) ~~The business shall b~~Be physically located in the District;

2534 (2) ~~The business shall h~~Have an active hotel, inn and motel, or bed and breakfast
2535 lodging business license;

2536 (3) ~~The business shall have been in continuous operation since at least December~~
2537 ~~1, 2018, except for any interruptions required by Mayor’s Orders 2020-045 and 2020-046 and~~
2538 ~~subsequent public health emergency orders;~~

2539 ~~—————(4) The business shall b~~Be in good standing with the District of Columbia’s
2540 Office of Tax and Revenue; ~~and~~

2541 ~~(4)(A) Have opened and begun operating during 2020 or 2021; or~~

2542 (B) Have remained open and operating during 2020 and 2021, except for
2543 any interruptions required by Mayor’s Orders 2020-045 and 2020-046 and subsequent public
2544 health emergency orders; and

2545 (5) ~~The business shall have experienced at least a 40% reduction in occupancy in~~
2546 ~~2020 due to the COVID-19 pandemic.~~ (A) For a business that remained open and operating in
2547 2019, have experienced in 2020, as compared to end-of-year 2019, at least a 40% reduction in:

2548 (i) Occupancy;

2549 (ii) Revenue; or

2550 (iii) Revenue-per-available room;

2551 (B) For a business that was closed or partially closed in 2019, have
2552 experienced in 2020, as compared to end-of-year 2018, at least a 40% reduction in:

2553 (i) Occupancy;

2554 (ii) Revenue; or

2555 (iii) Revenue-per-available room; or

2556 (C) For a business that opened and began operating between January 1,
2557 2020 and December 31, 2021, have incurred significant costs due to the COVID-19 pandemic, as
2558 determined by the Mayor.

2559 (b)~~(1)~~ The Mayor shall prioritize grant funding for eligible businesses that did not receive
2560 Paycheck Protection Program loans pursuant to the Coronavirus Aid, Relief, and Economic
2561 Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), or section 501

2562 of Division N of the Consolidated Appropriations Act, 2021, approved December 27, 2020 (134
2563 Stat. 2069; 15 U.S.C. § 9058a).

2564 ~~—————(2) The Mayor may prioritize grant funding for eligible businesses that~~
2565 ~~experienced a 70% or greater reduction in occupancy in 2020 due to the COVID-19 pandemic.~~

2566 (c)~~(1)~~ The amount of funding awarded to an eligible business shall be calculated on a per
2567 room key basis.

2568 ~~—————(2d) Grant funding issued to an eligible business may shall be used to pay for~~
2569 ~~employee wages and benefits wages, benefits, and other related costs, such as recruitment,~~
2570 ~~training, uniforms, and personal protective equipment rent or other operating costs, taxes, and~~
2571 ~~debt service; except, that grant funds may not be used to pay debt to close the business or start a~~
2572 ~~new business.~~

2573 (d~~e~~) The Mayor may issue one or more grants to a third-party grant-managing entity for
2574 the purpose of administering the grant program and making subgrants on behalf of the Mayor in
2575 accordance with the requirements of this section.

2576 (e~~f~~)(1) The Mayor, and any third-party entity chosen pursuant to subsection (d~~e~~) of this
2577 section, shall, at a minimum, maintain the following information for each grant award:

2578 ~~“(A) The name, location and business license number of the grant~~
2579 ~~recipient;~~

2580 ~~“(B) Proof of eligibility occupancy rate declines as required by under~~
2581 ~~subsection (a)(5) of this section;~~

2582 “(C) The date and amount of Paycheck Protection Program loans received
2583 by the business for purposes of compliance with subsection (b)(~~4~~) of this section;

2584 “(D) The date of the award;

2585 “(E) Evidence that the grant recipient used the award as required by
2586 subsection (d) of this section; ~~Intended uses of the award;~~

2587 “(F) The award amount; and

2588 “(G) Any other information deemed necessary to implement the
2589 requirements of this section.

2590 “(2) The Mayor shall issue a report setting forth the information required by
2591 paragraph (1) of this subsection to the Council no later than June 1, 2022.

2592 “(fg) The Mayor, pursuant to Title I of the District of Columbia Administrative
2593 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
2594 may issue rules as necessary to implement the provisions of this section.

2595 “(gh) For purposes of this section, the term “hotel, motel, inn, or bed and breakfast”
2596 means a real property:

2597 “(1) Any part of which is classified as Class 2 Property under D.C. Official Code
2598 § 47-813;

2599 “(2) That is commercially improved and occupied;

2600 “(3) That has 10 or more rooms; and

2601 “(4) That is regularly used for the purpose of furnishing rooms, lodgings, or
2602 accommodations to transients.”.

2603 (i) In the event that the Mayor determines that a grant recipient violated the requirements
2604 of this subtitle, the grant recipient shall reimburse the amount of the grant not used in compliance
2605 with the act; except, that in the event the Mayor determines that such violation was knowing and
2606 willful, the grant recipient shall reimburse the entire amount of the grant.

2607 **SUBTITLE T. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESSES**

2608 Sec. 2201. Short title.

2609 This subtitle may be cited as the “Equitable Impact Assistance for Local Businesses
2610 Amendment Act of 2021”.

2611 Sec. 2202. The Equitable Impact Assistance for Local Businesses Act of 2020, effective
2612 December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 2-281.01 *et seq.*), is amended as
2613 follows:

2614 (a) Section 2162 (D.C. Official Code § 2-281.01) is amended as follows:

2615 (1) Paragraph (2)(A) is amended by striking the phrase “equity impact enterprise”
2616 and inserting the phrase “equity impact enterprise or an entity that would qualify as an equity
2617 impact enterprise” in its place.

2618 (2) A new paragraph (5A) is added to read as follows:

2619 “(5A) “Investment”₂ unless the context otherwise requires, means a grant, loan,
2620 credit enhancement, or other financial funding tool approved by the Mayor.”.

2621 (b) Section 2163 (D.C. Official Code § 2-281.02) is amended to read as follows:

2622 “(a)(1) The Mayor shall select one or more Fund Managers to manage a fund outside the
2623 District of Columbia government to be known as the Equity Impact Fund (“Fund”).

2624 “(2) The selected Fund Managers shall have completed at least one round of prior
2625 funding in an amount greater than or equal to the amount of the District’s initial grant.

2626 “(3) The Deputy Mayor for Planning and Economic Development shall provide,
2627 upon selection of the Fund Manager, the District’s initial grant to the Fund Manager for deposit
2628 into the Fund ("District's initial investment").

2629 “(b) The Fund shall be used to:

2630 “(1) Facilitate investment in eligible businesses that lack access to capital; and

2631 “(2) Make investments into eligible businesses based on a strategy determined by
2632 the Fund Managers.”.

2633 (c) Section 2164 (D.C. Official Code § 2-~~218~~281.03) is amended as follows:

2634 (1) Subsection (a) is amended as follows:

2635 (A) The lead-in text is amended by striking the phrase “contain description
2636 of” and inserting the phrase “contain a description of” in its place.

2637 (B) Paragraph (1) is amended to read as follows:

2638 _____“(1) The applicant’s qualifications, which shall include 5 or more
2639 years of demonstrable experience investing in:

2640 “(A) Small businesses;

2641 _____ “(B) Businesses owned by economically disadvantaged
2642 individuals;

2643 _____ “(C) Businesses owned by individuals who have been
2644 subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a
2645 group without regard to their individual qualities;

2646 _____ “(D) Businesses that otherwise meet the definition of, or
2647 are similar to, an equity impact enterprise; or

2648 _____ “(E) District-based businesses.”.

2649 ~~“(C) Paragraph (3) is amended by striking the phrase “ability and plans”~~
2650 ~~and inserting the phrase “evidence, ability, or plans”.~~

2651 (2) Subsection (b) is amended as follows:

2652 (A) ~~The lead-in language is amended by striking the phrase “The Fund~~
2653 ~~Manager” and inserting the phrase “A Fund Manager” in its place.~~

2654 (B) Paragraph (1) is amended to read as follows:

2655 “(1) A preference be given to applicants that:

2656 _____ “(A) Have experience working with entrepreneurs in the District;

2657 and

2658 _____ “(B)(i) Are at least 51% owned, operated, or controlled by

2659 economically disadvantaged individuals or individuals who have been subjected to racial or

2660 ethnic prejudice or cultural bias because of their identity as a member of a group without regard
2661 to their individual qualities; or

2662 (ii) Are an equity impact enterprise; and”.

2663 (BC) Paragraph (2) is amended by striking the figure “\$100,000,000” and
2664 inserting the figure “\$50,000,000” in its place.

2665 (d) Section 2165~~(b)(3)~~ (D.C. Official Code § 2-281.04~~(b)(3)~~) is amended to read as
2666 follows:

2667 (1) Subsection (a) is amended by striking the phrase “The Fund Manager” and
2668 inserting the phrase “A Fund Manager” in its place.

2669 (2) Subsection (b) is amended as follows:

2670 (A) Paragraph (1) is amended by striking the phrase “The Fund Manager”
2671 and inserting the phrase “A Fund Manager” in its place.

2672 (B) Paragraph (2) is amended by striking the phrase “The Fund Manager”
2673 and inserting the phrase “A Fund Manager” in its place.

2674 (C) Paragraph (3) is amended to read as follows:

2675 “(3)(A) ~~The A~~ Fund Manager shall establish, for each selected eligible business, a
2676 12-month individualized business plan.

2677 “(B) The individualized business plan shall include technical assistance,
2678 provided at no cost to the eligible business, which shall include education on the management
2679 and scale of a business through live training or guided recorded sessions.

2680 “(C) All eligible businesses that receive an investment from the Fund shall
2681 be required to participate in at least 3 months of technical assistance training prior to receipt of
2682 an investment.

2683 “(D) Investments shall be distributed to the eligible business in
2684 installments based upon completion of specific milestones clearly described in the eligible
2685 business's individualized business plan.”.

2686 ~~(e) Section 2166 (D.C. Official Code § 2-281.05) is amended by striking the phrase “The~~
2687 ~~Fund Manager” and inserting the phrase “A Fund Manager” in its place.~~

2688 ~~(e)~~ Section 2167 (D.C. Official Code § 2-281.06) is amended to read as follows:

2689 ~~“Sec. 2167. Recovery of District grant. (1) The heading is amended by striking the word~~
2690 ~~“investment” and inserting the word “grant” in its place.~~

2691 (2) The text is amended to read as follows:

2692 _____ “The Mayor shall reserve the right to recover the amount of the District’s
2693 initial grant or any subsequent grant of funds to the Fund Manager for deposit into the Fund and
2694 may exercise this right if the Fund Manager does not, within a reasonable period, as determined
2695 by the Mayor, place investments into eligible businesses in an amount equal to the amount of the
2696 District's initial grant or any subsequent grant of funds to the Fund Manager for deposit into the
2697 Fund.”.

2698 Sec. 2203. Applicability.

2699 This subtitle shall apply as of the effective date of the Fiscal Year 2022 Budget Support
2700 Emergency Act of 2021.

2701 **SUBTITLE U. DC LOW INCOME HOUSING TAX CREDIT**

2702 Sec. 2211. Short title.

2703 This subtitle may be cited as the “DC Low Income Housing Tax Credit Amendment Act
2704 of 2021”.

2705 Sec. 2212. Chapter 48 of Title 47 of the District of Columbia Official Code is amended as
2706 follows:

2707 (a) Section 47-4801(8) is amended to read as follows:

2708 “(8) “Qualified project” means a rental housing development in the
2709 District that receives an allocation of federal low-income housing tax credits under 26 U.S.C. §
2710 42(h)(1) or (4) after October 1, 2021, and with respect to which an extended low-income housing
2711 commitment pursuant to 26 U.S.C. § 42(h)(6)(B) between the owner of the rental housing
2712 development and the Department is executed on or after October 1, 2021.”.

2713 (b) Section 47-4803 is amended as follows:

2714 (1) Subsection (a) is amended by striking the phrase “equal to 25% of the value”
2715 and inserting the phrase “up to 25% of the value” in its place.

2716 (2) Subsection (b)(1)(A) is amended by striking the phrase “at least 80% of the
2717 per dollar sale” and inserting the phrase “an amount that exceeds the lesser of \$0.70 per \$1.00 in
2718 District of Columbia low-income housing tax credit or 80% of the per dollar sale” in its place.

2719 **TITLE III. PUBLIC SAFETY AND JUSTICE**

2720 **SUBTITLE A. EMERGENCY MEDICAL SERVICE FEES**

2721 Sec. 3001. Short title.

2722 This subtitle may be cited as the “Emergency Medical Services Fees Amendment Act of
2723 2021”.

2724 Sec. 3002. Section 502 of the Revenue Act for Fiscal Year of 1978, effective April 19,
2725 1977 (D.C. Law 1-124; D.C. Official Code § 5-416), is amended as follows:

2726 (a) Subsection (a) is amended as follows:

2727 (1) Strike by striking the phrase “his or her inability to pay” ~~both times it appears~~
2728 and insert the phrase “~~the person’s~~ inability to pay” in its place.

2729 (2) Strike the phrase “his or her ability to pay” and insert the phrase “ability to
2730 pay” in its place.

2731 (b) Subsection (b)(2) is repealed.

2732 (c) Subsection (c)(2) is amended to read as follows:

2733 “(2) Non-Medicaid revenue generated by fees authorized in subsection (a) of this
2734 section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998, effective
2735 September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)), in excess of the
2736 amount of Medicaid and non-Medicaid revenue generated by fees authorized in subsection (a) of
2737 this section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998,

2738 effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)), in Fiscal
2739 Year 2016, shall be deposited in the Fund.”.

2740 (d) New subsections (d) and (e) are added to read as follows:

2741 “(d) Fees charged for pre-hospital medical care and transport services shall be set as
2742 follows:

2743 “(1) For the transportation of each patient in an advanced life support unit or basic
2744 life support unit, when advanced life support or basic life support, respectively, is administered
2745 to the patient being transported, no more than:

2746 “(A) \$750, beginning January 1, 2021;

2747 “(B) \$1,000, beginning January 1, 2022;

2748 “(C) \$1,250, beginning January 1, 2023;

2749 “(D) \$1,500, beginning January 1, 2024;

2750 “(E) \$1,750, beginning January 1, 2025; and

2751 “(F) \$2,000, beginning January 1, 2026; and

2752 “(2) For each patient transported as described in paragraph (1) of this subsection,
2753 an additional fee for each mile, or fraction thereof, that the patient is transported by ambulance,
2754 no more than:

2755 “(A) \$11.25, beginning January 1, 2021;

2756 “(B) \$15, beginning January 1, 2022;

2757 “(C) \$18.75, beginning January 1, 2023;

2758 “(D) \$22.50, beginning January 1, 2024;

2759 “(E) \$26.25, beginning January 1, 2025; and

2760 “(F) \$30, beginning January 1, 2026.

2761 “(e) For the purposes of this section, the term:

2762 “(1) “Advanced life support unit” means an ambulance staffed by an emergency
2763 medical technician and an emergency medical technician intermediate or paramedic.

2764 “(2) “Ambulance” means any privately or publicly owned vehicle specially
2765 designed, constructed, modified, or equipped for use as a means for transporting patients in a
2766 medical emergency, or any privately or publicly owned vehicle that is advertised, marked, or in
2767 any way held out as a vehicle for the transportation of patients in a medical emergency. The term
2768 “ambulance” includes vehicles capable of operation over ground, on water, and in air.

2769 “(3) “Basic life support unit” means an ambulance staffed by 2 emergency
2770 medical technicians, or an emergency medical technician and an emergency medical technician
2771 intermediate or paramedic.

2772 “(4) “Health care facility” shall have the same meaning as provided in section
2773 2(5) of the Nurse Staffing Agency Act of 2003, effective March 10, 2004 (D.C. Law 15-74; D.C.
2774 Official Code § 44-1051.02(5)).”.

2775 **SUBTITLE B. —OFFICE OF RESILIENCY**

2776 Sec. 3011. Short title.

2777 This subtitle may be cited as the “Office of Resiliency and Recovery Amendment Act of
2778 2021”.

2779 Sec. 3012. Section 2(a) of the Office of Resilience and Recovery Establishment Act of
2780 2020, effective May 6, 2020 (D.C. Law 23-84; D.C. Official Code § 1-301.201(a)), is amended
2781 as follows:

2782 (a) Strike the phrase “Office of the City Administrator” and insert the phrase “Homeland
2783 Security and Emergency Management Agency” in its place.

2784 (b) Strike the phrase “man-made challenges” and insert the phrase “human-made
2785 challenges” in its place.

2786 **SUBTITLE C. CONCEALED PISTOL LICENSING REVIEW BOARD STIPEND**

2787 Sec. 3031. Short title.

2788 This subtitle may be cited as the “Concealed Pistol Licensing Review Board Stipend
2789 Amendment Act of 2021”.

2790 Sec. 3032. Section 1108(c-2) of the District of Columbia Government Comprehensive
2791 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
2792 611.08(c-2)), is amended by adding a new paragraph (7) to read as follows:

2793 ~~(a) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in
2794 its place.~~

2795 ~~(b) Paragraph (5) is amended by striking the period and inserting the phrase “; and” in its
2796 place.~~

2797 ~~(e) A new paragraph (6) is added to read as follows:~~

2798 “(6) Each member of the Concealed Pistol Licensing Review Board, except
2799 members who are District or federal government employees, shall be entitled to a stipend of
2800 \$250 per week for their service on the board.”.

2801 Sec. 3033. Section 908(b) of the Firearms Control Regulations Act of 1975, effective
2802 June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08(b)), is amended as follows:

2803 (a) Paragraph (1) is amended as follows:

2804 (1) Sub-paragraph (A) is amended by striking the phrase “his or her designee” and
2805 inserting the phrase “the USAO’s designee” in its place.

2806 (2) Sub-paragraph (B) is amended by striking the phrase “his or her designee” and
2807 inserting the phrase “the Attorney General’s designee” in its place.

2808 (b) Paragraph (4) is amended to read as follows:

2809 “(4) Members of the Board, except members who are District or federal
2810 government employees, shall be entitled to compensation as provided in section 1108 of the
2811 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March
2812 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08), for their service on the Board.”.

2813 **SUBTITLE D. ~~GUN VIOLENCE PREVENTION HOUSING SUPPORT AND~~**
2814 **~~INDIVIDUALS AND FAMILIES AT RISK OF GUN VIOLENCE~~ SERVICES IN**
2815 **SUPPORT OF VIOLENCE PREVENTION, INTERRUPTION, AND RESPONSE**

2816 Sec. 3041. Short title.

2817 This subtitle may be cited as the “~~Gun Violence Prevention Housing Services in~~ Support
2818 ~~of Violence Prevention, Interruption, and Response~~ Amendment Act of 2021”.

2819 Sec. 3042. Section 26c of the District of Columbia Housing Authority Act of 1999,
2820 effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a
2821 new subsection (f-1) to read as follows:

2822 “(f-1) Agencies within the District government may refer individuals and families who
2823 have been victims of gun violence or are at risk of gun violence to the Authority for eligibility
2824 determination for the Local Rent Supplement Program.”.

2825 Sec. 3043. The Neighborhood Engagement Achieves Results Amendment Act of 2016,
2826 effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended by
2827 adding a new section 103b to read as follows:

2828 “Sec. 103b. ~~Housing assistance for victims and those at risk of gun violence. Violence~~
2829 ~~prevention, interruption, and response services.~~

2830 “(a) ~~To support initiatives, programs, and interventions that aim to prevent, interrupt, or~~
2831 ~~respond to gun violence in the District, The the~~ Mayor may:

2832 “(1) ~~Issue housing vouchers, and provide other forms of~~ financial assistance ~~for~~
2833 ~~housing, housing counseling, and other supportive services~~ to individuals and families who have
2834 been victims of gun violence or are at risk of gun violence;”

2835 “(2) ~~Waive statutory, regulatory, and administrative fees, including vital record~~
2836 ~~fees and driver license and non-driver identification fees, for, and settle or forgive debts owed to~~

2837 the District government by, individuals participating in or potentially eligible to participate in a
2838 violence prevention, violence interruption, violence response, or victim services program;
2839 “(3) Pay private, local, state, and federal fees, including fees for licenses and
2840 certifications, vital records, educational fees, and background and suitability checks, for
2841 individuals participating in or potentially eligible to participate in a violence prevention, violence
2842 interruption, violence response, or victim services program;
2843 “(4) Provide social, economic, educational, health, and other services and
2844 supports for the purposes of violence prevention, violence interruption, violence response, and
2845 victim services to individuals participating in or eligible to participate in a violence prevention,
2846 violence interruption, violence response, or victim services program. Services and supports
2847 provided pursuant to this paragraph may include:
2848 “(A) Transportation, including transportation to government offices and
2849 non-governmental service providers and transportation of public-school students in safe passage
2850 areas;
2851 “(B) Housing relocation costs, including moving costs and the costs of
2852 establishing a new household;
2853 “(C) Tests and test preparation;
2854 “(D) Post office boxes;
2855 “(E) Secure document storage;
2856 “(F) Cell phones and cell phone service; and

2857 “(G) Driver education;
2858 “(5) Provide financial payments to individuals participating in or potentially
2859 eligible to participate in a violence prevention, violence interruption, or violence response
2860 program to incentivize such individuals to apply for, participate in, or continue to participate in,
2861 such program;
2862 “(6) Issue grants in support of violence prevention, violence interruption, violence
2863 response, and victim services programs; and
2864 “(7) Provide the services and supports described in section 402a of the District of
2865 Columbia Government Comprehensive Merit Personnel Act, effective February 22, 2019 (D.C.
2866 Law 22-211; D.C. Official § 1-604.02a), including paid internships, to individuals participating
2867 in a violence prevention, violence interruption, violence response, or victim services program,
2868 regardless of whether the individual has received a high school diploma or its equivalent.
2869 “(b) The financial assistance for housing provided pursuant to subsection (a)(1) of this
2870 section shall be used to assist the recipients with relocation from their current housing and te
2871 provide them with short- and mid-term housing supports.
2872 “(c) ~~The Mayor also may also provide housing counseling and other supportive services~~
2873 ~~to the individuals and families described in subsection (a) of this section.”. Payments made for~~
2874 services and supports under subsection (a)(4) and (5) of this section may be made by direct
2875 voucher.”.

2876 **SUBTITLE E. -HUMAN RIGHTS CASE MANAGEMENT METRICS**

2877 Sec. 3051. Short title.

2878 This subtitle may be cited as the “Human Rights Case Management Metrics Amendment
2879 Act of 2021”.

2880 Sec. 3052. Section 301 of the Human Rights Act of 1977, effective December 13, 1977
2881 (D.C. Law 2-38, D.C. Official Code § 2-1403.01), is amended by adding a new subsection (g-1)
2882 to read as follows:

2883 “(g-1)(1) The Mayor shall report quarterly to the Council as to the volume and age of
2884 cases before the Office and the Commission, including at minimum the following measures:

2885 “(A) The number of initial questionnaires or other inquiries alleging
2886 unlawful discrimination the Office received during the prior quarter, broken down by protected
2887 characteristics and categories of alleged discriminatory action;

2888 “(B) The number of signed formal complaints that were filed during the
2889 prior quarter, broken down by protected characteristics and categories of alleged discriminatory
2890 action;

2891 “(C) The number of intake interviews that took place during the prior
2892 quarter;

2893 “(D) The number of initial inquiries awaiting intake interviews, broken
2894 down by number of weeks since initial questionnaire or other inquiry;

2895 “(E) The number of initial inquiries that were withdrawn or otherwise
2896 closed before a signed formal complaint could be completed;

2897 “(F) The number of mediation sessions that took place during the prior
2898 quarter, broken down by protected characteristics, categories of alleged discriminatory action,
2899 and number of weeks elapsed from complaint to mediation;

2900 “(G) The number of mediation sessions that resulted in conciliation;

2901 “(H) The number of mediation sessions that failed to produce conciliation
2902 and proceeded to the investigation stage;

2903 “(I) The number of signed formal complaints awaiting mediation, broken
2904 down by number of weeks since filing;

2905 “(J) The number of signed formal complaints withdrawn or otherwise
2906 closed before a mediation could be completed;

2907 “(K) The number of determinations of jurisdiction and probable cause or
2908 lack thereof that the Office issued the prior quarter, broken down by protected characteristics,
2909 categories of alleged discriminatory action, determination, and number of weeks between
2910 unsuccessful mediation and determination;

2911 “(L) The number of cases awaiting a determination of jurisdiction and
2912 probable cause following unsuccessful mediation, broken down by number of weeks since
2913 unsuccessful mediation;

2914 “(M) The number of investigations open per Office full-time equivalent
2915 investigator;

2916 “(N) The number of decisions and orders the Commission rendered in the
2917 prior quarter, broken down by protected characteristics and categories of alleged discriminatory
2918 conduct;

2919 “(O) The number of matters withdrawn or otherwise terminated without a
2920 decision of the Commission in the prior quarter; and

2921 “(P) The number of matters pending before the Commission, broken down
2922 by number of weeks since the Office issued a determination of jurisdiction and probable cause,
2923 and whether the Commission has held a hearing.

2924 “(2) In each quarterly report, if the Mayor is unable to calculate one or more of
2925 the metrics specified in paragraph (1) of this subsection⁵, then for each such omitted measure, the
2926 Mayor shall:

2927 “(A) Briefly explain the obstacle preventing accurate measurement;

2928 “(B) Specify what steps the Office and the Commission are taking to
2929 enable accurate measurement; and

2930 “(C) Estimate the time remaining before the Office will be in a position to
2931 provide consistent quarterly updates on the measure.”.

2932 **SUBTITLE F. ALTERNATIVE RESPONSES TO CALLS FOR SERVICE PILOT**
2933 **PROGRAM**

2934 Sec. 3061. Short title.

2935 This subtitle may be cited as the “Alternative Responses to Calls for Service Amendment
2936 Act of 2021”.

2937 Sec. 3062. The Office of Unified Communications Establishment Act of 2004, effective
2938 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq.*), is amended by
2939 adding a new section 3205c to read as follows:

2940 “Sec. 3205c. Alternative Responses to Calls for Service Pilot Program.

2941 “(a)(1) The Office shall, in coordination with the Deputy Mayor for Public Safety and
2942 Justice (“DMPSJ”) and the Department of Behavioral Health (“DBH”), establish an Alternative
2943 Responses to Calls for Service Pilot Program (“Pilot Program”) to dispatch non-law enforcement
2944 agency personnel and community-based responders to calls for service, including calls for
2945 service related to individuals experiencing:

2946 “(A) Behavioral health emergencies;

2947 “(B) Homelessness; or

2948 “(C) Substance use.

2949 “(2) The Pilot Program shall:

2950 “(A) Center a public-~~h~~health approach to emergency response in its
2951 protocols, training, operations, and public engagement;

2952 “(B) Prioritize the diversion of calls for service away from a law
2953 enforcement response and towards District agencies or community-based organizations that
2954 employ unarmed practitioners or professionals, such as ~~mental-mental~~-health professionals and
2955 social workers; and

2956 “(C) To the extent possible, operate during non-business hours.

2957 “(b) With regard to the Pilot Program, the Office, DMPSJ, and DBH shall:

2958 “(1) Develop protocols for:

2959 “(A) Identifying and dispatching certain categories of calls for service; and

2960 “(B) Cross-training law enforcement personnel, non-law enforcement
2961 agency personnel, and community-based responders, including call-center employees;

2962 “(2) Conduct public education to build awareness and trust in the Pilot Program,
2963 including by developing branding, publicly accessible and lay-friendly educational materials, and
2964 strategic messaging about:

2965 “(A) The Pilot Program’s purpose, goals, and operations; and

2966 “(B) Alternatives to calling 9-1-1 or dispatching law enforcement for
2967 certain categories of calls for service;

2968 “(3) By October 1, 2021, convene a working group of community-based experts
2969 and practitioners in alternative responses to calls for service, in addition to directly-impacted
2970 individuals, to advise on the Pilot Program’s development, training, operations, community
2971 engagement, and evaluation, including the District agencies, community-based organizations, or

2972 other entities to which individuals will be diverted pursuant to subsection (a)(2)(B) of this
2973 section; and

2974 “(4) By January 1, 2022, and every 3 months thereafter, publish, at a minimum,
2975 the following information on the Office’s website:

2976 “(A) The members of the working group convened pursuant to paragraph
2977 (3) of this subsection;

2978 “(B) The Pilot Program’s protocols for identifying and dispatching calls
2979 for service;

2980 “(C) The non-law enforcement agencies and community-based responders
2981 to which eligible calls for service are being dispatched; and

2982 “(D) Aggregated for that reporting period:

2983 “(i) The hours during which the Pilot Program operated;

2984 “(ii) A description of the Pilot Program’s staffing internal and
2985 external to the Office and any training provided;

2986 “(iii) The expenditures for the Pilot Program, by purpose for the
2987 expenditure, amount, and source;

2988 “(iv) A list of the public events held, attended, and upcoming
2989 related to the Pilot Program;

2990 “(v) The number of calls for service eligible for diversion, broken
2991 down by day, period of time, and category of call for service;

2992 “(vi) Of those eligible calls for service identified under sub-
2993 subparagraph (v) of this subparagraph, the number of calls for service diverted, broken down by
2994 day, period of time, category of call for service, entity to which the calls for service were
2995 diverted, response time, the reason for any significant delays in response time, and outcome of
2996 the call for service, including whether anyone on the scene was:

2997 “(I) Taken into custody through arrest or other means, such
2998 as involuntary commitment;

2999 “(II) Sustained physical injuries during the response; or

3000 “(III) Connected to or provided supportive services, and the
3001 nature of those supportive services; and

3002 “(vii) Of those eligible calls for service identified under sub-
3003 subparagraph (v) of this subparagraph, if law enforcement was not initially dispatched in
3004 response to the call for service, whether the responding non-law enforcement agency personnel
3005 or community-based responders later requested a law enforcement response, and if so, the
3006 outcome of that request.”.

3007 **~~SUBTITLE G. KEEPING YOUTH OUT OF THE JUSTICE SYSTEM REPORT~~**

3008 ~~Sec. 3071. Short title.~~

3009 ~~This subtitle may be cited as the “Keeping Youth out of the Justice System Amendment~~
3010 ~~Act of 2021”.~~

3011 ~~Sec. 3072. Section 1505 of the Criminal Justice Coordinating Council for the District of~~
3012 ~~Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official~~
3013 ~~Code § 22-4234), is amended as follows:~~

3014 ~~(a) Subsection (b-2) is amended by striking the phrase “2018, and every 2 years~~
3015 ~~thereafter, the” and inserting the phrase “2018, the” in its place.~~

3016 ~~(b) Subsection (b-3) is amended to read as follows:—~~

3017 ~~“(b-3)(1) On October 1, 2020, the CJCC shall submit a report to the Mayor and the~~
3018 ~~Council analyzing the root causes of youth crime and the prevalence of adverse childhood~~
3019 ~~experiences among justice-involved youth, such as housing instability, childhood abuse, family~~
3020 ~~instability, substance abuse, mental illness, family criminal involvement, or other factors deemed~~
3021 ~~relevant by the CJCC that incorporates the results of the survey conducted pursuant to subsection~~
3022 ~~(b-2) of this section.~~

3023 ~~“(2) No later than October 1, 2022, the CJCC shall submit a report to the Mayor~~
3024 ~~and the Council that includes recommendations on factors, programs, or interventions, informed~~
3025 ~~by best practices in other jurisdictions, the survey conducted pursuant to subsection (b-2) of this~~
3026 ~~section, and the report submitted pursuant to paragraph (1) of this subsection, that effectively~~
3027 ~~prevent District youth from having contact with law enforcement or entering the juvenile and~~
3028 ~~criminal justice systems, such as access to stable housing, nutrition assistance, healthcare~~
3029 ~~assistance, violence intervention, and educational, recreational, and youth programming.~~

3030 ~~“(3) No later than October 1, 2024, the CJCC shall submit a report to the Mayor~~
3031 ~~and the Council that analyzes the types of school-based incidents that lead to a law enforcement~~
3032 ~~referral or arrest, and whether factors such as economic resources, race, Individualized Education~~
3033 ~~Program eligibility, mental health conditions, school location, and school resource officer~~
3034 ~~assignment statistically affect the likelihood of referrals or arrests.”.~~

3035 ~~“(e) Subsection (b-4) is amended by striking the phrase “the report required” and inserting~~
3036 ~~the phrase “the reports required” in its place.~~

3037 **SUBTITLE G. ACCESS TO JUSTICE INITIATIVE**

3038 Sec. 3071. Short title.

3039 This subtitle may be cited as the “Access to Justice Initiative Amendment Act of 2021”.

3040 Sec. 3072. The Access to Justice Initiative Amendment Act of 2010, effective September
3041 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1701.01 *et seq.*), is amended as follows:

3042 (a) Section 201(a) (D.C. Official Code § 4-1702.01(a)) is amended by striking the phrase
3043 “District residents and providing” and inserting the phrase “District residents, or support to their
3044 nonprofit organization partners; and providing” in its place.

3045 (b) Section 301(a) (D.C. Official Code § 4-1703.01(a)) is amended by striking the phrase
3046 “District residents, including” and inserting the phrase “District residents, or support to their
3047 nonprofit organization partners, including” in its place.

3048 Sec. 3073. Section 3052(4) of the Expanding Access to Justice Amendment Act of 2017,
3049 effective December 17, 2013 (D.C. Law 22-33; D.C. Official Code § 4-1801(4)), is amended by

3050 striking the phrase “whose gross household income falls at or below 200% of the federal poverty
3051 guidelines” and inserting the phrase “whose gross household income falls at or below 250% of
3052 the federal poverty guidelines” in its place.

3053 **SUBTITLE H. OFFICE OF THE CHIEF MEDICAL EXAMINER AND CHILD**
3054 **FATALITY REVIEW COMMITTEE**

3055 Sec. 3081. Short title.

3056 This subtitle may be cited as the “Office of the Chief Medical Examiner and Child
3057 Fatality Review Committee Amendment Act of 2021”.

3058 Sec. 3082. The Establishment of the Office of the Chief Medical Examiner Act of 2000,
3059 effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1401 *et seq.*), is amended
3060 as follows:

3061 (a) Section 2902 (D.C. Official Code § 5-1401) is amended as follows:

3062 (1) Paragraph (1) is redesignated as paragraph (1A).

3063 (2) A new paragraph (1) is added to read as follows:

3064 “(1) “CME” means the Chief Medical Examiner within the OCME.”.

3065 (3) A new paragraph (2A) is added to read as follows:

3066 “(2A) “OCME” means the Office of the Chief Medical Examiner.”.

3067 (b) Section 2903 (D.C. Official Code § 5-1402) is amended as follows:

3068 (1) Subsection (a) is amended to read as follows:

3069 “(a) There is established as a subordinate agency in the Executive branch of the District
3070 government, the Office of the Chief Medical Examiner.”.

3071 (2) Subsection (b) is amended by striking the phrase “Examiner (“CME”) within”
3072 and inserting the phrase “Examiner within” in its place.

3073 (3) Subsection (c)(1) is amended by striking the phrase “District of Columbia.”
3074 and inserting the phrase “District.” in its place.

3075 (c) Section 2904(b) (D.C. Official Code § 5-1403(b)) is amended by striking the phrase
3076 “equipment, as” and inserting the phrase “equipment as” in its place.

3077 (d) Section 2905 (D.C. Official Code § 5-1404) is amended as follows:

3078 (1) Subsection (a) is amended by striking the phrase “the District of Columbia”
3079 and inserting the phrase “the District” in its place.

3080 (2) A new subsection (a-1) is added to read as follows:

3081 “(a-1) The CME may provide pathology and toxicology services to other District
3082 government agencies, non-District government agencies, and private entities, and may establish
3083 fees or require the payment of costs for the provision of such services.”.

3084 (3) Subsection (b) is amended to read as follows:

3085 “(b) The CME, and OCME employees authorized by the CME, may teach post-
3086 secondary, medical, and law school classes, conduct special classes for government personnel,
3087 conduct research, and engage in other activities related to their work.”.

3088 (4) Subsection (c) is amended by striking the phrase “in any event within” and
3089 inserting the phrase “in any event, within” in its place.

3090 (5) Subsection (d) is amended to read as follows:

3091 “(d) The CME, or the CME’s designee, shall attend all reviews of deaths by District
3092 government fatality review committees and fatality review boards. The CME shall coordinate
3093 with such committees and boards in their investigations of deaths.”.

3094 (e) Section 2906 (D.C. Official Code § 5-1405) is amended as follows:

3095 (1) Subsection (b) is amended as follows:

3096 (A) The lead-in language is amended by striking the phrase “the District of
3097 Columbia” and inserting the phrase “the District” in its place.

3098 (B) Paragraph (1) is amended by striking the phrase “suicidal or accidental
3099 including” and inserting the phrase “suicidal, or accidental, including” in its place.

3100 (C) Paragraph (7) is amended by striking the phrase “District of Columbia
3101 government” and inserting the phrase “District government” in its place.

3102 (D) Paragraph (9) is amended by striking the phrase “legal custody” and
3103 inserting the phrase “the legal custody” in its place.

3104 (E) Paragraph (10) is amended by striking the phrase “trauma including”
3105 and inserting the phrase “trauma, including” in its place.

3106 (F) Paragraph (11) is amended to read as follows:

3107 “(11) Deaths for which the Metropolitan Police Department, another law
3108 enforcement agency, or the United States Attorney’s Office for the District of Columbia
3109 requests, or a court orders, investigation;”.

3110 (G) Paragraph (12) is amended by striking the phrase “District of
3111 Columbia without” and inserting the phrase “District without” in its place.

3112 (2) The lead-in language of subsection (b-1)(2) is amended by striking the phrase
3113 “a woman’s” and inserting the phrase “a birthing parent’s” in its place.

3114 (3) Subsection (c) is amended by striking the phrase “the District of Columbia”
3115 and inserting the phrase “the District” in its place.

3116 (f) Section 2907(b) (D.C. Official Code § 5-1406(b)) is amended by striking the phrase
3117 “(EMS) personnel,” and inserting the phrase “personnel,” in its place.

3118 (g) Section 2908 (D.C. Official Code § 5-1407) is amended by striking the phrase “in his
3119 or her opinion” and inserting the phrase “in the CME’s opinion” in its place.

3120 (h) Section 2909(a) (D.C. Official Code § 5-1408(a)) is amended by striking the phrase
3121 “in his or her opinion” and inserting the phrase “in the opinion of the medical examiner,
3122 medicolegal investigator, or law enforcement officer” in its place.

3123 (i) Section 2912(b) (D.C. Official Code § 5-1411(b)) is amended by striking the phrase
3124 “the District of Columbia” and inserting the phrase “the District” in its place.

3125 (j) Section 2915 (D.C. Official Code § 5-1414) is amended by striking the phrase “the
3126 United States Attorney, on his or her own motion, or on request of a medical examiner, or the

3127 Metropolitan Police Department, or other law enforcement agency” and inserting the phrase “the
3128 United States Attorney for the District of Columbia, on the United States Attorney’s own motion,
3129 or at the request of a medical examiner, the Metropolitan Police Department, or another law
3130 enforcement agency” in its place.

3131 (k) A new section 2918c is added to read as follows:

3132 “Sec. 2918c. Office of the Chief Medical Examiner Fund.

3133 “(a) There is established as a special fund the Office of the Chief Medical Examiner Fund
3134 (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this
3135 section.

3136 “(b) All funds from fees received by OCME for services provided pursuant to section
3137 2905(a-1) shall be deposited in the Fund.

3138 “(c) Money in the Fund shall be used to support any personnel and non-personnel
3139 expenses associated with District fatality reviews, in addition to other agency expenses.

3140 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
3141 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
3142 of a fiscal year, or at any other time.

3143 “(2) Subject to authorization in an approved budget and financial plan, any funds
3144 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3145 Sec. 3083. The Child Fatality Review Committee Establishment Act of 2001, effective
3146 October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.01 *et seq.*), is amended as
3147 follows:

3148 (a) Section 4603 (D.C. Official Code § 4-1371.03) is amended to read as follows:

3149 “Sec. 4603. Establishment and purpose.

3150 “(a) There is established a Child Fatality Review Committee. Facilities and other
3151 administrative support shall be provided by the Office of the Chief Medical Examiner.

3152 “(b) The Committee shall:

3153 “(1) Identify and characterize the scope and nature of all child deaths in the
3154 District, particularly those that are violent, accidental, unexpected, or unexplained;

3155 “(2) In an effort to reduce the number of preventable child fatalities, examine past
3156 events and circumstances surrounding child deaths in the District by reviewing the records, files,
3157 and other pertinent documents of public and private agencies responsible for serving families and
3158 children, investigating deaths, or treating children, giving special attention to child deaths that
3159 may have been caused by abuse, negligence, or other forms of maltreatment;

3160 “(3) Develop and revise, as necessary, operating rules and procedures for the
3161 review of child deaths, including identification of cases to be reviewed, coordination among the
3162 agencies and professionals involved, and improvement of the identification, data collection, and
3163 record keeping of the causes of child death;

3164 “(4) Recommend specific and systemic improvements to promote improved and
3165 integrated public and private systems serving families and children;

3166 “(5) Recommend components for prevention and education programs; and

3167 “(6) Recommend training to improve the investigation of child deaths.”.

3168 (b) Section 4604 (D.C. Official Code § 4-1371.04) is amended as follows:

3169 (1) Subsection (a) is amended as follows:

3170 (A) Paragraph (13) is amended by striking the phrase “; and” and inserting
3171 a semicolon in its place.

3172 (B) Paragraph (14) is amended by striking the period and adding the
3173 phrase “; and” in its place.

3174 (C) A new paragraph (15) is added to read as follows:

3175 “(15) Director of Gun Violence Prevention.”.

3176 (2) A new subsection (a-1) is added to read as follows:

3177 “(a-1) The Council Chairpersons with jurisdiction over judiciary and human services
3178 matters, or their designees, shall serve as Committee members.”.

3179 (c) Section 4605 (D.C. Official Code § 4-1371.05) is amended as follows:

3180 (1) The lead-in language of subsection (a) is amended by striking the phrase “the
3181 deaths of children who were residents of the District of Columbia and of such children” and
3182 inserting the phrase “all deaths of children who were residents of the District of Columbia, and
3183 with particular attention, such children” in its place.

3184 (2) Subsection (c) is amended to read as follows:

3185 “(c) The Committee’s manner of review shall be to conduct a multidisciplinary, multi-
3186 agency review of all individual fatalities within 6 months after the final determination of the
3187 cause and manner of death and prioritize fatalities where child abuse, neglect, or another form of
3188 child maltreatment is the cause of death or a contributing factor.”.

3189 (3) Subsection (d) is amended by striking the phrase “establish 2 review teams”
3190 and inserting the phrase “establish at least 2 review teams” in its place.

3191 (4) Subsection (e) is repealed.

3192 (d) Section 4606 (D.C. Official Code § 4-1371.06) is amended as follows:

3193 (1) Subsection (c) is repealed.

3194 (2) Subsection (d) is repealed.

3195 (e) Section 4607(b) (D.C. Official Code § 4-1371.07(b)) is amended by striking the
3196 phrase “or his or her” and inserting the phrase “or the witness’s” in its place.

3197 (f) Section 4608(a) (D.C. Official Code § 4-1371.08(a)) is amended by striking the phrase
3198 “. Committee members” and inserting the phrase “. Unless authorized by a majority vote of the
3199 Committee members appointed pursuant to section 4604(c), Committee members” in its place.

3200 (g) Section 4609 (D.C. Official Code § 4-1371.09) is amended as follows:

3201 (1) Subsection (e) is amended by striking the phrase “any person, other than a
3202 person who has consented to be identified, are” and inserting the phrase “a person identified in
3203 section 4608(c) are” in its place.

3204 (2) Subsection (f) is amended to read as follows:

3205 “(f) The Committee shall compile an Annual Report of Findings and Recommendations
3206 which shall be publicly available and submitted to the Mayor and Council. The annual report
3207 shall include:

3208 “(1) The number of child fatalities in the District annually, with a description of
3209 the causes, and for those fatalities where abuse, neglect, or another form of child maltreatment is
3210 the cause of the fatality or a contributing factor, the number, type, and response of any agency
3211 contact prior to the fatality;

3212 “(2) Statistics on all reviews conducted in the past calendar year, including the
3213 date of each fatality, when the Committee staff learned of the fatality, and when the Committee
3214 began and concluded each review;

3215 “(3) Findings regarding factors, including agency practices, that may have
3216 prevented particular fatalities from occurring;

3217 “(4) Recommendations for preventing fatalities and identifying children most at
3218 risk of fatalities, including agency policies and practices that need improvement to prevent
3219 fatalities;

3220 “(5) A timeline for implementing corrective actions;

3221 “(6) An identification of any necessary funding to implement changes to policies
3222 and practices or corrective actions;

3223 “(7) The responses required by subsection (f-1) of this section; and

3224 “(8) A description of the progress made on the findings and recommendations
3225 made in the prior annual report.”.

3226 (3) A new subsection (f-1) is added to read as follows:

3227 “(f-1) Any agency that ~~has a representative on the Committee pursuant to section 4604(a)~~
3228 ~~and~~ is implicated by a recommendation included in the Committee’s Annual Report of Findings
3229 and Recommendations shall provide the Committee with a response to the specific
3230 recommendation.”.

3231 (4) Subsection (g) is repealed.

3232 (5) Subsection (j) is amended by striking the phrase “Human Services” and
3233 inserting the phrase “Human Services, Child and Family Services Agency,” in its place.

3234 (h) Section 4610 (D.C. Official Code § 4-1371.10) is amended by striking the phrase
3235 “from liability, administrative, civil, or criminal, that” and inserting the phrase “from
3236 administrative, civil, or criminal liability that” in its place.

3237 (i) Section 4611 (D.C. Official Code § 4-1371.11) is amended by striking the phrase “the
3238 Corporation Counsel or his or her designee” and inserting the phrase “the Attorney General” in
3239 its place.

3240 (j) Section 4613 (D.C. Official Code § 4-1371.13) is amended by striking the phrase
3241 “from liability, administrative, civil, or criminal, that” and inserting the phrase “from
3242 administrative, civil, or criminal liability that” in its place.

3243 (k) Section 4614 (D.C. Official Code § 4-1371.14) is amended by striking the phrase “the
3244 Corporation Counsel of the District of Columbia, or his or her agent, in” and inserting the phrase
3245 “the Attorney General in” in its place.

3246 **SUBTITLE I. REDUCING LAW ENFORCEMENT PRESENCE IN SCHOOLS**

3247 Sec. 3091. Short title.

3248 This subtitle may be cited as the “Reducing Law Enforcement Presence in Schools
3249 Amendment Act of 2021”.

3250 Sec. 3092. The School Safety and Security Contracting Procedures Act of 2004, effective
3251 April 13, 2005 (D.C. Law 15-350; D.C. Official Code § 5-132.01 *et seq.*), is amended as follows:

3252 (a) Section 101(3) (D.C. Official Code § 5-132.01(3)) is amended ~~as follows:~~

3253 ~~—————(1) Paragraph (1B) is redesignated as paragraph (1C).~~

3254 ~~—————(2) A new paragraph (1B) is added to read as follows:~~

3255 ~~—————“(1B) “Law enforcement officer” shall have the same meaning as provided in
3256 section 802a(b)(1) of An Act To establish a code of law for the District of Columbia, effective
3257 May 23, 1995 (D.C. Law 10-256; D.C. Official Code § 22-2106(b)(1)).”.~~

3258 ~~—————(3) Paragraph (2A) is redesignated as paragraph (2B).~~

3259 ~~—————(4) A new paragraph (2A) is added to read as follows:~~

3260 ~~—————“(2A) “Non-school based offense” means conduct punishable as a criminal
3261 offense that is not a school-based offense.”.~~

3262 ~~—————(5) A new paragraph (2C) is added to read as follows:~~

3263 ~~“(2C) “School-based offense” means conduct punishable as a criminal offense~~

3264 ~~that:~~

3265 ~~“(A) Occurred at a DCPS or public charter school or on its grounds; or~~

3266 ~~“(B) Is directly related to a student’s enrollment or attendance at a DCPS~~
3267 ~~or public charter school.”.~~

3268 ~~(6) Paragraph (3) is amended_~~ to read as follows:

3269 “(3) “School resource officer” means a sworn MPD officer assigned to DCPS or
3270 public charter schools for the purpose of working in collaboration with DCPS, public charter
3271 schools, and community-based organizations to ensure that DCPS schools, public charter
3272 schools, and their grounds are safe environments for students, teachers, and staff through the use
3273 of culturally competent, developmentally-appropriate, and community-oriented policing
3274 strategies and practices.”.

3275 (b) Section 102 (D.C. Official Code § 5-132.02) is amended as follows:

3276 (1) A new subsection (c-1) is added to read as follows:

3277 “(c-1) School resource officers shall not report any information regarding a student’s
3278 suspected crew or gang affiliation, or that of their family members, to a law enforcement agency
3279 for the purpose of including such information in any District government crew or gang database,
3280 nor shall any such information shared by or derived from a school resource officer be otherwise
3281 included in any District government crew or gang database.”.

3282 (2) A new subsection (e) is added to read as follows:

3283 “(e) The School Safety Division’s sworn and civilian staffing shall be as follows:
3284 “(1) By July 1, 2022, a maximum of 60 personnel;
3285 “(2) By July 1, 2023, a maximum of 40 personnel;
3286 “(3) By July 1, 2024, a maximum of 20 personnel; and
3287 “(4) By July 1, 2025, the School Safety Division shall be dissolved, and MPD
3288 shall no longer staff DCPS and public charter schools with school resource officers.”.

3289 ~~(e) Sec. 3093. A new section 107 is added to read as follows: Section 16-2309 of the~~
3290 ~~District of Columbia Official Code is amended by adding new subsections (c), (d), and (e) to~~
3291 ~~read as follows:~~

3292 ~~“Sec. 107. Limitations on law enforcement actions against students.~~

3293 ~~“(a)(1) Notwithstanding any other law, A a law enforcement officer shall not~~
3294 ~~detainseize, serve a warrant custody order on, or arrest take into custody a DCPS or public~~
3295 ~~charter school student at a DCPS or public charter school or on its grounds for a:~~

3296 “(1) School-based offense unless:

3297 “(A) The school-based offense is alleged to be a crime of violence, as that
3298 term is defined in ~~D.C. Official Code~~ § 23-1331(4); or

3299 “(B) Exigent circumstances exist; or

3300 “(2) Non-school-based offense unless exigent circumstances exist.

3301 ~~“(b) Prior to detainingsseizing, serving a warrant custody order on, or conducting an~~
3302 ~~arresttaking into custody of a DCPS or public charter school student at a DCPS or public charter~~

3303 school or on its grounds pursuant to subsection ~~(a)(1)(A)~~ of this section, a law enforcement
3304 officer shall:

3305 “(1) In consultation with the administration of the DCPS or public charter school,
3306 MPD Youth and Family Engagement Bureau leadership, and the Office of the Attorney General,
3307 determine if there are reasonable alternatives to ~~detaining/seizing~~, serving a ~~warrant custody order~~
3308 on, or ~~taking into custody conducting an arrest of the~~ DCPS or public charter school student at
3309 the DCPS or public charter school or on its grounds; and

3310 “(2) ~~If the law enforcement officer is seeking to execute a custody order, present a~~
3311 ~~copy of that custody order to the DCPS or public charter school’s principal or assistant principal.~~
3312 ~~Present a copy of any warrant to the DCPS or public charter school’s principal or assistant~~
3313 ~~principal.”.~~

3314 **TITLE IV. PUBLIC EDUCATION SYSTEMS**

3315 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASES**

3316 Sec. 4001. Short title.

3317 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools
3318 Increase Amendment Act of 2021”.

3319 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public
3320 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §
3321 38-2901 *et seq.*), is amended as follows:

3322 (a) Section 102 (D.C. Official Code § 38-2901) is amended as follows:

- 3323 (1) Redesignate existing paragraph (2B) as paragraph (2C).
- 3324 (2) Add a new paragraph (2AB) to read as follows:
- 3325 “(2B) “At-Risk High School Over-age Supplement” means weighting provided in
3326 addition to the at-risk weight for a student who is at-risk because the student is a high school
3327 student that is one year older, or more, than the expected age for the grade in which the student is
3328 enrolled.;
- 3329 (3) Add a new paragraph (4A) to read as follows:
- 3330 “(4A) “Elementary ELL” means students who are LEP/NEP and enrolled in
3331 grades pre-kindergarten 3 through 5.”.
- 3332 (4) Redesignate existing paragraph (10B) as paragraph (10C).
- 3333 (5) Add a new paragraph (10B) to read as follows:
- 3334 “(10B) “Secondary ELL” means students who are LEP/NEP and enrolled in:
- 3335 (A) Grades 6 through 12 at a DCPS or public charter school
- 3336 (B) An alternative program;
- 3337 (C) Adult education; or
- 3338 (D) Grades 6 through 12 at a special education school.
- 3339 (b) Section 103(b) (D.C. Official Code § 38-2902(b)) is amended by striking the phrase
3340 “Charter Schools” and inserting the phrase “Charter Schools; except, that, for Fiscal Year 2022,
3341 the Formula shall not apply to funding allocated to a DCPS school to meet the requirement of

3342 section 108a(a)(2) that the school be provided with not less than 95% of its prior year allocation
 3343 of Formula funds” in its place.

3344 (c) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase
 3345 “\$11,310 per student for Fiscal Year 2021” and inserting the phrase “\$11,~~720~~730 per student for
 3346 Fiscal Year 2022” in its place.

3347 (d) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array
 3348 and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2022
“Pre-Kindergarten 3	1.34	\$15,705
“Pre-Kindergarten 4	1.30	\$15,236
“Kindergarten	1.30	\$15,236
“Grades 1-5	1.00	\$11,720
“Grades 6-8	1.08	\$12,658
“Grades 9-12	1.22	\$14,298
“Alternative program	1.52	\$17,814
“Special education school	1.17	\$13,712
“Adult	0.89	\$10,431

3349 (e) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

3350 “(c) The supplemental allocations shall be calculated by applying weightings to the
 3351 foundation level as follows:

3352 “Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022

“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$11,368
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$14,064
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$23,088
“Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$40,903
“Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.099	\$1,160
“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	\$1,043
“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	\$19,572

3353

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Elementary ELL	Additional funding for English Language Learners in grades PK3-5.	0.50	\$5,860
“Secondary ELL	Additional funding for English Language Learners in grades 6-12, alternative students, adult students, and students in special education schools.	0.75	\$8,790
“At-risk	Additional funding for students in foster care, who are homeless, on	0.24	\$2,813

	TANF or SNAP, or behind grade level in high school.		
“At-risk High School Over-Age Supplement	Weighting provided in addition to at-risk weight for students who are behind grade level in high school.	0.06	\$703

3354

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“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	\$4,336
“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	\$15,705
“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	\$33,871
“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	\$33,871
“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	\$7,829

3355 “Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated
3356 in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$738
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.227	\$2,660
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.491	\$5,755
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs”.	0.491	\$5,755

3357

3358 (f) Section 106a (D.C. Official Code § 38-2905.01) is amended as follows:

3359 (1) Subsection (b) is amended by striking the phrase “a weighting factor” and
3360 inserting the phrase “weighting factors” in its place.

3361 (2) Subsection (c) is amended as follows:

3362 (A) Strike the phrase “weighting for at-risk students” and insert the phrase
3363 “weighting factors for at-risk students” in its place.

3364 (B) Strike the phrase “both as at-risk” and insert the phrase “both at-risk”
3365 in its place.

3366 (3) A new subsection (c-1) is added to read as follows:

3367 “(c-1) To ensure alignment between the alternative program and at-risk weighting
3368 factors, the alternative program weighting factor should be amended whenever the grades 9-12,
3369 at-risk, or at-risk high school over-age supplement weighting factors are amended.”.

3370 (g) Section 109 (D.C. Official Code § 38-2908) is amended as follows:

3371 (1) Subsection (b-2)(2D) is amended to read as follows:

3372 “(2D) For Fiscal Years 2021, 2022, and 2023, the per pupil facility allowance for
3373 Public Charter Schools ~~will~~shall be \$3,408.”.

3374 (2) A new subsection (b-3) is added to read as follows:

3375 “(b-3) Beginning with Fiscal Year 2024, and for each subsequent fiscal year, the
3376 per pupil facility allowance for Public Charter Schools shall ~~increase by~~be 3.1% greater than the
3377 previous fiscal year’s per pupil facility allowance~~each fiscal year~~. The per pupil facility
3378 allowance shall ~~then~~ be multiplied by the number of students estimated to attend each Public
3379 Charter School to determine the actual facility allowance payments to be received by each
3380 Public Charter School.”.

3381 ~~Sec. 4003. Section 1102(a) of the School Based Budgeting and Accountability Act of~~
3382 ~~1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code 38-2801.01) is amended~~
3383 ~~as follows:~~

3384 ~~(a) Inserting new paragraphs (1-1), (1C), and (3A) to read as follows:~~

3385 ~~“(1-1) “At-Risk High School Over-age Supplement” shall have the same meaning~~
3386 ~~as provided in § 38-2901(2A-1).”;~~

3387 ~~“(1C) “Elementary ELL” shall have the same meaning as provided in § 38-~~
3388 ~~2901(4A).”;~~ and

3389 ~~“(3A) “Secondary ELL” shall have the same meaning as provided in § 38-~~
3390 ~~2901(10A-1).”;~~

3391 Sec. ~~4004~~4003. Section 6(b) of the Board of Education Continuity and Transition
3392 Amendment Act of 2004, effective December 7, 2004 (D.C. Law 15-211; D.C. Official Code §
3393 38-2831(b)), is amended as follows:

3394 (a) Paragraph (3)(B) is amended to read as follows:

3395 “(B) Any funding associated with at-risk students and with the at-risk high
3396 school over-age supplement that has been retained by the Chancellor;”.

3397 (b) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in
3398 its place.

3399 (c) Paragraph (5) is amended to read as follows:

3400 “(5) For each school’s individual budget, a separate budget line item for funding
3401 allocated to the following, as coded in the District’s current official financial system of record:

3402 “(A) At-risk students;

3403 “(B) The at-risk high school over-age supplement;

3404 “(C) Elementary ELL; and

3405 “(D) Secondary ELL; and”.

3406 (d) A new paragraph (6) is added to read as follows:

3407 “(6) The projected enrollment, by school, for the following:

3408 “(A) At-risk students;

3409 “(B) The number of students counted for the at-risk high school over-age
3410 supplement;

3411 “(C) Elementary ELL; and

3412 “(D) Secondary ELL.”.

3413 (e) A new subsection (h) is added to read as follows:

3414 “(h) For the purposes of this section, the following terms shall have the same meaning as
3415 provided in section 102 of the Uniform Per Student Funding Formula for Public Schools and
3416 Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official
3417 Code § 38-2901):

3418 (1) “At-risk”;

3419 (2) “At-risk high school over-age supplement”;

3420 (3) “Elementary ELL”;

3421 (4) “Secondary ELL.”.

3422 **SUBTITLE B. DCPS REPROGRAMMING FLEXIBILITY**

3423 Sec. 4011. Short title.

3424 This subtitle may be cited as the “DCPS Intra-School Reprogramming Flexibility
3425 Amendment Act of 2021”.

3426 Sec. 4012. Section 4012(a) of the DCPS Contracting and Spending Flexibility
3427 Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 38-
3428 2955(a)), is amended by striking the figure “\$10,000” and inserting the figure “\$25,000” in its
3429 place.

3430 **SUBTITLE C. PARKS AND RECREATION GRANT-MAKING AUTHORITY**

3431 Sec. 4021. Short title.

3432 This subtitle may be cited as the “Parks and Recreation Grant-Making Authority
3433 Amendment Act of 2021”.

3434 Sec. 4022. Section 3 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law
3435 10-246; D.C. Official Code § 10-302), is amended by adding a new subsection (f) to read as
3436 follows:

3437 “(f) Beginning in Fiscal Year 2022, and on an annual basis thereafter, and in accordance
3438 with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.
3439 Official Code § 1-328.11 *et seq.*), the Department of Parks and Recreation shall issue:

3440 “(1) A grant of not less than \$150,000 to an organization to plan, promote, and
3441 manage events and programs for the community in the new Eastern Market Metro Park. The
3442 organizer shall obtain permits, book talent, publicize programming, and supervise the site during
3443 events and clean up.

3444 “(2) One or more grants that total no more than \$235,000 to individual program
3445 providers and nonprofit organizations to assist the Department in implementing a comprehensive
3446 program of public recreation as described in section 3 of Article II of An Act To create a
3447 Recreation Board for the District of Columbia, to define its duties, and for other purposes,
3448 approved April 29, 1942 (56 Stat. 263; D.C. Official Code § 10-213).”.

3449 Sec. 4023. In Fiscal Year 2022, the Department of Parks and Recreation, in accordance
3450 with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.
3451 Official Code § 1-328.11 *et seq.*), shall award:

3452 (a) A grant of not less than \$7,000 to an organization to conduct a community run or walk
3453 event series. Grant funds shall be used to organize weekly run or walk events in at least 3
3454 locations, and may be spent on outreach, advertising, equipment, or permits associated with the
3455 event series.

3456 (b) One or more grants that total not less than \$50,000 for regular activation of spaces in
3457 Ward 1 at Columbia Heights Civic Plaza, 14th and Girard Park, and Unity PlazaPark.

3458 (c) A grant of not less than \$500,000 to an organization developing an urban farm and
3459 community wellness space in Oxon Run Park in Ward 8.

3460 (d) A grant of not less than \$375,000 to a non-profit organization working on the
3461 restoration of the Chesapeake and Ohio Canal in Georgetown to support the design of a welcome
3462 center.

3463 **SUBTITLE D. -UNIVERSITY OF THE DISTRICT OF COLUMBIA**

3464 **FUNDRAISING MATCH**

3465 Sec. 4031. Short title.

3466 This subtitle may be cited as the “University of the District of Columbia Fundraising
3467 Match Act of 2021”.

3468 Sec. 4032. (a) In Fiscal Year 2022, of the funds allocated to the Non-Departmental
3469 agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the
3470 District of Columbia (“UDC”) for every \$2 that UDC raises from private donations by April 1,
3471 2022.

3472 (b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less
3473 than one-third of the funds shall be deposited into UDC’s endowment fund.

3474 **SUBTITLE E. -APPRENTICESHIP FINES**

3475 Sec. 4041. Short title.

3476 This subtitle may be cited as the “Apprenticeship Fines Amendment Act of 2021”.

3477 Sec. 4042. Section 5(c)(3) of the Amendments to An Act To Provide for Voluntary
3478 Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-
3479 156; D.C. Official Code § 32-1431(c)(3)), is amended as follows:

3480 (1) Strike the phrase “District of Columbia Public Schools” and insert the phrase
3481 “Department of Employment Services” in its place.

3482 (2) Strike the phrase “education program, subject to appropriations by Congress”;
3483 and insert the phrase “education programs” in its place.

3484 **SUBTITLE F. -SCHOLARSHIP AND TUITION ASSISTANCE PAYMENTS**

3485 Sec. 4051. Short title.

3486 This subtitle may be cited as the “Scholarship and Tuition Assistance Payment Method
3487 Amendment Act of 2021”.

3488 Sec. 4052. -Section 3(b) of the State Education Office Establishment Act of 2000,
3489 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by
3490 adding a new paragraph (29A) to read as follows:

3491 “(29A) Have the authority to increase access, promote retention, and improve District
3492 resident completion of postsecondary education in the District by:

3493 “(A) Awarding scholarships and financial assistance for tuition, fees, room and
3494 board, books, supplies, and other costs of postsecondary education, including:

3495 “(i) Dual enrollment programs;

3496 “(ii) Costs associated with gaining admission or increasing the chances of
3497 gaining admission to an institution of higher education in the District, including test preparation
3498 programs, standardized test fees, and application fees;

3499 “(iii) Programs designed to support students navigating the college process
3500 through completion;

3501 “(iv) Funding if the cost of education prevents a student or prospective
3502 student from starting, continuing, or completing their postsecondary education.

3503 “(B) Paying for the financial assistance described in subparagraph (A) of this
3504 paragraph through the issuance of direct vouchers or payments to institutions of higher education
3505 in the District;”.

3506 **SUBTITLE G. UNIVERSAL PAID LEAVE**

3507 Sec. 4061. Short title.

3508 This subtitle may be cited as the “Universal Paid Leave Amendment Act of 2021”.

3509 Sec. 4062. The Universal Paid Leave Amendment Act of 2016, effective April 7, 2017
3510 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*), is amended as follows:

3511 (a) Section 101 (D.C. Official Code § 32-541.01) is amended as follows:

3512 (1) Paragraph (1) is amended to read as follows:

3513 “(1) “Average weekly wage” means the total wages subject to contribution under
3514 section 103 earned by an eligible individual during the 4 quarters during which the individual’s
3515 wages were the highest out of the 5 quarters immediately preceding the qualifying leave event,
3516 divided by 52; except that, for claims filed after the applicability date of the Universal Paid
3517 Leave Amendment Act of 2021, ~~approved by the Committee of the Whole on passed on 1st~~
3518 ~~reading on~~ July 20, 2021 (~~Engrossed version Committee print~~ of Bill 24-285), and before the
3519 365th day after the end of the public health emergency, the term “average weekly wage” means
3520 the total wages subject to contribution under section 103 for the 4 quarters during which the

3521 individual's wages were the highest out of the 10 quarters immediately preceding the qualifying
3522 leave event, divided by 52.".

3523 (2) New paragraphs (6A) and (6B) are added to read as follows:

3524 "(6A) "Employer contribution rate" means the uniform percentage of covered
3525 employees' wages that covered employers must contribute to the Universal Paid Leave Fund,
3526 including the percentage of annual self-employment income that a covered employer who is a
3527 self-employed individual must contribute, as provided under this act."

3528 "(6B) "Exigent circumstances" means:

3529 "(A) Physical or mental incapacity that prevents an eligible individual or
3530 eligible individual's authorized representative from filing for paid leave benefits following the
3531 occurrence of a qualifying leave event;

3532 "(B) A demonstrable inability to reasonably access the means by which a
3533 claim could have been filed by the eligible individual or the eligible individual's authorized
3534 representative following the occurrence of a qualifying leave event; or

3535 "(C) Actual lack of knowledge by an eligible individual of his or her right
3536 to apply for paid leave benefits pursuant to this act due to the noncompliance of all of the eligible
3537 individual's covered employers with the notice requirements required by section 106(i)(3) during
3538 the period when the individual could have received paid leave benefits pursuant to this act;
3539 provided, that such employer noncompliance shall be confirmed by the ~~Department of~~

3540 ~~Employment Services~~ Mayor before the eligible individual shall be eligible for paid leave
3541 benefits pursuant to this act.”.

3542 (3) A new paragraph (8A) is added to read as follows:

3543 “(8A) “Insurer” shall have the same meaning as provided in section 101(7) of the
3544 Insurance Trade and Economic Development Amendment Act of 2000, effective April 2, 2001
3545 (D.C. Law 13-265; D.C. Official Code § 31-2231.01(7)).”.

3546 (4) A new paragraph (9A) is added to read as follows:

3547 “(9A) “Miscarriage” means the loss of a pregnancy ~~prior to~~ before 20 weeks’
3548 gestation.”.

3549 (45) New paragraphs (11A) and (11B) are added to read as follows:

3550 “(11A) “Pre-natal medical care” means routine and specialty appointments,
3551 exams, and treatments associated with a pregnancy provided by a health care provider, including
3552 ~~but not limited to,~~ pre-natal check-ups, ultrasounds, treatment for pregnancy complications,
3553 bedrest that is required or prescribed by a health care provider, and pre-natal physical therapy.

3554 “(11B) “Public health emergency” means the Coronavirus (COVID-19) public
3555 health emergency declared pursuant to Mayor’s Order 2020-045, on March 11, 2020, and all
3556 subsequent extensions.”.

3557 (56) Paragraph (12) is amended to read as follows:

3558 “(12) “Qualifying family leave” means paid leave that an eligible individual may
3559 take in order to provide care or companionship to a family member because of the occurrence of
3560 a qualifying family leave event.”.

3561 (~~67~~) A new paragraph (13A) is added to read as follows:

3562 “(13A) “Qualifying leave event” means a qualifying family leave event, a
3563 qualifying medical leave event, a qualifying pre-natal leave event, or a qualifying parental leave
3564 event.”.

3565 (~~78~~) Paragraph (14) is amended to read as follows:

3566 “(14) “Qualifying medical leave” means paid leave that an eligible individual may
3567 take following the occurrence of a qualifying medical leave event.”.

3568 (~~89~~) Paragraph (15) is amended to read as follows:

3569 “(15) “Qualifying medical leave event” means, for an eligible individual, the
3570 diagnosis or occurrence of a serious health condition, which shall include the occurrence of a
3571 stillbirth and the medical care related to a miscarriage.”.

3572 (~~910~~) Paragraph (16) is amended to read as follows:

3573 “(16) “Qualifying parental leave” means paid leave that an eligible individual
3574 may take within one year of the occurrence of a qualifying parental leave event.”.

3575 (~~1011~~) New paragraphs (17A) and (17B) are added to read as follows:

3576 “(17A) “Qualifying pre-natal leave” means paid leave that an eligible individual
3577 who is pregnant may take for pre-natal medical care following the occurrence of a qualifying
3578 pre-natal leave event and prior to the occurrence of a qualifying parental leave event.

3579 “(17B) “Qualifying pre-natal leave event” means the diagnosis of pregnancy by a
3580 health care provider.”.

3581 (12) A new paragraph (19A) is added to read as follows:

3582 “(19A) “Self-insured employer” means an employer that uses its own resources,
3583 rather than providing benefits directly through an insurance contract with a third-party insurer, to
3584 pay its employees’ family, medical, short-term disability, or related leave benefits (“leave
3585 benefits”) and includes an employer that contracts with a third-party insurer to administer its
3586 leave benefits program.”.

3587 ~~(11)~~ 13 A new paragraph (20A) is added to read as follows:

3588 “(20A) “Stillbirth” means the loss of a pregnancy at 20 weeks’ gestation or
3589 later.”.

3590 ~~(12)~~ 14 Paragraph (21) is amended to read as follows:

3591 “(21) “Universal Paid Leave Fund” means the fund established pursuant to
3592 section 1153 of the Universal Paid Leave Implementation Fund Act of 2016, effective October 8,
3593 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.02).”.

3594 (b) Section 102 (D.C. Official Code § 32-541.02) is amended by adding a new subsection

3595 (c) to read as follows:

3596 “(c) Within 30 days after the applicability date of the Universal Paid Leave Amendment
3597 Act of 2021, ~~approved by the Committee of the Whole~~passed on 1st reading on July 20, 2021
3598 (~~committee print~~Engrossed version of Bill 24-285), or of any expansion of benefits or change to
3599 the employer contribution rate pursuant to section 104a(c), the Mayor, pursuant to Title I of the
3600 District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204;
3601 D.C. Official Code § 2-501 *et seq.*), shall issue rules, which may include the issuance of
3602 emergency rules, to implement the provisions of this act.”.

3603 (c) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

3604 (1) Subsection (a) is amended by striking the phrase “0.62%” and inserting the
3605 phrase “0.62%, or a lower rate computed pursuant to section 104a(c)(2),” in its place.

3606 (2) Subsection (b) is amended by striking the phrase “0.62%” and inserting the
3607 phrase “0.62%, or a lower rate computed pursuant to section 104a(c)(2),” in its place.

3608 (d) Section 104 (D.C. Official Code § 32-541.04) is amended as follows:

3609 (1) Subsection (a) is amended by striking the phrase “qualifying family leave
3610 event, qualifying medical leave event, or qualifying parental leave event” and inserting the
3611 phrase “qualifying leave event” in its place.

3612 (2) Subsection (b) is amended to read as follows:

3613 “(b)(1) Except as provided in paragraph (2) of this subsection, after the
3614 occurrence of a qualifying leave event, an eligible individual shall wait one week during and for
3615 which no benefits are payable before being entitled to receive payment of his or her paid-leave

3616 benefits; provided, that regardless of the number of qualifying events for which an eligible
3617 individual files a claim for paid-leave benefits, he or she shall only have one waiting period
3618 during and for which no benefits are payable within a 52-week period.

3619 “(2) For claims filed after the applicability date of the Universal Paid
3620 Leave Amendment Act of 2021, ~~approved by the Committee of the Whole~~passed on 1st reading
3621 on July 20, 2021 (~~Committee print~~Engrossed version of Bill 24-285), and before the 365th day
3622 after the end of the public health emergency, paragraph (1) of this subsection shall not apply.”.

3623 (3) Subsection (d) is amended to read as follows:

3624 “(d)(1)(A) An eligible individual may submit a claim for payment of his or her
3625 paid-leave benefits for a period during which he or she does not or did not perform his or her
3626 regular and customary work because of the occurrence of a qualifying leave event.

3627 “(B) An eligible individual may receive retroactive paid-leave
3628 benefits pursuant to subparagraph (A) of this paragraph only if he or she submits a claim within
3629 30 calendar days after the qualifying leave event; provided, that the 30-calendar day limitation
3630 may be waived if an individual is unable to apply for his or paid-leave benefits within 30
3631 calendar days after the qualifying leave event due to exigent circumstances.

3632 “(2) Except as provided in paragraph (3), within a 52-workweek period, an
3633 eligible individual shall not receive paid-leave benefits, for any number or combination of
3634 qualifying leave events, for a duration that exceeds the maximum duration of qualifying parental

3635 leave available in the fiscal year during which the individual files a claim for paid-leave benefits,
3636 as provided in subsection (e-1) of this section.

3637 “(3) Within a 52-workweek period, an eligible individual may receive the
3638 maximum duration of qualifying pre-natal leave available in the fiscal year during which the
3639 individual files a claim for paid-leave benefits in addition to the maximum duration of parental
3640 leave available during such fiscal year, as provided in subsection (e-1) of this section; provided,
3641 that an eligible individual shall not receive any combination of qualifying pre-natal leave and
3642 qualifying medical leave for a duration that exceeds the maximum duration of qualifying medical
3643 leave available for the fiscal year during which the individual files a claim for paid-leave
3644 benefits.”.

3645 (4) Subsection (e) is amended to read as follows:

3646 “(e) The International Classification of Diseases, Tenth Revision (ICD-10), or subsequent
3647 revisions by the World Health Organization to the International Classification of Diseases, along
3648 with the health care provider or caretaker assessments, shall be used to determine the appropriate
3649 length of qualifying family leave an eligible individual is entitled to, based on the serious health
3650 condition of the eligible individual’s family member, or the appropriate length of qualifying
3651 medical leave an eligible individual is entitled to, based on the serious health condition of the
3652 eligible individual, subject to the limits set forth in subsection (e-1) of this section.”.

3653 (5) A new subsection (e-1) is added to read as follows:

3654 “(e-1)(1) For claims filed Before October 1, 2021, the maximum duration of each type
3655 of paid-leave benefits within a 52-workweek period shall be:

3656 “(A) 8 workweeks of qualifying parental leave;

3657 “(B) 6 workweeks of qualifying family leave;

3658 “(C) 2 workweeks of qualifying medical leave; and

3659 “(D) Zero workweeks of qualifying pre-natal leave.

3660 “(2) For claims filed on or after From October 1, 2021, and before through
3661 September 30October 1, 2022, the maximum duration of each type of paid-leave benefits within
3662 a 52-workweek period shall be:

3663 “(A) 8 workweeks of qualifying parental leave;

3664 “(B) 6 workweeks of qualifying family leave;

3665 “(C) 6 workweeks of qualifying medical leave; and

3666 “(D) 2 workweeks of qualifying pre-natal leave.

3667 “(3) For claims filed on or after Beginning October 1, 2022, and thereafter, the
3668 maximum duration of each type of paid-leave benefits within a 52-workweek period shall be
3669 determined pursuant to section 104a, but shall be no less than the maximum durations for each
3670 type of paid-leave benefits set forth in paragraph (1) of this subsection.”.

3671 (6) Subsection (f) is amended to read as follows:

3672 “(f) An eligible individual may receive payment for intermittent leave; provided, that the
3673 duration of paid-leave benefits an individual receives in a 52-week period shall not exceed the

3674 total maximum duration of paid-leave benefits or the maximum duration of any type of paid-
3675 leave benefits available in the fiscal year during which the individual files a claim to receive
3676 paid-leave benefits, as provided in subsection (d)(2) and (3) and (e-1) of this section.”.

3677 (7) Subsection (g)(4) is amended to read as follows:

3678 “(4) Medical, family, parental, and pre-natal leave benefits for partial weeks of
3679 leave shall be prorated.”.

3680 (e) A new section 104a is added to read as follows:

3681 “Sec. 104a. Expansion of paid-leave benefits and employer contribution rate change.

3682 “(a) By March 1, 2022, and annually thereafter, the Chief Financial Officer (“CFO”) shall
3683 update estimates of the projected cost of the paid-leave program established by this act and any
3684 paid-leave benefit expansions set forth in subsection (c)(1) of this section that have not yet been
3685 implemented.

3686 “(b)(1) On or before March 1 of each year beginning with March 1, 2022, the CFO shall
3687 certify the:

3688 “(A) Fund balance of the Universal Paid Leave Fund;

3689 “(B) Projected annual revenues for the current fiscal year and future fiscal
3690 years, for the duration of the financial plan, to be deposited into the Universal Paid Leave Fund
3691 at the then-existing employer contribution rate;

3692 “(C) Projected annual expenditures from the Universal Paid Leave Fund at
3693 the then-existing maximum paid-leave benefit durations;

3694 “(D) Projected fiscal impact of the paid-leave benefit expansions and
3695 employer contribution rate change set forth in subsection (c) of this section, which shall include
3696 whether, and at what tier of expansion, the paid-leave benefit expansions and employer
3697 contribution rate ~~change~~ would cause the projected fund balance of the Universal Paid Leave
3698 fund to fall below the equivalent of 9 months of paid-leave benefits at the expanded tier; and

3699 “(E) Projected employer contribution rate necessary to maintain the then-
3700 existing level of benefits and continued solvency of the Universal Paid Leave Fund.

3701 “(2) The Mayor shall incorporate the certification required pursuant to paragraph
3702 (1) of this subsection into the Mayor’s annual submission of the District’s multiyear budget and
3703 financial plan to the Council, which shall reflect any paid-leave benefit expansions or employer
3704 contribution rate change required pursuant to subsection (c) of this section, as certified pursuant
3705 to paragraph (1) of this subsection.

3706 “(3) A paid-leave benefit expansion or employer contribution rate change set forth
3707 in subsection (c) of this section shall apply as of July 1 of the -year in which the paid-leave
3708 benefit expansion or employer contribution rate change will not cause the projected fund balance
3709 of the Universal Paid Leave Fund to fall below the equivalent of 9 months of benefits at the
3710 expanded tier, as certified pursuant to paragraph (1) of this subsection.

3711 “(c)(1) Paid-leave benefits shall be expanded in the following order:

3712 “(A) Extend the maximum duration of qualifying pre-natal leave by one or
3713 more workweeks, until the maximum duration of qualifying pre-natal leave equals 2 workweeks;

3714 “(B) Extend the maximum duration of qualifying medical leave by one or
3715 more workweeks, until the maximum duration of qualifying medical leave equals 6 workweeks;
3716 “(C) Extend the maximum duration of qualifying parental leave by one or
3717 more workweeks, until the maximum duration of qualifying parental leave equals 10 workweeks;
3718 “(D) Extend the maximum duration of qualifying medical leave by one or
3719 more workweeks, until the maximum duration of qualifying medical leave equals 8 workweeks;
3720 “(E) Extend the maximum duration of qualifying family leave by one or
3721 more workweeks, until the maximum duration of qualifying family leave equals 8 workweeks;
3722 “(F) Extend the maximum duration of qualifying parental leave by one or
3723 more workweeks, until the maximum duration of qualifying parental leave equals 12 workweeks;
3724 “(G) Extend the maximum duration of qualifying medical leave by one or
3725 more workweeks, until the maximum duration of qualifying medical leave equals 10 workweeks;
3726 “(H) Extend the maximum duration of qualifying family leave by one or
3727 more workweeks, until the maximum duration of qualifying family leave equals 10 workweeks;
3728 “(I) Extend the maximum duration of qualifying medical leave by one or
3729 more workweeks, until the maximum duration of qualifying medical leave equals 12 workweeks;
3730 “(J) Extend the maximum duration of qualifying family leave by one or
3731 more workweeks, until the maximum duration of qualifying family leave equals 12 workweeks;
3732 “(2) Beginning with July 1 of the first year in which all paid-leave benefit
3733 expansions set forth in paragraph (1) of this subsection have been implemented, and annually

3734 thereafter, if the projected employer contribution rate calculated by the CFO pursuant to
3735 subsection (b)(1)(E) of this section is below 0.62%, the employer contribution rate shall equal
3736 that projected employer contribution rate. If the projected employer contribution rate calculated
3737 pursuant to subsection (b)(1)(E) is greater than or equal to 0.62%, then the employer contribution
3738 rate shall be 0.62%.

3739 “(d)(1) At least 60 days before implementation of any paid-leave benefit expansion or
3740 employer contribution rate change pursuant to this section, the Mayor shall prescribe and provide
3741 to covered employers an update to the notice required under section 106(i). The Mayor may
3742 conduct a public-education campaign to inform individuals of expanded benefits. Costs of the
3743 notice and campaign authorized under this subsection shall be payable pursuant to section
3744 1153(c)(1) of the Universal Paid Leave Implementation Fund Act of 2016, effective December 3,
3745 2020 (D.C. Law 23-149; D.C. Official Code § 32–551.02(c)(1)), from the Universal Paid Leave
3746 Administration Fund.

3747 “(2) ~~The A~~ public education campaign ~~required by~~ conducted pursuant to
3748 paragraph (1) of this subsection shall include:

3749 “(A) Updated programmatic notices sent electronically to all covered
3750 employers, which shall be distributed to their covered employees;

3751 “(B) At least 3 webinars, of which at least one shall be offered during
3752 evening hours or on the weekend, that are open to the public and that shall be promoted through
3753 multiple methods of communication at least 2 weeks before they occur; and

3754 “(C) Promotional mailers, including postcards, sent to all households with
3755 residents enrolled in the District’s Medicaid or Health Care Alliance Program, and other
3756 households as determined by the Mayor.”.

3757 (f) Section 106(j)(1) (D.C. Official Code § 32-541.06(j)(1)) is amended by striking the
3758 final sentence.

3759 (g) Section 107 (D.C. Official Code § 32-541.07) is amended by adding a new subsection
3760 (j) to read as follows:

3761 “(j)(1) An insurer shall not offset or reduce benefits or income available to an eligible
3762 individual under a temporary or short-term disability insurance policy or contract provided by an
3763 insurer based on estimated or actual payment of benefits under this act.

3764 “(2) Paragraph (1) of this subsection shall not apply to the actions of a self-
3765 insured employer or to the actions of an insurer to the extent the insurer is acting on behalf of a
3766 self-insured employer as a third-party administrator for the self-insured employer.”.

3767 (h) Section 108(e) (D.C. Official Code § 32-541.08(e)) is amended by striking the period
3768 and inserting the phrase “; except, that complaints arising from a violation of section 107(j) shall
3769 be filed with the Department of Insurance, Securities, and Banking for resolution pursuant to
3770 Title I of the Insurance Trade and Economic Development Amendment Act of 2000, effective
3771 April 3, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.01 *et seq.*.)” in its place.

3772 (i) Section 112(a) (D.C. Official Code § 32-541.12(a)) is amended to read as follows:

3773 “(a) Subject to the provisions in subsection (b) of this section, an eligible individual, the
3774 Attorney General for the District of Columbia, or the Mayor may bring a civil action against an
3775 employer to enforce the provisions of this act in a court of competent jurisdiction; except, that a
3776 civil action for a violation of section 107(j) may only be brought against an insurer and may not
3777 be brought against an employer or self-insured employer.”.

3778 Sec. 4063. The Universal Paid Leave Implementation Fund Act of 2016, effective
3779 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01 *et seq.*), is amended as
3780 follows:

3781 (a) Section 1152 (D.C. Official Code § 32-551.01) is amended as follows:

3782 (1) Subsection (l) is amended to read as follows:

3783 “(l) As of December 31, 2021, and as of the last day of each quarter thereafter ~~until full~~
3784 ~~implementation of the paid leave benefit expansions and any employer contribution rate change~~
3785 ~~set forth in section 104a(c) of the Act~~, the Chief Financial Officer shall compare its estimated
3786 costs of each type of paid-leave benefit with the actual cost of such leave during the most
3787 recently completed calendar quarter. If, on the basis of such comparison, the estimated cost of
3788 any type of paid-leave benefit was 3 or more times greater than the actual cost of such leave,
3789 then the Chief Financial Officer shall promptly deliver a letter to the Council disclosing the
3790 extent to which costs were overestimated, ~~-whether funds are sufficient to implement all or any~~
3791 portion of the paid-leave benefit expansions and the employer contribution rate change in the

3792 order set forth in section 104a(c) of the Act, and the earliest point at which the benefits could be
3793 expanded or the employer contribution rate could be reduced.”.

3794 (2) A new subsection (n) is added to read as follows:

3795 “(n) The cost of the benefits authorized under the Act shall be payable solely from the
3796 Fund. Nothing contained in the Act or this act shall be construed to create an obligation on the
3797 part of the District to pay benefits from any source other than the Fund.”.

3798 (b) Section 1153~~(e)(1)~~ (D.C. Official Code Sec. § 32-551.02~~(e)(1)~~) is amended as
3799 follows:

3800 (1) Subsection (c)(1) is amended as follows:

3801 (A) Strike the phrase “section 105(j)” and insert the phrase “sections
3802 104a(d) and 105(j)” in its place.

3803 (B) by striking the phrase “and of those public education funds, at least
3804 \$500,000 shall be used to fund the Workplace Leave Navigators Program established pursuant to
3805 section 2093 of the Workplace Leave Navigators Program Establishment Amendment Act of
3806 2020, passed on 2nd reading on July 28, 2020 (Enrolled version of Bill 23-760)”.

3807 (2) Subsection (d) is amended as follows:

3808 (A) Designate the existing text as paragraph (1).

3809 (B) Add a new paragraph (2) to read as follows:

3810 “(2) In Fiscal Year 2022, notwithstanding any other provision of this section, up
3811 to 5 employees hired and employed with funds transferred pursuant to paragraph (1) of this

3812 subsection may perform work on matters other than enforcement pursuant to the Act; provided,
3813 that they prioritize enforcement.”.

3814 (3) Subsection (e) is amended as follows:

3815 (A) Designate the existing text as paragraph (1)

3816 (B) Add a new paragraph (2) to read as follows:

3817 “(2) In Fiscal Year 2022, notwithstanding any other provision of this section, the
3818 Office of Administrative Hearings may use funds transferred pursuant to paragraph (1) of this
3819 subsection for matters other than the hearing of appeals of claims determinations pursuant to the
3820 Act; provided, that it prioritizes the use of such funds for the hearing of appeals of claims
3821 determinations.”.

3822 Sec. 4064. The District of Columbia Family and Medical Leave Act of 1990, effective
3823 October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501~~(1)(A)~~ *et seq.*), is amended as
3824 follows:

3825 (a) Section 2(1)~~(A)~~ (D.C. Official Code § 32-501(1)(A)) is amended to read as follows:

3826 “(1) —“(A) For leave provided under sections 3 or 4, an individual who has:

3827 “(i) Been employed by the same employer for at least 12
3828 consecutive or non-consecutive months, inclusive of holiday, sick, or personal leave granted by
3829 the employer as part of its regular benefits whether such leave was paid or unpaid, in the 7 years
3830 immediately preceding the date on which the period of family or medical leave is to commence;
3831 and

3832 _____“(i) Worked at least 1,000 hours for the employer during
3833 the 12-month period referenced in sub-subparagraph (i) of this paragraph preceding the date on
3834 which the period of family or medical leave is to commence.”.

3835 “(B) For leave provided under section 3a, an individual employed bay an
3836 employer for at least 30 days prior to the request for leave.”.

3837 (b) Section 11(b) (D.C. Official Code § 32-510(b)) is amended by striking the period and
3838 inserting the phrase “, except that this limitations period shall toll while a claim is pending
3839 administrative review under section 10(b).” in its place.

3840 Sec. 4065. The Workplace Leave Navigators Program Establishment Amendment Act of
3841 2020, effective Dec. 3, 2020 (D.C. Law 23-149; D.C. Official Code § 32-561.01 *et seq.*), is
3842 repealed.

3843 Sec. 4066. Title I of the Fiscal Year 2017 Budget Support Act of 2016, effective ~~October-~~
3844 8, 2016 (D.C. Law 21-160; 63 DCR 10775), is amended by striking the subtitle heading
3845 “SUBTITLE P. UNIVERSAL PAID LEAVE IMPLEMENTATION FUND” and inserting the
3846 subtitle heading “SUBTITLE P. UNIVERSAL PAID LEAVE FUND” in its place.

3847 Sec. 4067. Title I of the Insurance Trade and Economic Development Amendment Act of
3848 2000, effective April 2, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.01 *et seq.*), is
3849 amended by adding a new section 120a to read as follows:

3850 “Sec. 120a. Prohibition on offsetting short-term disability benefits.

3851 “(a) No insurer may offset or reduce benefits or income available to an individual under a
3852 temporary or short-term disability insurance policy based on estimated or actual benefits the
3853 individual may or does receive under the Universal Paid Leave Amendment Act of 2016,
3854 effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*).

3855 “(b) Subsection (a) of this section shall not apply to the actions of a self-insured employer
3856 or to the actions of an insurer to the extent the insurer is acting on behalf of a self-insured
3857 employer as a third-party administrator for the self-insured employer.

3858 “(c) For the purposes of this section, the term “self-insured employer” shall have the
3859 same meaning as provided in section 101(19A) of the Universal Paid Leave Amendment Act of
3860 2016 effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*).”.

3861 **SUBTITLE H. STUDENT ACTIVITY FUND**

3862 Sec. 4071. Short title.

3863 This subtitle may be cited as the “Student Activity Fund Theatrical and Music
3864 Performance Expenditures Act of 2021”.

3865 Sec. 4072. Use of Student Activity Funds for theatrical and music performances.

3866 (a) Expenditures on school-administered theatrical and music performances, including
3867 stipends for non-District of Columbia Public Schools (“DCPS”) employees, but excluding
3868 stipends for DCPS employees, shall be an allowable expenditure from a DCPS school’s Student
3869 Activity Fund.

3870 (b) For the purposes of this act, the term “theatrical and music performances” means the
3871 planning, rehearsal, or presentation of a musical, staged play, choral production, orchestral or
3872 band concert, variety show, improvised or sketch comedy performance, or other live
3873 performance.

3874 **SUBTITLE I. -UDC HEI QUALIFIED APPLICANTS**

3875 Sec. 4081. Short title.

3876 This subtitle may be cited as the “UDC HEI Qualified Applicants Expansion Amendment
3877 Act of 2021”.

3878 Sec. 4082. Section 402(b) of the “Pre-k Enhancement and Expansion Amendment Act of
3879 2008, effective July 18, 2008 (D.C. Law 17-202, D.C. Official Code § 38-274.02(b)), is amended
3880 to read as follows:

3881 “(b)(1) A qualified applicant shall be a high school graduate enrolled in a post-secondary
3882 institution receiving funding pursuant to Title IV of this ~~Act~~act in an effort to pursue an
3883 ~~a~~Associate degree in education or early childhood education or a ~~Bachelor~~bachelor of ~~a~~Arts
3884 degree in education, human development, or early childhood education.

3885 “(2) A preference shall be given to individuals who:

3886 “(A) Are domiciled in the District;

3887 “(B)(i) Work in a bilingual childhood development facility in the District
3888 that is licensed by the Office of the State Superintendent of Education; and

3889 “(ii) Are required to obtain an ~~Associate~~associate degree or
3890 ~~Bachelor’s~~bachelor’s degree pursuant to sections 164 ~~through to~~ 171 of Title 5-A of the District
3891 of Columbia Municipal Regulations (5-A DCMR §§ 164-171);

3892 “(C) Graduated from a District of Columbia Public Schools high school or
3893 District public charter high school; or

3894 “(D) Commit to be domiciled in the District within 180 days of accepting a
3895 scholarship.”.

3896 **SUBTITLE J. IT COMMUNITY TRAINING AND ADVISORY BOARD**
3897 **ESTABLISHMENT**

3898 Sec. 4091. Short title.

3899 This subtitle may be cited as the “IT Community Training and Advisory Board
3900 Establishment Act of 2021”.

3901 Sec. 4092. Definitions.

3902 For the purposes of this subtitle:

3903 (1) “Community training provider” means an entity in the District that has
3904 received an IT training grant awarded pursuant to section 4097.

3905 (2) “Dual-enrollment” means enrollment at both a WIC-approved community-
3906 based IT training program and UDC-CC or WDLL.

3907 (3) “IT” means information technology.

3908 (4) “IT Board” means the Information Technology Occupational Advisory Board.

3909 (5) “IT training” means occupational skills training that leads to an industry-
3910 recognized credential for IT jobs in any sector.

3911 (6) “Program” means the Information Technology Investment Program
3912 established pursuant to section 4093 of this subtitle.

3913 (7) “Program participant” means a District resident who is enrolled in Program
3914 training and receiving Program assistance authorized pursuant to section 4093.

3915 (8) “Program training” means any of the following, collectively or independently,
3916 as determined by context:

3917 (A) Credit-bearing courses at UDC-CC that may be applied toward a
3918 UDC-CC degree;

3919 (B) WDLL courses; or

3920 (C) IT training through a community training provider.

3921 (9) “Program training providers” means UDC-CC and WDLL, to the extent those
3922 entities are engaged in providing Program training, and community training providers.

3923 (10) “Public health emergency” means the Coronavirus (COVID-19) public
3924 health emergency declared pursuant to Mayor’s Order 2020-046, on March 11, 2020, and all
3925 subsequent extensions.

3926 (11) “Satisfactory academic progress” means maintaining an academic standing
3927 consistent with the requirements for ~~program~~Program completion, as determined by the Program
3928 training provider.

3929 (12) “UDC” means the University of the District of Columbia.

3930 (13) “UDC-CC” means the UDC Community College.

3931 (14) “UDC-CC degree” means the Associate of Science degree in Computer
3932 Science, Information Technology, or any of the technology academies offered through the UDC-
3933 CC.

3934 (15) “WDLL” means the UDC-CC Division of Workforce Development and
3935 Lifelong Learning.

3936 (16) “WDLL courses” means Information Technology and Office Administration
3937 Career Pathway courses offered through the WDLL.

3938 (17) “WIC” means the Workforce Investment Council, established pursuant to
3939 section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000
3940 (D.C. Law ~~12~~13-150; D.C. Official Code § 32-1603).

3941 (18) “WIOA” means the Workforce Innovation and Opportunity Act ~~of 2014~~,
3942 approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

3943 Sec. 4093. Establishment of the Information Technology Investment Program.

3944 (a) The WIC, in collaboration with UDC, the University of the District of Columbia
3945 Foundation, Inc., and community training providers, shall establish the Information Technology
3946 Investment Program to provide financial assistance to District residents who seek to obtain IT
3947 occupational credentials through Program training and to support District residents in obtaining
3948 IT jobs. The WIC shall be responsible for providing funding for the Program consistent with the

3949 memoranda of understanding required pursuant to section 4096 and the IT training grants
3950 authorized pursuant to section 4097.

3951 (b) The Program shall provide industry-informed, up-to-date IT training and certification
3952 at no cost to eligible District residents, who, under the Program, may receive the following
3953 financial assistance to pursue Program training:

3954 (1) Payment of tuition, to the extent charged;

3955 (2) Payment of academic costs, including the costs of books, supplies, and
3956 membership fees; and

3957 (3) A monthly stipend to be used toward living expenses and transportation for
3958 participants pursuing WDLL courses or IT training through community training providers.

3959 (c) Program training shall be offered at the UDC-CC campus and any WDLL satellite
3960 location and at community training provider sites located in the District, as approved by the
3961 WIC.

3962 (d) Program marketing and public education shall be provided by UDC-CC, WDLL, and
3963 community training providers to attract District residents to the Program and for the duration of
3964 the Program.

3965 Sec. 4094. Conditions of Program eligibility.

3966 (a) To be eligible for Program assistance to pursue a UDC-CC degree, an individual
3967 shall:

3968 (1) Meet the relevant enrollment requirements for a UDC-CC degree;

- 3969 (2) Be a resident of the District;
- 3970 (3) Have a stated interest in working in IT occupations;
- 3971 (4) ~~Not have~~ ~~Have not~~ already completed an associate degree in IT or a bachelor's
3972 degree at an institution of higher education; and
- 3973 (5)(A) Have experienced unemployment or significant loss of income due to the
3974 public health emergency; or
- 3975 (B) Have multiple barriers to employment, as determined by the WIC.
3976
- 3977 (b) To be eligible for Program assistance to pursue WDLL courses, an individual shall:
- 3978 (1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4),
3979 and (5) of this section; and
- 3980 (2) Meet the enrollment requirements for WDLL courses.
- 3981 (c) To be eligible for Program assistance to pursue IT training through a community
3982 training provider, an individual shall:
- 3983 (1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4),
3984 and (5) of this section; and
- 3985 (2) Meet the enrollment requirements of the community training provider.
- 3986 (d) Program training providers shall select Program participants according to the terms of
3987 the applicable memorandum of understanding or grant agreement with the WIC.
- 3988 Sec. 4095. Program participation.
- 3989 (a) To maintain eligibility for Program assistance, an individual shall:

3990 (1) Maintain satisfactory academic progress;
3991 (2) Be a resident of the District throughout enrollment in Program training; and
3992 (3) Meet any other requirements determined by the WIC to be necessary or
3993 appropriate for Program participation.

3994 (b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor
3995 to remain a District resident for 6 months for each Program training course the participant
3996 completes.

3997 (2) The WIC shall establish requirements and procedures to administer this
3998 subsection.

3999 Sec. 4096. Memoranda of Understanding.

4000 (a)(1) No later than November 1, 2021, and by November 1 annually thereafter, the WIC
4001 shall execute Memoranda of Understanding (“MOUs”) with UDC and the University of the
4002 District of Columbia Foundation, Inc. (“Foundation”) for the purpose of implementing the
4003 Program through UDC-CC, including WDLL, and authorizing the intradistrict transfer of funds
4004 in accordance with the terms of this subsection.

4005 (2) The MOU with UDC shall, among other things, include funding from the WIC
4006 to support the following purposes in amounts to be determined by the parties:

4007 (A) Tuition, required fees, equipment, supplies, tools, and memberships
4008 for Program participants who are full-time or part-time students enrolled at UDC-CC to obtain a
4009 UDC-CC degree;

4010 (B) Required academic fees, equipment, supplies, tools, and membership
4011 fees for Program participants who are students enrolled in WDLL courses, and the salaries and
4012 fringe benefits of faculty and staff directly engaged in the provision of such courses;

4013 (C) Reasonable costs of facilities and equipment upgrades
4014 necessary to provide Program training offered through UDC-CC, including WDLL;

4015 (D) Marketing and recruitment activities to attract District
4016 residents to the Program; and

4017 (E) Development of dual enrollment guidance and policies for the
4018 expansion of dual-enrollment programs.

4019 (3) The MOU with ~~UDC~~the University shall, among other things, include funding
4020 from the WIC to provide Program participants enrolled in WDLL courses monthly stipends to
4021 defray living expenses in amounts to be determined by the parties. ~~The University~~UDC will
4022 disperse the stipends in a timely manner and apply criteria for providing stipends, which may
4023 include amounts for the following:

4024 (A) Fees associated with occupational licensing exams;

4025 (B) Reasonable transportation costs to and from classes; and

4026 (C) Any other expenses deemed appropriate by the WIC.

4027 Sec. 4097. Establishment of IT training grants.

4028 (a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000,
4029 effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than

4030 January 31, 2022, and by November 1 annually thereafter, the WIC shall issue IT training grants
4031 (“grants”) to eligible providers of IT training in the District.

4032 (b) Grant recipients shall use funds received pursuant to this section to support the
4033 salaries and fringe benefits of faculty and staff engaged in the provision of IT training and to
4034 provide Program participants the financial assistance outlined in section 4093(b).

4035 (c) Subject to availability of funds, the WIC shall award grants totaling not less than
4036 \$1,875,000 per year with the option of one additional year based on performance results from
4037 previous years.

4038 (d) To be eligible for a grant, an applicant shall:

4039 (1) Be licensed by the Higher Education Licensure Commission as a
4040 postsecondary institution, degree or non-degree seeking.

4041 (2) Demonstrate that its IT training participants consistently and successfully
4042 attain the following benchmarks:

4043 (A) Completion of IT training;

4044 (B) Attainment of an IT occupational credential;

4045 (C) Obtainment of unsubsidized employment in an IT occupation; and

4046 (D) Retention of employment in an IT occupation for 6 months or longer.

4047 (e) The WIC may give preference to grant applicants utilizing integrated education and
4048 training, as defined by 34 C.F.R. § 463.35.

4049 Sec. 4098. Program performance and reporting.

4050 (a) At the termination of each semester, UDC shall furnish to the WIC a statement of:

4051 (1) The disaggregated number of Program participants by course who, during that
4052 semester, participated in one or more Program training courses;

4053 (2) The total number of Program training course enrollments attributable to the
4054 Program participants identified pursuant to paragraph (1) of this section;

4055 (3) The disaggregated number of Program participants included in the response to
4056 paragraph (1) of this section who successfully completed each Program training course and, who
4057 dropped out, or ~~who~~ otherwise did not complete a Program training course in which the Program
4058 participant had enrolled;

4059 (4) The disaggregated number, by occupational credential, of Program
4060 participants who successfully secured an IT occupational credential; and

4061 (5) The total number of Program participants who successfully secured
4062 employment in an IT occupation and the average starting wage.

4063 (b) At the end of each fiscal year, the University shall furnish to the WIC a written
4064 accounting, for the previous year, of the monthly stipends dispersed, the number of Program
4065 participants who received monthly stipends, the average amount of stipend per Program
4066 participant, and the approved purposes for the monthly stipends.

4067 (c) At the middle and end of each grant award cycle, a community training provider shall
4068 furnish to the WIC a report on the number of Program participants achieving the targets
4069 identified by the IT Advisory Report outlined in section 4101(~~ad~~)(4).

4070 (d) The WIC shall:

4071 (1) Use common performance measures outlined in section 116 of WIOA (~~128~~
4072 ~~Stat. 1471~~; 29 U.S.C. § ~~31423141~~), to track the performance of Program training providers; and

4073 (2) Report on the performance of the Program as required by section 102 of the
4074 Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018
4075 (D.C. Law 22-95; D.C. Official Code § 32-1622).

4076 (e) Beginning no later than September 30, 2022, and by September 30 annually
4077 thereafter, the WIC shall furnish to the Mayor and the Council of the District of Columbia copies
4078 of the IT Advisory Report issued pursuant to section 4101 and a report, which shall include;

4079 (1) Reporting on the attainment of the target performance outcomes established
4080 pursuant to section 4101(d);

4081 (2) A narrative analysis on the effectiveness of the Program at increasing the
4082 number of District residents in IT occupations; and

4083 (3) Recommendations on the expansion or extension of the Program beyond the
4084 terms of this subtitle, including any additional budgetary needs.

4085 Sec. 4099. Program funding.

4086 The WIC shall make best efforts to use federal WIOA Title I Adult and Dislocated
4087 Worker funds to supplement funds appropriated for the purposes of implementing this subtitle.

4088 Sec. 4100. Establishment of the Information Technology Occupational Advisory Board.

4089 (a) The WIC shall establish an Information Technology Occupational Advisory Board,
4090 which shall work to advise UDC-CC, WDLL, and community training providers on their IT
4091 training courses to ensure a high quality of training, to maximize the employability of graduates
4092 of IT training course offerings, and to meet the IT staffing needs of employers in the District.

4093 (b) After researching and analyzing existing IT occupational advisory boards in the
4094 District and the metropolitan region, the WIC shall determine the structure and membership of
4095 its IT Board. The WIC may use a third-party to conduct the research and analysis and to make
4096 recommendations on the structure and membership of the IT Board.

4097 (c) No later than March 1, 2022, the WIC's Executive Director shall provide to the WIC a
4098 recommendation on an IT Board structure, membership composition, membership selection
4099 process, and board duties.

4100 (d) The WIC shall approve, deny, or amend the recommendation described in subsection
4101 (c) of this section by vote.

4102 (e) The first meeting of the WIC-approved IT Board shall occur no later than July 1,
4103 2022.

4104 Sec. 4101. IT Advisory Report.

4105 No later than September 30, 2022, the WIC shall submit to the Mayor, Council, UDC-
4106 CC, WDLL, and community training providers, an IT Advisory Report, which shall contain the
4107 following:

4108 (a) The number of District residents needed to meet hiring demands of District employers
4109 hiring for IT occupation jobs;

4110 (b) The occupational credentials less than a bachelor's degree needed for District
4111 residents to be eligible for employment in IT occupations;

4112 (c) The necessary hard and soft skills needed to succeed in IT occupations;

4113 (d) Target performance outcomes for Program training providers to achieve pertaining to
4114 recruitment, enrollment, course or degree completion, credential attainment, employment,
4115 average starting wage, and retention of employment at 6 months and one year; and

4116 (e) Recommendations for Program training providers on the following:

4117 (1) New or additional IT courses that Program training providers should offer;

4118 (2) Existing IT course offerings that Program training providers should expand;

4119 (3) IT course content adjustments that could be made to align courses with skills
4120 needed on the job in IT occupations;

4121 (4) Equipment and facilities upgrades necessary for relevant IT education and IT

4122 training to achieve the recommendations in ~~sub~~paragraphs (A1), (B2), and (C3) of this

4123 ~~subsection~~paragraph; and

4124 _____ (5) Any other information deemed appropriate by

4125 the IT Board.

4126 Sec. 4102. Sunset.

4127 This subtitle shall expire on September 30, 2024.

4128 **SUBTITLE K. NURSE EDUCATION ENHANCEMENT**

4129 Sec. 4111. Short title.

4130 This subtitle may be cited as the “DC Nurse Education Enhancement Program

4131 Amendment Act of 2021”.

4132 Sec. 4112. Definitions.

4133 For the purposes of this subtitle:

4134 (1) “BON” means the Board of Nursing established pursuant section 204 of the
4135 District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C.
4136 Law 6-99; D.C. Official Code § 3-1202.04).

4137 (2) “CNA” means a Certified Nursing Aide.

4138 (3) “Community training provider” means an entity that has been approved by the
4139 BON to provide training to individuals to attain certification as a CNA, HHA, or MA-C.

4140 (4) “Direct care worker” means an individual who is certified as a CNA, HHA, or
4141 MA-C.

4142 (5) “Direct care worker training grant” means a grant issued pursuant to section
4143 4117.

4144 (6) “Direct care worker training grantee” means a community training provider
4145 that has received a direct care worker training grant.

4146 (7) “Dual-enrollment” means enrollment in both a BON-approved training
4147 program and the University.

4148 (8) “Healthcare Workforce Partnership” means the entity established pursuant to
4149 section 2075 of the Healthcare Workforce Partnership Act of 2020, effective December 3, 2020
4150 (D.C. Law 23-149; D.C. Official Code § 32-1684).

4151 (9) “HHA” means Home Health Aide.

4152 (10) “LPN to AASN degree” means a Licensed Practical Nurse to Associate in
4153 Applied Science in Nursing degree.

4154 (11) “MA-C” means Medication Aide Certified.

4155 (12) “Nursing care occupation” means an occupation that requires a worker to be
4156 certified as a CNA, HHA, MA-C, LPN, or RN.

4157 (13) “Program” means the DC Nurse Education Enhancement Program
4158 established pursuant to this subtitle.

4159 (14) “Program participant” means a District resident who is enrolled in Program
4160 training and receiving Program assistance authorized pursuant to section 4113.

4161 (15) “Program training” means any of the following, collectively or
4162 independently, as determined by context:

4163 “(A) Credit-bearing courses at UDC that may be applied toward an RN to
4164 BSN degree;

4165 “(B) Credit-bearing courses at UDC-CC that may be applied toward an
4166 LPN to AASN degree;

4167 “(C) WDLL courses; or

4168 “(D) Training to obtain a certification as a CNA, HHA, or MA-C, or a
4169 CNA to HHA bridge program, through a community training provider.

4170 (16) “RN to BSN degree” means a Registered Nurse to Bachelor of Science in
4171 Nursing degree.

4172 (17) “Satisfactory academic progress” means maintaining an academic standing
4173 consistent with the requirements for program completion, as determined by the Program training
4174 provider.

4175 (18) “UDC” means the University of the District of Columbia.

4176 (19) “UDC-CC” means the University of the District of Columbia Community
4177 College.

4178 (20) “University” means, collectively, UDC, UDC-CC, and WDLL.

4179 (21) “WDLL” means the UDC-CC Division of Workforce Development and
4180 Lifelong Learning.

4181 (22) “WDLL courses” means courses offered through WDLL’s Healthcare Direct
4182 Career Pathway Nursing Assistant program.

4183 (23) “WIC” means the Workforce Investment Council, established pursuant to
4184 section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000
4185 (D.C. Law ~~1213~~-150; D.C. Official Code § 32-1603).

4186 (24) “WIOA” means the Workforce Innovation and Opportunity Act ~~of 2014~~,
4187 approved July 22, 2014 (128 Stat. 1425; 29 U.S.C § 3101 *et seq.*).

4188 Sec. 4113. Establishment of the Nurse Education Enhancement Program.

4189 (a) The WIC shall establish, in collaboration with the University, the University of the
4190 District of Columbia Foundation, Inc., and direct care worker training grantees, the DC Nurse
4191 Education Enhancement Program for the purpose of training District residents to obtain an
4192 occupational credential and employment in nursing care occupations. The WIC shall be
4193 responsible for providing funding for the Program consistent with the memoranda of
4194 understanding executed pursuant to section 4116 and the direct care worker training grants
4195 authorized pursuant to section 4117.

4196 (b) The Program shall provide industry-informed, BON-approved training that leads to
4197 certifications required for nursing care occupations at no cost to eligible District residents, who,
4198 under the Program, may receive the following financial assistance to pursue Program training:

4199 (1) Payment of tuition, to the extent charged;

4200 (2) Payment of academic costs, including books, supplies, and membership fees;

4201 and

4202 (3) A monthly stipend to be used toward living expenses and transportation for
4203 Program participants pursuing WDLL courses or certification as a CNA, HHA, MA-C, or a CNA
4204 to HHA bridge program, through a direct care worker training grantee.

4205 (c) Program training shall be offered at the University's campuses and satellite locations
4206 and at community training provider sites located in the District.

4207 (d) Program training shall be approved by the BON.

4208 (e) Program marketing and public education shall be provided by the University and
4209 community training providers to attract residents to the Program and for the duration of the
4210 Program.

4211 (f) The University shall review the recommendations and implement relevant sections of
4212 the Healthcare Occupations Report developed by the Healthcare Workforce Partnership pursuant
4213 to section ~~2175~~2075(e) of the Healthcare Workforce Partnership Act of 2020, effective
4214 December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 32-1684(e)), to maintain and
4215 enhance course offerings to meet the workforce needs of nursing care occupations in the District.

4216 Sec. 4114. Conditions of Program eligibility.

4217 (a) To be eligible for Program assistance while pursuing an RN to BSN degree through
4218 UDC, an individual shall:

4219 (1) Have met the enrollment requirements of UDC;

4220 (2) Be a resident of the District;

4221 (3) Have a stated interest in employment in a nursing care occupation;

4222 (4) Have not already completed a bachelor's degree at an institution of higher
4223 education;

4224 (5) Have previously obtained a credential as a CNA, HHA, or LPN; and

4225 (6) Have been employed in the District for a minimum of 2 years as a CNA,
4226 HHA, or LPN with a healthcare employer.

4227 (b) To be eligible for Program assistance while pursuing ~~an~~ a LPN to AASN degree
4228 through UDC-CC, an individual shall:

4229 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

4230 (2) Meet the enrollment requirements of UDC-CC;

4231 (3) Have previously obtained a credential as a CNA, HHA, or MA-C; and

4232 (4) Have been employed in the District for a minimum of 2 years as a CNA,

4233 HHA, or MA-C with a healthcare employer.

4234 (c) To be eligible for Program assistance while pursuing certification as a CNA through
4235 WDLL, an individual shall:

4236 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

4237 and

4238 (2) Meet the enrollment requirements of WDLL;

4239 (d) To be eligible for Program assistance while pursuing a certification as a CNA, HHA,
4240 MA-C, or while pursuing a CNA to HHA bridge program, through a direct care worker training
4241 grantee, an individual shall:

4242 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

4243 and;

4244 (2) Meet the enrollment requirements of the community training provider.

4245 (e) The University and direct care worker training grantees shall select Program
4246 participants according to the terms of the applicable memorandum of understanding or grant
4247 agreement with the WIC.

4248 Sec. 4115. Program participation.

4249 (a) To maintain eligibility for Program assistance, an individual shall:

4250 (1) Maintain satisfactory academic progress, as determined by the University or
4251 the direct care worker training grantee;

4252 (2) Be a resident of the District throughout participation in Program training; and

4253 (3) Meet any other requirements determined by the WIC to be necessary or
4254 appropriate.

4255 (b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor
4256 to remain a District resident for 6 months for each Program training course the participant
4257 completes.

4258 (2) The WIC shall establish requirements and procedures to implement this
4259 subsection.

4260 Sec. 4116. Memoranda of Understanding.

4261 (a) ~~(1)~~ No later than November 1, 2021, and by November 1 annually thereafter, the WIC
4262 shall execute Memoranda of Understanding ("MOUs") with the University and the University of
4263 the District of Columbia Foundation, Inc. ("Foundation") for the purpose of implementing the

4264 Program at the University and authorizing the intradistrict transfer of funds in accordance with
4265 the terms of this subsection.

4266 ~~_____~~(~~2b~~) The MOU with the University shall, among other things, include funding
4267 from the WIC to support the following purposes in amounts to be determined by the parties:

4268 ~~_____~~(~~A1~~) Tuition, required fees, equipment, supplies, tools, and memberships
4269 for Program participants who are full-time or part-time students at UDC and UDC-CC seeking to
4270 obtain an RN to BSN degree or an LPN to AASN degree; provided, that the BON has approved
4271 such degree paths by the date of execution of the MOU; provided further, that the parties may
4272 modify the MOU to incorporate funding for BON-approved degree paths following BON
4273 approval.

4274 ~~_____~~(~~B2~~) Required academic fees, equipment, supplies, tools, certification
4275 exam preparation fees, and memberships for Program participants who are students enrolled in
4276 WDLL courses, and the salaries and fringe benefits of faculty and staff directly engaged in the
4277 provision of such courses;

4278 ~~_____~~(~~C3~~) Reasonable costs of facilities and equipment upgrades necessary for
4279 providing Program training through UDC-CC, including WDLL;

4280 ~~_____~~(~~D4~~) Marketing and recruitment activities to attract District residents to
4281 the Program; and

4282 ~~_____~~(~~E5~~) Development of dual enrollment guidance and policy for the
4283 expansion of dual-enrollment programs.

4284 ~~————(3c)~~ The MOU with the Foundation shall, among other things, include funding
4285 from the WIC to provide Program participants enrolled in WDLL courses monthly stipends to
4286 defray living expenses in amounts to be determined by the parties, and may include amounts for
4287 the following:

4288 ~~————(A1)~~ Fees associated with occupational licensing exams;

4289 ~~————(B2)~~ Reasonable transportation costs to and from classes; and

4290 ~~————(C3)~~ Any other expenses deemed appropriate by the WIC.

4291 Sec. 4117. Establishment of direct care worker training grants.

4292 (a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000,
4293 effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than
4294 January 31, 2022, and by November 1 annually thereafter, the WIC shall issue direct care worker
4295 training grants (“grants”) to community training providers according to this section.

4296 (b) Grant recipients shall use funds received pursuant to this section to support the
4297 salaries and fringe benefits of faculty and staff engaged in training Program participants to
4298 become direct care workers and to provide Program participants the financial assistance outlined
4299 in section 4113(b).

4300 (c) Subject to availability of funds, the WIC shall award grants totaling not less than
4301 \$900,000 per year with the option of 2 additional years based on performance results from
4302 previous years.

4303 (d) To be eligible for a grant, an applicant shall:

- 4304 (1) Be located in the District;
- 4305 (2) Be a community training provider; and
- 4306 (3) Demonstrate that its training participants consistently and successfully attain
- 4307 the following benchmarks:
- 4308 (A) Completion of direct care worker training;
- 4309 (B) Direct care worker credential attainment;
- 4310 (C) Obtainment of unsubsidized employment as a direct care worker in the
- 4311 occupation of training; and
- 4312 (D) Retention of employment as a direct care worker in the occupation of
- 4313 training for 6 months or longer.
- 4314 (e) The WIC may give preference to grant applicants utilizing integrated education and
- 4315 training, as defined by 34 C.F.R. § 463.35.
- 4316 Section 4118. Program performance and reporting.
- 4317 (a) At the termination of each semester, the University shall furnish to the WIC a
- 4318 statement of:
- 4319 (1) The disaggregated number of Program participants by course who, during that
- 4320 semester, participated in each Program course;
- 4321 (2) The total number of Program training course enrollments attributable to the
- 4322 Program participants identified pursuant to paragraph (1) of this subsection;

4323 (3) The disaggregated number of Program participants included in the response to
4324 paragraph (1) of this subsection who successfully completed each Program training course; and
4325 who dropped out; ~~or who~~ otherwise did not complete the Program training course in which the
4326 program participant had enrolled;

4327 (4) The disaggregated number, by occupational credential, of Program
4328 participants who successfully secured a nursing care occupation credential; and

4329 (5) The total number of Program participants who successfully secured
4330 employment in a nursing care occupation and average starting wage.

4331 (b) At the end of each fiscal year, the University shall furnish to the WIC a written
4332 accounting, for the previous year, of the monthly stipends dispersed, number of Program
4333 participants who received monthly stipends, average amount of stipend per Program participant,
4334 and the approved purposes for the monthly stipends.

4335 (c) At the middle and end of the grant award cycle, each direct care worker training
4336 grantee shall furnish to the WIC a report on Program participant outcomes pertaining to
4337 recruitment, enrollment, completion, credential attainment, employment average starting wage,
4338 and retention of employment at 6 months and one year.

4339 (d) The WIC shall:

4340 (1) Use common performance measures outlined in section 116 of WIOA (~~128~~
4341 ~~Stat. 1471~~; 29 U.S.C. § ~~31423141~~), to track the performance of the Program training providers;
4342 and

4343 (2) Report on the performance of the Program as required by section 102 of the
4344 Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018
4345 (D.C. Law 22-95; D.C. Official Code § 32-1622).

4346 (3) No later than September 30, 2022 and by September 30 annually thereafter,
4347 furnish a report to the Mayor and the Council of the District of Columbia, which shall include:

4348 (A) The data received pursuant subsections (a), (b), and (c) of this section;

4349 (B) A narrative analysis on the effectiveness of the Program at increasing
4350 the number of District residents in nursing care occupations; and

4351 (C) Recommendations on the expansion or extension of the Program
4352 beyond the terms of this subtitle, including any additional budgetary needs.

4353 Sec. 4119. Program funding.

4354 The WIC shall make best efforts to use federal WIOA Title I Adult and Dislocated
4355 Worker funds to supplement funds appropriated for the purposes of implementing this subtitle.

4356 Sec. 4120. The Healthcare Workforce Partnership Act of 2020, effective December 3,
4357 2020 (D.C. Law 23-149, ~~23-149~~; D.C. Official Code § 32-1681 *et seq.*), is amended as follows:

4358 (a) Section ~~2172~~2073(c) (D.C. Official Code § 32-1682(c)) is amended as follows:

4359 (1) Paragraph (2) is amended by striking the phrase “; and” and inserting a
4360 semicolon in its place.

4361 (2) A new paragraph (2A) is added to read as follows:

4362 “(2A) Submit to the Partnership for feedback the proposed statement of work for
4363 the direct care worker training grant outlined in section 4117 of the DC Nurse Education
4364 Enhancement Program Amendment Act of 2021, ~~approved by the Committee of the Whole~~
4365 ~~passed on 1st reading~~ on July 20, 2021 (~~Committee print~~Engrossed version of Bill 24-285); and”.

4366 (b) Section ~~2175~~2075(b)(3) (D.C. Official Code § 32-1684**(b)(3)**) is amended as follows:

4367 (1) Subparagraph (D) is amended by striking the phrase “; and” and inserting a
4368 semicolon in its place.

4369 (2) Subparagraph (E) is amended by striking the period and inserting the phrase “;
4370 and” in its place.

4371 (3) A new subparagraph (F) is added to read as follows:

4372 “(F) At least one representative from an employer of workers who are
4373 certified nursing aides, certified home health aides, or medication aide certified, including
4374 licensed home health agencies, assisted living residences, adult day health programs, nursing
4375 facilities, and long-term direct healthcare providers.”.

4376 Sec. 4121. The Nurses Training Corps Establishment Act of 1987, effective October 9,
4377 1987 (D.C. Law 7-32~~;~~; D.C. Official Code § 38-1501 *et seq.*), is repealed.

4378 Sec. 4122. Sunset.

4379 Sections 4112 through 4120 shall expire on September 30, 2024.

4380 **SUBTITLE L. SCHOOL YEAR INTERNSHIP PROGRAM**

4381 Sec. 4131. Short title.

4382 This subtitle may be cited as the “School Year Internship Program Amendment Act of
4383 2021”.

4384 Sec. 4132. Section 2a(a)(2A) of the Youth Employment Act of 1979, effective January 5,
4385 1980 (D.C. Law 3-46; D.C. Official Code § 32-242(a)(2A)), is amended as follows:

4386 (a) The lead-in language is amended by striking the word “pilot” and inserting the word
4387 “program” in its place.

4388 (b) Subparagraph (A) is amended to read as follows:

4389 “(A) A program called the School Year Internship Program ~~(“Program”)~~
4390) for a minimum of 350 District high school students, each year, to provide work-based learning
4391 opportunities during the school year.”.

4392 (c) Subparagraph (C) is amended to read as follows:

4393 “(C) DOES shall notify students of their placement with an internship host
4394 by January 5, 2022, and September 15 of each subsequent year.”.

4395 (d) Subparagraph (D) is amended to read as follows:

4396 “(D) Interns shall remain matched with their internship host between the
4397 first week of October and the last day of May; provided, that for Fiscal Year 2022, internships may
4398 begin as late as the second week in January 2022.”.

4399 (e) Subparagraph (F)(ii) is amended by striking the phrase “December 1, 2020.” and
4400 inserting the phrase “December 1, 2021, and July 1 of each subsequent year.” in its place.

4401 **SUBTITLE M. JOBS FIRST DC PILOT PROGRAM ESTABLISHMENT**

4402 Sec. 4141. Short title.

4403 This subtitle may be cited as the "Jobs First DC Pilot Program Establishment Act of

4404 2021"?."

4405 Sec. 4142. Definitions.

4406 For the purposes of this subtitle:

4407 (1) "Digital literacy" means fluency in the use and security of interactive digital tools and
4408 searchable networks including the ability to use digital tools safely and effectively for learning,
4409 collaborating, and producing.

4410 (2) "DOES" means the District Department of Employment Services.

4411 (3) "Employment retention support" means activities delivered to participants after
4412 securing employment that are aimed at assisting participants in maintaining employment with the
4413 same employer.

4414 (4) "Grant" means the Program funds authorized to be issued pursuant to section 4144.

4415 (5) "Grantee" means an organization in receipt of a grant issued pursuant to section 4144.

4416 (6) "Participant" means an individual selected by a grantee, pursuant to section 4144, to
4417 participate in the Program.

4418 (7) "Program" means the Jobs First DC Pilot Program established pursuant to section
4419 4143.

4420 (8) "Supportive services" shall have the same meaning as provided in 20 CFR § 651.10

4421 (9) "WIOA" means the Workforce Innovation and Opportunity Act ~~of 2014~~, approved
4422 July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

4423 Sec. 4143. Establishment of the Jobs First DC Pilot Program.

4424 (a) There is established a Jobs First DC Pilot Program for the purpose of issuing grants to
4425 assist in the placement of at least 300 District residents in unsubsidized permanent employment
4426 and to fund 12 months of job retention support.

4427 (b) The Program shall provide participants the following assistance:

4428 (1) Assessment and evaluation of their job history, skills, ~~and education~~, housing,
4429 and mental health barriers;

4430 (2) Information and referral to support services, as defined by 20 CFR § 651.10;

4431 (3) Career services described in section 134(c)(2) of WIOA (~~128 Stat. 1520~~; 29
4432 U.S.C. § 3174(c)(2));

4433 (4) Resume development;

4434 (5) Employment-readiness skills development;

4435 (6) Interview preparation;

4436 (7) Job search and application submission;

4437 (8) Job referrals as described in 20 CFR § 651.10, to unsubsidized permanent
4438 employment opportunities;

4439 (9) Job interview follow-up and feedback;

4440 (10) Employment orientation paperwork completion;

- 4441 (11) Professional networking coaching; and
- 4442 (12) 12 months of employment retention support.
- 4443 (c) The Program may provide participants the following assistance:
- 4444 (1) Digital literacy skills development;
- 4445 (2) Review of credit scores and creation of a plan to improve a participant's credit
- 4446 score; and
- 4447 (3) Review of criminal history records and creation of a plan to ameliorate the
- 4448 effects of or correct a participant's criminal record.
- 4449 Sec. 4144. Establishment of Jobs First DC grants.
- 4450 (a) Beginning no later than December 15, 2021, DOES shall award a minimum of 2
- 4451 grants, each not less than \$250,000 per year for a minimum of 2 years, subject to the availability
- 4452 of funds, to provide job placement and employment retention support for District residents.
- 4453 (b) To be eligible for a grant, an applicant shall:
- 4454 (1) Be located in the District;
- 4455 (2) Be a nonprofit organization with a 501(c)(3) status, as determined by the
- 4456 Internal Revenue Service;
- 4457 (3) Have demonstrated success providing the employment assistance described in
- 4458 section 4143(b) to individuals with the characteristics described in section 4145(d), as evidenced
- 4459 by a minimum of a 65% employment placement rate; and

4460 (4) Have demonstrated success providing employment support to individuals for
4461 up to 12 months, as evidenced by a minimum of a 70% employment retention rate.

4462 (c) DOES may give preference to applicants that have partnerships with:

4463 (1) Organizations that provide criminal and credit record review and recovery
4464 support; or

4465 (2) Financial institutions to establish individual development accounts (“IDAs”)
4466 for employed participants, in which the progressive employment retention bonuses outlined in
4467 subsection (d)(3) of this section and other savings may be deposited and matched to help
4468 participants build assets and achieve financial stability.

4469 (d) Grantees shall:

4470 (1) Select Program participants according to the criteria outlined in section 4145.

4471 (2) Provide participants the services outlined in section 4143(b); and

4472 (3) Provide progressive employment retention bonuses totaling up to \$500 for
4473 each participant who meets the following milestones:

4474 (A) At 180 days of employment, a participant shall receive \$250; and

4475 (B) At 365 days of employment, a participant shall receive \$250;

4476 (4) Receive a training outcomes bonus totaling up to \$500 for each participant
4477 who meets the following milestones:

4478 (A) For each participant that remains employed for 180 days, a grantee
4479 shall receive \$250; and

4480 (B) For each participant that remains employed for 365 days, a grantee
4481 shall receive \$250.

4482 (e) Grantees may establish and facilitate a participant alumni group for the purpose of
4483 providing participants access to education and training opportunities and to promote professional
4484 advancement.

4485 Sec. 4145. Participant conditions of eligibility.

4486 To be eligible to participate in the Program, an individual shall:

4487 (a) Be a resident of the District;

4488 (b) Be unemployed at the time of application to the Program;

4489 (c) Be able to engage in regular, full-time employment, as assessed by the
4490 grantee; and

4491 (d) Have one or more of the following barriers to employment:

4492 (1) Lack of consistent work history;

4493 (2) History of a criminal record;

4494 (3) History of substance abuse;

4495 (4) History of mental illness; or

4496 (5) Housing insecurity.

4497 Sec. 4146. Reporting.

4498 (a) Every 6 months, starting from receipt of a grant, a grantee shall furnish to DOES a
4499 report on the following outcomes from the previous 6 months:

- 4500 (1) The total number of participants placed in employment;
- 4501 (2) The average starting wage for participants;
- 4502 (3) The average number of days from official enrollment in the Program to
4503 employment start date;
- 4504 (4) The total number of participants achieving each progressive employment
4505 milestone outlined in section 4144(d)(3) and the average participant wage at each milestone;
- 4506 (5) The total sum of progressive employment retention bonuses issued to
4507 participants; and
- 4508 (6) The total sum of training outcomes bonuses issued to grantees.
- 4509 (b) Beginning no later than December 15, 2022, and by December 15 annually thereafter,
4510 DOES shall furnish a report to the Mayor and the Council containing the grantee performance
4511 outcomes reported pursuant to subsection (a) of this section.

4512 **SUBTITLE N. WORKPLACE RIGHTS GRANT PROGRAM**

4513 Sec. 4151. This subtitle may be cited as “Workplace Rights Grant Program Amendment
4514 Act of 2021”.

4515 Sec. 4152. Subtitle J of Title II of the Fiscal Year 2020 Budget Support Act of 2019,
4516 effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 32-171.01 *et seq.*), is
4517 amended to read as follows:

4518 “SUBTITLE J. WORKPLACE RIGHTS GRANT PROGRAM

4519 “Sec. 2091. Short title.

4520 “This subtitle may be cited as the “Workplace Rights Grant Program ~~Amendment~~ Act of
4521 2021”.

4522 “Sec. 2092. Definitions.

4523 For the purposes of this subtitle, the term:

4524 “(1) “Activities” means conducting outreach to, providing worker education to, or
4525 providing legal services for eligible individuals related to employment laws.

4526 “(2) “Community-based organization” means a nonprofit organization, including
4527 a legal services provider, headquartered in the District of Columbia whose purpose OAG
4528 determines is aligned with one or more purposes of the Program.

4529 “(3) “Eligible individual” means an individual who works in the District.

4530 “(4) “Employment laws” means workplace leave laws and:

4531 “(A) The Minimum Wage Act Revision Act of 1992, effective March 25,
4532 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*);

4533 “(B) An Act To provide for the payment and collection of wages in the
4534 District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et*
4535 *seq.*);

4536 “(C) The District of Columbia Unemployment Compensation Act,
4537 approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*); and

4538 “(D) Federal laws that relate to or provide similar rights as the laws
4539 identified in subparagraphs (A) through (C) of this paragraph, including the Fair Labor Standards

4540 Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*), and the Family
4541 and Medical Leave Act of 1993, approved February 5, 1993 (107 Stat. 6; 29 U.S.C. § 2611 *et*
4542 *seq.*).

4543 “(5) “Grantee” means a community-based organization in receipt of a Program
4544 grant issued pursuant to section 2093.

4545 “(6) “Legal services” means the provision of legal advice, assistance, or
4546 representation regarding an individual's rights or responsibilities related to a particular matter or
4547 more general matters.

4548 “(7) “Legal services provider” means a nonprofit organization or clinical program
4549 headquartered in the District that provides legal services.

4550 “(8) “Low- or moderate-income eligible individual” means an individual who
4551 works in the District and who earns an hourly wage or salary equivalent to less than 3 times the
4552 District minimum wage or who has a household income that falls at or below 400% of the
4553 federal poverty guidelines issued by the United States Department of Health and Human
4554 Services.

4555 “(9) “OAG” means the Office of the Attorney General for the District of
4556 Columbia.

4557 “(10) “Program” means the Workplace Rights Grant Program established
4558 pursuant to section 2093.

4559 “(11) “Workplace leave laws” means laws that provide for eligible individuals to
4560 take leave from their employment and protect the right to do so, and include the:

4561 “(A) Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008
4562 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*);

4563 “(B) Universal Paid Leave Amendment Act of 2016, effective April 7,
4564 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*);

4565 “(C) District of Columbia Family and Medical Leave Act of 1990,
4566 effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*); and

4567 “(D) Protecting Pregnant Workers Fairness Act of 2014, effective March
4568 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*).

4569 “Sec. 2093. Establishment of Program and issuance of grants.

4570 “(a) There is established the Workplace Rights Grant Program for the purpose of
4571 authorizing OAG to provide grants to community-based organizations to conduct activities with
4572 eligible individuals related to employment laws and to inform the OAG’s work related to
4573 employment laws.

4574 “(b) OAG shall administer the Program by:

4575 “(1) Issuing Program grants to community-based organizations to provide:

4576 “(A) O outreach and worker education;

4577 “(B) O outreach and legal services; or

4578 “(C) A combination of outreach, worker education, and legal services.

4579 “(2) Awarding Program grants at least annually, which may include the
4580 continuation or renewal of multi-year grants, to at least 2 qualified community-based
4581 organizations;

4582 “(3) Adopting policies, procedures, guidelines, and requirements for the grants,
4583 including performance measures and target outcomes; and

4584 “(4) Issuing all grants pursuant to the requirements set forth in the Grant
4585 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code
4586 § 1-328.11 *et seq.*).

4587 “(c) OAG may:

4588 “(1) Require that at least 95% of the individuals served by a Program grant in a
4589 grant year be low- or moderate-income eligible individuals or reasonably believed to be low- or
4590 moderate-income eligible individuals; and

4591 “(2) Pay grants on a performance basis or a reimbursable basis.

4592 “(d) Program grants shall:

4593 “(1) Have a duration of at least one year and up to 3 years, subject to the
4594 availability of appropriations and contingent on satisfactory performance by a grantee during the
4595 grant’s first year or, if applicable, the grant’s second year; and

4596 “(2) Be for not less than \$100,000 per year per grant.

4597 Sec. 2094. Grantee eligibility requirements.

4598 “(a)(1) To be eligible for a grant authorized under this subtitle, a community-based
4599 organization shall:

4600 “(A) Demonstrate in its application that it is well qualified to engage in the
4601 types of activities which will be funded, in whole or in part, by the grant;

4602 “(B) Specify in its grant application the planned staff, schedule, format,
4603 and intended audience of the activities it plans to provide and provide a summary of the content
4604 of any worker education that will be carried out during the grant period; ~~and~~

4605 “(C) Have the capacity to provide free legal services if applying to be a
4606 legal services provider; and

4607 “(D) Include other information as required by OAG.

4608 “(2)(A) In addition to the criteria specified in paragraph (1) of this subsection, to
4609 be eligible for Program grant funds, a community-based organization that is not a legal services
4610 provider shall demonstrate that it possesses at least 3 years’ experience:

4611 “(i) Conducting outreach to and establishing working relationships
4612 with significant numbers of eligible individuals; and

4613 “(ii) Working on or assisting workers to secure rights under
4614 employment laws.

4615 “(B) A community-based organization that does not satisfy the criteria in
4616 subparagraph (A)(i) of this paragraph may receive a Program grant if it applies in partnership

4617 with a community-based organization that meets the requirements of both subparagraph (A)(i)
4618 and (ii) of this paragraph.

4619 “Sec. 2095. Grant uses.

4620 “(a) Grantees may conduct activities:

4621 “(1) Regarding a subset of employment laws; and

4622 “(2) With workers in a single occupational group; provided, that the grant

4623 application demonstrates that such occupational group experiences significant,

4624 disproportionately high, or persistent violations of employment laws or that the occupational

4625 group requires targeted assistance in order to access programs under employment laws.

4626 “(b) Grantees that provide worker education shall provide, to an eligible individual or

4627 group of eligible individuals, information on the rights and responsibilities of accessing benefits

4628 under employment laws, recognizing violations of and learning how to prevent or rectify

4629 violations of employment laws, or learning how to assist others to take steps to prevent or rectify

4630 violations of employment laws.

4631 “Sec. 2096. Transparency and reporting.

4632 “(a) OAG ~~shall~~ annually shall collect the following information from grantees:

4633 “(1) The number of eligible individuals served by gender, race, ethnicity, primary

4634 language, and age;

4635 “(2) The number of eligible individuals served by state of residence, and for

4636 District residents, by election ward;

4637 “(3) The occupational groups of eligible individuals served and the number of
4638 individuals served in each occupational group;

4639 “(4) A list of the activities provided, with a descriptive summary of each activity;

4640 “(5) The number of eligible individuals served in relation to each employment law
4641 or set of employment laws;

4642 “(6) Performance outcomes; and

4643 “(7) An evaluation of implementation challenges and recommendations for future
4644 improvements.

4645 “(b) OAG ~~shall~~ annually shall provide to the Council a report that includes:

4646 “(1) A list of grantees and the amount of grant funding provided to each;

4647 “(2) For each grantee, the information provided to OAG pursuant to subsection
4648 (a) of this section; and

4649 “(3) An overall evaluation of the Program, including implementation challenges
4650 and recommendations for future improvements.

4651 “(c) OAG may not require grantees to release to OAG any personally identifying
4652 information in connection with the preparation or provision of the reports described in this
4653 section.”.

4654 Sec. 4153. The Attorney General for the District of Columbia Clarification and Elected
4655 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code §
4656 1-301.81 *et seq.*), is amended as follows:

4657 (a) Section 106b(c)(1)(B) (D.C. Official Code § 1–301.86b(c)(1)(B)) is amended by
4658 striking the phrase “provided in section 108c(a)” and inserting the phrase “provided in sections
4659 108c(a) and 108d(a)” in its place.

4660 (b) A new section 108d is added to read as follows:

4661 “Sec. 108d. Authority to issue grants for workplace rights.

4662 “(a) The Attorney General may issue grants for the purposes authorized pursuant to the
4663 Workplace Rights Grant Program Amendment Act of 2021, ~~approved by the Committee of the~~
4664 ~~Whole~~passed on 1st reading -on July 20, 2021 (~~Committee print~~Engrossed version of Bill 24-
4665 285).

4666 “(b) Personnel and non-personnel costs related to administering any grants issued
4667 pursuant to the authority provided in subsection (a) of this section may be paid from funds
4668 deposited into the Litigation Support Fund established in section 106b.

4669 “(c) The Attorney General may issue rules to implement this section.”.

4670 **SUBTITLE O. UNEMPLOYMENT COMPENSATION IMPROVEMENTS**

4671 Sec. 4161. This subtitle may be cited as the “Unemployment Compensation
4672 Improvements Amendment Act of 2021”.

4673 Sec. 4162. The District of Columbia Unemployment Compensation Act, approved
4674 August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

4675 (a) Section 3(c)(2) (D.C. Official Code § 51-103(c)(2)) is amended by adding a new
4676 subparagraph (H) to read as follows:

4677 “(H)(i) The following benefits paid to an individual who became
4678 unemployed or partially unemployed as a result of the circumstances giving rise to the public
4679 health emergency shall not be charged to an employer’s experience rating:

4680 “(I) Benefits paid to an affected employee pursuant to
4681 section 101(a), (b), (d), (e), and (g) of the Coronavirus Support Temporary Amendment Act of
4682 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824) (“section 101”), or any preceding
4683 act of the Council of the District of Columbia authorizing payment of benefits ~~on~~ substantially
4684 similar terms as those described in section 101;

4685 “(II) Benefits paid to an affected employee after the
4686 expiration of ~~section 101 the Coronavirus Support Temporary Amendment Act of 2021, effective~~
4687 ~~June 24, 2021 (D.C. Law 24-9; 68 DCR 4824)~~, because the employee continues to otherwise
4688 qualify for benefits; and

4689 “(III) Benefits paid under other local or federal law,
4690 including the federal Pandemic Emergency Unemployment Compensation program and extended
4691 benefits authorized under section 107(g).

4692 “(ii) For the purposes of this subparagraph, the term:

4693 (I) “Affected employee” shall have the same meaning as
4694 provided in section 101(d) of the Coronavirus Support Temporary Amendment Act of 2021,
4695 enacted June 24, 2021 (D.C. Act 24-9; 68 DCR 4824).

4696 (II) “Public health emergency” means the Coronavirus
4697 (COVID-19) public health emergency declared pursuant to Mayor’s Order 2020-046, on March
4698 11, 2020, and all subsequent extensions.”.

4699 (b) Section 10(a) (D.C. Official Code § 51-110(a)) is amended as follows:

4700 (1) Designate the existing text as paragraph (1).

4701 (2) A new paragraph (2) is added to read as follows:

4702 “(2) For the purposes of paragraph (1) of this subsection, the term “good cause”
4703 includes working in unsafe locations or under unsafe conditions where such unsafe working
4704 condition or location would cause a reasonable and prudent person in the labor market to leave
4705 the work, as determined by the Director based on the facts in each case.”

4706 ~~(c) Section 19(d) (D.C. Official Code § 51-119(d)) is amended as follows:~~

4707 ~~————— (1) Paragraph (1) is amended by striking the phrase “or by the collection remedy~~
4708 ~~set forth in D.C. Official Code § 47-1812.11(a)” and inserting the phrase “no more than 3 years~~
4709 ~~from the date that such sum was paid to the claimant” in its place.~~

4710 ~~————— (2) A new paragraph (3) is added to read as follows:~~

4711 ~~————— “(3)(A) Notwithstanding paragraph (1) of this subsection, during a covered~~
4712 ~~period:~~

4713 ~~————— “(i) The Director, except as provided in subparagraphs (B) and (C)~~
4714 ~~of this paragraph, shall not:~~

4715 ~~_____“(I) Initiate, file, or threaten to file a civil action for the~~
4716 ~~collection of sums received as benefits to which a person was not entitled (“overpayment debt”);~~
4717 ~~or~~
4718 ~~_____“(II) Engage in communications related to such civil~~
4719 ~~actions with persons alleged to owe an overpayment debt or their legal representatives, except as~~
4720 ~~Directed directed by a court of competent jurisdiction or as necessary to comply with this~~
4721 ~~subparagraph.; and~~
4722 ~~_____“(ii)(I) All activity in pending civil actions that the Director has~~
4723 ~~brought against persons for the collection of an overpayment debt shall be stayed; ;~~
4724 ~~“(II) and tThe Director shall not engage in any activity in violation of such stay.; and~~
4725 ~~“(III) The Director shall promptly notify the court of the debt overpayment cases to which the~~
4726 ~~stay applies within 5 business days after the applicability date of the Unemployment~~
4727 ~~Compensation Improvements Amendment Act of 2021, passed on 1st reading on July 20, 2021~~
4728 ~~(Engrossed version of Bill 24-285), and, thereafter, within 3 business days after the date a public~~
4729 ~~emergency begins.~~
4730 ~~_____“(B) During a covered period, the Director shall continue to notify persons~~
4731 ~~of their right to request overpayment waivers, to receive and process overpayment waiver~~
4732 ~~requests, to provide information about an overpayment to a person or a person’s legal~~
4733 ~~representative, and to engage in negotiations for the settlement of an existing overpayment debt.~~

4734 ~~“(C)(i) In addition to any requirement under federal law, within 30 days~~
4735 ~~after the applicability date of the Unemployment Compensation Improvements Amendment Act~~
4736 ~~of 2021, approved by the Committee on the Whole on July 20, 2021 (Committee print of Bill 24-~~
4737 ~~285), and, thereafter, within 30 days after a declaration of a public emergency, the Director shall~~
4738 ~~individually notify each person against whom the Director has initiated a civil action for the~~
4739 ~~collection of an overpayment debt, in writing, that:~~

4740 ~~“(I) Any previously instituted civil action for the collection~~
4741 ~~of an overpayment debt has been stayed until December 29, 2022, or during a public emergency,~~
4742 ~~until 90 days after the public emergency terminates; and~~

4743 ~~“(II) The Director is barred from engaging in~~
4744 ~~communications with the person related to a civil action for the collection of an overpayment~~
4745 ~~debt according to the terms of subparagraph (A)(i)(II) of this paragraph.~~

4746 ~~“(ii) The Director shall retain proof that the notice required~~
4747 ~~pursuant to sub-subparagraph (i) of this subparagraph was sent by a method reasonably~~
4748 ~~calculated to reach the person alleged to owe the overpayment debt.~~

4749 ~~“(D) Beginning on the later of the date the public emergency begins, or the~~
4750 ~~date the Mayor issues the declaration of the public emergency, the statute of limitations period~~
4751 ~~prescribed in paragraph (1) of this subsection shall toll until 90 days after the termination of the~~
4752 ~~public emergency.~~

4753 ~~“(E) After the conclusion of a covered period, the Director shall make~~
4754 ~~reasonable efforts to resolve a dispute related to an overpayment debt for which a civil action~~
4755 ~~was filed through settlement, including by making a reasonable offer to settle for less than the~~
4756 ~~amount of the alleged overpayment.~~

4757 ~~“(F)(i) Any settlement agreement to which the Director, or his or her~~
4758 ~~designee, is a party for repayment of an alleged overpayment debt entered into during a covered~~
4759 ~~period shall not be valid or enforceable unless the Director can demonstrate compliance with this~~
4760 ~~paragraph.~~

4761 ~~“(ii) A court of competent jurisdiction may void a settlement~~
4762 ~~agreement described in sub-subparagraph (i) of this subparagraph if a person who is a party to~~
4763 ~~the agreement demonstrates that the Director has not complied with the requirements of this~~
4764 ~~paragraph.~~

4765 ~~“(G) For the purposes of this paragraph the term:~~

4766 ~~“(i) “Covered period” means both:~~

4767 ~~“(I) Fiscal Year 2022 and 90 days thereafter; or and~~

4768 ~~“(II) A public emergency and 90 days after the termination of the~~
4769 ~~public emergency.~~

4770 ~~“(ii) “Public emergency” means a period of time for which the Mayor has~~
4771 ~~declared a public emergency pursuant to section 5 of the District of Columbia Public Emergency~~
4772 ~~Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304).”.~~

4773 Sec. 4163. Requirement to produce educational videos for common questions about
4774 unemployment insurance.

4775 (a) In Fiscal Year 2022, the Mayor shall produce 2 informational videos consistent with
4776 the requirements of this subtitle related to the administration and payment of benefits under the
4777 District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat.
4778 946; D.C. Official Code § 51-101 *et seq.*) (“UI program”).

4779 (b) The first video shall explain the UI program’s rules regarding the requirement that
4780 claimants report weekly to the Department of Employment Services any earnings they receive
4781 during their benefit year, including earnings from employment and self-employment, (“benefit
4782 year earnings”), and shall specifically address:

4783 (1) What income is considered benefit year earnings for the purpose of the weekly
4784 unemployment claim;

4785 (2) When and how a claimant must report benefit year earnings;

4786 (3) Examples of how to report benefit year earnings for hourly workers and for
4787 tipped workers; and

4788 (4) Common errors claimants make when reporting benefit year earnings and how
4789 to avoid them.

4790 (c) The second video shall explain the UI program’s requirement that the claimant has
4791 inquired about available work in accordance with sections 9 and 10 of the District of Columbia

4792 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code
4793 §§ 51-109, -110), and shall specifically address:

4794 (1) What the work search requirement is;

4795 (2) How a claimant can satisfy the work search requirement; and

4796 (3) Common errors claimants make when trying to comply with the work search
4797 requirement and how to avoid them.

4798 (d) Each video shall:

4799 (1) Explain its content in simple, clear, and concise language that has a high
4800 likelihood of comprehension by a general audience;

4801 (2) Provide audio in English, Spanish, Amharic, Chinese, French, and other
4802 languages commonly spoken in the District;

4803 (3) Provide closed captions in English; and

4804 (4) Be viewable online from both personal computers and mobile devices.

4805 (e) For as long as the content of each video is current and substantially accurate, as
4806 determined by the Mayor, the Mayor shall display each video or a link leading to a website
4807 where the video can be viewed:

4808 (1) On the UI program's website;

4809 (2) On the Department of Employment Services' website;

4810 (3) At American Job Centers;

4811 (4) Through social media posts; and

4812 (5) In emails to UI program claimants.

4813 (f)(1) The Mayor shall procure the informational videos required pursuant to this section
4814 through grant or contract.

4815 (2) The person selected to produce the videos shall prepare a script for each video
4816 prior to the video’s production and submit it to the Mayor for review. Within 30 days after
4817 receiving each script, the Mayor shall review and provide feedback on the script in order to:

4818 (A) Correct any misstatements related to federal or District law or
4819 procedures claimants must follow; and

4820 (B) Optimize the videos’ accessibility to claimants.

4821 Sec. 4164. Applicability.

4822 Section 4162 shall apply as of September 4, 2021.

4823 **SUBTITLE P. -LEARNING LOSS ~~GRANT~~ FUNDS**

4824 Sec. 4171. Short title.

4825 This subtitle may be cited at the “Learning Loss ~~Grant~~ Program Act of 2021”.

4826 Sec. 4172. (a) In Fiscal Years 2022, 2023, and 2024, the Office of the State
4827 Superintendent of Education (“OSSE”) shall use federal American Rescue Plan funds to
4828 establish a ~~multi-year~~ learning loss ~~grant~~ program to support evidence-based approaches to
4829 learning acceleration or high impact tutoring. OSSE shall allocate at least \$10,050,000 in Fiscal
4830 Year 2022, \$10,250,000 in Fiscal Year 2023, and \$7,000,000million in Fiscal Year 2024 for the

4831 following purposes: provided, that at least 50% of the funds each year are used to award grants
4832 described in paragraph (1) of this section:

4833 (1) Award multi-year grants, on either a formula or competitive basis, to District
4834 of Columbia Public Schools (“DCPS”) schools, public charter schools, or community-based
4835 organizations to support evidence-based approaches to learning acceleration or high impact
4836 tutoring;

4837 (2) Distribute funds to District government agencies for the purposes of starting or
4838 expanding new programs that are aimed at accelerating learning or addressing learning loss;

4839 (3) Provide technical assistance, professional development, and other supports to
4840 DCPS schools, public charter schools, District government agencies, and community-based
4841 organizations to assist them in addressing learning loss by providing evidence-based approaches
4842 to learning acceleration or high-impact tutoring;

4843 (4) Conduct evaluations on the effectiveness of the learning loss ~~grant~~ program;

4844 ~~or~~ and

4845 (5) PayFund Indirect-indirect and direct administrative costs associated with
4846 administering this subtitle; provided, that no more than 10% of ~~the~~ funds each year shall be used
4847 for this purpose.

4848 (b)(1) OSSE shall require, at a minimum, that each school or organization seeking a grant
4849 pursuant to subsection (a)(1) of this section indicate, in the entity’s grant application, the specific

4850 evidence-based approaches that the school or organization intends to use to effectuate learning
4851 acceleration or high-~~impact~~ tutoring.

4852 ~~(e2)~~ As part of the grant conditions, OSSE shall require, ~~at a minimum,~~ that each
4853 grantee that receives ~~grants-an award~~ pursuant to subsection (a)(1) of this section:

4854 ~~_____ (1A)~~ Measure the impact of the evidence-based approach stated in the
4855 grantee's application on student educational development; and

4856 ~~_____ (2B)~~ Share the de-identified data or results regarding student educational
4857 development with OSSE on a cycle specified by OSSE; provided that, the grantee shall share
4858 annual de-identified data or results with OSSE at least 30 days prior to receiving funding for
4859 additional grant years.

4860 ~~(dc)~~ By July 15, 2022, July 15, 2023, and July 15, 2024, OSSE shall submit to the
4861 Council, and make publicly available, a report detailing the following:

4862 (1) For awards issued pursuant to subsection (a)(1) of this section:

4863 (A) Award criteria used by OSSE to determine the grant recipients;

4864 (2B) A list of the grantees and the amount of funding received by each
4865 grantee;

4866 and

4867 ~~_____ (3C)~~ The de-identified results on student progress submitted to OSSE by
4868 the grantees pursuant to subsection (c)(2) of this section. ~~—;~~

4869 (2) For the activities described in subsection (a)(2) and (3) of this section:

4870 (A) A list of the District agency recipients and the amount of funding for
4871 each activity; and

4872 (B) A description of how the recipient used the funds to address student
4873 learning loss.

4874 (3) A description of any evaluation done pursuant to subsection (a)(4) of this
4875 section and the result of the evaluation; and

4876 (4) An accounting of the indirect and direct administrative costs allowable under
4877 subsection (a)(5) of this section.

4878 (e) For purposes of this section, the term:

4879 (1) “De-identified data or results” means data or results in which identifying
4880 information about a student is removed.

4881 (2) “Evidence-based approaches” means an activity, strategy, or intervention that:

4882 (A) Demonstrates a statistically significant effect on improving
4883 student outcomes or other relevant outcomes based on:

4884 (i) Strong evidence from at least one well-designed and well-
4885 implemented experimental study;

4886 (ii) Moderate evidence from at least one well-designed and well-
4887 implemented quasi-experimental study; or

4888 (iii) Promising evidence from at least one well-designed and well-
4889 implemented correlational study with statistical controls for selection bias; or

4890 (B)(i) Demonstrates a rationale, based on high-quality research findings or
4891 positive evaluation, that such activity, strategy, or intervention is likely to improve student
4892 outcomes or other relevant outcomes; and

4893 (ii) Includes ongoing efforts to examine the effects of such activity,
4894 strategy, or intervention.”

4895 **SUBTITLE Q. OSSE SLDS DATA PLAN**

4896 Sec. 4181. This subtitle may be cited as the “OSSE Data Planning for the Future
4897 Amendment Act of 2021”.

4898 Sec. 4182. Section 7c of the State Education Office Establishment Act of 2000, effective
4899 ~~October 21, 2000~~September 18, 2007 (D.C. Law ~~13-176~~17-20; D.C. Official Code § 38-2609), is
4900 amended by adding a new subsection (f) to read as follows:

4901 “(f)(1) By March ~~31~~14, 2022, the OSSE, in coordination with the Office of the Chief
4902 Technology Officer, shall develop and submit to the Council, a plan for:

4903 _____ “(+A) Creating a standardized course-coding system, such as the School
4904 Courses for the Exchange of Data (SCED) Classification System as provided in the National
4905 Forum on Education Statistics guidance, to identify, code, and track all -courses offered by -the
4906 District’s ~~local education agencies (“LEAs”)~~ and to delineate which of the offered courses are
4907 ~~substantially similar for research, reporting, and other purposes as determined by OSSE; Such~~
4908 system shall include:

4909 _____ “(i) Course codes and descriptions;

4910 “(ii) Course enrollment, including dual enrollment;
4911 “(iii) Final course grades; and
4912 “(iv) Credit hours;
4913 “(2B) Developing and implementing an early warning system for use by
4914 the LEAs to identify individual students at risk of high school disengagement or dropping out of
4915 school, which shall use at least the following statewide data:
4916 “(A) Student test scores on prior English language arts and math
4917 statewide assessments;
4918 “(B) Chronic absenteeism and truancy rates in the 8th grade;
4919 “(C) Out-of-school suspension rates;
4920 “(D) Mid-year school transfer rates; and
4921 “(E) Designation of students as special education, English
4922 language learner, or at-risk.
4923 “(3C) Making improvements to the District’s EDW system that align with
4924 the National Forum of Education Statistics guidance for statewide data system capacities and the
4925 collection, maintenance of, and longitudinal linkage of standard statewide data system data
4926 elements.”
4927 “(2)(A) The plan required pursuant to paragraph (1) of this subsection shall
4928 include a detailed cost analysis and implementation timeline for each component of the plan.

4929 “(B) A plan that proposes a pilot rather than full-scale implementation of
4930 all components required in paragraph (1) of this subsection shall not satisfy the requirements of
4931 subparagraph (A) of this paragraph.

4932 “(C) If OSSE proposes not to use the course coding system commonly
4933 used in Virginia and Maryland, then it needs to explain in particular detail why.”.

4934 Sec. 4183. -The Early Warning and Support System Act of 2012, effective June 19, 2012
4935 (D.C. Law 19-142; D.C. Official Code § 38-751.01 *et seq.*), is repealed.

4936 **SUBTITLE R. TEACHER PREPARATION PIPELINE**

4937 Sec. 4191. Short title.

4938 This subtitle may be cited as the “Teacher Preparation ~~Amendment~~ Act of 2021”.

4939 Sec. 4192. Definitions.

4940 For the purposes of this subtitle:

4941 (1) “DCPS” means the District of Columbia Public Schools.

4942 (2) “District university grantees” means an accredited university or college, other
4943 than UDC, that operates in the District and has received a teacher preparation grant from OSSE.

4944 (3) “Dual enrollment student” means a student who is enrolled in:

4945 (A) A DCPS or public charter school high school; and

4946 (B) UDC or an accredited college or university, other than UDC, that
4947 operates in the District of Columbia.

4948 (3) “Local education agency” or “LEA” means the District of Columbia Public

4949 Schools system, any individual District public charter school, or any group of public charter
4950 schools operating under a single charter.

4951 (4) “OSSE” means the Office of the State Superintendent of Education.

4952 (5) “Paraprofessional” means an individual employed by an LEA to provide
4953 instructional, behavioral, or other support, under the supervision of a licensed or certified
4954 teacher, to students in or outside of the classroom. This term includes instructional aides or
4955 assistants, teacher aides, and paraeducators.

4956 (6) “Program” means the “Grow Your Own” Teacher Preparation Support
4957 Program established pursuant to this subtitle.

4958 (7) “Program participant” means a public high school dual enrollment student, a
4959 public high school graduate, or a paraprofessional employed by an LEA that is receiving
4960 financial assistance or professional support through the Program.

4961 (8) “Public high school” means a high school in the DCPS system or a District
4962 public charter high school.

4963 (9) “UDC” means the University of the District of Columbia.

4964 Sec. 4193. “Grow Your Own” Teacher Preparation Support Program establishment.

4965 (a)(1) OSSE shall establish, in collaboration with UDC, District university grantees, and
4966 the District’s LEAs, a dual pathway “Grow Your Own” Teacher Preparation Support Program
4967 for the purpose of educating, training, and providing financial support to public high school dual
4968 enrollment students, public high school graduates, and paraprofessionals to become licensed

4969 teachers at DCPS schools or certified teachers at District public charter schools.

4970 (b) Through UDC and District university grantees, the Program shall provide:

4971 (1) Education and training to District residents that will lead to:

4972 (A) The successful completion of coursework for a baccalaureate or a
4973 Master's degree in education or teaching needed to become a teacher licensed by OSSE or a
4974 certified teacher at a District public charter school;

4975 (B) Passage of examinations required by OSSE or an LEA to become a
4976 teacher licensed by OSSE or a certified teacher at a District public charter school; and

4977 (C) Hiring by an LEA as a licensed or certified teacher.

4978 (2) Two pathways to teacher licensure or certification, which shall be:

4979 (A) The baccalaureate degree pathway, which shall be available to District
4980 residents who:

4981 (i) Enroll as or are public high school dual enrollment students that
4982 intend to continue to pursue a baccalaureate or Master's degree in education or teaching to
4983 become a teacher licensed by OSSE or a certified teacher at a District public charter school; or

4984 (ii) Are public high school graduates who are pursuing a
4985 baccalaureate or Master's degree in education or teaching to become a teacher licensed by OSSE
4986 or a certified teacher at a District public charter school; and

4987 (B) The paraprofessional pathway, which shall be available to District
4988 residents who are paraprofessionals currently employed by an LEA and who need to complete

4989 additional coursework or obtain a baccalaureate or Master’s degree in education or teaching to
4990 become a teacher licensed by OSSE or a certified teacher at a District public charter school; and

4991 (3) Financial assistance to Program participants for payment of:

4992 (A) Tuition and fees at UDC or a District university grantee, to the extent
4993 charged;

4994 (B) Academic costs, including books and supplies; and

4995 (C) Testing fees associated with examinations required by OSSE or an
4996 LEA to become a licensed or certified teacher.

4997 (c)(1) UDC shall select individuals to enroll or who are enrolled in UDC to participate in
4998 the Program, consistent with the eligibility criteria established pursuant to section 4196.

4999 (2) District university grantees shall select individuals to enroll or who are
5000 enrolled in their institutions to participate in the Program consistent with the eligibility criteria
5001 established pursuant to section 4196 and their grant agreements with OSSE.

5002 (3) OSSE and UDC shall coordinate to ensure that Program participants do not
5003 receive Program financial assistance from more than one post-secondary institution at the same
5004 time.

5005 Sec. 4194. The Program at UDC.

5006 (a) Beginning with School Year 2022-2023, UDC shall begin using at least \$200,000 of
5007 the subsidy it receives from the District government for the Program to pay for the tuition,
5008 required academic fees, bootcamp preparation or training academies, required examination fees,

5009 and book and supply costs for District residents it selects to participate in the Program. UDC
5010 shall select individuals to participate in both Program pathways, provide extensive mentorship to
5011 each Program participant, including continued mentorship during the first 2 years after a
5012 Program participant is hired by an LEA as a teacher, and assist Program participants in obtaining
5013 employment at an LEA if the Program participant meets all of the employment criteria set by the
5014 LEA.

5015 (b) UDC ~~may~~ also may use the subsidy it receives from the District government to pay:

5016 (1) The salaries and fringe benefits of faculty, staff, and peer mentors directly
5017 engaged in the provision of courses necessary to obtain a baccalaureate or Master’s degree in
5018 education or teaching at UDC;

5019 (2) For instructional materials used in courses necessary to obtain a baccalaureate
5020 or Master’s degree in education or teaching at UDC; and

5021 (3) For marketing and recruitment activities to attract District residents to the
5022 Program at UDC.

5023 Sec. 4195. The Program at District university grantees.

5024 (a)(1) OSSE shall establish and administer a competitive grant program to provide “grow
5025 your own” teacher preparation support grants (“grants”) to eligible universities or colleges
5026 located in the District for the purposes of educating, training, and providing financial support to
5027 District residents pursuing a pathway to teacher licensure or certification described in section
5028 4193(b)(2) at the university or college.

5029 (2) No later than April 30, 2022 and annually thereafter, subject to the availability
5030 of funds, OSSE shall award at least 2 grants totaling not less than \$550,000 per year for the
5031 purposes described in subsection (a) of this section. At least one grant shall be for the
5032 baccalaureate degree pathway described in section 4193(b)(2)(A), and at least one grant shall be
5033 for the paraprofessional degree pathway described in section 4193(b)(2)(B). OSSE may award a
5034 baccalaureate degree pathway grant and a paraprofessional pathway grant to the same university
5035 or college.

5036 (3) OSSE may award the grants on a multi-year basis; provided, that no grant
5037 shall be for longer than 5 years.

5038 (4) OSSE may consider the cost of attendance at a particular university or college
5039 in determining how much funding to award to each grantee.

5040 (b) To be eligible for a grant, an applicant shall:

5041 (1) Be an accredited university or college that has a physical campus in the
5042 District;

5043 (2) Offer a baccalaureate or Master's degree in education or teaching;

5044 (3) Have an education program that includes at least one year of residency or
5045 student teaching for all participants; and

5046 (4) Demonstrate that its students pursuing degrees in education or teaching
5047 consistently and successfully attain the following benchmarks:

5048 (A) Graduate within 5 years with a baccalaureate or Master's degree in
5049 education or teaching;

5050 (B) Pass the PRAXIS examination;

5051 (C) Obtain licensure by OSSE, if hired as a DCPS teacher;

5052 (D) Be hired by an LEA within one-year of graduating; and

5053 (E) Remain employed as a licensed or certified teacher at an LEA for at
5054 least 3 years.

5055 (c) Each District university grantee shall:

5056 (1) Use the grant to pay for Program participants' tuition, required academic fees,
5057 bootcamp preparation or training academies, required examination fees, and book and supply
5058 costs;

5059 (2) Commit to paying, on behalf of Program participants, 100% of any remaining
5060 tuition, required academic fees, required examination fees, and book and supply costs not
5061 covered by the grant;

5062 (3) Ensure the design and use of a teacher development plan for each Program
5063 participant, consistent with the requirements of subsection (d) of this section;

5064 (4) Provide extensive mentorship and academic support to Program participants
5065 enrolled in its institution, including continued mentorship during the first 2 years after a Program
5066 participant is hired by a LEA as a teacher;

5067 (5) Provide licensure examination support to all Program participants enrolled in
5068 its university or college;

5069 (6) Execute a memorandum of understanding (“MOU”) with an LEA or LEAs,
5070 consistent with the requirements of subsection (e) of this section, to facilitate participation in the
5071 Program and the hiring of Program participants;

5072 (7) Assist Program participants in obtaining employment at an LEA if the
5073 Program participant meets all of the employment criteria set by the LEA; and

5074 (8) Submit proof of each Program participant’s progress to OSSE on a cycle, and
5075 in a manner, prescribed by OSSE.

5076 (d)(1) The teacher development plan required pursuant to subsection (c)(~~23~~) of this
5077 section shall:

5078 (A) Specify how the Program participant will attain the credentials or
5079 degree necessary to meet OSSE teacher licensure requirements or the certification requirements
5080 set forth by a public charter school LEA if the Program participant anticipates teaching at a
5081 District public charter school; and

5082 (B) Identify one or more tools to be used to assess a Program participant’s
5083 performance once the Program participant is halfway through the participant’s teacher residency
5084 or student teaching.

5085 (2) If a Program participant is pursuing licensure or credentials through the
5086 paraprofessional pathway, the teacher development plan shall be developed by comparing the

5087 participant's prior experience and coursework with the District's teacher licensure requirements
5088 or LEA's certification requirements.

5089 (e) The MOU between a District university grantee and LEA or LEAs required pursuant
5090 to subsection (c)(6) of this section shall:

5091 (1) Identify, indicate the commitment of, and describe the role of the District
5092 university grantee and the LEA, including specific duties of each partner, in supporting the goals
5093 of the Program; and

5094 (2) Specify the:

5095 (A) Responsibilities of each party in the recruitment, screening, selection,
5096 and oversight of Program participants;

5097 (B) Role of each party in field placement and student teaching and a
5098 description of the time frame during each pathway described in section 4193-(b)(2) each begins;
5099 and

5100 (C) Role of each party in selecting, training, and supporting mentors for
5101 Program participants.

5102 (f)(1) Prior to April 30, 2022, and every 4 years thereafter, OSSE shall conduct an
5103 assessment to identify the areas of high need in the District's elementary and secondary teaching
5104 workforce, which shall include an assessment of the District's progress toward achieving
5105 diversity in its elementary and secondary public school teachers that matches the demographics
5106 of the District's corresponding student population.

5107 (2) In issuing the grants authorized pursuant to this section, OSSE may give a
5108 preference to applicants that offer a high-quality education or teaching degree program in one or
5109 more high-need categories identified pursuant to paragraph (1) of this subsection.

5110 Sec. 4196. Conditions of Program eligibility and participation.

5111 (a) To be eligible for Program participation through the baccalaureate degree pathway
5112 described in section 4193(b)(2)(A), an individual shall:

5113 (1) Meet the relevant enrollment requirements for UDC or the District university
5114 grantee in which the individual enrolls;

5115 (2) Be a resident of the District;

5116 (3)(A)(i) Become or be a dual enrollment student; or

5117 (ii) Be a graduate of a public high school; and

5118 (B) Be enrolled in UDC or a District university grantee with an intent to
5119 pursue a baccalaureate or Master's degree in education or teaching; and

5120 (4) In exchange for Program financial assistance and professional support,
5121 commit to teaching at an LEA for a minimum of 3 years after receiving a baccalaureate or
5122 Master's degree in education or teaching and earning the appropriate licensure or certification
5123 needed to teach at an LEA.

5124 (b) To be eligible for Program participation through the paraprofessional degree pathway
5125 described in section 4193(b)(2)(B), an individual shall:

5126 (1) Meet the relevant enrollment requirements for UDC or District university

5127 grantee in which the individual enrolls;

5128 (2) Be a resident of the District;

5129 (3) Be currently employed by an LEA as a paraprofessional;

5130 (4) Enroll in a UDC or District university grantee to complete coursework or with

5131 the intent to pursue a baccalaureate or Master's degree in education or teaching necessary to be a

5132 teacher licensed by OSSE or a certified teacher at a public charter school-; and

5133 (5) In exchange for Program financial assistance and support, commit to teaching

5134 at an LEA for a minimum of 3 years after completing the necessary coursework or receiving a

5135 baccalaureate or Master's degree in education or teaching and earning the appropriate licensure

5136 or certification needed to teach at an LEA.

5137 (c) To maintain eligibility for Program assistance, a Program participant shall:

5138 (1)(A) Maintain the requisite cumulative grade point average to maintain

5139 satisfactory academic progress, as determined by UDC or the District university grantee; and

5140 (B) If participating in the Program through the baccalaureate degree

5141 pathway described in section 4193(b)(2)(A), be consecutively enrolled as a full-time student in

5142 the Program at UDC or a District university grantee to pursue a baccalaureate or Master's degree

5143 in education or teaching;

5144 (2) Remain a District resident throughout participation in the Program;

5145 (3) If pursuing teacher licensure or certification through the Paraprofessional
5146 pathway described in section 4193(b)(2)(B), remain employed by an LEA as a paraprofessional
5147 while participating in the Program; and

5148 (4) Meet any other requirement determined by UDC or OSSE to be necessary or
5149 appropriate for Program participation.

5150 **SUBTITLE S. ADULT, EARLY CHILDHOOD, AND RESIDENTIAL CHARTER**

5151 **SCHOOL STABILIZATION**

5152 Sec. 4201. Short title.

5153 This subtitle may be cited as the “Public Charter Schools Equity in Stabilization Funding
5154 Amendment Act of 2021”.

5155 Sec. 4202. The Uniform Per Student Funding Formula for Public Schools and Public
5156 Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C. Official Code §
5157 38-2901 *et seq.*) is amended by adding a new section 107c to read as follows:

5158 “Sec. 107c. Public charter school stabilization funding.

5159 “(a) Notwithstanding any other provision of law, ~~in~~ Fiscal Year 2022, of the funds
5160 allocated to the Non-Departmental Agency, up to \$10,208,530 shall be transferred to the Office
5161 of the State Superintendent of Education (“OSSE”) to award formula-based payments to each
5162 eligible charter school described in subsection (b) of this section.

5163 “(b) A public charter school shall be eligible to receive funds pursuant to this section if it
5164 operates:

5165 “(1) An adult public charter school, an early childhood education public charter
5166 school, or a residential public charter school; and

5167 “(2) The total annual payment the adult public charter, early childhood education
5168 public charter, or residential public charter school is projected to receive for School Year 2021-
5169 2022, based on the school’s unverified October 15, 2021 enrollment count, is less than 95% of
5170 the total annual payment the school actually received for School Year 2019-2020.

5171 “(c)(1)(A) No later than December 31, 2021, OSSE shall award each eligible school its
5172 stabilization funding amount.

5173 “(B) For purposes of calculating the stabilization funding amount owed to
5174 an adult public charter school that also operates an alternative program, all students counted as
5175 being enrolled in the alternative program shall be counted as being enrolled in the adult public
5176 charter school.

5177 “(2) Notwithstanding paragraph (1)(A) of this subsection, if the total amount of
5178 funds required to provide each eligible school its stabilization funding amount is more than
5179 \$10,208,530, OSSE shall pay to each eligible school a proportional share of available funds
5180 equal to the product of the school’s stabilization funding amount multiplied by the stabilization
5181 factor.

5182 “(d) Payments allocated pursuant to this section shall be supplemental to other funds a
5183 school may receive from the District and shall not supplant other funds to which a school or local
5184 education agency is entitled, including pursuant to this act or federal law.

5185 “(e) Any funds in excess of the funds required to satisfy the requirements of subsection
5186 (b) of this section shall be transferred , to the Office of Victim Services and Justice Grants for the
5187 Access to Justice program by December 31, 2021.

5188 “(e) For the purposes of this section, the term:

5189 “(1) “Adult public charter school” means a public charter school or a program in a
5190 public charter school that, during School Year 2021-2022, was identified as an adult education
5191 performance management framework school by the District of Columbia Public Charter School
5192 Board; ~~provided that, all students enrolled in a public charter school or program serving both~~
5193 ~~adult and alternative students shall be considered enrolled in an adult education program for the~~
5194 ~~purposes of this section.~~

5195 “(2) “Annual payment” means the sum of the quarterly payments described in
5196 section 107b, including all applicable weightings provided pursuant to sections 105, 106, and
5197 106a.

5198 “(3) “Early childhood education public charter school” means:

5199 “(A) A public charter school LEA whose prekindergarten 3 and
5200 prekindergarten 4 student enrollment comprised at least 33% of the public charter school LEA’s
5201 total enrollment during School Year 2019-2020 and whose LEA will serve only grades pre-
5202 kindergarten 3 up to third grade ~~in for~~ School Year 2021-2022; provided, that if a public charter
5203 school LEA served more grades in School Year 2019-2020 than it serves in School Year 2021-
5204 2022, the percentage of the public charter school LEA’s prekindergarten 3 and prekindergarten 4

5205 student enrollment shall be calculated using only the grade bands that the public charter school
5206 serves in School Year 2021-2022; or

5207 ~~“(B) or a~~ public charter school that is an adult public charter school that
5208 also serves grades prekindergarten 3 and grades prekindergarten 4; ~~provided, that if a public~~
5209 ~~charter school LEA served more grades in School Year 2019-2020 than it serves during School~~
5210 ~~Year 2021-2022, the percentage of the public charter school LEA’s prekindergarten 3 and~~
5211 ~~prekindergarten 4 student enrollment shall be calculated using only the grade bands that the~~
5212 ~~public charter school serves in School Year 2021-2022.~~

5213 “(4) “Eligible school” means an adult public charter school, an early childhood
5214 education public charter school, or a residential public charter school that meets the criteria for
5215 funding described in subsection (b)(2) of this section.

5216 “(5) “LEA” means any individual District public charter school, or any group of
5217 public charter schools operating under a single charter.”

5218 “(6) “Residential public charter school”[”] means:

5219 “(A) A public charter school that, during School Year 2021-2022,
5220 provides students with room and board in a residential setting, in addition to their instructional
5221 program; or

5222 “(B) A public charter school that operates a residential program that
5223 provides support services to its students, in addition to an instructional program, but is unable to
5224 provide its students with overnight room and board in a residential setting in order to comply

5225 with health guidance provided by the District’s D.C. Department of Health ~~during the COVID-~~
5226 ~~19 public health emergency~~ related to the COVID-19 (SARS-CoV-2) pandemic.

5227 “(7) Stabilization funding amount” means the amount of money equal to 95% of
5228 an eligible school’s actual School Year 2019-2020 total annual payment, less the amount of the
5229 total annual payment the school is projected to receive for School Year 2021-2022 based on its
5230 unverified October 15, 2021 enrollment count.

5231 “(8) “Stabilization factor” means the quotient of \$10,208,530 divided by the sum
5232 of all eligible schools’ stabilization funding amounts.”.

5233 ~~Sec. 4203. Any funds that are not expended by December 31, 2021 pursuant to section~~
5234 ~~4202 shall be transferred to the Office of Victim Services and Justice Grants for the Access to~~
5235 ~~Justice program.~~

5236 **~~SUBTITLE T. OFFICE OF WAGE AND HOUR ENFORCEMENT~~**

5237 **~~TRANSPARENCY ACT~~**

5238 ~~Sec. 4211. Short title.~~

5239 ~~This subtitle may be cited as the “Office of Wage and Hour Enforcement Transparency~~
5240 ~~Amendment Act of 2021”.~~

5241 ~~Sec. 4212. Wage and Hour Enforcement Report.~~

5242 ~~(a) No more than 90 days after the end of the first quarter of fiscal year 2022, and no later~~
5243 ~~than 90 days after the end of each subsequent quarter, the Department of Employment Services~~
5244 ~~(“DOES”) shall post online the following information for the most recently completed quarter, in~~

5245 ~~the following order:~~

5246 ~~(1) Total number of all complaints DOES received;~~

5247 ~~(2) Total number of complaints DOES received for each of the covered laws;~~

5248 ~~(3) Total new agency-initiated investigations into the covered laws in the quarter;~~

5249 ~~(4) Total new audits of compliance with the covered laws in the quarter;~~

5250 ~~(5) Number of complaints DOES received alleging that an employer violated:~~

5251 ~~(A) The Accrued Sick and Safe Leave Act of 2008, effective May 13,~~

5252 ~~2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01 et seq.), by:~~

5253 ~~(i) Failing to provide an employee with covered leave;~~

5254 ~~(ii) Failing to pay an employee for covered leave taken; or~~

5255 ~~(iii) Denying a request for covered leave;~~

5256 ~~(B) The Minimum Wage Revision Act of 1992, effective March 25, 1993~~

5257 ~~(D.C. Law 9-248; D.C. Official Code § 32-1001 et seq.) (“Minimum Wage Act”), by:~~

5258 ~~(i) Failing to pay the District minimum wage;~~

5259 ~~(ii) Failing to pay overtime; or~~

5260 ~~(iii) Failing to provide an employee with the written notice~~

5261 ~~required to be furnished pursuant to section 9(c) of the Minimum Wage Act (D.C. Law 9-248;~~

5262 ~~D.C. Official Code § 32-1008(c)), at the time of hire;~~

5263 ~~(C) An Act To provide for the payment and collection of wages in the~~

5264 ~~District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 et~~

5265 ~~seq.), by:~~
5266 ~~_____ (i) Failing to pay full wages; or~~
5267 ~~_____ (ii) Failing to pay wages on time.~~
5268 ~~_____ (6) For each of the covered laws, a separate downloadable, data-unlocked~~
5269 ~~spreadsheet that provides the following information for complaint-based investigations in the~~
5270 ~~most recently completed quarter:~~
5271 ~~(A) Total number of complaints DOES received;~~
5272 ~~(B) Total number of investigations opened;~~
5273 ~~(C) Number of notices of complaint sent to employers, disaggregated by~~
5274 ~~the quarter in which the complaint that generated the notice was received;~~
5275 ~~(D) Number of complaints closed without the agency notifying the~~
5276 ~~employer about the complaint, disaggregated by common reasons for closure;~~
5277 ~~(E) Number of employers investigated, disaggregated by the quarter in~~
5278 ~~which the complaint generating the investigation was received;~~
5279 ~~(F) Number of final determinations reached, disaggregated by the quarter~~
5280 ~~in which the complaint that resulted in the determination was received;~~
5281 ~~(G) Number of final determinations that included a finding of at least one~~
5282 ~~violation of the covered law, disaggregated by the quarter in which the complaint that resulted in~~
5283 ~~the determination was received;~~
5284 ~~_____ (H) Total dollar amount of damages determined by DOES to be owed to~~

5285 ~~employees and, of this amount, the amount paid to employees;~~
5286 ~~(I) All-time cumulative total dollar amount of damages remaining unpaid~~
5287 ~~to employees at the end of the quarter;~~
5288 ~~(J) Total dollar amount of penalties assessed against employers and, of this~~
5289 ~~amount, the amount DOES collected from employers;~~
5290 ~~(K) All-time cumulative total dollar amount of penalties remaining~~
5291 ~~uncollected at the end of the quarter;~~
5292 ~~(L) Number of settlement agreements entered into by complainants and~~
5293 ~~employers, disaggregated by the quarter or quarters in which the underlying complaint or~~
5294 ~~complaints were received;~~
5295 ~~(M) Number of settlement agreements entered into by DOES and~~
5296 ~~employers, disaggregated by the quarter in which the underlying complaint was received; and~~
5297 ~~(N) The 10 industries about which the most complaints were received and~~
5298 ~~the number of complaints for each industry; and~~
5299 ~~———— (7) All final orders issued by the Office of Administrative Hearings regarding~~
5300 ~~adjudications of the covered laws with the basis for any redactions clearly stated.~~
5301 ~~(b) For the purposes of this section, the term “covered laws” means:~~
5302 ~~———— (1) The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C.~~
5303 ~~Law 17-152; D.C. Official Code § 32-531.01 et seq.);~~
5304 ~~———— (2) The Minimum Wage Act Revision Act of 1992, effective March 25, 1993~~

5305 ~~(D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*); and~~
5306 ~~(3) An Act To provide for the payment and collection of wages in the District of~~
5307 ~~Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*).~~
5308 ~~Sec. 4213. Section 8a of Minimum Wage Act Revision Act of 2009, effective August 19,~~
5309 ~~2016 (D.C. Law 21-144; D.C. Official Code § 32-1007.01), is repealed.~~

5310 **SUBTITLE T. PAYMENTS FOR DELAYED UNEMPLOYMENT CLAIMS**

5311 Sec. 4211. Short title.

5312 This subtitle may be cited as the “Delayed Unemployment Compensation Payments
5313 Relief Amendment Act of 2021”.

5314 Sec. 4212. The District of Columbia Unemployment Compensation Act, approved
5315 August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-101), is amended by adding a section 7a
5316 to read as follows:

5317 “Sec. 7a. Delayed unemployment compensation payments.

5318 “(a)(1) No later than December 31, 2021, the Director shall issue a \$500 payment to each
5319 of the 10,000 claimants with the greatest number of days between the timeframes described in
5320 paragraph (2)(B)(i) and (ii) of this subsection.

5321 “(2) To be eligible for the payment authorized in paragraph (1) of this subsection:

5322 “(A) A claimant’s initial claim must have been approved by the Director
5323 for payment between March 16, 2020, and July 1, 2021;

5324 “(B)(i) For claimants receiving traditional unemployment compensation or
5325 extended benefits under this Act (section 107), or receiving Pandemic Emergency
5326 Unemployment Compensation (section 2104 of the Coronavirus Aid, Relief, and Economic
5327 Security Act, approved March 27, 2020 (134 Stat. 318; 15 U.S.C. § 9023)), there must be at least
5328 60 days between the time the claimant filed the claimant’s initial claim for benefits or claim for
5329 extension program and the issuance of the first payment to the claimant; and
5330 “(ii) For claimants receiving Pandemic Unemployment Assistance
5331 (section 2102 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,
5332 2020 (134 Stat. 313; 15 U.S.C. § 9021)), there must be at least 60 days between the time the
5333 claimant’s initial monetary determination was made and the time the monetary redetermination
5334 was made;
5335 “(C) A claimant must be a District resident based on the claimant’s
5336 address of record at the time the claimant was first deemed eligible for a first payment;
5337 “(D) A claimant must not have engaged in conduct with respect to an
5338 claim for unemployment benefits that the Director deems fraudulent; and
5339 “(E) The claimant must have provided all necessary documentation to
5340 support the claim, including weekly certifications and identity verification documents as
5341 requested by the Director and required by applicable law or regulation.
5342 “(3) The Director shall not require claimants to provide additional documentation
5343 or an application to receive the payment authorized in paragraph (1) of this subsection.

5344 “(4) If there are fewer than 10,000 claimants eligible to receive payments
5345 pursuant to paragraph (2) of this subsection, the Director may increase the size of the payments,
5346 subject to availability of funds.

5347 “(5) The Director may not withhold payments authorized pursuant to this section
5348 to compensate for overpayments the Director has made to a claimant.

5349 “(6) Should the District determine that a claimant received a payment authorized
5350 pursuant to paragraph (1) of this subsection to which the claimant was not entitled, because of
5351 fraud or ineligibility, the District may recoup the payment through any means available to it for
5352 the recovery of debts owed to the District. Any funds recovered through recoupment may be
5353 used for additional payments to claimants qualified under this subsection.

5354 “(b) For the purposes of this subsection, the term:

5355 “(1) “Benefits” means the money payments to an individual, as provided in this
5356 Act or federal law, with respect to his unemployment including any dependent’s allowance paid
5357 under the provisions of section 8; and

5358 “(2) “Claim” means either an application or claim.”.

5359 **SUBTITLE U. ELLINGTON SCHOOL PERSONNEL GRANT**

5360 Sec. 4221. Short title.

5361 This subtitle may be cited as the “Duke Ellington School of the Arts Project Grant Act of
5362 2021”.

5363 Sec. 4222. Notwithstanding the Grant Administration Act of 2013, effective December
5364 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2022, the
5365 Office of the State Superintendent of Education shall provide a \$1,500,000 grant to Duke
5366 Ellington School of the Arts Project to support personnel costs at the Duke Ellington School of
5367 the Arts.

5368 **SUBTITLE V. DISTRICT OF COLUMBIA PUBLIC SCHOOLS INSIGHT**
5369 **SURVEY DATA**

5370 Sec. 4231. Short title.

5371 This subtitle may be cited as the “District of Columbia Public Schools INSIGHT Survey
5372 Data Act of 2021.”

5373 Sec. 4232. District of Columbia Public Schools INSIGHT survey data.

5374 (a) No later than the start of Fiscal Year 2022, ~~The~~the District of Columbia Public
5375 Schools (DCPS) shall release publicly the full analysis conducted by American University’s
5376 School of Education for DCPS of IMPACT, the DCPS evaluation and feedback system for
5377 school-based personnel, and the raw, aggregated quantitative data related to the INSIGHT
5378 surveys of DC educators’ perceptions of the IMPACT evaluation system; ~~;~~

5379 (b) DCPS shall redact any ~~provided, that no~~ personally identifiable information ~~may be~~
5380 ~~released from the analysis and data released pursuant to subsection (a) of this section.~~

5381 Sec. 4233. Applicability.

5382 This subtitle shall apply as of the effective date of the Fiscal Year 2022 Budget Support
5383 Emergency Act of 2021.

5384 **SUBTITLE W. HEALTHY SCHOOLS ACT**

5385 Sec. 4241. Short title.

5386 This subtitle may be cited as the “Healthy Schools Amendment Act of 2021”.

5387 Sec. 4242. The Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209;
5388 D.C. Official Code § 38-821.01 *et seq.*), is amended as follows:

5389 (a) Section 102(f) (D.C. Official Code § 38-821.02(f)) is amended by striking the
5390 phrase “Beginning on October 1, 2020, an amount of \$5,590,000” and inserting
5391 the phrase “Beginning on October 1, 2021, an amount of \$5,690,000” in its place.

5392 (b) Section 501a (D.C. Official Code § 38-825.01a), is amended as follows:

5393 (1) Subsection (b) is amended as follows:

5394 (A) Paragraph (4) is amended to read as follows:

5395 “(4) After a public charter school provides proof of compliance to the PCSB,
5396 pursuant to paragraph (3)(B) of this subsection, the PCSB shall provide proof of compliance to
5397 DGS, in a manner to be prescribed by DGS.”.

5398 (B) Paragraph (6)(B)(i) is amended by striking the phrase “pursuant to
5399 paragraph (4) of this subsection” and inserting the phrase “to cover the cost of complying with
5400 paragraph (2) of this subsection” in its place.

5401 (2) Subsection (d) is amended by striking the phrase “, including rules by which
5402 the Department of General Services shall reimburse public charter schools for the reasonable
5403 costs incurred in complying with subsection (b)(2) of this section.” and inserting a period in its
5404 place.

5405 **SUBTITLE X. DUKE ELLINGTON SCHOOL OF THE ARTS FUNDING AND**
5406 **ORGANIZATION MODEL**

5407 Sec. 4251. Short title.

5408 This subtitle may be cited as the “Duke Ellington School of the Arts New Funding and
5409 Organization Model Act of 2021”.

5410 Sec. 4252. Definitions.

5411 For the purposes of this subtitle:

5412 (1) “DCPS” means the District of Columbia Public Schools.

5413 (2) “DESAP” means the Duke Ellington School of the Arts Project, the public and
5414 private partnership that supports the Duke Ellington School of the Arts, which includes DCPS,
5415 the Ellington Fund, the John F. Kennedy Center for the Performing Arts, and George
5416 Washington University.

5417 (3) “Ellington Fund” means the 501(c)(3) organization established in 1979 to
5418 serve as the charitable arm of the Duke Ellington School of the Arts.

5419 Sec. 4253. Proposed new funding and organization model for the Duke Ellington School
5420 of the Arts.

5421 (a) Starting no later than October 1, 2021, DCPS shall discuss with other DESAP partners
5422 and the DESAP Board of Directors a proposed new funding and organization model for the Duke
5423 Ellington School of the Arts (“DESA”).

5424 (b) The proposed new funding and organizational model shall address and resolve the
5425 following matters:

5426 (1) The conversion of DESAP faculty and staff to DCPS employee status with
5427 levels of pay for all former DESAP faculty and staff comparable to those of DCPS employees;

5428 (2) The absorption of all DESA’s human resources, staff payroll, and student
5429 support functions into the budget of DCPS;

5430 (3) The protection of, and due regard for, the dual-curriculum nature of DESA,
5431 including its arts faculty and staff;

5432 (4) The continuation of DESA’s pre-professional arts program at the same or
5433 higher level of quality as the current pre-professional arts program; and

5434 (5) The continued role of the current DESAP Board of Directors in providing
5435 guidance and support for the DESA arts program, including partnerships with third-party
5436 organizations and the Ellington Fund.

5437 (c) DCPS shall present to the Council the proposed new funding and organizational
5438 model no later than December 31, 2021.

5439 **TITLE V. HUMAN SUPPORT SERVICES**

5440 **SUBTITLE A. ~~MEDICAID HOSPITAL OUTPATIENT PAYMENT~~**

5441 Sec. 5001. Short title.

5442 This subtitle may be cited as the “Medicaid Hospital Outpatient Payment Amendment
5443 Act of 2021”.

5444 Sec. 5002. Section 5066 of the Medicaid Hospital Outpatient Supplemental Payment Act
5445 of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.05), is
5446 amended by adding a new subsection (b-1) to read as follows:

5447 “(b-1) For visits and services beginning October 1, 2021, the District shall make fee-for-
5448 service outpatient rate payments to hospitals at a rate that is an aggregate of 100% of Medicaid
5449 allowable costs for the fiscal year in which payments are being made.”.

5450 **SUBTITLE B. ~~MEDICAL ASSISTANCE AND IMMIGRANT CHILDREN’S~~**
5451 **PROGRAM**

5452 Sec. 5011. Short title.

5453 This subtitle may be cited as the “Medical Assistance and Immigrant Children’s Program
5454 Amendment Act of 2021”.

5455 Sec. 5012. Section 2202 of the Medical Assistance Expansion Program Act of 1999,
5456 effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 1-307.03), is amended as
5457 follows:

5458 (a) Subsection (a) is amended as follows:

5459 (1) The lead-in language is amended by striking the phrase “family income” and
5460 inserting the phrase “household income” in its place.

5461 (2) ~~The lead-in language of Paragraph paragraph~~(5) is amended by striking the
5462 phrase “family income” and inserting the phrase “household income” in its place.

5463 (b) Subsection (b) is amended as follows:

5464 (1) The lead-in language is amended to read as follows:

5465 “(b) The Mayor shall establish a program to provide medical assistance to undocumented
5466 children not eligible for coverage under Medicaid who reside in the District and have an annual
5467 household income up to 319% of the federal poverty level for children age 18 or younger, and up
5468 to 216% of the federal poverty level for children ages 19 and 20. In determining a household
5469 income under this subsection, the Mayor may implement an income disregard amount, based on
5470 family size, of up to 5% of the federal poverty level or such higher percentage as may be
5471 authorized by the federal government as an income disregard for the determination of eligibility
5472 for Medicaid.”.

5473 (2) Paragraph (2) is amended to read as follows:

5474 “(2) Upon the Mayor’s determination of a resident’s eligibility for the program,
5475 the Mayor shall enroll the resident in the program and assign the enrollee to a health maintenance
5476 organization with a current contract with the District to provide health care services for program
5477 enrollees.”.

5478 (3) Paragraph (3) is amended to read as follows:

5479 “(3) For a period of time of at least 30 days after the Mayor’s assignment of an
5480 enrollee under paragraph (2) of this subsection, the enrollee may choose to enroll in a different
5481 health maintenance organization with a current contract with the District to provide health care
5482 services for program enrollees.”.

5483 (c) Subsection (c) is amended to read as follows:

5484 “(c) Beginning on October 1, 2021, the Mayor may modify the standards for eligibility to
5485 enroll in a program established by subsections (a) and (b) of this section, to increase the number
5486 of District residents who would be eligible to enroll in the program, to the extent such expansion
5487 is consistent with the District’s budget and financial plan.”.

5488 **SUBTITLE C. -MEDICAID RESERVE FUND**

5489 Sec. 5021. Short title.

5490 This subtitle may be cited as the “Medicaid Reserve Fund Amendment Act of 2021”.

5491 Sec. 5022. The Department of Health Care Finance Establishment Act of 2007, effective
5492 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended as
5493 follows:

5494 (a) Section 8b (D.C. Official Code § 7-771.07b) is repealed.

5495 (b) Section 11a (D.C. Official Code § 7-771.10a) is repealed.

5496 **SUBTITLE D. -UNJUST CONVICTIONS HEALTH CARE**

5497 Sec. 5031. Short title.

5498 This subtitle may be cited as the “Unjust Convictions Amendment Act of 2021”.

5499 Sec. 5032. Section 4b(a)(3)(A) of the District of Columbia Unjust Imprisonment Act of
5500 1980, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 2-423.02(a)(3)(A)),
5501 is amended to read as follows:

5502 “(A) Physical and behavioral health care for the duration of the
5503 petitioner’s life through participation in the D.C. Healthcare Alliance or any successor
5504 comprehensive community-centered health care and medical services system established
5505 pursuant to section 7 of the Health Care Privatization Amendment Act of 2001, effective July 12,
5506 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405), or through another locally funded
5507 comprehensive health care and medical services program offered by the District;”.

5508 **SUBTITLE E. MATERNAL HEALTH RESOURCES AND ACCESS**

5509 Sec. 5041. Short title.

5510 This subtitle may be cited as the “Maternal Health Resources and Access Amendment
5511 Act of 2021”.

5512 Sec. 5042. ~~Definitions.~~

5513 ~~For the purposes of this subtitle, the term:~~ The District of Columbia Health Occupations
5514 Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01
5515 et seq.) is amended as follows:

5516 (a) The Table of Contents is amended by adding a new section 672 to read as follows:

5517 “Sec. 672. Reimbursement for doula services.”.

5518 (b) Section 101 (D.C. Official Code § 3-1201.01) is amended as follows:

5519 (1) Existing paragraph (6C) is redesignated as (6D).
5520 (2) A new paragraph (6C) is added to read as follows:
5521 “(16C) “Doula” means an individual ~~approved-certified~~ by the ~~Department-Board~~
5522 of ~~Health-Medicine~~ to provide culturally competent and continuous physical, emotional, and
5523 informational support to ~~the-a~~ birthing parent during pregnancy, labor, birth, and postpartum,
5524 including:
5525 “(A) Providing ~~continuous and culturally competent~~ support to pregnant
5526 individuals and their families, including surrogates and adoptive parents;
5527 “(B) Conducting prenatal and postpartum visits;
5528 “(C) Accompanying pregnant individuals to health care and social service
5529 appointments;
5530 “(D) Connecting individuals to medical, community-based, or government
5531 funded resources, including those addressing social determinants of health; and
5532 “(E) Providing support to individuals following either the loss of
5533 pregnancy or birth of a child for up to one year.”.
5534 (2) “Medicaid” means the medical assistance programs authorized by title XIX of
5535 the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 et seq.), and by
5536 section 1 of An Act To enable the District of Columbia to receive Federal financial assistance
5537 under title XIX of the Social Security Act for a medical assistance program, and for other

5538 ~~purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and~~
5539 ~~administered by the Department of Health Care Finance.~~

5540 (3) A new paragraph (11A) is added to read as follows:

5541 “(11A) “Postpartum” means the time after delivery when maternal physiological
5542 changes related to pregnancy return to the nonpregnant state, which may last for as long as 12
5543 months after delivery.”.

5544 ~~(4) “Transportation costs” means expenses incurred for travel using public~~
5545 ~~transportation or a public or private vehicle for hire service regulated by the Department of For-~~
5546 ~~Hire Vehicles, but does not include the cost of travel by private vehicle or parking fees.~~

5547 (c) Section 203(a) (D.C. Official Code § 3-1202.03(a)) is amended as follows:

5548 (1) Paragraph (2) is amended by striking the phrase “the practice of medicine,”
5549 and inserting the phrase “the practice of medicine, the practice of doulas,” in its place.

5550 (2) Paragraph (8) is amended as follows:

5551 (A) Subparagraph (G) is amended by striking the phrase “; and” and
5552 inserting a semicolon in its place.

5553 (B) Subparagraph (H) is amended by striking the period and inserting the
5554 phrase “; and” in its place.

5555 (C) A new subparagraph (I) is added to read as follows:

5556 “(I) The practice

5557 Sec 5043. Doula guidelines for training.

5558 ~~———— (a) An individual applying to be approved as a doula under this subtitle shall establish to~~
5559 ~~the Department of Health’s (“Department”) satisfaction that the individual:~~

5560 ~~———— (1) Completed a training program by an organization approved in doula training~~
5561 ~~by the Department; and~~

5562 ~~———— (2) Successfully completed any other requirements as determined by the~~
5563 ~~Department.~~

5564 ~~Sec. 5044. Coverage of doulas.”.~~

5565 ~~———— (d) Section 501(a)(3) (D.C. Official Code § 3-1205.01(a)(3)) is amended by striking the~~
5566 ~~phrase “advanced practice registered nursing,” and inserting the phrase “advanced practice~~
5567 ~~registered nursing, doula,” in its place.~~

5568 ~~———— (e) A new section 672 is added to read as follows:~~

5569 ~~———— “Sec. 672. Reimbursement for doula services.~~

5570 ~~———— (a) By October 1, 2022, health insurance coverage through Medicaid or the DC~~
5571 ~~HealthCare Alliance and the Immigrant Children’s Program shall cover and reimburse eligible~~
5572 ~~services provided by doulas; except, that no Medicaid payment shall be made until such time that~~
5573 ~~the Centers for Medicare and Medicaid Services approves the Medicaid ~~State-state pPlan~~~~
5574 ~~amendment described in subsection (b) of this section.~~

5575 ~~———— (b)(1) By September 30, 2022, the Department of Health Care Finance (“DHCF”) shall~~
5576 ~~submit for approval from the Centers for Medicare and Medicaid Services an amendment to the~~
5577 ~~Medicaid ~~State-state Plan-plan~~ to authorize the Medicaid payments described in this section.~~

5578 “(2) While preparing the Medicaid ~~State-state Plan-plan~~ amendment application,
5579 DHCF shall:

5580 “(A) In consultation with organizations providing doula services and other
5581 relevant entities, establish processes for billing and reimbursement of doula services, including:

5582 “(i) Setting competitive reimbursement rates;

5583 “(ii) Setting a reasonable number of doula visits to be reimbursed
5584 during the course of the pregnancy and postpartum period;

5585 “(iii) Developing program support and training for doula service
5586 providers to facilitate billing; and

5587 “(iv) Assessing the viability of incentive payments to doulas whose
5588 clients attend postpartum appointments with a medical provider.

5589 “(B) In consultation with the Department of Health and other relevant
5590 entities, issue rules to determine eligibility for reimbursement by Medicaid, the DC HealthCare
5591 Alliance, and the Immigrant Children’s Program.”.

5592 Sec. 5045. ~~Coverage-DC HealthCare Alliance coverage~~ of transportation costs for
5593 maternal health appointments.

5594 (a) By October 1, 2021, health insurance coverage through the DC HealthCare Alliance
5595 shall ~~cover and reimburse~~include transportation costs for travel to and from non-emergency
5596 prenatal and postpartum health care appointments.

5597 (b) For purposes of this section, the term “transportation costs” means expenses incurred
5598 for non-emergency medical transportation, including public transportation or a public or private
5599 vehicle-for-hire service regulated by the Department of For-Hire Vehicles, but not including the
5600 cost of travel by private vehicle or parking fees.

5601 Sec. 5044. Applicability.

5602 Section 5042(d) shall apply as of October 1, 2022.

5603 **SUBTITLE F. HOWARD UNIVERSITY HOSPITAL CENTERS OF**
5604 **EXCELLENCE**

5605 Sec. 5051. Short title.

5606 This subtitle may be cited as the “Howard University Hospital Centers of Excellence
5607 Fund Amendment Act of 2021”.

5608 Sec. 5052. -Section 47-4673 of the District of Columbia Official Code is amended by
5609 adding a new subsection (j) to read as follows:

5610 “(j)(1) There is established as a special fund the Howard University Hospital Centers of
5611 Excellence Fund (“Fund”), which shall be administered by the Department of Health in
5612 accordance with paragraph (3) of this subsection.

5613 “(2) The following funds shall be deposited into the Fund:

5614 “(A) Funds appropriated in Fiscal Year 2022 or later for the purpose of
5615 providing operational and start-up support to the centers of excellence described in subsection (f)
5616 of this section; and

5617 “(B) Funds appropriated in Fiscal Year 2021 for the purposes of providing
5618 operational and start-up support to the centers of excellence described in subsection (f) of this
5619 section that remain unspent at the end of Fiscal Year 2021.

5620 “(3) Money in the Fund shall be used to provide operational and start-up support
5621 to the centers of excellence described in subsection (f) of this section. Such support may be
5622 provided through non-competitive grants or other means.

5623 “(4)(A) The money deposited into the Fund, but not expended in a fiscal year
5624 shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at
5625 the end of a fiscal year, or at any other time.

5626 “(B) Subject to authorization in an approved budget and financial plan,
5627 money in the Fund shall be continually available without regard to fiscal year limitation.”.

5628 Sec. 5053. -Applicability.

5629 This subtitle shall apply as of September 30, 2021.

5630 **SUBTITLE G. -SNAP REINVESTMENT FUND**

5631 Sec. 5061. Short title.

5632 This subtitle may be cited as the “SNAP Reinvestment Fund Establishment Amendment
5633 Act of 2021”.

5634 Sec. 5062. -The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law
5635 18-111; D.C. Official Code § 4-261.01 *et seq.*), is amended by adding a new section 5085 to read
5636 as follows:

5637 “Sec. 5085. -SNAP Reinvestment Fund.

5638 “(a) There is established as a special fund the SNAP Reinvestment Fund (“Fund”), which
5639 shall be administered by the Mayor in accordance with subsection (c) of this section.

5640 “(b) The unspent local fund dollars remaining in the operating budget of the Department
5641 of Human Services at the end of each fiscal year shall be deposited into the Fund; provided, that
5642 the amount of unspent local fund dollars deposited into the Fund at the end of a fiscal year shall
5643 not exceed the difference between the total of all amounts that remain to be invested by the
5644 Department of Human Services pursuant to active Supplemental Nutrition Assistance Program
5645 excessive payment error rate liability settlement agreements (“Settlement Agreements”) between
5646 the Department of Human Services and the United States Department of Agriculture minus the
5647 amount in the Fund at the end of the fiscal year.

5648 “(c) Money in the Fund shall be used to implement the Settlement Agreements.

5649 “(d)(1) The money deposited into the Fund but not expended during a fiscal year shall not
5650 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
5651 of a fiscal year, or at any other time.

5652 “(2) Subject to authorization in an approved budget and financial plan, any funds
5653 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

5654 Sec. 5063. -Applicability.

5655 This subtitle shall apply as of September 30, 2021.

5656 **SUBTITLE H. VETERAN TRANSPORTATION PROGRAM EXPANSION**

5657 Sec. 5071. Short title.

5658 ~~(a)~~ This subtitle may be cited as the “Veteran Transportation Program Expansion
5659 Amendment Act of 2021”.

5660 Sec. 5072. -Section 704 of the Office of Veterans Affairs Establishment Act of 2001,
5661 effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 49-1003), is amended as
5662 follows:

5663 (a) Paragraph (24) is amended by striking the phrase “; and” and inserting a semicolon in
5664 its place.

5665 (b) Paragraph (25) is amended by striking the period and inserting the phrase “; and” in
5666 its place.

5667 (c) A new paragraph (26) is added to read as follows:

5668 “(26) Subject to the availability of funding, provide a free on-demand
5669 transportation or public transportation option to veterans who reside in a household with an
5670 annual household income of less than or equal to 80% of area median income as defined in D.C.
5671 Official Code § 47-1806.09(1)(A), which, at a minimum:

5672 “(A) Offers 15 one-way trips per month for each eligible veteran in the
5673 program;

5674 “(B) Operates 6 days a week; and

5675 “(C) Does not restrict the point of origin or destination of each trip~~;~~
5676 except~~;~~ that trips must begin and end within the District.”.

5677 **SUBTITLE I. FIRST TIME MOTHERS HOME VISITING PROGRAM**

5678 Sec. 5081. Short title.

5679 This subtitle may be cited as the “Still Leverage for Our Future Amendment Act of
5680 2021”.

5681 Sec. 5082. Section 105a(a) of the Birth-to-Three for All DC Amendment Act of 2018,
5682 effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 4-651.05a(a)), is amended
5683 by adding a new paragraph (3) to read as follows:

5684 “(3) In Fiscal Year 2022, DOH shall provide an amount not to exceed \$150,000 to
5685 the home visiting provider who was awarded the competitive grant pursuant to paragraph (1) of
5686 this subsection.”.

5687 **SUBTITLE J. STEVIE SELLOW’S DIRECT SUPPORT PROFESSIONALS**
5688 **QUALITY IMPROVEMENTS**

5689 Sec. 5091. Short title.

5690 This subtitle may be cited as the “Stevie Sellow’s Direct Support Professionals Quality
5691 Improvements Amendment Act of 2021”.

5692 Sec. 5092. Title 47 of the District of Columbia Official Code is amended as follows:

5693 (a) The table of contents is amended by striking the phrase “12D. Stevie Sellows” and
5694 inserting the phrase “12D. Stevie Sellow’s” in its place.

5695 (b) Chapter 12D is amended as follows:

5696 (1) The heading is amended by striking the phrase “Stevie Sellows” and inserting
5697 the phrase “Stevie Sellow’s” in its place.

5698 (2) Section 47-1270 is amended as follows:

5699 (A) Paragraph (1) is amended by striking ~~Strike~~ the phrase “Stevie
5700 Sellows” ~~both times it appears~~ and inserting the phrase “Stevie Sellow’s” in its place.

5701 (B) The existing paragraph (1A) is redesignated as paragraph (1B).

5702 (C) The existing paragraph (1B) is redesignated as paragraph (1C) and is
5703 amended by striking the phrase “Stevie Sellows” and inserting the phrase “Stevie Sellow’s” in its
5704 place.

5705 (D) A new paragraph (1A) is added to read as follows:

5706 “(1A) “DD waiver provider” means an entity that provides residential, in-home,
5707 day, or support services, including employment and community development services under the
5708 District’s Medicaid Home and Community-Based Services Waiver for Persons with Intellectual
5709 and Developmental Disabilities program as authorized by section 1915(c) of the Social Security
5710 Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1396n(c)).”.

5711 (3) Section 47-1271 is amended as follows:

5712 (A) Subsection (a) is amended by striking ~~Strike~~ the phrase “Stevie
5713 Sellows” ~~both times it appears~~ and inserting the phrase “Stevie Sellow’s” in its place.

5714 (B) Subsection (b) is amended as follows:

5715 (i) Paragraph (1) is amended by striking the phrase
5716 “reimbursement of ICF/IID.” and inserting the phrase “reimbursement of ICF/IID; provided that
5717 if the quality-of-care improvement is for an increase in salaries, the total payment amount, on
5718 average, for qualifying direct support professionals should be up to the greater of 117.6% of the
5719 District minimum wage pursuant to section 4 of the Minimum Wage Act Revision Act of 1992,
5720 effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003) or 117.6% of the
5721 District living wage pursuant to the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law
5722 16-118; D.C. Official Code § 2-220.01 *et seq.*.)” in its place.

5723 (ii) Paragraph (2) is amended by striking the phrase “Stevie
5724 Sellows” and inserting the phrase “Stevie Sellow’s” in its place.

5725 (C) A new subsection (c-1) is added to read as follows:

5726 “(c-1) Notwithstanding subsection (b) of this section, revenues deposited in the Fund
5727 beginning in ~~fiscal~~Fiscal Year 2022 may be used to support quality of care improvements for
5728 DD waiver providers.”.

5729 (3) Section 47-1272 is amended as follows:

5730 (A) Subsection (a) is amended by striking the phrase “an ICF-IDD” ~~both~~
5731 ~~times it appears~~ and inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

5732 (B) Subsection (f) is amended by striking the phrase “the ICF-IDD” and
5733 inserting the phrase “the ICF-IDD or DD waiver provider” in its place.

5734 (4) Section 47-1275 is amended as follows:

5735 (A) Subsection (a) is amended by striking the phrase “an ICF-IDD” and
5736 inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

5737 (B) Subsection (b) is amended by striking the phrase “an ICF-IDD” ~~both~~
5738 ~~times it appears~~ and inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

5739 **SUBTITLE K. EARLY CHILDHOOD EDUCATOR PAY EQUITY FUND**

5740 Sec. 5101. Short title.

5741 This subtitle may be cited as the “Early Childhood Educator Pay Equity Fund
5742 Establishment Act of 2021”.

5743 Sec. 5102. Early Childhood Educator Pay Equity Fund.

5744 (a) There is established as a special fund an Early Childhood Educator Pay Equity Fund
5745 (“Fund”), which shall be administered by the Office of the State Superintendent of Education in
5746 accordance with subsection (c) of this section.

5747 (b) The following funds shall be deposited into the Fund:

5748 (1) In Fiscal Year 2022, \$53,920,878 in local funds ~~collected pursuant to the~~
5749 ~~Income Tax Fairness Amendment Act of 2021, passed on 1st reading on July 20, 2021~~
5750 ~~(Engrossed version of Bill 24-285); and~~

5751 (2) In Fiscal Year 2023, \$72,889,092 in local funds;

5752 (3) In Fiscal Year 2024, \$73,883,680 in local funds;

5753 (4) In Fiscal Year 2025, \$74,878,268 in local funds (“base amount”); and

5754 (5) Beginning with Fiscal Year 2026, and annually thereafter, an amount equal to
5755 the base amount increased each year by the Consumer Price Index for All Urban Consumers for
5756 the Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan Statistical Area (or such
5757 successor metropolitan statistical area that includes the District) increase for the preceding
5758 calendar year; and

5759 (26) Any additional appropriated funds.

5760 (c) The Fund shall be used to:

5761 (1) Ssupport the ~~cost of implementing implementation of~~ an employee
5762 compensation salary scale to increase the minimum compensation for employees of early
5763 childhood development providers ~~as passed or approved by Council; and-~~

5764 (2) Pay agency administrative costs, including personnel costs and costs related to
5765 providing technical assistance to early childhood development providers, related to increasing
5766 the minimum compensation for employees of early childhood development providers pursuant to
5767 a salary scale passed or approved by the Council, provided, that such administrative costs shall
5768 not exceed, in any year, 10% of the annual amount deposited into the Fund.

5769 (d)(1) Money deposited into the Fund but not expended in a fiscal year shall not revert to
5770 the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal
5771 year, or at any time.

5772 (2) Subject to authorization in an approved budget and financial plan, any funds
5773 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

5774 (e) For the purposes of this section, the term “Early childhood development provider”
5775 shall have the same meaning as provided in section 101(1G) of the Pre-K Enhancement and
5776 Expansion Amendment Act of 2008, July 18, 2008 (D.C. Law 17-202; D.C. Official Code
5777 § 38-271.01(1G)).

5778 **SUBTITLE L. DC HEALTHCARE ALLIANCE**

5779 Sec. 5111. Short title.

5780 This subtitle may be cited as the “DC HealthCare Alliance Conforming Amendments and
5781 Non-Lapsing Fund Amendment Act of 2021”.

5782 Sec. 5112. The Health Care Privatization Amendment Act of 2001, effective July 12,
5783 2001 (D.C. Law 14-18; D.C. Official Code § 7-1401 *et seq.*), is amended as follows:

5784 (a) Section 7b (D.C. Official Code § 7-1407) is amended to read as follows:

5785 “Sec. 7b. DC HealthCare Alliance recertification.

5786 “(a) The Mayor shall allow enrollees for the DC HealthCare Alliance (“Alliance”)
5787 program to complete an application for recertification with the Department of Human Services:

5788 “(1) In person;

5789 “(2) Over the telephone; and

5790 “(3) Through electronic means, including through a web-based portal.

5791 “(b) Applicants for the Alliance program shall not be required to complete a face-to-face
5792 interview to establish eligibility for enrollment in the Alliance program or to recertify their

5793 enrollment in person; ~~provided except,~~ that the Mayor may require enrollees to complete one in-
5794 person certification each year in Fiscal Years 2023, 2024, and 2025.

5795 “(c) Enrollees in the Alliance before April 1, 2025, shall be required to recertify ~~his or~~
5796 ~~her~~their enrollment every 6 months.

5797 “(d) Enrollees in the Alliance after March 31, 2025, shall be required to recertify ~~his or~~
5798 ~~her~~their enrollment on an annual basis.”.

5799 ~~(b) Section 7e (D.C. Official Code § 7-1408) is repealed.~~

5800 ~~(e)~~ Section 7e (D.C. Official Code § 7-1410) is repealed.

5801 Sec. 5113. The Department of Health Care Finance Establishment Act of 2007, effective
5802 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended by
5803 adding a new section 8c as follows:

5804 “Sec. 8c. DC HealthCare Alliance Reform Fund.

5805 “(a) There is established as a special fund the DC HealthCare Alliance Reform Fund
5806 (“Fund”), which shall be administered by the Department in accordance with subsection (c) of
5807 this section.

5808 “(b) Local funds appropriated in Fiscal Years ~~2021-2022~~ through 2024 for the
5809 Department which remain unspent at the close of each fiscal year shall be deposited into the
5810 Fund.

5811 “(c) Money in the Fund shall be used exclusively within the Department of Health Care
5812 Finance to fully fund reforms to the D.C. HealthCare Alliance Program, including:

5813 “(1) Permanently eliminating the requirement for a face-to-face interview as a
5814 recertification requirement for the DC HealthCare Alliance program; and

5815 “(2) Extending the period of time before recertification of enrollment from 6
5816 months to one year.

5817 —“(3d)(A1) The money deposited into the Fund, but not expended in a fiscal year
5818 shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at
5819 the end of a fiscal year, or at any other time.

5820 —“(B2) Subject to authorization in an approved budget and financial plan,
5821 money in the Fund shall be continually available without regard to fiscal year limitation.”.

5822 ~~Sec. 5114. Section 47-362(h) of the District of Columbia Official Code is amended to~~
5823 ~~read as follows:~~

5824 ~~“(h) Notwithstanding § 47-363, local funds appropriated for the Department of Health~~
5825 ~~Care Finance in Fiscal Years 2021, 2022, 2023, 2024, and 2025 shall not be reprogrammed to~~
5826 ~~other agencies unless the Council approves the reprogramming by resolution.”.~~

5827 ~~Sec. 5115. Applicability.~~

5828 ~~This subtitle shall apply as of August 8, 2021.~~

5829 **SUBTITLE M. DEPARTMENT OF HEALTH CARE FINANCE GRANT-**
5830 **MAKING AUTHORITY**

5831 Sec. 5121. Short title.

5832 This subtitle may be cited at the “Department of Health Care Finance Grant-Making
5833 Amendment Act of 2021.”

5834 Sec. 5122. Section 8a of the Department of Health Care Finance Establishment Act of
5835 2007, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 7-771.07a), is
5836 amended by adding a new subsection (a-5) to read as follows:

5837 “(a-5) For Fiscal Year 2022, subject to the availability of funds, the Director may:

5838 “(1)(A) Award a competitive grant in an amount not to exceed \$150,000 to fund
5839 operating expenses associated with the provision of medical respite care services to individuals
5840 who are homeless; provided, that if such a grant is awarded to a Federally Qualified Health
5841 Center (“FQHC”), the amount of the grant shall not be offset against the FQHC's expenses for
5842 the purpose of determining its allowable cost in accordance with section 4511.2 of Title 29 of the
5843 District of Columbia Municipal Regulations (29 DCMR § 4511.2).

5844 “(B) At a minimum, the selected entity shall possess:

5845 “(i) The staff capacity and expertise necessary to provide medical
5846 respite care, with a particular emphasis on care for women who are homeless; and

5847 “(ii) The ability to provide case management services, including
5848 assistance in accessing permanent housing services.

5849 “(2)(A) Award competitive grants in an amount not to exceed \$200,000 to
5850 community-based initiatives focused on addressing the social determinants of health in Wards 7
5851 and 8.

5852 “(B) In establishing criteria for the award of grants pursuant to this
5853 paragraph, the Department shall prioritize community-based initiatives that utilize a cohort-based
5854 curriculum that incorporates design-thinking.

5855 “(3)(A) Award competitive grants in an amount not to exceed \$200,000 to study
5856 the barriers to telehealth services for clients of the Department of Behavioral Health and the
5857 Department of Disability Services, utilizing a design-thinking approach, and to propose a set of
5858 recommendations for addressing those barriers.

5859 “(B) In establishing criteria for the award of grants pursuant to this
5860 paragraph, the Department shall prioritize providers that have an established program dedicated
5861 to design-thinking.

5862 “(4) Award competitive grants in an amount not to exceed \$250,000 to assist
5863 FQHCs in educating their patients in Wards 7 and 8 on how to properly access telehealth
5864 services; provided, that the amount of the grant shall not be offset against the FQHC’s expenses
5865 for the purpose of determining its allowable costs in accordance with section 4511.2 of Title 29
5866 of the District of Columbia Municipal Regulations (29 DCMR § 4511.2).

5867 “(5) Award a competitive grant in an amount not to exceed \$100,000 to a District-
5868 based organization to deploy non-physician healthcare practitioners, such as social workers, to
5869 facilitate and improve care coordination for pregnant mothers receiving health benefits through
5870 Medicaid or the DC HealthCare Alliance; provided, that the Department shall select an awardee
5871 with experience providing prenatal and postpartum maternal care to Medicaid beneficiaries by

5872 way of digital health or telehealth with a focus on early detection of pregnancy-related illnesses,
5873 such as gestational hypertension or preeclampsia.”.

5874 **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

5875 **SUBTITLE A. HIGHWAY TRUST FUND REPROGRAMMINGS**

5876 Sec. 6001. Short title.

5877 This subtitle may be cited as the “Highway Trust Fund Reprogramming Amendment Act
5878 of 2021”.

5879 Sec. 6002. Section 47-363 of the District of Columbia Official Code is amended by
5880 adding a new subsection (h) to read as follows:

5881 “(h)(1) This subchapter shall not apply to a reprogramming from a master capital project
5882 in the Highway Trust Fund portion of the District’s capital improvements plan to another master
5883 capital project in the Highway Trust Fund portion of the District’s capital improvements plan,
5884 other than as provided in this subsection.

5885 “(2) At the request of the Mayor, the Chief Financial Officer of the District of
5886 Columbia (“CFO”) shall reprogram funds between master capital projects in the Highway Trust
5887 Fund portion of the District’s capital improvements plan; provided, that the reprogramming of
5888 funds is consistent with the State Transportation Improvement Plan included in the
5889 Transportation Improvement Plan prepared and approved by the Metropolitan Washington
5890 Council of Governments National Capital Region Transportation Planning Board; provided
5891 further, that the CFO determines that the funds are available for reprogramming.

5892 “(3) After funds are reprogrammed pursuant to paragraph (2) of this subsection,
5893 the director of the implementing agency for the project may obligate and expend the
5894 reprogrammed funds.”.

5895 Sec. 6003. -Applicability.

5896 This subtitle shall apply as of July 1, 2021.

5897 **SUBTITLE B. UTILITY RELOCATION ON INTERSTATE HIGHWAYS**

5898 ~~Sec. 6011. Short title.~~

5899 ~~This subtitle may be cited as the “Utility Relocation Reimbursement Amendment Act of~~
5900 ~~2021”.~~

5901 ~~Sec. 6012. Section 4(a) of the District of Columbia Public Utilities Reimbursement Act~~
5902 ~~of 1972, approved October 14, 1972 (86 Stat. 812; D.C. Official Code § 9-107.02(a)), is~~
5903 ~~amended by striking the phrase “The cost of relocation, adjustment, replacement, or removal,~~
5904 ~~and the cost of abandonment of such facilities, shall be paid to the utility by the District of~~
5905 ~~Columbia, as a part of the cost of such project.” and inserting the phrase “50% of the cost of~~
5906 ~~relocation, adjustment, replacement, or removal, and 50% of the cost of abandonment of such~~
5907 ~~facilities, shall be paid by the District of Columbia, as a part of the cost of such project. The~~
5908 ~~remainder of such cost shall be paid by the utility.” in its place.~~

5909 **SUBTITLE B. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**

5910 **TRANSITION**

5911 ~~Sec. 6011. Short title.~~

5912 The subtitle may be cited as the “Department of Consumer and Regulatory Affairs
5913 Transition Amendment Act of 2021”.

5914 Sec. 6012. Section 301 of the Department of Buildings Establishment Act of 2020,
5915 effective April 5, 2021 (D.C. Law 23-269; D.C. Official Code § 10-563.01), is amended as
5916 follows:

5917 (a) The lead-in language of subsection (b) is amended by striking the date “October 1,
5918 2021” and inserting the date “October 1, 2022” in its place.

5919 (b) Subsection (c) is amended by striking the date “October 1, 2021” and inserting the
5920 date “October 1, 2022” in its place.

5921 **SUBTITLE C. -BUSINESS RECOVERY AND SUSTAINABILITY FEE**
5922 **REDUCTIONS**

5923 Sec. 6021. Short title.

5924 This subtitle may be cited as the “Business Recovery and Sustainability Fee
5925 Reductions Amendment Act of 2021”.

5926 Sec. 6022. Business recovery and sustainability fee reductions.

5927 Title 17 of the District of Columbia Municipal Regulations is amended as follows:

5928 (a) Chapter 5 is amended as follows:

5929 (1) Section 500.2 (17 DCMR § 500.2) is amended to read as follows:

5930 - “500.2 The Director shall charge a fee of seventy dollars (\$70) for each basic business
5931 license, plus a fee of twenty-five dollars (\$25) for each endorsement added to the basic business

5932 license, except for a General Business license and endorsement under ~~17-DCMR~~516.1(c), for
5933 which no fee shall be charged. Each basic business license and endorsement shall be valid for
5934 two (2) years from the date of issuance, unless earlier revoked or voluntarily relinquished.”.

5935 (2) Section 500.3 (17 DCMR § 500.3) is amended to read as follows:

5936 “500.3 The Director shall charge a fee of seventy dollars (\$70) for the renewal of each
5937 basic business license, plus a fee of twenty-five dollars (\$25) for each renewal endorsement
5938 added to a basic business license, except for a General Business license and endorsement under
5939 ~~17-DCMR~~516.1(c), for which no fee shall be charged.”.

5940 (3) Section 513.1 (17 DCMR § 513.1) is amended as follows:

5941 (A) Paragraph (a) is amended by striking the figure “\$1,300” and inserting
5942 the figure “\$90” in its place.

5943 (B) Paragraph (b) is amended by striking the figure “\$1,300” and inserting
5944 the figure “\$90” in its place.

5945 (C) Paragraph (c) is amended by striking the figure “\$1,300” and inserting
5946 the figure “\$90” in its place.

5947 (4) Section 516.1(c) (17 DCMR § 516.1(c)) is amended by striking the figure
5948 “\$200” and inserting the figure “\$90” in its place.

5949 (b) Chapter 6 is amended as follows:

5950 (1) Section 602.1(a)(1) (17 DCMR § 602(a)(1)) is amended by striking the phrase
5951 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its

5952 place.

5953 (2) Section 606.1(a) (17 DCMR § 606.1(a)) is amended by striking the phrase
5954 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
5955 place.

5956 (3) Section 607.1(a) (17 DCMR § 607.1(a)) is amended by striking the phrase
5957 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
5958 place.

5959 (4) Section 608.1(a) (17 DCMR § 608.1(a)) is amended by striking the phrase
5960 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
5961 place.

5962 (5) Section 611.1(a) (17 DCMR § 611.1(a)) is amended by striking the phrase
5963 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
5964 place.

5965 (c) Section 1607.1 (17 DCMR § 1607.1) is amended by striking the phrase “five hundred
5966 dollars (\$500)” and inserting the phrase “zero dollars (\$0)” in its place.

5967 (d) Chapter 35 is amended as follows:

5968 (1) A new section 3500.6 (17 DCMR § 3500.6) is added to read as follows:

5969 “3500.6. From October 1, 2021, through September 30, 2022, the
5970 following fees shall be charged for each class of non-health occupation license issued by the
5971 Department of Consumer and Regulatory Affairs (DCRA) in lieu of the fees listed in § 3500.2:

5972 “(a) The application fee and examination fee shall be zero dollars (\$0).

5973 “(b) The license fee and the renewal fee shall be ninety-nine
5974 dollars (\$99).”.

5975 Sec. 6023. Taxi industry recovery support.

5976 During Fiscal Year 2022, the following fees shall not be charged:

5977 (a) The Department of For-Hire Vehicles’ fee for the renewal of an annual operator ID
5978 license, imposed by section 827 of Title 31 of the District of Columbia Municipal Regulations
5979 (31 DCMR § 827), for operators of public vehicles-for-hire;

5980 (b) The Department of For-Hire Vehicles’ per vehicle registration fee, imposed by
5981 section 1104 of Title 31 of the District of Columbia Municipal Regulations (31 DCMR § 1104),
5982 for public vehicles-for-hire;

5983 (c) The Department of For-Hire Vehicles’ independent taxicab owner certificate of
5984 operating authority application fee, imposed by section 505.2 of Title 31 of the District of
5985 Columbia Municipal Regulations (31 DCMR § 505.2);

5986 (d) The Department of For-Hire Vehicles’ taxicab company, association, and fleet
5987 certificate of operating authority fee, imposed pursuant to section 501.8 of Title 31 of the District
5988 of Columbia Municipal Regulations (31 DCMR § 501.8);

5989 (e) The Department of For-Hire Vehicles’ application fee for a certificate of operating
5990 authority to operate an independent luxury vehicle business, imposed by section 1221.6(e) of
5991 Title 31 of the District of Columbia Municipal Regulations (31 DCMR § 1221.6(e));

5992 (f) The Department of Motor Vehicles’ fee for certified and uncertified abstracts of
5993 operating records, imposed by section 801.3 and 801.5 of Title 18 of the District of Columbia
5994 Municipal Regulations (18 DCMR §§ 801.3 and 801.5), for operators of public vehicles-for-hire;

5995 (g) The Department of Motor Vehicles’ motor vehicle inspection fee, imposed by section
5996 1 of An Act To provide for annual inspection of all motor vehicles in the District of Columbia,
5997 approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50–1101), and section 601.8(i) of
5998 Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 601.8(i)), for public
5999 vehicles-for-hire; and

6000 (h) The Department of Motor Vehicles’ motor vehicle registration fee, imposed by
6001 section 3 of title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937
6002 (50 Stat. ~~679~~681; D.C. Official Code § 50-1501.03), for public vehicles-for-hire.

6003 Sec. 6024. Biennial corporate report fee forgiveness authority.

6004 Section 29-102.12 of the District of Columbia Official Code is amended by adding a new
6005 subsection (e) to read as follows:

6006 “(e) The Mayor may implement fee forgiveness programs by rulemaking to encourage
6007 entities to come into compliance with the entity filing requirements of this subchapter.”.

6008 **SUBTITLE D. SUSTAINABLE ENERGY TRUST FUND**

6009 Sec. 6031. Short title.

6010 This subtitle may be cited as the “Sustainable Energy Trust Fund Amendment Act of
6011 2021”.

6012 Sec. 6032. Section 210(c)(16) of the Clean and Affordable Energy Act of 2008, effective
6013 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)(16)), is amended to read
6014 as follows:

6015 “(16) In Fiscal Years 2022, 2023, 2024, and 2025, transferring at least \$10
6016 million, but no more than \$15 million, to the Green Finance Authority to support sustainable
6017 projects and programs; provided, that funding for such transfers is included in an approved
6018 budget and financial plan; provided further, that the total amount of money transferred to the
6019 Green Finance Authority from the Sustainable Energy Trust Fund in ~~F~~fiscal ~~Y~~years 2020
6020 through 2025 shall not exceed \$70 million; and”.

6021 Sec. 6033. Section 4(b) of the Energy Efficiency Standards Act of 2007, effective
6022 December 11, 2007 (D.C. Law 17-64; D.C. Official Code § 8-1771.03(b)), is amended as
6023 follows:

6024 (a) Paragraph (3B) is redesignated as paragraph (2D).

6025 (b) Paragraph (3C) is redesignated as paragraph (3B).

6026 (c) Paragraph (3D) is redesignated as paragraph (3C).

6027 (d) Paragraph (3E) is redesignated as paragraph (3D).

6028 (e) The newly redesignated paragraph (2D) is amended by striking the phrase
6029 “Residential ventilating fans shall have a fan motor efficacy of no less than 2.8 cubic feet” and
6030 inserting the phrase “In-line residential ventilating fans shall have a fan motor efficacy of no less
6031 than 2.8 cubic feet” in its place.

6032 **SUBTITLE E. WMATA DEDICATED FUNDING**

6033 Sec. 6041. Short title.

6034 This subtitle may be cited as the “WMATA Dedicated Funding Amendment Act of
6035 2021”.

6036 Sec. 6042. Section 6002 of the Dedicated WMATA Funding and Tax Changes Affecting
6037 Real Property and Sales Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168;
6038 D.C. Official Code § 1-325.401), is amended as follows:

6039 (a) Subsection (b)(3) is amended to read as follows:

6040 “(3) In Fiscal Year 2021, and each successive year, \$178.5 million.”.

6041 (b) A new subsection (b-1) is added to read as follows:

6042 “(b-1) Notwithstanding ~~paragraph-subsection (b)~~(3) of this subsection, the District may
6043 reduce its dedicated funding payment to WMATA if Maryland or Virginia reduces its dedicated
6044 funding payment below the amount required in its dedicated funding agreement with WMATA;
6045 provided, that the District’s reduction shall be not be greater in proportion than the proportion by
6046 which Maryland or the proportion by which Virginia, whichever is greater, reduces its
6047 payment.”.

6048 **SUBTITLE F. URBAN AGRICULTURE FUNDING AND CLARIFICATION**

6049 Sec. 6051. Short title.

6050 This subtitle may be cited as the “Urban Agriculture Funding Amendment Act of 2021”.

6051 Sec. 6052. The Food Production and Urban Gardens Program Act of 1986, effective
6052 February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as
6053 follows:

6054 (a) Section 2(4) (D.C. Official Code § 48-401(4)) is amended as follows:

6055 (1) Strike the word “produce” and insert the word “crops” in its place.

6056 (2) Strike the phrase “purposes.” and insert the phrase “purposes. The term “urban
6057 farm” shall not include backyard or community gardens.” in its place.

6058 (b) Section 3b (D.C. Official Code § 48-402.02) is amended by striking the figure
6059 “\$150,000” and inserting the figure “\$90,000” in its place.

6060 Sec. 6053. Section 47-868(d) of the District of Columbia Official Code is amended as
6061 follows:

6062 (a) Paragraph (1) is amended by striking the phrase “shall, before the property is put to
6063 use as an urban farm,” and inserting the word “shall” in its place.

6064 (b) Paragraph (2) is amended by striking the phrase “to object to the proposed annual
6065 planting plan and request modifications to the annual planting plan” and inserting the phrase “to
6066 determine eligibility for an abatement under this section” in its place.

6067 (c) Paragraph (3) is amended by striking the phrase “retain the annual planting plan for at
6068 least 3 years” and insert the phrase “submit an annual planting plan for approval pursuant to this
6069 subsection at the beginning of each fiscal year” in its place.

6070 (d) A new paragraph (4) is inserted to read as follows:

6071 “(4) The Department may establish additional requirements for eligibility by
6072 rulemaking or by publication on its website.”.

6073 **SUBTITLE G. ZERO WASTE FUNDING AND CLARIFICATION**

6074 **AMENDMENT**

6075 Sec. 6061. Short title.

6076 This subtitle may be cited as the “Zero Waste Funding and Clarification Amendment Act
6077 of 2021”.

6078 Sec. 6062. Title I of the Sustainable Solid Waste Management Amendment Act of 2014,
6079 effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01 *et seq.*), is
6080 amended as follows:

6081 (a) Section 103a (D.C. Official Code § 8-1031.03a) is amended as follows:

6082 (1) Subsection (a) is amended as follows:

6083 (i) Paragraph (1) is amended by striking the word “food” and inserting the
6084 phrase “food to the extent practicable” in its place.

6085 (ii) Paragraph (3) is amended by striking the word “employee work area”
6086 and inserting the phrase “work area where employees are handling back-of-house commercial
6087 food waste” in its place.

6088 (2) Subsection (e)(1) is repealed.

6089 (b) Section 111(a) (D.C. Official Code § 8–1031.11(a)) is amended as follows:

6090 (1) Paragraph (1) is amended by striking the phrase “facilities.” and inserting the
6091 phrase “facilities. Beginning January 1, 2023, the minimum fee for transfer at District-owned
6092 solid waste facilities shall be \$13.38 per ton.” in its place.

6093 (2) Paragraph (2) is amended by striking the figure “\$1” and inserting the figure
6094 “\$2” in its place.

6095 (c) Section 112b (D.C. Official Code § 8-1031.12b) is amended to read as follows:

6096 “112b. On-Site Composting.

6097 “Owners of commercial and residential properties in the District may engage in
6098 composting on the property; provided, that the composting is conducted in a manner that does
6099 not:

6100 “(1) Promote the development, attraction, or harborage of vectors; or

6101 “(2) Create a public nuisance.”.

6102 (d) Section 117(b)(8) (D.C. Official Code § 8-1041.03(b)(8)) is amended to read as
6103 follows:

6104 “(8) A signed statement certifying that vendors who recycle or reuse covered
6105 electronic equipment collected under the manufacturer's waste management program have e-
6106 Stewards certification.”.

6107 (~~e~~) Section 128(2)(B) (D.C. Official Code § 8-771.01(2)(B)) is amended to read as
6108 follows:

6109 “(B) A product in which the only batteries used are supplied by a producer
6110 that:

6111 “(i) Is a member of a battery stewardship organization that has an
6112 approved battery stewardship plan pursuant to section 130(b) and is registered in accordance
6113 with section 131(b); and

6114 “(ii) Has provided written certification of that membership to both
6115 the producer of the covered battery-containing product and the battery stewardship organization
6116 of which the battery producer is a member;”.

6117 (e~~f~~) Section 130(a)(5) (D.C. Official Code § 8-771.03(a)(5)) is amended to read as
6118 follows:

6119 “(5) A description of how the battery stewardship organization will arrange for
6120 components of the discarded batteries to be recycled to the maximum extent economically and
6121 technically feasible, in a manner that is environmentally sound and safe for waste management
6122 workers;”.

6123 (f~~g~~) Section 132(a) (D.C. Official Code § 8-771.05(a)) is amended by striking the phrase
6124 “April 1” and inserting the phrase “June 1” in its place.

6125 Sec. 6063. Section 3(e) of the Human and Environmental Health Protection Act of 2010,
6126 effective March 31, 2011 (D.C. Law 18-336; D.C. Official Code § 8-108.02(e)), is amended as
6127 follows:

6128 (a) The existing text is designated as paragraph (1).

6129 (b) A new paragraph (2) is added to read as follows:

6130 “(2) There shall be a de minimis exemption for the sale of products containing
6131 0.1% or less by mass of penta mixtures of polybrominated diphenyl ethers due to the presence of
6132 recycled raw materials.”.

6133 Sec. 6064. Section 720.7 of Title 21 of the District of Columbia Municipal Regulations
6134 (21 DCMR § 720.7), is amended to read as follows:

6135 “720.7 The applicable fees for the disposal of commodities included in the ~~District's~~
6136 District's solid waste reduction and recycling program at the waste-handling facilities shall be
6137 fifty-one dollars and fifty-nine cents (\$51.59) for each ton disposed; ~~Provided~~provided, that a
6138 minimum fee of twelve dollars and eighty-nine cents (\$12.89) shall be imposed on each load
6139 weighing five hundred pounds (500 lbs.) or less.”.

6140 **SUBTITLE H. -DEPARTMENT OF MOTOR VEHICLES KIOSKS FUND**

6141 Sec. 6071. Short title.

6142 This subtitle may be cited as the “Department of Motor Vehicles Kiosk Fund
6143 Amendment Act of 2021”.

6144 Sec. 6072. The Department of Motor Vehicles Establishment Act of 1998, effective
6145 March 26, 1999 (D.C. Law 12–175; D.C. Official Code § 50-901 *et seq.*), is amended by adding
6146 a new section 1825a to read as follows:

6147 “Sec. 1825a. Department of Motor Vehicles Kiosk Fund.

6148 “(a) There is established as a special fund the Department of Motor Vehicles Kiosk Fund
6149 (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this
6150 section.

6151 “(b) All convenience fees collected from the operation of the Department of Motor
6152 Vehicles’ self-service kiosks shall be deposited in the Fund.

6153 “(c) Money in the Fund shall be used to pay the costs of installing, renting, operating,
6154 maintaining, and providing supplies for the Department of Motor Vehicles’ self-service kiosks.

6155 “(d)(1) The money deposited in the Fund but not expended in a fiscal year shall not revert
6156 to the unassigned fund balance of the General Fund of the District of Columbia at the end of a
6157 fiscal year, or at any other time.

6158 “(2) Subject to authorization in an approved budget and financial plan, any funds
6159 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

6160 “(e) For the purposes of this section, the term “self-service kiosk” means a hardware
6161 device with specialized integrated software that enables users to conduct transactions related to
6162 the Department of Motor Vehicles’ services without the need for assistance from Department of
6163 Motor Vehicles staff.”.

6164 **SUBTITLE I. -DC CIRCULATOR FARE**

6165 Sec. 6081. Short title.

6166 This subtitle may be cited as the “DC Circulator Amendment Act of 2021”.

6167 Sec. 6082. Section 11d(b) of the Department of Transportation Establishment Act of 2002,
6168 effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-921.34(b)), is amended to
6169 read as follows:

6170 “(b) The base fare to ride the DC Circulator shall be at least \$1; except, that the Department
6171 may provide discounts for:

6172 “(1) Seniors, veterans, students, children, and disabled persons;

6173 “(2) All riders during a public health emergency declared by the Mayor;

6174 “(3) All riders during promotional periods; provided, that promotional periods may
6175 not cumulatively total more than 2 months in a calendar year; and

6176 “(4) Transfers.”.

6177 **SUBTITLE J. -LOW-INCOME WEATHERIZATION ASSISTSANCE**

6178 Sec. 6091. Short title.

6179 This subtitle may be cited as the “Low-Income Weatherization Assistance Amendment
6180 Act of 2021”.

6181 Sec. 6092. Section 211(c) of the Clean and Affordable Energy Act of 2008, effective
6182 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.11(c)), is amended to read as
6183 follows:

6184 “(c)(1) Except as described in paragraph (2) of this subsection, the Energy Assistance
6185 Trust Fund shall be used solely to fund the existing low-income program, and the Mayor shall

6186 have the fund audited every 2 years to ensure that the assessment imposed pursuant to subsection
6187 (b)(1) of this section is appropriately set to fund the low-income program funded by the EATF.

6188 “(2) In Fiscal Year 2022, the Energy Assistance Trust Fund also may ~~also~~ be used
6189 to fund weatherization assistance for low-income District residents.”.

6190 **SUBTITLE K. ATE SYSTEM REVENUE DESIGNATION**

6191 Sec. 6101. Short title.

6192 This subtitle may be cited as the “ATE System Revenue Designation Amendment Act of
6193 2021”.

6194 Sec. 6102. The Department of Transportation Establishment Act of 2002, effective May
6195 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a
6196 new section ~~9f~~9q to read as follows:

6197 “Sec. ~~9f~~9q. ATE system revenue designation.

6198 “(a) There is established as a special fund, the Vision Zero Enhancement Omnibus
6199 Amendment Act Implementation Fund (“Fund”), which shall be administered by the Director of
6200 the District Department of Transportation (“Director”) in accordance with subsections (c) and (d)
6201 of this section.

6202 “(b) There shall be deposited in the Fund the amount by which the projected local funds
6203 revenue from fines generated from the automated traffic enforcement system, authorized by
6204 section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C.
6205 Law 11-198; D.C. Official Code § 50-2209.01), for that fiscal year exceeds \$98,757,000; and

6206 “(c)(1) Money in the Fund shall be used according to the following order of priority:

6207 “(A) To implement the Vision Zero Enhancement Omnibus Amendment
6208 Act of 2020, effective December 23, 2020 (D.C. Law 23-158; 67 DCR 13057), including to pay
6209 recurring costs;

6210 “(B) To enhance the safety and quality of pedestrian and bicycle
6211 transportation, including education, engineering, and enforcement efforts designed to calm traffic
6212 and provide safe routes.

6213 “(2) The Director is authorized to enter into intra-District transfers from the Fund
6214 and other agreements with the Department of Health, Department of Motor Vehicles,
6215 Department of Public Works, and Metropolitan Police Department as necessary to implement
6216 provisions of the Vision Zero Enhancement Omnibus Amendment Act of 2020, effective
6217 December 23, 2020 (D.C. Law 23-158; 67 DCR 13057).

6218 “(d)(1) The money deposited into the Fund shall not revert to the unassigned fund
6219 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any
6220 other time.

6221 “(2) Subject to authorization in an approved budget and financial plan, any funds
6222 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”

6223 **SUBTITLE L. ELECTRIC MOBILITY DEVICE AMENDMENT**

6224 Sec. 6111. Short title.

6225 This subtitle may be cited as the “Electric Mobility Device Amendment Act of 2021”.

6226 Sec. 6112. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
6227 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

6228 (a) Section 2~~(6A)(A)~~ (D.C. Official Code § 50-2201.02~~(6A)(A)~~) is amended as follows:

6229 (1) Paragraph (6A)(A) is amended as follows:

6230 (A) The lead-in language is amended by striking the number “60” and
6231 inserting the number “75” in its place.

6232 ~~(2B)~~ Sub-subparagraph (iv) is amended striking the number “48” and
6233 inserting the number “55” in its place.

6234 (2) Paragraph (13)(A)(i) is amended by striking the number “60” and inserting the
6235 number “75” in its place.

6236 (b) Section 6c(b) (D.C. Official Code § 50-2201.03c(b)) is amended by adding a new
6237 paragraph (5) to read as follows:

6238 “(5) The Director shall fine a permitted operator \$100 per device that the permitted
6239 operator represented to DDOT as an electronic mobility device and deployed and that, when
6240 inspected by DDOT, weighs greater than 75 pounds or is longer than 55 inches.”.

6241 **SUBTITLE M. GREEN BUILDING FUND SETF DISBURSEMENTS**

6242 Sec. 6121. Short title.

6243 This subtitle may be cited as the “Green Building Fund SETF Disbursement Amendment
6244 Act of 2021”.

6245 Sec. 6122. Section 8 of the Green Building Act of 2006, effective March 8, 2007 (D.C.
6246 Law 16-234; D.C. Official Code § 6-1451.07), is amended to read as follows:

6247 “Sec. 8. Green Building Fund.

6248 “(a) There is established as a special fund the Green Building Fund (“Fund”), which shall
6249 be administered by the Mayor in accordance with subsection (c) of this section. The purpose of
6250 the Fund is to streamline administrative green building processes, improve sustainability
6251 performance outcomes, build capacity of development and administrative oversight professionals
6252 in green building skills and knowledge, institutionalize innovation, overcome barriers to
6253 achieving high-performance buildings, and continuously promote the sustainability of green
6254 building practices in the District.

6255 “(b) Monies obtained pursuant to sections 6 and 9 shall be deposited into the Fund.

6256 “(c) Money in the Fund shall be used for the following:

6257 “(1) The following amounts shall be transferred to the Sustainable Energy Trust
6258 Fund (“SETF”) established by section 210 of the Clean and Affordable Energy Act of 2008,
6259 effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10):

6260 “(A) For each of Fiscal Years 2022, 2023, 2024, and 2025, a minimum of
6261 \$900,000; and

6262 “(B) For each fiscal year thereafter, 50% of monies in the Fund; and

6263 “(2) Costs for at least 3 full-time employees at DCRA, or elsewhere as assigned
6264 by the Mayor, whose primary job duties are devoted to technical assistance, plan review, and
6265 inspections and monitoring of green buildings;

6266 “(3) Additional staff and operating costs to provide training, technical assistance,
6267 plan review, inspections and monitoring of green buildings, and green codes development;

6268 “(4) Research and development of green building practices;

6269 “(5) Education, training, outreach, and other market transformation initiatives;

6270 “(6) Seed support for demonstration projects, their evaluation, and when
6271 successful, their institutionalization; and

6272 “(7) Costs incurred to make green building materials accessible to low-income
6273 residents.

6274 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
6275 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
6276 of a fiscal year, or at any other time.

6277 “(2) Subject to authorization in an approved budget and financial plan, any funds
6278 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

6279 “(e) The Mayor may receive and administer grants for the purpose of carrying out the
6280 goals of this act.”.

6281 Sec. 6123. Section 210 of the Clean and Affordable Energy Act of 2008, effective
6282 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10), is amended as follows:

6283 (a) Subsection (a)(1) is amended by striking the phrase “Fiscal Agent.” and inserting the
6284 phrase “Fiscal Agent. In addition, money transferred from the Green Building Fund, pursuant to
6285 section 8(c)(1) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234;
6286 D.C. Official Code § 6-1451.07(c)(1)), shall be deposited into the SETF; provided, that any such
6287 money shall be used solely for the purpose described in subsection (c)(18) of this section.” in its
6288 place.

6289 (b) Subsection (c) is amended as follows:

6290 (1) Paragraph (16) is amended by striking the phrase “; and” and inserting a semi-
6291 colon in its place.

6292 (2) Paragraph (17) is amended by striking the period and inserting the phrase “;
6293 and” in its place.

6294 (3) A new paragraph (18) is added to read as follows:

6295 “(18) Activities permitted under section 8(c)(2) through (7) of the Green Building
6296 Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)-
6297 (7)).”.

6298 **SUBTITLE N. LEAD PIPE REPLACEMENT ASSISTANCE PROGRAM**

6299 **SUBSIDY**

6300 Sec. 6131. Short title.

6301 This subtitle may be cited as the “Lead Pipe Replacement Assistance Program Subsidy
6302 Amendment Act of 2021”.

6303 Sec. 6132. Section 6019b(b)(1) of the Lead Service Line Priority Replacement Assistance
6304 Act of 2004, effective March 13, 2019 (D.C. Law 22-241; D.C. Official Code § 34-2159(b)(1)),
6305 is amended as follows:

6306 (a) Subparagraph (A) is amended as follows:

6307 (1) Sub-subparagraph (i) is amended by striking the phrase “80% or” and
6308 inserting the phrase “100% or” in its place.

6309 (2) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the
6310 phrase “; and” in its place.

6311 (b) Subparagraph (B) is repealed.

6312 **SUBTITLE O. LEAD SERVICE LINE PLANNING TASK FORCE**

6313 Sec. 6141. Short title.

6314 This subtitle may be cited as the “Lead Service Line Planning Task Force Establishment
6315 Act of 2021”.

6316 Sec. 6142. The Lead Service Line Priority Replacement Assistance Act of 2004, effective
6317 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 *et seq.*), is amended by
6318 adding new sections 6019d and 6019e to read as follows:

6319 “Sec. 6019d. Lead Service Line Planning Task Force establishment.

6320 “(a) There is established a Lead Service Line Planning Task Force (“Task Force”), to be
6321 administered by the Department of Energy and Environment (“DOEE”), to develop an
6322 interagency plan for the removal and replacement of all lead water service lines by 2030

6323 (“Plan”).

6324 “(b) The Task Force shall consist of 6 members as follows:

6325 “(1) The Director of DOEE, or the Director’s designee;

6326 “(2) The General Manager of the District of Columbia Water and Sewer Authority
6327 (“DC Water”); or the General manager’s designee;

6328 “(3) The Director of the District Department of Transportation, or the Director’s
6329 designee;

6330 “(4) The Director of the Department of Consumer and Regulatory Affairs, or the
6331 Director’s designee;

6332 “(5) One representative appointed by the Chairperson of the Council committee
6333 with oversight of DC Water; and

6334 “(6) One representative appointed by the Chairperson of the Council committee
6335 with oversight of DOEE.

6336 “(c)(1) Within 2 months after the effective date of the Lead ~~Free DC Service Line~~
6337 Planning Task Force Establishment Act of 2021, ~~as approved by the Committee of the Whole~~
6338 ~~passed on 1st reading~~ on July 20, 2021 (~~Committee print~~Engrossed version of Bill 24-185), the
6339 Task Force shall hold its first meeting. The Task Force shall meet at least monthly.

6340 “(2) The Task Force shall dissolve after submitting the report required by
6341 subsection (d) of this section.

6342 “(d)(1) Within 10 months after the effective date of the Lead Service Line Planning Task

6343 Force Establishment Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version of
6344 Bill 24-285)~~this Act~~, the Task Force shall transmit the Plan to the Mayor, Council, and
6345 Chairperson of the DC Water Board of Directors.

6346 “(2) The Plan shall include:

6347 “(A) An account of the role of each District agency, including agencies
6348 not part of the Task Force, in the removal and replacement of all lead water service lines by
6349 2030;

6350 “(B) An account of identified barriers to the District removing and
6351 replacing all lead water services lines by 2030, and proposed solutions to reduce or eliminate
6352 those barriers;

6353 “(C) An account of opportunities for interagency coordination or
6354 cooperation to accelerate or improve the efficiency and cost-effectiveness of lead water service
6355 line replacements;

6356 “(D) An interagency spending proposal;

6357 “(E) Recommended changes or clarifications to DC Water’s Lead Service
6358 Line Replacement Plan, released on June 14, 2021;

6359 “(F) A list of potential funding sources to support lead water service line
6360 replacements; and

6361 “(G) A list of legislative, regulatory, and policy changes to ~~effectively and~~
6362 ~~efficiently~~ complete and fund lead line replacement work by 2030 effectively and efficiently,

6363 including draft language, ~~where~~when appropriate.

6364 “(3)(A) The interagency spending proposal required by paragraph (2)(D) of this
6365 subsection shall include an account of estimated spending, broken down by:

6366 “(i) Fiscal year;

6367 “(ii) Spending agency;

6368 “(iii) How the funds are intended to be used; and

6369 “(iv) Whether a funding source has been identified for the
6370 expenditure.

6371 “(B) The spending proposal required by paragraph (2)(D) of this
6372 subsection also shall ~~also~~ include:

6373 “(i) Costs for recommendations identified pursuant to paragraph
6374 (2)(B) and (C) of this subsection; and

6375 “(ii) A separate list of unfunded agency costs identified in the
6376 spending proposal, including the number of unfunded FTEs, by agency and the FTEs’
6377 anticipated responsibilities.

6378 “(4) At least 2 months before transmitting the Plan to the Council, the Task Force
6379 shall make a draft version of the Plan available to the Mayor, the Council, and the public. The
6380 Task Force shall accept public comments on the report for at least 4 weeks following the Plan
6381 being made public.

6382 “(e) Nothing in this section shall be construed to limit the authority of DC Water or

6383 DOEE to undertake lead water service line removal or replacements before the submission of the
6384 Plan.

6385 “Sec. 6019e. Reporting on lead water service line replacement spending.

6386 “(a) The District of Columbia Water and Sewer Authority (“DC Water”) and the
6387 Department of Energy and Environment (“DOEE”) shall separately provide the Council with a
6388 report on agency spending of federal and local funds on lead water service line replacements,
6389 broken down by spending of federal and local funds and by program. DC Water’s report shall
6390 also include a breakdown of spending on lead line replacements, program management costs,
6391 street restoration, water main replacements, and other costs.

6392 “(b) DC Water and DOEE shall transmit the reports required by subsection (a) of this
6393 section twice a year, on:

6394 “(1) February 1st, for the period beginning July 1st and ending December 31st of
6395 the immediately preceding year; and

6396 “(2) August 1st, for the period beginning January 1st and ending June 30th of the
6397 same year.”.

6398 **SUBTITLE P. PROTECT LOCAL WILDLIFE TAGS AND ANACOSTIA RIVER**
6399 **CLEAN UP AND PROTECTION FUND ELIGIBLE USES**

6400 Sec. 6151. Short title.

6401 This subtitle may be cited as the “Protect Local Wildlife Specialty License Plate and Anacostia
6402 River Clean Up and Protection Fund Eligible Use Amendment Act of 2021”.

6403 Sec. 6152. Title IV of the District of Columbia Revenue Act of 1937, approved August
6404 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01 *et seq.*), is amended as follows:

6405 (a) A new section 21 is added to read as follows:

6406 “Sec. 21. Issuance of Protect Local Wildlife motor vehicle identification tags.

6407 “(a) The Mayor shall design and make available for issue one or more Protect Local Wildlife
6408 vehicle identification tags to demonstrate support for the protection, rescue, and rehabilitation of native
6409 wildlife placed at risk due to the encroaching urban environment.

6410 “(b)(1) A resident ordering a Protect Local Wildlife tag shall pay a one-time application fee and
6411 a display fee each year thereafter. The application fee shall be \$25, and the display fee shall be \$20, or
6412 such other amount as may be established by the Mayor by rule.

6413 “(2) The application fee and annual display fee shall be deposited into the Anacostia
6414 River Clean Up and Protection Fund established by section 6 of the Anacostia River Clean Up and
6415 Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-
6416 102.05).”.

6417 (b) Section 3 (D.C. Official Code § 50-1501.03) is amended as follows:

6418 (1) Subsection (a)(1) is amended by adding a new subparagraph (P) to read as
6419 follows:

6420 “(P) Any person ordering a Protect Local Wildlife identification tag shall
6421 pay the fees set forth in section 21(b)(1).”.

6422 (2) Subsection (d) is amended as follows:

6423 (A) Paragraph (12) is amended by striking the phrase “; and” and inserting
6424 a semicolon in its place.

6425 (B) Paragraph (13) is amended by striking the period and inserting the
6426 phrase “; and” in its place.

6427 (C) A new paragraph (14) to read as follows:

6428 “(14) The fees collected for the Protect Local Wildlife identification tags under
6429 section 21 shall be deposited into Anacostia River Clean Up and Protection Fund, established by
6430 section 6 of the Anacostia River Clean Up and Protection Act of 2009, effective September 23,
6431 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05).”.

6432 Sec. 6153. Section 6 of the Anacostia River Clean Up and Protection Act of 2009,
6433 effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05), is amended as
6434 follows:

6435 (a) Subsection (a) is amended as follows:

6436 (1) Strike the phrase “Plates,” and insert the phrase “Plates, all fees collected
6437 pursuant to section 21(b)(1) of Title IV of the District of Columbia Revenue Act of 1937, ~~as~~
6438 ~~approved by the Committee of the Whole~~passed on 1st reading on July 20, 2021 (~~Committee~~
6439 ~~print~~Engrossed version of Bill 24-285),” in its place.

6440 (2) Strike the phrase “District Department of the Environment” and insert the
6441 phrase “Department of Energy and Environment (“DOEE”)” in its place.

6442 (b) Subsection (b) is amended as follows:

6443 (1) Paragraph (1A) is amended by striking the phrase “District Department of the
6444 Environment” and inserting the phrase “DOEE” in its place.

6445 (2) Paragraph (3) is amended by striking the phrase “District Department of the
6446 Environment” and inserting the phrase “DOEE” in its place.

6447 (3) New paragraphs (7A) and (7B) are added to read as follows:

6448 “(7A) Awarding an annual grant, on a competitive basis, in an amount not to
6449 exceed \$200,000, to provide wildlife rehabilitation services;

6450 “(7B) In Fiscal Year 2022, at least \$50,000 to produce a report, which, upon its
6451 completion, shall be published on DOEE’s website, analyzing the projected effects of banning
6452 the sale of beverages packaged in single-use plastic containers in the District, including effects
6453 on waterways, equity, and the local economy;”.

6454 **SUBTITLE Q. RAIL SAFETY AND SECURITY RULEMAKING**

6455 Sec. 6161. Short title.

6456 This subtitle may be cited as the “Rail Safety and Security Rulemaking Amendment Act
6457 of 2021”.

6458 Sec. 6162. Section 110(c) of the District Department of the Environment Establishment
6459 Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.10(c)), is
6460 amended as follows:

6461 (a) Paragraph (1) is amended by striking the phrase “carriers.” and inserting the phrase
6462 “carriers to cover the costs of administering and managing the expenses of the emergency

6463 response, rail safety, and rail security programs for railroad operations in the District.” in its
6464 place.

6465 (b) Paragraph (2) is amended to read as follows:

6466 “(2) In issuing rules pursuant to this subsection, the Mayor shall consider any
6467 recommendations submitted pursuant to section 203(b)(4) of the Rail Safety and Security
6468 Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-
6469 333(b)(4)).”.

6470 (c) Paragraph (3) is amended as follows:

6471 (1) Strike the phrase “the Rail Advisory Board’s” and insert the word “any” in its
6472 place.

6473 (2) Strike the phrase “provide the Rail” and insert the phrase “provide the
6474 Railroad” in its place.

6475 Sec. 6163. Section 203(b)(4) of the Rail Safety and Security Amendment Act of 2016,
6476 effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-333(b)(4)), is amended to
6477 read as follows:

6478 “(4) At least once per year, submit recommendations to the Mayor regarding rules
6479 that have been or should be adopted pursuant to pursuant to section 110(c) of the District
6480 Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C.
6481 Law 16-51; D.C. Official Code § 8-151.10(c)).”.

6482 **SUBTITLE R. DOEE AND DDOT GRANTS**

6483 Sec. 6171. Short title.

6484 This subtitle may be cited as the “Grants Act of 2021”.

6485 Sec. 6172. In Fiscal Year 2022, the Department of Energy and the Environment shall
6486 award grants, on a competitive basis, in an amount not to exceed \$50,000 for each grant and
6487 \$150,000 for all grants awarded under this section, to community-based groups working to
6488 remove trash and invasive species, maintain trails, and engage residents in the District’s
6489 parklands.

6490 Sec. 6173. In Fiscal Year 2022, the District Department of Transportation shall award:
6491 (a) ~~a~~A grant in an amount not to exceed \$200,000 for a local airport authority to study
6492 aircraft operations and noise at Ronald Reagan Washington National Airport, and its impact on
6493 the quality of life of residents along the Potomac River.

6494 (b)(1) A grant of not less than \$250,000 to a regional transportation system supporting
6495 efforts to establish M-495 Commuter Fast Ferry Service on the Occoquan, Potomac, and
6496 Anacostia River system.

6497 (2) A grant awarded pursuant to this subsection shall be in addition to any other
6498 grant awarded by DDOT for fast ferry service.

6499 **SUBTITLE S. RESIDENTIAL PARKING STUDY**

6500 Sec. 6181. Short title.

6501 This subtitle may be cited as the “Residential Parking Study Act of 2021”.

- 6502 Sec. 6182. Residential Parking Study.
- 6503 (a) Commencing no later than January 1, 2022, the District Department of Transportation
- 6504 (“DDOT”) shall conduct a study of innovative parking practices on residential streets, including
- 6505 residential streets near major commercial centers.
- 6506 (b) The study shall include an evaluation of the feasibility and cost of:
- 6507 (1) Reducing the size of residential parking permit (“RPP”) zones to the Advisory
- 6508 Neighborhood Commission boundaries; and
- 6509 (2) Combining RPP zones with pay-by-phone parking zones.
- 6510 (c) DDOT shall engage with Advisory Neighborhood Commissioners, Business
- 6511 Improvement Districts, and other affected stakeholders during the course of the study.
- 6512 (d) The study results shall be provided to the Council no later than September 30, 2022.

6513 **TITLE VII. -FINANCE AND REVENUE**

6514 **SUBTITLE A. -UNCLAIMED PROPERTY**

6515 Part 1. -Short Title; Definitions; Rules

6516 Sec. 7001. -Short title.

6517 This subtitle may be cited as the “Revised Uniform Unclaimed Property Act of 2021”.

6518 Sec. 7002. -Definitions.

6519 For the purposes of this subtitle, the term:

6520 (1) “Administrator” means the authorized representative of the Mayor.

6521 (2) “Administrator’s agent” means a person with which the Administrator
6522 contracts to conduct an examination under Part 10 on behalf of the Administrator. The term
6523 includes an independent contractor of the person and each individual participating in the
6524 examination on behalf of the person or contractor.

6525 (3) “Apparent owner” means a person whose name appears on the records of a
6526 holder as the owner of property held, issued, or owing by the holder.

6527 (4) “Attorney General” means the Attorney General for the District of Columbia.

6528 (5) “Business association” means a corporation, joint stock company, investment
6529 company other than an investment company registered under the Investment Company Act of
6530 1940, approved August 22, 1940 (54 Stat. 789;15 U.S.C. §§ 80a-1 *et seq.*), partnership,
6531 unincorporated association, joint venture, limited liability company, business trust, trust
6532 company, land bank, safe deposit company, safekeeping depository, financial organization,
6533 insurance company, federally chartered entity, utility, sole proprietorship, or other business
6534 entity, whether or not for profit.

6535 (6) “Confidential information” means records, reports, and information that are
6536 confidential under section 7083.

6537 (7) “District” means the District of Columbia.

6538 (8) “Domicile” means:

6539 (A) For a corporation, the state of its incorporation;

6540 (B) For a business association whose formation requires a filing with a
6541 state, other than a corporation, the state of its filing;

6542 (C) For a federally chartered entity or an investment company registered
6543 under the Investment Company Act of 1940, approved August 22, 1940 (54 Stat. 789; 15 U.S.C.
6544 §§ 80a-1 *et seq.*), the state of its home office; and

6545 (D) For any other holder, the state of its principal place of business.

6546 (9) “Electronic” means relating to technology having electrical, digital, magnetic,
6547 wireless, optical, electromagnetic, or similar capabilities.

6548 (10) “Electronic mail” means a communication by electronic means which is
6549 automatically retained and stored and may be readily accessed or retrieved.

6550 (11) “Financial organization” means a savings and loan association, building and
6551 loan association, savings bank, industrial bank, bank, banking organization, or credit union.

6552 (12)(A) “Game-related digital content” means digital content that exists only in an
6553 electronic game or electronic-game platform.

6554 (B) The term “game-related digital content” includes:

6555 (i) Game-play currency such as a virtual wallet, even if
6556 denominated in United States currency; and

6557 (ii) The following if for use or redemption only within the game or
6558 platform or another electronic game or electronic-game platform:

6559 (I) Points, sometimes referred to as gems, tokens, gold, and
6560 similar names; and

6561 (II) Digital codes; ~~and.~~

6562 (C) The term “game-related digital content” does not include an item that
6563 the issuer:

6564 (i) Permits to be redeemed for use outside a game or platform for:

6565 (I) Money; or

6566 (II) Goods or services that have more than minimal value;

6567 or

6568 (ii) Otherwise monetizes for use outside a game or platform.

6569 (13)(A) “Gift card” means a stored-value card:

6570 (i) The value of which does not expire;

6571 (ii) That may be decreased in value only by redemption for

6572 merchandise, goods, or services; and

6573 (iii) That, unless required by law, may not be redeemed for or

6574 converted into money or otherwise monetized by the issuer; ~~and.~~

6575 (B) The term “gift card” includes a prepaid commercial mobile radio
6576 service, as defined in 47 C.F.R. 20.3.

6577 (14) “Holder” means a person obligated to hold for the account of, or to deliver or
6578 pay to, the owner, property subject to this subtitle.

6579 (15) “Insurance company” means an association, corporation, or fraternal or
6580 mutual-benefit organization, whether or not for profit, engaged in the business of providing life
6581 endowments, annuities, or insurance, including accident, burial, casualty, credit-life, contract-
6582 performance, dental, disability, fidelity, fire, health, hospitalization, illness, life, malpractice,
6583 marine, mortgage, surety, wage-protection, and worker-compensation insurance.

6584 (16) “Loyalty card” means a record given without direct monetary consideration
6585 under an award, reward, benefit, loyalty, incentive, rebate, or promotional program which may
6586 be used or redeemed only to obtain goods or services or a discount on goods or services. The
6587 term does not include a record that may be redeemed for money or otherwise monetized by the
6588 issuer.

6589 (17) “Mineral” means gas, oil, coal, oil shale, other gaseous liquid or solid
6590 hydrocarbon, cement material, sand and gravel, road material, building stone, chemical raw
6591 material, gemstone, fissionable and nonfissionable ores, colloidal and other clay, steam and other
6592 geothermal resources, and any other substance defined as a mineral by law of the District other
6593 than this subtitle.

6594 (18)(A) “Mineral proceeds” means an amount payable for extraction, production,
6595 or sale of minerals, or, on the abandonment of the amount, an amount that becomes payable after
6596 abandonment.

6597 (B) The term “mineral proceeds” includes an amount payable:

6598 (i) For the acquisition and retention of a mineral lease, including a
6599 bonus, royalty, compensatory royalty, shut-in royalty, minimum royalty, and delay rental;

6600 (ii) For the extraction, production, or sale of minerals, including a
6601 net revenue interest, royalty, overriding royalty, extraction payment, and production payment;
6602 and

6603 (iii) Under an agreement or option, including a joint-operating
6604 agreement, unit agreement, pooling agreement, and farm-out agreement.

6605 (19) “Money order” means a payment order for a specified amount of money,
6606 including an express money order and a personal money order on which the remitter is the
6607 purchaser.

6608 (20) “Municipal bond” means a bond or evidence of indebtedness issued by a
6609 municipality or other political subdivision of a state.

6610 (21) “Net card value” means the original purchase price or original issued value
6611 of a stored-value card, plus amounts added to the original price or value, minus amounts used
6612 and any service charge, fee, or dormancy charge permitted by law.

6613 (22) “Non-freely transferable security” means a security that cannot be delivered
6614 to the Administrator by the Depository Trust Clearing Corporation or similar custodian of
6615 securities providing post-trade clearing and settlement services to financial markets or cannot be
6616 delivered because there is no agent to effect transfer. The term includes a worthless security.

6617 (23) “Owner” means a person that has a legal, beneficial, or equitable interest in
6618 property subject to this subtitle or the person’s legal representative when acting on behalf of the
6619 owner, including:

6620 (A) A depositor, for a deposit;

6621 (B) A beneficiary, for a trust other than a deposit in trust;

6622 (C) A creditor, claimant, or payee, for other property; and

6623 (D) The lawful bearer of a record that may be used to obtain money, a
6624 reward, or a thing of value.

6625 (24) “Payroll card” means a record that evidences a payroll-card account as
6626 defined in Regulation E, 12 C.F.R. Part 1005.

6627 (25) “Person” means an individual, estate, business or nonprofit entity, public
6628 corporation, government or governmental subdivision, agency, or instrumentality, or other legal
6629 entity.

6630 (26)(A) “Property” means tangible property described in section 7009 or a fixed
6631 and certain interest in intangible property held, issued, or owed in the course of a holder’s
6632 business or by a government, governmental subdivision, agency, or instrumentality.

6633 (B) The term “property” includes all income from or increments to the
6634 property and includes property referred to as or evidenced by:

6635 (i) Money, virtual currency, interest, or a dividend, check, draft,
6636 deposit, or payroll card;

- 6637 (ii) A credit balance, customer’s overpayment, stored-value card,
6638 security deposit, refund, credit memorandum, unpaid wage, unused ticket for which the issuer
6639 has an obligation to provide a refund, mineral proceeds, or unidentified remittance;
- 6640 (iii) A security except for:
- 6641 (I) A worthless security; or
- 6642 (II) A security that is subject to a lien, legal hold, or
6643 restriction evidenced on the records of the holder or imposed by operation of law, if the lien,
6644 legal hold, or restriction restricts the holder’s or owner’s ability to receive, transfer, sell, or
6645 otherwise negotiate the security;
- 6646 (iv) A bond, debenture, note, or other evidence of indebtedness;
- 6647 (v) Money deposited to redeem a security, make a distribution, or
6648 pay a dividend;
- 6649 (vi) An amount due and payable under an annuity contract or
6650 insurance policy; and
- 6651 (vii) An amount distributable from a trust or custodial fund
6652 established under a plan to provide health, welfare, pension, vacation, severance, retirement,
6653 death, stock purchase, profit-sharing, employee-savings, supplemental-unemployment insurance,
6654 or a similar benefit; ~~and.~~
- 6655 (C) The term “property” does not include:

6656 (i) Property held in a plan described in section 529A of the Internal
6657 Revenue Code of 1986, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A);

6658 (ii) Game-related digital content; or

6659 (iii) A loyalty card.

6660 (27) “Putative holder” means a person believed by the Administrator to be a
6661 holder, until the person pays or delivers to the Administrator property subject to this subtitle or
6662 the Administrator or a court makes a final determination that the person is or is not a holder.

6663 (28) “Record” means information that is inscribed on a tangible medium or that is
6664 stored in an electronic or other medium and is retrievable in perceivable form.

6665 (29) “Security” means:

6666 (A) A security as defined in D.C. Official Code § 28:8-102(15);

6667 (B) A security entitlement as defined in D.C. Official Code § 28:8-

6668 102(17), including a customer security account held by a registered broker-dealer, to the extent
6669 the financial assets held in the security account are not:

6670 (i) Registered on the books of the issuer in the name of the person
6671 for which the broker-dealer holds the assets;

6672 (ii) Payable to the order of the person; or

6673 (iii) Specifically indorsed to the person; and

6674 (C) An equity interest in a business association not included in
6675 subparagraph (A) or (B) of this paragraph.

6676 (30) “Sign” means, with present intent to authenticate or adopt a record:

6677 (A) To execute or adopt a tangible symbol; or

6678 (B) To attach to or logically associate with the record an electronic
6679 symbol, sound, or process.

6680 (31) “State” means a state of the United States, the District of Columbia, the
6681 Commonwealth of Puerto Rico, the United States Virgin Islands, or any territory or insular
6682 possession subject to the jurisdiction of the United States.

6683 (32)(A) “Stored-value card” means a record evidencing a promise made for
6684 consideration by the seller or issuer of the record that goods, services, or money will be provided
6685 to the owner of the record to the value or amount shown in the record.

6686 (B) The term “stored-value card” includes

6687 (i) A record that contains or consists of a microprocessor chip,
6688 magnetic strip, or other means for the storage of information, which is prefunded and whose
6689 value or amount is decreased on each use and increased by payment of additional consideration;
6690 and

6691 (ii) A gift card and payroll card; ~~and.~~

6692 (C) The term “stored-value card” does not include a loyalty card or game-
6693 related digital content.

6694 (33) “Superior Court” means the Superior Court of the District of Columbia.

6695 (34) “Utility” means a person that owns or operates for public use a plant,
6696 equipment, real property, franchise, or license for the following public services:

6697 (A) Transmission of communications or information;

6698 (B) Production, storage, transmission, sale, delivery, or furnishing of
6699 electricity, water, steam, or gas; or

6700 (C) Provision of sewage or septic services, or trash, garbage, or recycling
6701 disposal.

6702 (35) “Virtual currency” means a digital representation of value used as a medium
6703 of exchange, unit of account, or store of value, which does not have legal tender status
6704 recognized by the United States. The term “virtual currency” does not include:

6705 (A) The software or protocols governing the transfer of the digital
6706 representation of value;

6707 (B) Game-related digital content; or

6708 (C) A loyalty card or gift card.

6709 (36) “Worthless security” means a security whose cost of liquidation and delivery
6710 to the Administrator would exceed the value of the security on the date a report is due under this
6711 subtitle.

6712 Sec. 7003. -Inapplicability to foreign transaction.

6713 This subtitle does not apply to property held, due, and owing in a foreign country if the
6714 transaction out of which the property arose was a foreign transaction.

6715 Sec. 7004. -Rules.

6716 (a) The Mayor may, pursuant to Title I of the District of Columbia Administrative
6717 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
6718 issue rules to implement this subtitle.

6719 (b) The rules issued pursuant to section 138 of the Uniform Disposition of Unclaimed
6720 Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-138),
6721 shall remain in effect, unless inconsistent with this subtitle, until repealed or amended pursuant
6722 to this section.

6723 Part 2. -Presumption of Abandonment.

6724 Sec. 7005. -When property is presumed abandoned.

6725 Subject to section 7014, the following property is presumed abandoned if it is unclaimed
6726 by the apparent owner during the period specified below:

6727 (1) A traveler's check, 15 years after issuance;

6728 (2) A money order, 7 years after issuance;

6729 (3) A state or municipal bond, bearer bond, or original-issue-discount bond, 3
6730 years after the earliest of the date the bond matures or is called or the obligation to pay the
6731 principal of the bond arises;

6732 (4) A debt of a business association, 3 years after the obligation to pay arises;

6733 (5) A payroll card or demand, savings, or time deposit, including a deposit that is
6734 automatically renewable, 3 years after the maturity of the deposit, except a deposit that is

6735 automatically renewable is deemed matured on its initial date of maturity unless the apparent
6736 owner consented in a record on file with the holder to renewal at or about the time of the
6737 renewal;

6738 (6) Money or a credit owed to a customer as a result of a retail business
6739 transaction, 3 years after the obligation arose;

6740 (7) An amount owed by an insurance company on a life or endowment insurance
6741 policy or an annuity contract that has matured or terminated, 3 years after the obligation to pay
6742 arose under the terms of the policy or contract or, if a policy or contract for which an amount is
6743 owed on proof of death has not matured by proof of the death of the insured or annuitant, as
6744 follows:

6745 (A) With respect to an amount owed on a life or endowment insurance
6746 policy, 3 years after the earlier of the date:

6747 (i) The insurance company has knowledge of the death of the
6748 insured; or

6749 (ii) The insured has attained, or would have attained if living, the
6750 limiting age under the mortality table on which the reserve for the policy is based; and

6751 (B) With respect to an amount owed on an annuity contract, 3 years after
6752 the date the insurance company has knowledge of the death of the annuitant.

6753 (8) Property distributable by a business association in the course of dissolution,
6754 one year after the property becomes distributable;

6755 (9) Property held by a court, including property received as proceeds of a class
6756 action, one year after the property becomes distributable;

6757 (10) Property held by a government or governmental subdivision, agency, or
6758 instrumentality, including municipal bond interest and unredeemed principal under the
6759 administration of a paying agent or indenture trustee, one year after the property becomes
6760 distributable;

6761 (11) Wages, commissions, bonuses, or reimbursements to which an employee is
6762 entitled, or other compensation for personal services, other than amounts held in a payroll card,
6763 one year after the amount becomes payable;

6764 (12) A deposit or refund owed to a subscriber by a utility, one year after the
6765 deposit or refund becomes payable; and

6766 (13) Property not specified in this section or sections 7006 through 7012, the
6767 earlier of 3 years after the owner first has a right to demand the property and 3 years after the
6768 obligation to pay or distribute the property arises.

6769 Sec. 7006. -When tax-deferred retirement account presumed abandoned.

6770 (a) Subject to section 7014, property held in a pension account or retirement account that
6771 qualifies for tax deferral under the income-tax laws of the United States is presumed abandoned
6772 if it is unclaimed by the apparent owner 3 years after the later of:

6773 (1) The following date:

6774 (A) Except as otherwise provided in subparagraph (B) of this paragraph,
6775 the date a second consecutive communication sent by the holder by first-class United States mail
6776 to the apparent owner is returned to the holder undelivered by the United States Postal Service;

6777 or

6778 (B) If the second communication is sent later than 30 days after the date
6779 the first communication is returned undelivered, the date the first communication was returned
6780 undelivered by the United States Postal Service; and

6781 (2) The earlier of the following dates:

6782 (A) The date the apparent owner becomes 70.5 years of age, if
6783 determinable by the holder; or

6784 (B) If the Internal Revenue Code of 1986, approved August 16, 1954 (68A
6785 Stat. 3; 26 U.S.C. § 1 *et seq.*) requires distribution to avoid a tax penalty, 2 years after the date
6786 the holder:

6787 (i) Receives confirmation of the death of the apparent owner in the
6788 ordinary course of its business; or

6789 (ii) Confirms the death of the apparent owner under subsection (b)
6790 of this section.

6791 (b) If a holder in the ordinary course of its business receives notice or an indication of the
6792 death of an apparent owner and subsection (a)(2) of this section applies, the holder shall attempt

6793 not later than 90 days after receipt of the notice or indication to confirm whether the apparent
6794 owner is deceased.

6795 (c) If the holder does not send communications to the apparent owner of an account
6796 described in subsection (a) of this section by first-class United States mail, the holder shall
6797 attempt to confirm the apparent owner's interest in the property by sending the apparent owner
6798 an electronic-mail communication not later than 2 years after the apparent owner's last indication
6799 of interest in the property. However, the holder promptly shall attempt to contact the apparent
6800 owner by first-class United States mail if:

6801 (1) The holder does not have information needed to send the apparent owner an
6802 electronic mail communication or the holder believes that the apparent owner's electronic mail
6803 address in the holder's records is not valid;

6804 (2) The holder receives notification that the electronic-mail communication was
6805 not received; or

6806 (3) The apparent owner does not respond to the electronic-mail communication
6807 not later than 30 days after the communication was sent.

6808 (d) If first-class United States mail sent under subsection (c) of this section is returned to
6809 the holder undelivered by the United States Postal Service, the property is presumed abandoned
6810 ~~three~~ 3 years after the later of:

6811 (1) Except as in paragraph (2) of this subsection, the date a second consecutive
6812 communication to contact the apparent owner sent by first-class United States mail is returned to
6813 the holder undelivered;

6814 (2) If the second communication is sent later than 30 days after the date the first
6815 communication is returned undelivered, the date the first communication was returned
6816 undelivered; or

6817 (3) The date established by subsection (a)(2) of this section.

6818 Sec. 7007. -When other tax-deferred account presumed abandoned.

6819 Subject to section 7014 and except for property described in section 7006 and property
6820 held in a plan described in section 529A of the Internal Revenue Code of 1986, approved
6821 December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A), property held in an account or plan,
6822 including a health savings account, that qualifies for tax deferral under the income-tax laws of
6823 the United States is presumed abandoned if it is unclaimed by the apparent owner 3 years after
6824 the earlier of:

6825 _____ (1) The date, if determinable by the holder, specified in the income-tax laws and
6826 regulations of the United States by which distribution of the property must begin to avoid a tax
6827 penalty, with no distribution having been made; or

6828 _____ (2) 30 years after the date the account was opened.

6829 Sec. 7008. -When custodial account for minor presumed abandoned.

6830 (a) Subject to section 7014, property held in an account established under D.C. Official
6831 Code §§ 21-301 to 21-324, or another state’s Uniform Gifts to Minors Act or Uniform Transfers
6832 to Minors Act, is presumed abandoned if it is unclaimed by or on behalf of the minor on whose
6833 behalf the account was opened 3 years after the later of:

6834 (1) Except as otherwise provided in ~~sub~~paragraph (2) of this ~~paragraph~~subsection,
6835 the date a second consecutive communication sent by the holder by first-class United States mail
6836 to the custodian of the minor on whose behalf the account was opened is returned undelivered to
6837 the holder by the United States Postal Service;

6838 (2) If the second communication is sent later than 30 days after the date the first
6839 communication is returned undelivered, the date the first communication was returned
6840 undelivered; or

6841 (3) The date on which the custodian is required to transfer the property to the
6842 minor or the minor’s estate in accordance with the Uniform Gifts to Minors Act or Uniform
6843 Transfers to Minors Act of the state in which the account was opened.

6844 (b) If the holder does not send communications to the custodian of the minor on whose
6845 behalf an account described in subsection (a) of this section was opened by first-class United
6846 States mail, the holder shall attempt to confirm the custodian’s interest in the property by sending
6847 the custodian an electronic-mail communication not later than 2 years after the custodian’s last
6848 indication of interest in the property. However, the holder promptly shall attempt to contact the
6849 custodian by first-class United States mail if:

6850 (1) The holder does not have information needed to send the custodian an
6851 electronic mail communication or the holder believes that the custodian's electronic-mail-mail
6852 address in the holder's records is not valid;

6853 (2) The holder receives notification that the electronic-mail communication was
6854 not received; or

6855 (3) The custodian does not respond to the electronic-mail communication not later
6856 than 30 days after the communication was sent.

6857 (c) If first-class United States mail sent under subsection (b) of this section is returned
6858 undelivered to the holder by the United States Postal Service, the property is presumed
6859 abandoned 3 years after the later of:

6860 (1) The date a second consecutive communication to contact the custodian by
6861 first-class United States mail is returned to the holder undelivered by the United States Postal
6862 Service; or

6863 (2) The date established by subsection (a)(3) of this section.

6864 (d) When the property in the account described in subsection (a) of this section is
6865 transferred to the minor on whose behalf an account was opened or to the minor's estate, the
6866 property in the account is no longer subject to this section.

6867 Sec. 7009. -When contents of safe-deposit box presumed abandoned.

6868 Tangible property held in a safe-deposit box and proceeds from a sale of the property by
6869 the holder permitted by law of the District other than this subtitle are presumed abandoned if the
6870 property remains unclaimed by the apparent owner 3 years after the earlier of the:

6871 (1) Expiration of the lease or rental period for the box; or

6872 (2) Earliest date when the lessor of the box is authorized by law of the District

6873 other than this subtitle to enter the box and remove or dispose of the contents without consent or
6874 authorization of the lessee.

6875 Sec. 7010. -When stored-value card presumed abandoned.

6876 (a) Subject to section 7014, the net card value of a stored-value card, other than a payroll
6877 card or a gift card, is presumed abandoned on the latest of 3 years after:

6878 (1) December 31 of the year in which the card is issued or additional funds are
6879 deposited into it;

6880 (2) The most recent indication of interest in the card by the apparent owner; or

6881 (3) A verification or review of the balance by or on behalf of the apparent owner.

6882 (b) The amount presumed abandoned in a stored-value card is the net card value at the
6883 time it is presumed abandoned.

6884 Sec. 7011. -When gift card presumed abandoned.

6885 Subject to section 7014, a gift card is presumed abandoned if it is unclaimed by the
6886 apparent owner 5 years after the later of the date of purchase or its most recent use.

6887 Sec. 7012. -When security presumed abandoned.

6888 (a) Subject to section 7014, a security is presumed abandoned 3 years after:

6889 (1) The date a second consecutive communication sent by the holder by first-class

6890 United States mail to the apparent owner is returned to the holder undelivered by the United

6891 States Postal Service; or

6892 (2) If the second communication is made later than 30 days after the first

6893 communication is returned, the date the first communication is returned undelivered to the holder

6894 by the United States Postal Service.

6895 (b) If the holder does not send communications to the apparent owner of a security by

6896 first-class United States mail, the holder shall attempt to confirm the apparent owner's interest in

6897 the security by sending the apparent owner an electronic-mail communication not later than 2

6898 years after the apparent owner's last indication of interest in the security. However, the holder

6899 promptly shall attempt to contact the apparent owner by first-class United States mail if:

6900 (1) The holder does not have information needed to send the apparent owner an

6901 electronic-mail communication or the holder believes that the apparent owner's electronic-mail

6902 address in the holder's records is not valid;

6903 (2) The holder receives notification that the electronic-mail communication was

6904 not received; or

6905 (3) The apparent owner does not respond to the electronic-mail communication

6906 not later 30 days after the communication was sent.

6907 (c) If first-class United States mail sent under subsection (b) of this section is returned to
6908 the holder undelivered by the United States Postal Service, the security is presumed abandoned 3
6909 years after the date the mail is returned.

6910 Sec. 7013. -When related property presumed abandoned.

6911 At and after the time property is presumed abandoned under this subtitle, any other
6912 property right or interest accrued or accruing from the property and not previously presumed
6913 abandoned is also presumed abandoned.

6914 Sec. 7014. -Indication of apparent owner interest in property.

6915 (a) The period after which property is presumed abandoned is measured from the later of:

6916 (1) The date the property is presumed abandoned under this part; or

6917 (2) The latest indication of interest by the apparent owner in the property.

6918 (b) Under this subtitle, an indication of an apparent owner's interest in property includes:

6919 (1) A record communicated by the apparent owner to the holder or agent of the
6920 holder concerning the property or the account in which the property is held;

6921 (2) An oral communication by the apparent owner to the holder or agent of the
6922 holder concerning the property or the account in which the property is held, if the holder or its
6923 agent contemporaneously makes and preserves a record of the fact of the apparent owner's
6924 communication;

6925 (3) Presentment of a check or other instrument of payment of a dividend, interest
6926 payment, or other distribution, or evidence of receipt of a distribution made by electronic or

6927 similar means, with respect to an account, underlying security, or interest in a business
6928 association.

6929 (4) Activity directed by an apparent owner in the account in which the property is
6930 held, including accessing the account or information concerning the account, or a direction by
6931 the apparent owner to increase, decrease, or otherwise change the amount or type of property
6932 held in the account;

6933 (5) A deposit into or withdrawal from an account at a financial organization,
6934 including an automatic deposit or withdrawal previously authorized by the apparent owner other
6935 than an automatic reinvestment of dividends or interest;

6936 (6) Subject to subsection (e) of this section, payment of a premium on an
6937 insurance policy; and

6938 (7) Any other action by the apparent owner which reasonably demonstrates to the
6939 holder that the apparent owner knows that the property exists.

6940 (c) An action by an agent or other representative of an apparent owner, other than the
6941 holder acting as the apparent owner's agent, is presumed to be an action on behalf of the
6942 apparent owner.

6943 (d) A communication with an apparent owner by a person other than the holder or the
6944 holder's representative is not an indication of interest in the property by the apparent owner
6945 unless a record of the communication evidences the apparent owner's knowledge of a right to the
6946 property.

6947 (e) If the insured dies or the insured or beneficiary of an insurance policy otherwise
6948 becomes entitled to the proceeds before depletion of the cash surrender value of the policy by
6949 operation of an automatic-premium-loan provision or other nonforfeiture provision contained in
6950 the policy, the operation does not prevent the policy from maturing or terminating.

6951 Sec. 7015. Knowledge of death of insured or annuitant.

6952 (a) In this section, "death master file" means the United States Social Security
6953 Administration Death Master File or other database or service that is at least as comprehensive as
6954 the United States Social Security Administration Death Master File for determining that an
6955 individual reportedly has died.

6956 (b) With respect to a life or endowment insurance policy or annuity contract for which an
6957 amount is owed on proof of death, but which has not matured by proof of death of the insured or
6958 annuitant, the company has knowledge of the death of an insured or annuitant when:

6959 (1) The company receives a death certificate or court order determining that the
6960 insured or annuitant has died;

6961 (2) Due diligence, performed as required under section 31 of Chapter V of the
6962 Life Insurance Act, ~~passed on 1st reading on July 20, 2021 approved June 19, 1934 (48 Stat.~~
6963 ~~1128; D.C. Official Code § 31-4731~~Engrossed version of Bill 24-285), to maintain contact with
6964 the insured or annuitant or determine whether the insured or annuitant has died validates the
6965 death of the insured or annuitant;

6966 (3) The company conducts a comparison for any purpose between a death master
6967 file and the names of some or all of the company's insureds or annuitants, finds a match that
6968 provides notice that the insured or annuitant has died, and validates the death;

6969 (4) The Administrator or the Administrator's agent conducts a comparison for the
6970 purpose of finding matches during an examination conducted under Part 10 between a death
6971 master file and the names of some or all of the company's insureds or annuitants, finds a match
6972 that provides notice that the insured or annuitant has died, and the company validates the death;
6973 or

6974 (5) The company:

6975 (A) ~~receives~~ Receives notice of the death of the insured or annuitant from
6976 an administrator, beneficiary, policy owner, relative of the insured, or trustee or from a personal
6977 representative or other legal representative of the insured's or annuitant's estate; and

6978 (B) ~~V~~ validates the death of the insured or annuitant.

6979 (c) The following rules apply under this section:

6980 (1) A death-master-file match under subsection (b)(3) or (4) of this section occurs
6981 if the criteria for an exact or partial match are satisfied as provided by:

6982 (A) Section 7093(d) of the Revised Uniform Unclaimed Property Act of
6983 2021, passed on 1st reading (Engrossed version of Bill 24-285) as introduced on May 27, 2021;

6984 or

6985 (B) A rule or policy adopted by the Mayor under section 28 of the Life
6986 Insurance Act, ~~approved June 19, 1934~~effective March 14, 1985 (48 Stat. 1125D.C. Law 5-160;
6987 D.C. Official Code § 31-4728), or a policy of the Commissioner of the Department of Insurance,
6988 Securities, and Banking.

6989 (2) The death-master-file match does not constitute proof of death for the purpose
6990 of submission to an insurance company of a claim by a beneficiary, annuitant, or owner of the
6991 policy or contract for an amount due under an insurance policy or annuity contract.

6992 (3) The death-master-file match or validation of the insured's or annuitant's death
6993 does not alter the requirements for a beneficiary, annuitant, or owner of the policy or contract to
6994 make a claim to receive proceeds under the terms of the policy or contract.

6995 (d) This subtitle does not affect the determination of the extent to which an insurance
6996 company before the effective date of this subtitle had knowledge of the death of an insured or
6997 annuitant or was required to conduct a death-master-file comparison to determine whether
6998 amounts owed by the company on a life or endowment insurance policy or annuity contract were
6999 presumed abandoned or unclaimed.

7000 Sec. 7016. -Deposit account for proceeds of insurance policy or annuity contract.

7001 If proceeds payable under a life or endowment insurance policy or annuity contract are
7002 deposited into an account with check or draft-writing privileges for the beneficiary of the policy
7003 or contract and, under a supplementary contract not involving annuity benefits other than death

7004 benefits, the proceeds are retained by the insurance company or the financial organization where
7005 the account is held, the policy or contract includes the assets in the account.

7006 Part 3. -Rules for Taking Custody of Property Presumed Abandoned

7007 Sec. 7017. -Address of apparent owner to establish priority.

7008 In this part, the following rules apply:

7009 (1) The last-known address of an apparent owner is any description, code, or other
7010 indication of the location of the apparent owner which identifies the state, even if the description,
7011 code, or indication of location is not sufficient to direct the delivery of first-class United States
7012 mail to the apparent owner.

7013 (2) If the United States postal zip code associated with the apparent owner is for a
7014 post office located in the District, the District is deemed to be the state of the last-known address
7015 of the apparent owner unless other records associated with the apparent owner specifically
7016 identify the physical address of the apparent owner to be in another state.

7017 (3) If the address under paragraph (2) of this subsection is in another state, the
7018 other state is deemed to be the state of the last-known address of the apparent owner.

7019 (4) The address of the apparent owner of a life or endowment insurance policy or
7020 annuity contract or its proceeds is presumed to be the address of the insured or annuitant if a
7021 person other than the insured or annuitant is entitled to the amount owed under the policy or
7022 contract and the address of the other person is not known by the insurance company and cannot
7023 be determined under section 7018.

7024 Sec. 7018. -Address of apparent owner in the District.

7025 The Administrator may take custody of property that is presumed abandoned, whether
7026 located in the District, another state, or a foreign country if:

7027 (1) The last-known address of the apparent owner in the records of the holder is in
7028 the District; or

7029 (2) The records of the holder do not reflect the identity or last-known address of
7030 the apparent owner, but the Administrator has determined that the last-known address of the
7031 apparent owner is in the District.

7032 Sec. 7019. -If records show multiple addresses of apparent owner.

7033 (a) Except as otherwise provided in subsection (b) of this section, if records of a holder
7034 reflect multiple addresses for an apparent owner and the District is the state of the most recently
7035 recorded address, the District may take custody of property presumed abandoned, whether
7036 located in the District or another jurisdiction.

7037 (b) If it appears from records of the holder that the most recently recorded address of the
7038 apparent owner under subsection (a) of this section is a temporary address and the District is the
7039 jurisdiction of the next most recently recorded address that is not a temporary address, the
7040 District may take custody of the property presumed abandoned.

7041 Sec. 7020. -Holder domiciled in the District.

7042 (a) Except as otherwise provided in subsection (b) of this section or section 7018 or 7019,
7043 the Administrator may take custody of property presumed abandoned, whether located in the

7044 District, another state, or a foreign country, if the holder is domiciled in the District or is the
7045 District or a governmental subdivision, agency, or instrumentality of the District; and

7046 (1) Another state or foreign country is not entitled to the property because there is
7047 no last-known address of the apparent owner or other person entitled to the property in the
7048 records of the holder; or

7049 (2) The state or foreign country of the last-known address of the apparent owner
7050 or other person entitled to the property does not provide for custodial taking of the property.

7051 (b) Property is not subject to custody of the Administrator under subsection (a) of this
7052 section if the property is specifically exempt from custodial taking under the law of the District
7053 or the state or foreign country of the last-known address of the apparent owner.

7054 (c) If a holder's state of domicile has changed since the time property was presumed
7055 abandoned, the holder's state of domicile in this section is deemed to be the state where the
7056 holder was domiciled at the time the property was presumed abandoned.

7057 Sec. 7021. -Custody if transaction took place in the District.

7058 Except as otherwise provided in section 7018, 7019, or 7020, the Administrator may take
7059 custody of property presumed abandoned whether located in the District or another state if:

7060 (1) The transaction out of which the property arose took place in the District;

7061 (2) The holder is domiciled in a state that does not provide for the custodial taking
7062 of the property, except that if the property is specifically exempt from custodial taking under the

7063 law of the state of the holder's domicile, the property is not subject to the custody of the
7064 Administrator; and

7065 (3) The last-known address of the apparent owner or other person entitled to the
7066 property is unknown or in a state that does not provide for the custodial taking of the property,
7067 except that if the property is specifically exempt from custodial taking under the law of the state
7068 of the last-known address, the property is not subject to the custody of the Administrator.

7069 Sec. 7022. -Traveler's check, money order, or similar instrument.

7070 The Administrator may take custody of sums payable on a traveler's check, money order,
7071 or similar instrument presumed abandoned to the extent permissible under sections 601 through
7072 603 of An Act To increase deposit insurance from \$20,000 to \$40,000, to provide full insurance
7073 for public unit deposits of \$100,000 per account, to establish a National Commission on
7074 Electronic Fund Transfers, and for other purposes, approved October 28, 1974 (88 Stat. 1525; 12
7075 U.S.C. §§ 2501-~~through~~-2503.

7076 Sec. 7023. -Burden of proof to establish Administrator's right to custody.

7077 If the Administrator asserts a right to custody of unclaimed property, the Administrator
7078 has the burden to prove:

- 7079 (1) The existence and amount of the property;
- 7080 (2) That the property is presumed abandoned; and
- 7081 (3) That the property is subject to the custody of the Administrator.

7082 Part 4. -Report by Holder

7083 Sec. 7024. -Report required by holder.

7084 (a) A holder of property presumed abandoned and subject to the custody of the
7085 Administrator shall report in a record to the Administrator concerning the property. The
7086 Administrator may not require a holder to file a paper report.

7087 (b) A holder may contract with a third party to make the report required under subsection
7088 (a) of this section.

7089 (c) Whether or not a holder contracts with a third party under subsection (b) of this
7090 section, the holder is responsible:

7091 (1) For the complete, accurate, and timely reporting of property presumed
7092 abandoned to the Administrator; and

7093 (2) For paying or delivering to the Administrator property described in the report.

7094 Sec. 7025. -Content of report.

7095 (a) The report required under section 7024 shall:

7096 (1) Be signed by or on behalf of the holder and verified as to its completeness and
7097 accuracy;

7098 (2) If filed electronically, be in a secure format approved by the Administrator
7099 which protects confidential information of the apparent owner in the same manner as required of
7100 the Administrator and the Administrator's agent under Part 14;

7101 (3) Describe the property;

7102 (4) Except for a traveler’s check, money order, or similar instrument, contain the
7103 name, if known, last-known address, if known, and Social Security number or taxpayer
7104 identification number, if known or readily ascertainable, of the apparent owner of property with a
7105 value of \$50 or more;

7106 (5) For an amount held or owing under a life or endowment insurance policy or
7107 annuity contract, contain the name and last-known address of the insured, annuitant or other
7108 apparent owner of the policy or contract and of the beneficiary;

7109 (6) For property held in or removed from a safe-deposit box, indicate the location
7110 of the property, where it may be inspected by the Administrator, and any amounts owed to the
7111 holder under section 7038;

7112 (7) Contain the commencement date for determining abandonment under Part 2;

7113 (8) State that the holder has complied with the notice requirements of section
7114 7029;

7115 (9) Identify property that is a non-freely transferable security and explain why it is
7116 a non-freely transferable security; and

7117 (10) Contain other information the Administrator prescribes by rules.

7118 (b) A report under section 7024 may include personal information as defined in section
7119 7082(a) about the apparent owner or the apparent owner’s property to the extent not otherwise
7120 prohibited by federal law.

7121 (c) If a holder has changed its name while holding property presumed abandoned or is a
7122 successor to another person that previously held the property for the apparent owner, the holder
7123 shall include in the report under section 7024 its former name or the name of the previous holder,
7124 if any, and the known name and address of each previous holder of the property.

7125 Sec. 7026. -When report to be filed.

7126 (a) Except as otherwise provided in subsection (b) of this section and subject to
7127 subsection (c) of this section, the report under section 7024 shall be filed before November 1 of
7128 each year and cover the 12 months preceding July 1 of that year.

7129 (b) Subject to subsection (c) of this section, the report under section 7024 to be filed by
7130 an insurance company shall be filed before May 1 of each year for the immediately preceding
7131 calendar year.

7132 (c) Before the date for filing the report under section 7024, the holder of property
7133 presumed abandoned may request the Administrator to extend the time for filing. The
7134 Administrator may grant an extension. If the extension is granted, the holder may pay or make a
7135 partial payment of the amount the holder estimates ultimately will be due. The payment or
7136 partial payment terminates accrual of interest on the amount paid.

7137 Sec. 7027. -Retention of records by holder.

7138 A holder required to file a report under section 7024 shall retain records for 10 years after
7139 the later of the date the report was filed or the last date a timely report was due to be filed, unless

7140 a shorter period is provided by rule of the Administrator. The holder may satisfy the requirement
7141 to retain records under this section through an agent. The records shall contain:

7142 (1) The information required to be included in the report;

7143 (2) The date, place, and nature of the circumstances that gave rise to the property
7144 right;

7145 (3) The amount or value of the property;

7146 (4) The last address of the apparent owner, if known to the holder; and

7147 (5) If the holder sells, issues, or provides to others for sale or issue in the District
7148 traveler's checks, money orders, or similar instruments, other than third-party bank checks, on
7149 which the holder is directly liable, a record of the instruments while they remain outstanding
7150 indicating the state and date of issue.

7151 Sec. 7028. -Property reportable and payable or deliverable absent owner demand.

7152 Property is reportable and payable or deliverable under this subtitle even if the owner
7153 fails to make demand or present an instrument or document otherwise required to obtain
7154 payment.

7155 Part 5. -Notice to Apparent Owner of Property Presumed Abandoned

7156 Sec. 7029. -Notice to apparent owner by holder.

7157 (a) Subject to subsection (b) of this section, the holder of property presumed abandoned
7158 shall send to the apparent owner notice by first-class United States mail that complies with

7159 section 7030 in a format acceptable to the Administrator not more than 180 days nor less than 60
7160 days before filing the report under section 7024 if:

7161 (1) The holder has in its records an address for the apparent owner which the
7162 holder's records do not disclose to be invalid and is sufficient to direct the delivery of first-class
7163 United States mail to the apparent owner; and

7164 (2) The value of the property is \$50 or more.

7165 (b) If an apparent owner has consented to receive electronic-mail delivery from the
7166 holder, the holder shall send the notice described in subsection (a) of this section both by first-
7167 class United States mail to the apparent owner's last-known mailing address and by electronic
7168 mail, unless the holder believes that the apparent owner's electronic-mail address is invalid.

7169 Sec. 7030. -Contents of notice by holder.

7170 (a) Notice under section 7029 shall contain a heading that reads substantially as follows:

7171 "Notice. The District of Columbia requires us to notify you that your property may be transferred
7172 to the custody of the District of Columbia's Unclaimed Property Administrator if you do not
7173 contact us before (insert date that is 30 days after the date of this notice)."

7174 (b) The notice under section 7029 shall:

7175 (1) Identify the nature and, except for property that does not have a fixed value,
7176 the value of the property that is the subject of the notice;

7177 (2) State that the property will be turned over to the Administrator;

7178 (3) State that after the property is turned over to the Administrator an apparent
7179 owner that seeks return of the property must file a claim with the Administrator;

7180 (4) State that property that is not legal tender of the United States may be sold by
7181 the Administrator; and

7182 (5) Provide instructions that the apparent owner must follow to prevent the holder
7183 from reporting and paying or delivering the property to the Administrator.

7184 Sec. 7031. -Notice by Administrator.

7185 (a) The Administrator shall make a reasonable effort to give notice to an apparent owner
7186 that property of the owner that is presumed to be abandoned is held by the Administrator under
7187 this subtitle. The Administrator shall use available resources, including information services, to
7188 ascertain the mailing address of an apparent owner.

7189 (b) Subject to subsection (a) of this section, the Administrator shall:

7190 (1) Except as otherwise provided in paragraph (2) of this subsection, send written
7191 notice by first-class United States mail to each apparent owner of property valued at \$50 or more
7192 held by the Administrator, unless the Administrator determines that a mailing by first-class
7193 United States mail would not be received by the apparent owner, and, in the case of a security
7194 held in an account for which the apparent owner had consented to receiving electronic mail from
7195 the holder, send notice by electronic mail if the electronic-mail address of the apparent owner is
7196 known to the Administrator instead of by first-class United States mail; or

7197 (2) Send the notice to the apparent owner's electronic-mail address if the
7198 Administrator does not have a valid United States mail address for an apparent owner, but has an
7199 electronic-mail address that the Administrator does not know to be invalid.

7200 (c) In addition to the notice under subsection (b) of this section, the Administrator shall:

7201 (1) Publish every 6 months in at least one newspaper of general circulation in the
7202 District a notice with the following information:

7203 (A) The total value of property received by the Administrator during the
7204 preceding 6-month period, taken from the reports under section 7024;

7205 (B) The total value of claims paid by the Administrator during the
7206 preceding 6-month period;

7207 (C) The Internet web address of the unclaimed property website
7208 maintained by the Administrator;

7209 (D) A telephone number and electronic-mail address to contact the
7210 Administrator to inquire about or claim property; and

7211 (E) A statement that a person may access the Internet by a computer to
7212 search for unclaimed property and a computer may be available as a service to the public at a
7213 local public library; and

7214 (2) Maintain a website or database ~~that (i) is~~ accessible by the public and
7215 electronically searchable, ~~(ii) which~~ contains the names reported to the Administrator of all
7216 apparent owners for whom property is being held by the Administrator.

7217 (d) The website or database maintained under subsection (c) of this section must include
7218 instructions for filing with the Administrator a claim to property and a printable claim form with
7219 instructions for its use.

7220 (e) In addition to giving notice under subsections (b) and (c) of this section, the
7221 Administrator may use other printed publication, telecommunication, the Internet, or other media
7222 to inform the public of the existence of unclaimed property held by the Administrator.

7223 Sec. 7032. -Cooperation among District officers and agencies to locate apparent owner.

7224 Unless prohibited by law of the District other than this subtitle, on request of the
7225 Administrator, each officer, agency, board, commission, division, and department of the District
7226 and any body politic and corporate created by the District for a public purpose shall make its
7227 books and records available to the Administrator and cooperate with the Administrator to
7228 determine the current address of an apparent owner of property held by the Administrator under
7229 this subtitle.

7230 Part 6. -Taking Custody of Property by Administrator

7231 Sec. 7033. -Definition of good faith.

7232 In this part, payment or delivery of property is made in good faith if a holder:

7233 (1) Had a reasonable basis for believing, based on the facts then known, that the
7234 property was required or permitted to be paid or delivered to the Administrator under this
7235 subtitle; or

7236 (2) Made payment or delivery:

7237 (A) In response to a demand by the Administrator or Administrator's
7238 agent; or

7239 (B) Under a guidance or ruling issued by the Administrator which the
7240 holder reasonably believed required or permitted the property to be paid or delivered.

7241 Sec. 7034. -Dormancy charge.

7242 (a) A holder may deduct a dormancy charge from property required to be paid or
7243 delivered to the Administrator if:

7244 (1) A valid contract between the holder and the apparent owner authorizes
7245 imposition of the charge for the apparent owner's failure to claim the property within a specified
7246 time; and

7247 (2) The holder regularly imposes the charge and regularly does not reverse or
7248 otherwise cancel the charge.

7249 (b) The amount of the deduction under subsection (a) of this section is limited to an
7250 amount that is not unconscionable considering all relevant factors, including the marginal
7251 transactional costs incurred by the holder in maintaining the apparent owner's property and any
7252 services received by the apparent owner. A deduction of \$10 a year for maintaining property
7253 valued at \$50 or less, or \$20 a year for maintaining property valued at more than \$50, or other
7254 amounts established by the Administrator by rule, is not unconscionable, although a higher
7255 charge, if permitted under subsection (a) of this section, may be proper considering all relevant
7256 factors.

7257 Sec. 7035. -Payment or delivery of property to Administrator.

7258 (a) Except as otherwise provided in this section, on filing a report under section 7024, the
7259 holder shall pay or deliver to the Administrator the property described in the report.

7260 (b) If property in a report under section 7024 is an automatically renewable deposit and a
7261 penalty or forfeiture in the payment of interest would result from paying the deposit to the
7262 Administrator at the time of the report, the date for payment of the property to the Administrator
7263 is extended until a penalty or forfeiture no longer would result from payment, if the holder
7264 informs the Administrator of the extended date.

7265 (c) Tangible property in a safe-deposit box may not be delivered to the Administrator
7266 until 120 days after filing the report under section 7024.

7267 (d) If property reported to the Administrator under section 7024 is a security, the
7268 Administrator may:

7269 (1) Make an endorsement, instruction, or entitlement order on behalf of the
7270 apparent owner to invoke the duty of the issuer, its transfer agent, or the securities intermediary
7271 to transfer the security; or

7272 (2) Dispose of the security under section 7044.

7273 (e) If the holder of property reported to the Administrator under section 7024 is the issuer
7274 of a certificated security, the Administrator may obtain a replacement certificate in physical or
7275 book-entry form under D.C. Official Code § 28:8-405. An indemnity bond is not required.

7276 (f) The Administrator shall establish procedures for the registration, issuance, method of
7277 delivery, transfer, and maintenance of securities delivered to the Administrator by a holder.

7278 (g) An issuer, holder, and transfer agent or other person acting under this section under
7279 instructions of and on behalf of the issuer or holder is not liable to the apparent owner for, and
7280 shall be paid by the Administrator for the value of the property turned over to the Administrator
7281 by the District against, a claim arising with respect to property after the property has been
7282 delivered to the Administrator.

7283 (h) A holder is not required to deliver to the Administrator a security identified by the
7284 holder as a non-freely transferable security. -If the Administrator or holder determines that a
7285 security is no longer a non-freely transferable security, the holder shall deliver the security on the
7286 next regular date prescribed for delivery of securities under this subtitle. -The holder shall make a
7287 determination annually whether a security identified in a report filed under section 7024 as a
7288 non-freely transferable security is no longer a non-freely transferable security.

7289 Sec. 7036. -Effect of payment or delivery of property to Administrator.

7290 (a) On payment or delivery of property to the Administrator under this subtitle, the
7291 Administrator as agent for the District assumes custody and responsibility for safekeeping the
7292 property. A holder that pays or delivers property to the Administrator in good faith and
7293 substantially complies with sections 7029 and 7030 is relieved of liability arising thereafter with
7294 respect to payment or delivery of the property to the Administrator.

7295 (b) -A holder is not liable for a claim against the holder resulting from the payment or
7296 delivery of property to the Administrator made in good faith and after the holder substantially
7297 complied with sections 7029 and 7030.

7298 Sec. 7037. -Recovery of property by holder from Administrator.

7299 (a) A holder that under this subtitle pays money to the Administrator may file a claim for
7300 reimbursement from the Administrator of the amount paid if the holder:

7301 (1) Paid the money in error; or

7302 (2) After paying the money to the Administrator, paid money to a person the
7303 holder reasonably believed entitled to the money.

7304 (b) If a claim for reimbursement under subsection (a) of this section is made for a
7305 payment made on a negotiable instrument, including a traveler's check, money order, or similar
7306 instrument, the holder shall submit proof that the instrument was presented and payment was
7307 made to a person the holder reasonably believed entitled to payment. The holder may claim
7308 reimbursement even if the payment was made to a person whose claim was made after expiration
7309 of a period of limitation on the owner's right to receive or recover property, whether specified by
7310 contract, statute, or court order.

7311 (c) If a holder is reimbursed by the Administrator under subsection (a)(2) of this section,
7312 the holder may also recover from the Administrator income or gain under section 7039 that
7313 would have been paid to the owner if the money had been claimed from the Administrator by the
7314 owner to the extent the income or gain was paid by the holder to the owner.

7315 (d) A holder that under this subtitle delivers property other than money to the
7316 Administrator may file a claim for return of the property from the Administrator if:

7317 (1) The holder delivered the property in error; or

7318 (2) The apparent owner has claimed the property from the holder.

7319 (e) If a claim for return of property under subsection (d) of this section is made, the
7320 holder shall include with the claim evidence sufficient to establish that the apparent owner has
7321 claimed the property from the holder or that the property was delivered by the holder to the
7322 Administrator in error.

7323 (f) The Administrator may determine that an affidavit submitted by a holder is evidence
7324 sufficient to establish that the holder is entitled to reimbursement or to recover property under
7325 this section.

7326 (g) A holder is not required to pay a fee or other charge for reimbursement or return of
7327 property under this section.

7328 (h) Not later than 90 days after a claim is filed under subsection (a) or (d) of this section,
7329 the Administrator shall allow or deny the claim and give the claimant notice of the decision in a
7330 record. If the Administrator does not take action on a claim during the 90-day period, the claim
7331 is deemed denied.

7332 (i) The claimant may bring an action in the Superior Court for review of the
7333 Administrator's decision or the deemed denial under subsection (h) of this section not later than:

7334 (1) 30 days following receipt of the notice of the Administrator's decision; or

7335 (2) 120 days following the filing of a claim under subsection (a) or (d) of this
7336 section in the case of a deemed denial under subsection (h) of this section.

7337 (j) A final decision in an action brought under subsection (i) of this section is subject to
7338 review by the District of Columbia Court of Appeals.

7339 Sec. 7038. -Property removed from safe-deposit box.

7340 (a) Property removed from a safe-deposit box and delivered under this subtitle to the
7341 Administrator under this subtitle is subject to the holder's right to reimbursement for the cost of
7342 opening the box and a lien or contract providing reimbursement to the holder for unpaid rent
7343 charges for the box, provided that the holder makes a request under subsection (b) of this section.

7344 (b) The Administrator shall reimburse the holder from the proceeds remaining after
7345 deducting the expense incurred by the Administrator in selling the property, if the holder makes a
7346 request for reimbursement after property from the safe deposit box is delivered to the
7347 Administrator.

7348 Sec. 7039. -Crediting income or gain to owner's account.

7349 (a) If property other than money is delivered to the Administrator, the owner is entitled to
7350 receive from the Administrator income or gain realized or accrued on the property before the
7351 property is sold. If the property is an interest-bearing demand, savings, or time deposit that
7352 continues to earn interest after delivery to the Administrator, the owner is entitled to that interest
7353 before the property is sold. Interest begins to accrue when the property is delivered to the

7354 Administrator and ends on the earlier of the expiration of 10 years after its delivery or the date on
7355 which payment is made to the owner.

7356 (b) Interest on interest-bearing property is not payable under this section for any period
7357 before the effective date of this subtitle, unless authorized by section 121 of the Uniform
7358 Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C.
7359 Official Code § 41-121).

7360 Sec. 7040. ~~Administrator's~~ options as to custody.

7361 (a) The Administrator may decline to take custody of property reported under section
7362 7024 if the Administrator determines that:

7363 (1) The property has a value less than the estimated expenses of notice and sale of
7364 the property; or

7365 (2) Taking custody of the property would be unlawful.

7366 (b) A holder may pay or deliver property to the Administrator before the property is
7367 presumed abandoned under this subtitle if the holder:

7368 (1) Sends the apparent owner of the property notice required by section 7029 and
7369 provides the Administrator evidence of the holder's compliance with this paragraph;

7370 (2) Includes with the payment or delivery a report regarding the property
7371 conforming to section 7025; and

7372 (3) First obtains the Administrator's consent in a record to accept payment or
7373 delivery.

7374 (c) A holder's request for the Administrator's consent under subsection (b)(3) of this
7375 section shall be in a record. If the Administrator fails to respond to the request not later than 30
7376 days after receipt of the request, the Administrator is deemed to consent to the payment or
7377 delivery of the property and the payment or delivery is considered to have been made in good
7378 faith.

7379 (d) On payment or delivery of property under subsection (b) of this section, the property
7380 is presumed abandoned.

7381 Sec. 7041. -Disposition of property having no substantial value; immunity from liability.

7382 (a) If the Administrator takes custody of property delivered under this subtitle and later
7383 determines that the property has no substantial commercial value or that the cost of disposing of
7384 the property will exceed the value of the property, the Administrator may return the property to
7385 the holder or destroy or otherwise dispose of the property.

7386 (b) An action or proceeding may not be commenced against the District, an agency of the
7387 District, the Administrator, another officer, employee, or agent of the District, or a holder for or
7388 because of an act of the Administrator under this section, except for intentional misconduct or
7389 malfeasance.

7390 Sec. 7042. -Periods of limitation and repose.

7391 (a) Expiration, before, on, or after the effective date of this subtitle, of a period of
7392 limitation on an owner's right to receive or recover property, whether specified by contract,
7393 statute, or court order, does not prevent the property from being presumed abandoned or affect

7394 the duty of a holder under this subtitle to file a report or pay or deliver property to the
7395 Administrator.

7396 (b) The Administrator may not commence an action or proceeding to enforce this subtitle
7397 with respect to the reporting, payment, or delivery of property more than 10 years after the
7398 holder filed a non-fraudulent report under section 7024 with the Administrator. The parties may
7399 agree in a record to extend the limitation in this subsection.

7400 (c) The Administrator may not commence an action, proceeding, or examination with
7401 respect to a duty of a holder under this subtitle more than 10 years after the duty arose.

7402 Part 7. -Sale of Property by Administrator

7403 Sec. 7043. -Public sale of property.

7404 (a) Subject to section 7044, not earlier than one year after receipt of property presumed
7405 abandoned, the Administrator may sell the property.

7406 (b) Before selling property under subsection (a) of this section, the Administrator shall
7407 give notice to the public of:

7408 (1) The date of the sale; and

7409 (2) A reasonable description of the property.

7410 (c) A sale under subsection (a) of this section shall be to the highest bidder:

7411 (1) At public sale at a location in the District which the Administrator determines
7412 to be the most favorable market for the property;

7413 (2) On the Internet; or

7414 (3) On another forum the Administrator determines is likely to yield the highest
7415 net proceeds of sale.

7416 (d) The Administrator may decline the highest bid at a sale under this section and reoffer
7417 the property for sale if the Administrator determines the highest bid is insufficient.

7418 (e) If a sale held under this section is to be conducted other than on the Internet, the
7419 Administrator shall publish at least one notice of the sale, at least 3 weeks but not more than 5
7420 weeks before the sale, in a newspaper of general circulation in the District of Columbia.

7421 Sec. 7044. -Disposal of securities.

7422 (a) The Administrator may not sell or otherwise liquidate a security until 60 days after the
7423 Administrator receives the security and gives the apparent owner notice under section 7031 that
7424 the Administrator holds the security.

7425 (b) The Administrator may not sell a security listed on an established stock exchange for
7426 less than the price prevailing on the exchange at the time of sale. The Administrator may sell a
7427 security not listed on an established exchange by any commercially-reasonable method.

7428 Sec. 7045. -Recovery of securities or value by owner.

7429 (a) If the Administrator sells a security before the expiration of 60 days after delivery of
7430 the security to the Administrator, an apparent owner that files a valid claim under this subtitle of
7431 ownership of the security before the 60-day period expires is entitled, at the option of the
7432 Administrator, to receive:

7433 (1) Replacement of the security; or

7434 (2) The market value of the security at the time the claim is filed, plus dividends,
7435 interest, and other increments on the security up to the time the claim is paid.

7436 (b) Replacement of the security or calculation of market value under subsection (a) of this
7437 section shall take into account a stock split, reverse stock split, stock dividend, or similar
7438 corporate action.

7439 (c) A person that makes a valid claim under this subtitle of ownership of a security after
7440 expiration of 60 days after delivery of the security to the Administrator is entitled to receive:

7441 (1) The security the holder delivered to the Administrator, if it is in the custody of
7442 the Administrator, plus dividends, interest, and other increments on the security up to the time
7443 the Administrator delivers the security to the person; or

7444 (2) The net proceeds of the sale of the security, plus dividends, interest, and other
7445 increments on the security up to the time the security was sold.

7446 Sec. 7046. -Purchaser owns property after sale.

7447 A purchaser of property at a sale conducted by the Administrator under this subtitle takes
7448 the property free of all claims of the owner, a previous holder, or a person claiming through the
7449 owner or holder. The Administrator shall execute documents necessary to complete the transfer
7450 of ownership to the purchaser.

7451 Sec. 7047. -Military medal or decoration.

7452 (a) The Administrator may not sell a medal or decoration awarded for military service in
7453 the armed forces of the United States.

7454 (b) The Administrator, with the consent of the respective organization under paragraph
7455 (1) of this subsection, agency under paragraph (2) of this subsection, or entity under paragraph
7456 (3) of this subsection, may deliver a medal or decoration described in subsection (a) of this
7457 section to be held in custody for the owner, to:

7458 (1) A military veterans organization qualified under section 501(c)(19) of the
7459 Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. §
7460 501(c)(19));

7461 (2) The agency that awarded the medal or decoration; or

7462 (3) A governmental entity.

7463 (c) On delivery under subsection (b) of this section, the Administrator is not responsible
7464 for safekeeping the medal or decoration.

7465 Part 8. -Administration of Property

7466 Sec. 7048. -Deposit of funds by Administrator.

7467 (a) The Administrator shall deposit all funds received under this subtitle, including
7468 proceeds from the sale of property under Part 7, into an account in the General Fund designated
7469 the Unclaimed Property Account. For each fiscal year, the Administrator shall designate an
7470 amount in the Unclaimed Property Account to be held for the payment of claims that reflects the
7471 Administrator's reasonable estimate of the value of claims that will be asserted under this subtitle
7472 during the fiscal year. Funds in the Unclaimed Property Account that exceed this designated

7473 amount may be used to pay the costs of administering the unclaimed property program
7474 established in this subtitle and to satisfy the District's cash flow needs during the fiscal year.

7475 (b) All assets, liabilities, and unexpended balances of funds in the trust fund created by
7476 section 123 of the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5,
7477 1981 (D.C. Law 3-160; D.C. Official Code § 41-123), shall be transferred to the Unclaimed
7478 Property Account established under subsection (a) of this section on the applicability date of this
7479 subtitle.

7480 Sec. 7049. -Administrator to retain records of property.

7481 The Administrator shall:

7482 (1) Record and retain the name and last-known address of each person shown on a
7483 report filed under section 7024 to be the apparent owner of property delivered to the
7484 Administrator;

7485 (2) Record and retain the name and last-known address of each insured or
7486 annuitant and beneficiary shown on the report;

7487 (3) For each policy of insurance or annuity contract listed in the report of an
7488 insurance company, record and retain the policy or account number, the name of the company,
7489 and the amount due or paid; and

7490 (4) For each apparent owner listed in the report, record and retain the name of the
7491 holder that filed the report and the amount due or paid.

7492 Sec. 7050. -Expenses and service charges of Administrator.

7493 Before making a deposit of funds received under this subtitle to the General Fund of the
7494 District, the Administrator may deduct:

7495 (1) Expenses of disposition of property delivered to the Administrator under this
7496 subtitle;

7497 (2) Costs of mailing and publication in connection with property delivered to the
7498 Administrator under this subtitle;

7499 (3) Reasonable service charges; and

7500 (4) Expenses incurred in examining records of or collecting property from a
7501 putative holder or holder.

7502 Sec. 7051. -Administrator holds property as custodian for owner.

7503 Property received by the Administrator under this subtitle is held in custody for the
7504 benefit of the owner and is not owned by the District.

7505 Part 9. -Claim to Recover Property from Administrator

7506 Sec. 7052. -Claim of another state to recover property.

7507 (a) If the Administrator knows that property held by the Administrator under this subtitle
7508 is subject to a superior claim of another state, the Administrator shall:

7509 (1) Report and pay or deliver the property to the other state; or

7510 (2) Return the property to the holder so that the holder may pay or deliver the
7511 property to the other state.

7512 (b) The Administrator is not required to enter into an agreement to transfer property to
7513 the other state under subsection (a) of this section.

7514 Sec. 7053. -When property subject to recovery by another state.

7515 (a) Property held under this subtitle by the Administrator is subject to the right of another
7516 state to take custody of the property if:

7517 (1) The property was paid or delivered to the Administrator because the records of
7518 the holder did not reflect a last-known address in the other state of the apparent owner and:

7519 (A) The other state establishes that the last-known address of the apparent
7520 owner or other person entitled to the property was in the other state; or

7521 (B) Under the law of the other state, the property has become subject to a
7522 claim by the other state of abandonment;

7523 (2) The records of the holder did not accurately identify the owner of the property,
7524 the last-known address of the owner was in another state, and, under the law of the other state,
7525 the property has become subject to a claim by the other state of abandonment;

7526 (3) The property was subject to the custody of the Administrator of the District
7527 under section 7021 and, under the law of the state of domicile of the holder, the property has
7528 become subject to a claim by the state of domicile of the holder of abandonment; or

7529 (4) The property:

7530 (A) Is a sum payable on a traveler's check, money order, or similar
7531 instrument that was purchased in the other state and delivered to the Administrator under section
7532 7022; and

7533 (B) Under the law of the other state, has become subject to a claim by the
7534 other state of abandonment.

7535 (b) A claim by another state to recover property under this section shall be presented in a
7536 form prescribed by the Administrator, unless the Administrator waives presentation of the form.

7537 (c) The Administrator shall decide a claim under this section not later than 90 days after it
7538 is presented. If the Administrator determines that the other state is entitled under subsection (a)
7539 of this section to custody of the property, the Administrator shall allow the claim and pay or
7540 deliver the property to the other state.

7541 (d) The Administrator may require another state, before recovering property under this
7542 section, to agree to indemnify the District and its agents, officers, and employees against any
7543 liability on a claim to the property.

7544 Sec. 7054. -Claim for property by person claiming to be owner.

7545 (a) A person claiming to be the owner of property held under this subtitle by the
7546 Administrator may file a claim for the property on a form prescribed by the Administrator. The
7547 claimant shall verify the claim as to its completeness and accuracy.

7548 (b) The Administrator may waive the requirement in subsection (a) of this section and
7549 may pay or deliver property directly to a person if:

7550 (1) The person receiving the property or payment is shown to be the apparent
7551 owner included on a report filed under section 7024;

7552 (2) The Administrator reasonably believes the person is entitled to receive the
7553 property or payment; and

7554 (3) The property has a value of less than \$500.

7555 Sec. 7055. -When Administrator must honor claim for property.

7556 (a) The Administrator shall pay or deliver property to a claimant under section 7054(a) if
7557 the Administrator receives evidence sufficient to establish to the satisfaction of the Administrator
7558 that the claimant is the owner of the property.

7559 (b) Not later than 90 days after a claim is filed under section 7054(a), the Administrator
7560 shall allow or deny the claim and give the claimant notice in a record of the decision.

7561 (c) If the claim is denied under subsection (b) of this section:

7562 (1) The Administrator shall inform the claimant of the reason for the denial and
7563 specify what additional evidence, if any, is required for the claim to be allowed;

7564 (2) The claimant may file an amended claim with the Administrator or commence
7565 an action under section 7057; and

7566 (3) The Administrator shall consider an amended claim filed under paragraph (2)
7567 of this subsection as an initial claim.

7568 (d) If the Administrator does not take action on a claim during the 90-day period
7569 following the filing of a claim under section 7054(a), the claim is deemed denied.

7570 Sec. 7056. -Allowance of claim for property by the District.
7571 (a) Not later than 45 days after a claim is allowed under section 7055(b), the
7572 Administrator shall pay or deliver to the owner the property or pay to the owner the net proceeds
7573 of a sale of the property, together with income or gain to which the owner is entitled under
7574 section 7039. On request of the owner, the Administrator may sell or liquidate a security and
7575 pay the net proceeds to the owner, even if the security had been held by the Administrator for
7576 less than 60 days or the Administrator has not complied with the notice requirements under
7577 section 7044.

7578 (b) Property held under this subtitle by the Administrator is subject to a claim for the
7579 payment of an enforceable debt the owner owes to the District for:

7580 (1) Child-support arrearages, including any child-support collection costs and
7581 child-support arrearages that are combined with maintenance;

7582 (2) A civil or criminal fine or penalty, court costs, a surcharge, or restitution
7583 imposed by a final order of an administrative agency or a final court judgment; or

7584 (3) District taxes, penalties, and interest that have been determined to be
7585 delinquent, including delinquent debts under Delinquent Debt Recovery Act of 2012, effective
7586 September 20, 2012, (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), and collection
7587 fees owed to the Central Collection Unit under ~~Chapter-section~~ 3800 of Title 9 of the District of
7588 Columbia Municipal Regulations (9 DCMR § 3800).

7589 (c) Before delivery or payment to an owner under subsection (a) of this section of
7590 property or payment to the owner of net proceeds of a sale of the property, the Administrator first
7591 shall apply the property or net proceeds to a debt under subsection (b) of this section the
7592 Administrator determines is owed by the owner. The Administrator shall pay the amount to the
7593 appropriate District agency and notify the owner of the payment, unless another District agency
7594 is required to notify the owner of the payment.

7595 (d) The Administrator may make periodic inquiries of District agencies in the absence of
7596 a claim filed under section 7054 to determine whether an apparent owner included in the
7597 unclaimed-property records of the District has an enforceable debt described in subsection (b) of
7598 this section. The Administrator first shall apply the property or net proceeds of a sale of property
7599 held by the Administrator to a debt under subsection (b) of this section of an apparent owner
7600 which appears in the records of the Administrator and deliver the amount to the appropriate
7601 District agency. The Administrator shall notify the apparent owner of the payment, unless
7602 another District agency is required to notify the owner of the payment.

7603 Sec. 7057. -Action by person whose claim is denied.

7604 Not later than one year after filing a claim under section 7054(a), the claimant may
7605 commence an action against the Administrator in the Superior Court to establish a claim that has
7606 been denied or deemed denied under section 7054(d).

7607 Part 10. -Verified Report of Property; Examination of Records

7608 Sec. 7058. -Verified report of property.

7609 If a person does not file a report required by section 7024 or the Administrator believes
7610 that a person may have filed an inaccurate, incomplete, or false report, the Administrator may
7611 require the person to file a verified report in a form prescribed by the Administrator. The
7612 verified report shall:

- 7613 (1) State whether the person is holding property reportable under this subtitle;
7614 (2) Describe property not previously reported or about which the Administrator
7615 has inquired;
7616 (3) Specifically identify property described under paragraph (2) of this subsection
7617 about which there is a dispute about whether it is reportable under this subtitle; and
7618 (4) State the amount or value of the property.

7619 Sec. 7059. -Examination of records to determine compliance.

7620 The Administrator, at reasonable times and on reasonable notice, may:

- 7621 (1) Examine the records of a person, including examination of appropriate records
7622 in the possession of an agent of the person under examination, if the records are reasonably
7623 necessary to determine whether the person has complied with this subtitle;
7624 (2) Apply to the Superior Court for the issuance of a subpoena requiring the
7625 person or agent of the person to make records available for examination; and
7626 (3) Request that the Attorney General bring an action seeking judicial
7627 enforcement of the subpoena.

7628 Sec. 7060. -Rules for conducting examination.

7629 (a) The Administrator shall adopt rules governing procedures and standards for an
7630 examination under section 7059, including rules for use of an estimation, extrapolation, and
7631 statistical sampling in conducting an examination.

7632 (b) An examination under section 7059 shall be performed under rules adopted under
7633 subsection (a) of this section and with generally accepted examination practices and standards
7634 applicable to an unclaimed-property examination.

7635 (c) If a person subject to examination under section 7059 has filed the reports required
7636 under sections 7024 and 7058 and has retained the records required by section 7027, the
7637 following rules apply:

7638 (1) The examination shall include a review of the person's records.

7639 (2) The examination may not be based on an estimate unless the person expressly
7640 consents in a record to the use of an estimate.

7641 (3) The person conducting the examination shall consider the evidence presented
7642 in good faith by the person in preparing the findings of the examination under section 7064.

7643 Sec. 7061. -Records obtained in examination.

7644 Records obtained and records, including work papers, compiled by the Administrator in
7645 the course of conducting an examination under section 7049:

7646 (1) Are subject to the confidentiality and security provisions of Part 14 and are not
7647 public records;

7648 (2) May be used by the Administrator in an action to collect property or otherwise
7649 enforce this subtitle;

7650 (3) May be used in a joint examination conducted with another state, the United
7651 States, a foreign country or subordinate unit of a foreign country, or any other governmental
7652 entity if the governmental entity conducting the examination is legally bound to maintain the
7653 confidentiality and security of information obtained from a person subject to examination in a
7654 manner substantially equivalent to Part 14;

7655 (4) Shall be disclosed, on request, to the person that administers the unclaimed
7656 property law of another state for that state's use in circumstances equivalent to circumstances
7657 described in this part, if the other state is required to maintain the confidentiality and security of
7658 information obtained in a manner substantially equivalent to Part 14;

7659 (5) Shall be produced by the Administrator under an administrative or judicial
7660 subpoena or administrative or court order; and

7661 (6) Shall be produced by the Administrator on request of the person subject to the
7662 examination in an administrative or judicial proceeding relating to the property.

7663 Sec. 7062. -Evidence of unpaid debt or undischarged obligation.

7664 (a) A record of a putative holder showing an unpaid debt or undischarged obligation is
7665 prima facie evidence of the debt or obligation.

7666 (b) A putative holder may establish by a preponderance of the evidence that there is no
7667 unpaid debt or undischarged obligation for a debt or obligation described in subsection (a) of this

7668 section or that the debt or obligation was not, or no longer is, a fixed and certain obligation of the
7669 putative holder.

7670 (c) A putative holder may overcome prima facie evidence under subsection (a) of this
7671 section by establishing by a preponderance of the evidence that a check, draft, or similar
7672 instrument was:

7673 (1) Issued as an unaccepted offer in settlement of an unliquidated amount;

7674 (2) Issued but later was replaced with another instrument because the earlier
7675 instrument was lost or contained an error that was corrected;

7676 (3) Issued to a party affiliated with the issuer;

7677 (4) Paid, satisfied, or discharged;

7678 (5) Issued in error;

7679 (6) Issued without consideration;

7680 (7) Issued but there was a failure of consideration;

7681 (8) Voided not later than 90 days after issuance for a valid business reason set
7682 forth in a contemporaneous record; or

7683 (9) Issued but not delivered to the third-party payee for a sufficient reason
7684 recorded within a reasonable time after issuance.

7685 (d) In asserting a defense under this section, a putative holder may present evidence of a
7686 course of dealing between the putative holder and the apparent owner or of custom and practice.

7687 Sec. 7063. -Failure of person examined to retain records.

7688 If a person subject to examination under section 7059 does not retain the records required
7689 by section 7027, the Administrator may determine the value of property due using a reasonable
7690 method of estimation based on all information available to the Administrator, including
7691 extrapolation and use of statistical sampling when appropriate and necessary, consistent with
7692 examination procedures and standards adopted under section 7060(a) and in accord with section
7693 7060(b).

7694 Sec. 7064. -Report to person whose records were examined.

7695 At the conclusion of an examination under section 7059, the Administrator shall provide
7696 to the person whose records were examined a complete and unredacted examination report that
7697 specifies:

7698 (1) The work performed;

7699 (2) The property types reviewed;

7700 (3) The methodology of any estimation technique, extrapolation, or statistical
7701 sampling used in conducting the examination;

7702 (4) Each calculation showing the value of property determined to be due; and

7703 (5) The findings of the person conducting the examination.

7704 Sec. 7065. -Complaint to Administrator about conduct of person conducting examination.

7705 (a) If a person subject to examination under section 7059 believes the person conducting
7706 the examination has made an unreasonable or unauthorized request or is not proceeding
7707 expeditiously to complete the examination, the person in a record may ask the Administrator to

7708 intervene and take appropriate remedial action, including countermanding the request of the
7709 person conducting the examination, imposing a time limit for completion of the examination, or
7710 reassigning the examination to another person.

7711 (b) If a person in a record requests a conference with the Administrator to present matters
7712 that are the basis of a request under subsection (a) of this section, the Administrator shall hold
7713 the conference not later than 30 days after receiving the request. The Administrator may hold
7714 the conference in person, by telephone, or by electronic means.

7715 (c) If a conference is held under subsection (b) of this section, not later than 30 days after
7716 the conference ends, the Administrator shall provide a report in a record of the conference to the
7717 person that requested the conference.

7718 Sec. 7066. -Administrator's contract with another to conduct examination.

7719 (a) In this section, "related to the Administrator" means an individual who is:

7720 (1) The Administrator's spouse, partner in a civil union, domestic partner, or
7721 reciprocal beneficiary;

7722 (2) The Administrator's child, stepchild, grandchild, parent, stepparent, sibling,
7723 step-sibling, half-sibling, aunt, uncle, niece, or nephew;

7724 (3) A spouse, partner in a civil union, domestic partner, or reciprocal beneficiary
7725 of an individual under paragraph (2) of this subsection; or

7726 (4) Any individual residing in the Administrator's household.

7727 (b) The Administrator may contract with a person to conduct an examination under this
7728 part.

7729 (c) If the person with which the Administrator contracts under subsection (b) of this
7730 section is:

7731 (1) An individual, the individual may not be related to the Administrator; or

7732 (2) A business entity, the entity may not be owned in whole or in part by the
7733 Administrator or an individual related to the Administrator.

7734 (d) At least 60 days before assigning a person under contract with the Administrator
7735 under subsection (b) of this section to conduct an examination, the Administrator shall demand
7736 in a record that the person to be examined submit a report and deliver property that is previously
7737 unreported.

7738 (e) If the Administrator contracts with a person under subsection (b) of this section:

7739 (1) The contract may provide for compensation of the person based on a fixed fee,
7740 hourly fee, or contingent fee;

7741 (2) A contingent fee arrangement may not provide for a payment that exceeds 10
7742 percent of the amount or value of property paid or delivered as a result of the examination,
7743 except for contracts in force on the effective date of this subtitle; and

7744 (3) On request by a person subject to examination by a contractor, the
7745 Administrator shall deliver to the person a complete and unredacted copy of the contract and any

7746 contract between the contractor and a person employed or engaged by the contractor to conduct
7747 the examination.

7748 (f) A contract under subsection (b) of this section is subject to public disclosure without
7749 redaction under the District of Columbia Freedom of Information Act, effective March 25, 1977
7750 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

7751 Sec. 7067. -Limit on future employment.

7752 The Administrator or an individual employed by the Administrator who participates in,
7753 recommends, or approves the award of a contract under section 7066(b) is subject to the Code of
7754 Conduct, or other ethical rules, applicable to employees in the Office of the Chief Financial
7755 Officer concerning post-employment conflicts of interest.

7756 Sec. 7068. -Report by Administrator at request of Mayor.

7757 (a) Pursuant to a request of the Mayor, the Administrator shall compile and submit a
7758 report containing information about property presumed abandoned for the preceding fiscal year
7759 for the District: The information requested may include:

7760 (1) The total amount and value of all property paid or delivered under this subtitle
7761 to the Administrator;

7762 (2) The name of and amount paid to each contractor under section 7066 and the
7763 percentage the total compensation paid to all contractors under section 7066 bears to the total
7764 amount paid or delivered to the Administrator as a result of all examinations performed under
7765 section 7066;

7766 (3) The total amount and value of all property paid or delivered by the
7767 Administrator to persons that made claims for property held by the Administrator under this
7768 subtitle and the percentage the total payments made and value of property delivered to claimants
7769 bears to the total amounts paid and value delivered to the Administrator; and

7770 (4) The total amount of claims made by persons claiming to be owners.

7771 (b) The report under subsection (a) of this section is a public record subject to public
7772 disclosure without redaction under the District of Columbia Freedom of Information Act,
7773 effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

7774 Part 11. -Determination of Liability; Putative Holder Remedies

7775 Sec. 7069. -Determination of liability for unreported reportable property.

7776 If the Administrator determines from an examination conducted under section 7059 that a
7777 putative holder failed or refused to pay or deliver to the Administrator property which is
7778 reportable under this subtitle, the Administrator shall issue a determination of the putative
7779 holder's liability to pay or deliver and give notice in a record to the putative holder of the
7780 determination.

7781 Sec. 7070. -Informal conference.

7782 (a) Not later than 30 days after receipt of a notice under section 7069, the putative holder
7783 may request an informal conference with the Administrator to review the determination. Except
7784 as otherwise provided in this section, the Administrator may designate an employee to act on
7785 behalf of the Administrator.

7786 (b) If a putative holder makes a timely request under subsection (a) of this section for an
7787 informal conference:

7788 (1) Not later than 20 days after the date of the request, the Administrator shall set
7789 the time and place of the conference;

7790 (2) The Administrator shall give the putative holder notice in a record of the time
7791 and place of the conference;

7792 (3) The conference may be held in person, by telephone, or by electronic means,
7793 as determined by the Administrator;

7794 (4) The request tolls the 90-day period under section 7071 until notice of a
7795 decision under paragraph (7) of this subsection has been given to the putative holder or the
7796 putative holder withdraws the request for the conference;

7797 (5) The conference may be postponed, adjourned, and reconvened as the
7798 Administrator determines appropriate;

7799 (6) The Administrator or Administrator's designee with the approval of the
7800 Administrator may modify a determination made under section 7069 or withdraw it; and

7801 (7) The Administrator shall issue a decision in a record and provide a copy of the
7802 record to the putative holder and examiner not later than 20 days after the conference ends.

7803 (c) A conference under subsection (b) of this section is not an administrative remedy and
7804 is not a contested case subject to the District of Columbia Administrative Procedure Act,

7805 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*). An oath is not
7806 required and rules of evidence do not apply in the conference.

7807 (d) At a conference under subsection (b) of this section, the putative holder shall be given
7808 an opportunity to confer informally with the Administrator and the person that examined the
7809 records of the putative holder to:

7810 (1) Discuss the determination made under section 7069; and

7811 (2) Present any issue concerning the validity of the determination.

7812 (e) If the Administrator fails to act within the period prescribed in subsection (b)(1) or (7)
7813 of this section, the failure does not affect a right of the Administrator, except that interest does
7814 not accrue on the amount for which the putative holder was determined to be liable under section
7815 7069 during the period in which the Administrator failed to act until the earlier of:

7816 (1) The date the putative holder requests a hearing under section 7071; or

7817 (2) 90 days after the putative holder received notice of the Administrator's
7818 determination under section 7069 if the putative holder did not request a hearing under section
7819 7071.

7820 (f) The Administrator may hold an informal conference with a putative holder about a
7821 determination under section 7069 without a request at any time before the putative holder
7822 requests a hearing under section 7071.

7823 (g) Interest and penalties under section 7075 continue to accrue on property not reported,
7824 paid, or delivered as required by this subtitle after the initiation, and during the pendency, of an
7825 informal conference under this section.

7826 Sec. 7071. Review of Administrator's determination.

7827 (a) Not later than 90 days after receiving notice of the Administrator's determination
7828 under section 7069, a putative holder may request a hearing on the Administrator's determination
7829 by the Office of Administrative Hearings, which shall make findings of fact and conclusions of
7830 law and render a final order in accordance with the District of Columbia Administrative
7831 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

7832 (b) A final decision in a proceeding under subsection (a) of this section is subject to
7833 judicial review by the District of Columbia Court of Appeals.

7834 Part 12. -Enforcement

7835 Sec. 7072. -Judicial action to enforce liability.

7836 (a) If a determination under section 7069 becomes final and is not subject to
7837 administrative or judicial review, the Administrator may request that the Attorney General bring
7838 an action in the Superior Court or in an appropriate court of another state to enforce the
7839 determination and secure payment or delivery of past due, unpaid, or undelivered property. The
7840 action must be brought not later than one year after the determination becomes final.

7841 (b) In an action under subsection (a) of this section, if no court in the District has
7842 jurisdiction over the defendant, the Attorney General may commence an action in any court
7843 having jurisdiction over the defendant.

7844 Sec. 7073. -Interstate and international agreement; cooperation.

7845 (a) Subject to subsection (b) of this section, the Administrator may:

7846 (1) Exchange information with another state or foreign country relating to
7847 property presumed abandoned or relating to the possible existence of property presumed
7848 abandoned; and

7849 (2) Authorize in a record another state or foreign country or a person acting on
7850 behalf of the other state or country to examine its records of a putative holder as provided in Part
7851 10.

7852 (b) An exchange or examination under subsection (a) of this section may be done only if
7853 the state or foreign country has confidentiality and security requirements substantially equivalent
7854 to those in Part 14 or agrees in a record to be bound by the District's confidentiality and security
7855 requirements.

7856 Sec. 7074. -Action involving another state or foreign country.

7857 (a) The Administrator may request that the Attorney General join another state or foreign
7858 country to examine and seek enforcement of this subtitle against a putative holder.

7859 (b) On request of another state or foreign country, the Attorney General may commence
7860 an action on behalf of the other state or country to enforce, in the District, the law of the other

7861 state or country against a putative holder subject to a claim by the other state or country, if the
7862 other state or country agrees to pay costs incurred by the Attorney General in the action.

7863 (c) The Administrator may request the official authorized to enforce the unclaimed
7864 property law of another state or foreign country to commence an action to recover property in the
7865 other state or country on behalf of the Administrator.

7866 (d) The Administrator may request that the Attorney General pursue an action on behalf
7867 of the District to recover property subject to this subtitle but delivered to the custody of another
7868 state if the Administrator believes the property is subject to the custody of the Administrator.

7869 (e) The Administrator, with the approval of the Attorney General, may retain an attorney
7870 in the District, another state, or a foreign country to commence an action to recover property on
7871 behalf of the Administrator and may agree to pay attorney's fees based in whole or in part on a
7872 fixed fee, hourly fee, or a percentage of the amount or value of property recovered in the action.

7873 (f) Expenses incurred by the District in an action under this section may be paid from
7874 property received under this subtitle or the net proceeds of the property subject to appropriations.
7875 Expenses paid to recover property may not be deducted from the amount that is subject to a
7876 claim under this subtitle by the owner.

7877 Sec. 7075. -Interest and penalty for failure to act in timely manner.

7878 (a) A holder that fails to report, pay, or deliver property within the time prescribed by this
7879 subtitle shall pay to the Administrator interest at 10% per year on the property or value of the

7880 property from the date the property should have been reported, paid, or delivered to the
7881 Administrator until the date reported, paid, or delivered.

7882 (b) Except as otherwise provided in section 7076 or 7077, the Administrator may require
7883 a holder that fails to report, pay, or deliver property within the time prescribed by this subtitle to
7884 pay to the Administrator, in addition to interest included under subsection (a) of this section, a
7885 civil penalty of \$200 for each day the duty is not performed, up to a cumulative maximum
7886 amount of \$5,000.

7887 Sec. 7076. -Other civil penalties.

7888 (a) If a holder enters into a contract or other arrangement for the purpose of evading an
7889 obligation under this subtitle or otherwise willfully fails to perform a duty imposed on the holder
7890 under this subtitle, the Administrator may require the holder to pay the Administrator, in addition
7891 to interest as provided in section 7075(a), a civil penalty of \$1,000 for each day the obligation is
7892 evaded or the duty is not performed, up to a cumulative maximum amount of \$25,000, plus 25
7893 percent of the amount or value of property that should have been but was not reported, paid, or
7894 delivered as a result of the evasion or failure to perform.

7895 (b) If a holder makes a fraudulent report under this subtitle, the Administrator may
7896 require the holder to pay to the Administrator, in addition to interest under section 7075(a), a
7897 civil penalty of \$1,000 for each day from the date the report was made until corrected, up to a
7898 cumulative maximum of \$25,000, plus 25 percent of the amount or value of any property that
7899 should have been reported but was not included in the report or was underreported.

7900 Sec. 7077. -Waiver of interest and penalty.

7901 The Administrator:

7902 (1) May waive, in whole or in part, interest under section 7075(a) and penalties under
7903 section 7075(b) or 7076; and

7904 (2) Shall waive a penalty under section 7075(b) if the Administrator determines that the
7905 holder acted in good faith and without negligence.

7906 Sec. 7078. -Right to administrative hearing; entry of civil judgment by Superior Court.

7907 (a) A holder is entitled to a hearing on the Administrator's imposition of a civil penalty or
7908 interest under section 7075 or a civil penalty under section 7076 by the Office of Administrative
7909 Hearings, which shall make findings of fact and conclusions of law and render a final order in
7910 accordance with the District of Columbia Administrative Procedure Act, approved October 21,
7911 1968 (82 Stat. 1204~~5~~; D.C. Official Code § 2-501 *et seq.*).

7912 (b) -The Administrator may cause a final order requiring a holder to pay a civil penalty,
7913 interest, or costs entered by the Office of Administrative Hearings under subsection (c) of this
7914 section as a judgment against the holder by requesting that the Attorney General file an action to
7915 enter the civil penalty, interest, or costs to as a civil judgment.

7916 Part 13. Agreement to Locate Property of Apparent Owner Held by Administrator

7917 Sec. 7079. -When agreement to locate property enforceable.

7918 An agreement by an apparent owner and another person, the primary purpose of which is
7919 to locate, deliver, recover, or assist in the location, delivery, or recovery of property held by the
7920 Administrator, is enforceable only if the agreement:

7921 (1) Is in a record that clearly states the nature of the property and the services to
7922 be provided;

7923 (2) Is signed by or on behalf of the apparent owner; and

7924 (3) States the amount or value of the property reasonably expected to be
7925 recovered, computed before and after a fee or other compensation to be paid to the person has
7926 been deducted.

7927 Sec. 7080. -When agreement to locate property void.

7928 (a) Subject to subsection (b) of this section, an agreement under section 7079 is void if it
7929 is entered into during the period beginning on the date the property was paid or delivered by a
7930 holder to the Administrator and ending 24 months after the payment or delivery.

7931 (b) If a provision in an agreement described in subsection (a) of this section applies to
7932 mineral proceeds for which compensation is to be paid to the other person based in whole or in
7933 part on a part of the underlying minerals or mineral proceeds not then presumed abandoned, the
7934 provision is void regardless of when the agreement was entered into.

7935 (c) An agreement under subsection (a) of this section that provides for compensation in
7936 an amount that is unconscionable is unenforceable except by the apparent owner. An apparent
7937 owner that believes the compensation the apparent owner has agreed to pay is unconscionable

7938 may file an action in the Superior Court to reduce the compensation to the maximum amount that
7939 is not unconscionable.

7940 (d) An apparent owner may assert that an agreement described in this section is void on a
7941 ground other than it provides for payment of unconscionable compensation.

7942 (e) This section does not apply to an apparent owner's agreement with an attorney to
7943 pursue a claim for recovery of specifically identified property held by the Administrator or to
7944 contest the Administrator's denial of a claim for recovery of the property.

7945 Sec.7081. -Right of agent of apparent owner to recover property held by Administrator.

7946 (a) An apparent owner that contracts with another person to locate, deliver, recover, or
7947 assist in the location, delivery, or recovery of property of the apparent owner which is held by
7948 the Administrator may designate the person as the agent of the apparent owner. The designation
7949 must be in a record signed by the apparent owner.

7950 (b) The Administrator shall give the agent of the apparent owner all information
7951 concerning the property which the apparent owner is entitled to receive, including information
7952 that otherwise is confidential information under section 7083.

7953 (c) If authorized by the apparent owner, the agent of the apparent owner may bring an
7954 action against the Administrator on behalf of and in the name of the apparent owner.

7955 Part 14. -Confidentiality and Security of Information

7956 Sec. 7082. -Definitions; applicability.

7957 (a) In this part, "personal information" means:

7958 (1) Information that identifies or reasonably can be used to identify an individual,
7959 such as first and last name in combination with the individual's:

7960 (A) Social security number or other government-issued number or
7961 identifier;

7962 (B) Date of birth;

7963 (C) Home or physical address;

7964 (D) Electronic-mail address or other online contact information or Internet
7965 provider address;

7966 (E) Financial account number or credit or debit card number;

7967 (F) Biometric data, health or medical data, or insurance information; or

7968 (G) Passwords or other credentials that permit access to an online or other
7969 account;

7970 (2) Personally identifiable financial or insurance information, including nonpublic
7971 personal information defined by applicable federal law; and

7972 (3) Any combination of data that, if accessed, disclosed, modified, or destroyed
7973 without authorization of the owner of the data or if lost or misused, would require notice or
7974 reporting under D.C. Official Code §§ 28-3851 to 28-3864. and federal privacy and data security
7975 law, whether or not the Administrator or the Administrator's agent is subject to the law.

7976 (b) A provision of this part that applies to the Administrator or the Administrator's
7977 records applies to an Administrator's agent.

7978 Sec. 7083. -Confidential information.

7979 (a) Except as otherwise provided in this subtitle, the following are confidential and
7980 exempt from public inspection or disclosure:

7981 (1) Records of the Administrator and the Administrator's agent related to the
7982 administration of this subtitle;

7983 (2) Reports and records of a holder in the possession of the Administrator or the
7984 Administrator's agent; and

7985 (3) Personal information and other information derived or otherwise obtained by
7986 or communicated to the Administrator or the Administrator's agent from an examination under
7987 this subtitle of the records of a person.

7988 (b) A record or other information that is confidential under law of the District other than
7989 this subtitle, another state, or the United States continues to be confidential when disclosed or
7990 delivered under this subtitle to the Administrator or Administrator's agent.

7991 Sec. 7084. -When confidential information may be disclosed.

7992 (a) When reasonably necessary to enforce or implement this subtitle, the Administrator
7993 may disclose confidential information concerning property held by the Administrator or the
7994 Administrator's agent only to:

7995 (1) An apparent owner or the apparent owner's personal representative, attorney,
7996 other legal representative, relative, or agent designated under section 7081 to have the
7997 information;

7998 (2) The personal representative other legal representative, relative of a deceased
7999 apparent owner, agent designated under section 7081 by the deceased apparent owner, or a
8000 person entitled to inherit from the deceased apparent owner;

8001 (3) Another department or agency of the District or the United States;

8002 (4) The person that administers the unclaimed property law of another state, if the
8003 other state accords substantially reciprocal privileges to the Administrator of the District if the
8004 other state is required to maintain the confidentiality and security of information obtained in a
8005 manner substantially equivalent to Part 14; or

8006 (5) A person subject to an examination as required by section 7061(6).

8007 (b) Except as otherwise provided in section 7083(a), the Administrator shall include on
8008 the website or in the database required by section 7031(c)(2) the name of each apparent owner of
8009 property held by the Administrator. The Administrator may include in published notices, printed
8010 publications, telecommunications, the Internet, or other media and on the website or in the
8011 database additional information concerning the apparent owner's property if the Administrator
8012 believes the information will assist in identifying and returning property to the owner and does
8013 not disclose personal information except the home or physical address of an apparent owner.

8014 (c) The Administrator and the Administrator's agent may not use confidential
8015 information provided to them or in their possession except as expressly authorized by this
8016 subtitle or required by law other than this subtitle.

8017 Sec. 7085. -Confidentiality agreement.

8018 A person to be examined under section 7059 may require, as a condition of disclosure of
8019 the records of the person to be examined, that each person having access to the records disclosed
8020 in the examination execute and deliver to the person to be examined a confidentiality agreement
8021 that:

- 8022 (1) Is in a form that is reasonably satisfactory to the Administrator; and
8023 (2) Requires the person having access to the records to comply with the provisions of this
8024 part applicable to the person.

8025 Sec. 7086. -No confidential information in notice.

8026 Except as otherwise provided in sections 7029 and 7030, a holder is not required under
8027 this subtitle to include confidential information in a notice the holder is required to provide to an
8028 apparent owner under this subtitle.

8029 Sec. 7087. -Security of information.

8030 (a) If a holder is required to include confidential information in a report to the
8031 Administrator, the information must be provided by a secure means.

8032 (b) If confidential information in a record is provided to and maintained by the
8033 Administrator or Administrator's agent as required by this subtitle, the Administrator or agent
8034 shall:

- 8035 (1) Implement administrative, technical, and physical safeguards to protect the
8036 security, confidentiality, and integrity of the information required by D.C. Official Code §§ 28-

8037 3851 to 28-3864 and federal privacy and data security law whether or not the Administrator or
8038 the Administrator's agent is subject to the law;

8039 (2) Protect against reasonably anticipated threats or hazards to the security,
8040 confidentiality, or integrity of the information; and

8041 (3) Protect against unauthorized access to or use of the information which could
8042 result in substantial harm or inconvenience to a holder or the holder's customers, including
8043 insureds, annuitants, and policy or contract owners and their beneficiaries.

8044 (c) The Administrator:

8045 (1) After notice and comment, shall adopt and implement a security plan that
8046 identifies and assesses reasonably foreseeable internal and external risks to confidential
8047 information in the Administrator's possession and seeks to mitigate the risks; and

8048 (2) Shall ensure that an Administrator's agent adopts and implements a similar
8049 plan with respect to confidential information in the agent's possession.

8050 (d) The Administrator and the Administrator's agent shall educate and train their
8051 employees regarding the plan adopted under subsection (c) of this section.

8052 (e) The Administrator and the Administrator's agent shall in a secure manner return or
8053 destroy all confidential information no longer reasonably needed under this subtitle.

8054 Sec. 7088. -Security breach.

8055 (a) Except to the extent prohibited by law other than this subtitle, the Administrator or
8056 Administrator's agent shall notify a holder as soon as practicable of:

8057 (1) A suspected loss, misuse or unauthorized access, disclosure, modification, or
8058 destruction of confidential information obtained from the holder in the possession of the
8059 Administrator or an Administrator's agent; and

8060 (2) Any interference with operations in any system hosting or housing
8061 confidential information which:

8062 (A) Compromises the security, confidentiality, or integrity of the
8063 information; or

8064 (B) Creates a substantial risk of identity fraud or theft.

8065 (b) Except as necessary to inform an insurer, attorney, investigator, or others as required
8066 by law, the Administrator and an Administrator's agent may not disclose, without the express
8067 consent in a record of the holder, an event described in subsection (a) of this section to a person
8068 whose confidential information was supplied by the holder.

8069 (c) If an event described in subsection (a) of this section occurs, the Administrator and
8070 the Administrator's agent shall:

8071 (1) Take action necessary for the holder to understand and minimize the effect of
8072 the event and determine its scope; and

8073 (2) Cooperate with the holder with respect to:

8074 (A) Any notification required by law concerning a data or other security
8075 breach; and

8076 (B) A regulatory inquiry, litigation, or similar action.

8077 Sec. 7089. -Indemnification for breach by agent.

8078 (a) If a claim is made or action commenced arising out of an event described in section

8079 7088(a) relating to confidential information possessed by an Administrator's agent, the

8080 Administrator's agent shall indemnify, defend, and hold harmless a holder and the holder's

8081 affiliates, officers, directors, employees, and agents as to:

8082 (1) Any claim or action and

8083 (2) A liability, obligation, loss, damage, cost, fee, penalty, fine, settlement,

8084 charge, or other expense, including reasonable attorney's fees and costs, established by the claim

8085 or action.

8086 (b) The Administrator shall require an Administrator's agent that will receive confidential

8087 information required under this subtitle to maintain adequate insurance for indemnification

8088 obligations of the Administrator's agent under subsection (a) of this section. The agent required

8089 to maintain the insurance shall provide evidence of the insurance to:

8090 (1) The Administrator not less frequently than annually; and

8091 (2) The holder on commencement of an examination and annually thereafter until

8092 all confidential information is returned or destroyed under section 7087(e).

8093 Part 15. -Miscellaneous Provisions

8094 Sec. 7090. -Uniformity of application and construction.

8095 In applying and construing this uniform act consideration must be given to the need to

8096 promote uniformity of the law with respect to its subject matter among states that enact it.

8097 Sec. 7091. Relation to electronic signatures in global and national commerce act.

8098 This subtitle modifies, limits, or supersedes the Electronic Signatures in Global and
8099 National Commerce Act, approved June 30, 2000 (114 Stat. 464; 15 U.S.C. § 7001 *et seq.*), but
8100 does not modify, limit, or supersede section 101(c) of that act; ~~(15 U.S.C. § 7001(c)),~~ or
8101 authorize electronic delivery of any of the notices described in section 103(b) of that act; ~~(15~~
8102 U.S.C. § 7003(b)).

8103 Sec. 7092. -Transitional provision.

8104 (a) An initial report filed under this subtitle for property that was not required to be
8105 reported before the effective date of this subtitle, but that is required to be reported under this
8106 subtitle, must include all items of property that would have been presumed abandoned during the
8107 10-year period preceding the effective date of this subtitle as if this subtitle had been in effect
8108 during that period.

8109 (b) This subtitle does not relieve a holder of a duty that arose before the effective date of
8110 this subtitle to report, pay, or deliver property. Subject to section 7042(b) and (c), a holder that
8111 did not comply with the law governing unclaimed property before the effective date of this
8112 subtitle is subject to applicable provisions for enforcement and penalties in effect before the
8113 effective date of this subtitle.

8114 Sec. 7093. Transfer of funds.

8115 All funds in the trust fund established under section 123 of the Uniform Disposition of
8116 Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code

8117 § 41-123), shall be transferred to the Unclaimed Property Account, established under section
8118 7048(a).

8119 ~~-Sec. 7094.~~ Conforming amendments.

8120 (a) ~~Upon the applicability of the Revised Uniform Unclaimed Property Act of 2021, as~~
8121 ~~approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24 285),~~
8122 ~~(“Revised Uniform Unclaimed Property Act of 2021”):~~

8123 ~~—————(1) The Uniform Disposition of Unclaimed Property Act of 1980, effective March~~
8124 ~~5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-101 et seq.), is repealed; and~~

8125
8126 ~~(2) All funds in the trust fund established under section 123 of the Uniform Disposition of~~
8127 ~~Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code~~
8128 ~~§ 41-123), shall be transferred to the Unclaimed Property Account, established under section~~
8129 ~~7048(a) of the Revised Uniform Unclaimed Property Act of 2021.~~

8130 (b) Section 204(a) ~~of Title II~~ of the District of Columbia Administrative Procedure Act,
8131 effective March 29, 1977 (D.C. Law 1-96; D. C. Official Code § 2-534(a)), is amended as
8132 follows:

8133 (1) The first paragraph (17); is amended by striking the period at the end and
8134 inserting a semicolon in its place.

8135 (2) The second paragraph (17); is redesignated as paragraph (18).

8136 (3) The redesignated paragraph (18) is amended by striking the period and
8137 inserting the phrase “; and” in its place.

8138 (4) A new paragraph (19) is added to read as follows:

8139 “(19) Information exempt from disclosure under Part 14 of the Revised Uniform
8140 Unclaimed Property Act of 2021, ~~approved by the Committee of the Whole passed on 1st~~
8141 ~~reading~~ on July 20, 2021 (~~Committee print~~Engrossed version of Bill 24-285).”.

8142 (c) Section 6 of the Office of Administrative Hearings Establishment Act of 2001,
8143 effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by
8144 adding a new subsection (b-29) to read as follows:

8145 “(b-29) This act shall apply to all adjudicated cases authorized by sections 7071 and 7073
8146 of the Revised Uniform Unclaimed Property Act of 2021, passed on 1st reading on July 20, 2021
8147 (Engrossed version of Bill 24-285)as introduced on May 27, 2021.”.

8148 (d) Chapter V of the Life Insurance Act, approved June 19, 1934 (48 Stat. 1156; D.C.
8149 Official Code § 31-4701 *et seq.*), is amended by adding a new section 31 to read as follows:

8150 “Sec. 31. -Duty of insurers to compare names of insureds with death master file and to
8151 locate beneficiaries.

8152 “(a) For purposes of this section:

8153 “(1) “Contract” means an annuity contract. The term “contract” does not include
8154 an annuity used to fund an employment-based retirement plan or program if:

8155 “(A) The insurer does not perform the record keeping services; or

8156 “(B) The insurer is not committed by terms of the annuity contract to pay
8157 death benefits to the beneficiaries of specific plan participants.

8158 “(2) “Death master file” means the United States Social Security Administration
8159 Death Master File or other database or service that is at least as comprehensive as the United
8160 States Social Security Administration Death Master File for determining that an individual
8161 reportedly has died.

8162 “(3) “Death master file match” means a search of the death master file that results
8163 in a match of the Social Security number or the name and date of birth of an insured, annuity
8164 owner, or retained asset account holder.

8165 “(4) “Knowledge of death” means:

8166 “(A) Receipt of an original or valid copy of a certified death certificate; or

8167 “(B) A death master file match validated by the insurer in accordance with
8168 subsection (b)(1)(A) of this section.

8169 “(5) “Policy” means any policy or certificate of life insurance that provides a
8170 death benefit. The term “policy” does not include:

8171 “(A) A policy or certificate of life insurance that provides a death benefit
8172 under an employee benefit plan:

8173 “(i) Subject to the Employee Retirement Income Security Act of
8174 1974, approved September 2, 1974 (88 Stat. ~~832829~~; 29 U.S.C. § 1001 *et seq.*); or

8175 “(ii) Under any federal employee benefit program;

8176 “(B) A policy or certificate of life insurance that is used to fund a pre-need
8177 funeral contract or prearrangement;

8178 “(C) A policy or certificate of credit life or accidental death insurance; or

8179 “(D) A policy issued to a group master policyholder for which the insurer
8180 does not provide record keeping services.

8181 “(6) “Record keeping services” means those services which the insurer has agreed
8182 with a group policy or contract customer to be responsible for obtaining, maintaining, and
8183 administering in its own or its ~~agents'~~ agents' systems information about each individual insured
8184 under an insured’s group insurance contract, or a line of coverage thereunder, at least the
8185 following information:

8186 “(A) Social Security number or name and date of birth;

8187 “(B) Beneficiary designation information;

8188 “(C) Coverage eligibility;

8189 “(D) Benefit amount; and

8190 “(E) Premium payment status.

8191 “(7) “Retained asset account” means a mechanism whereby the settlement of
8192 proceeds payable under a policy or contract is accomplished by the insurer or an entity acting on
8193 behalf of the insurer depositing the proceeds into an account with check or draft writing
8194 privileges, if those proceeds are retained by the insurer or its agent, pursuant to a supplementary
8195 contract not involving annuity benefits other than death benefits.

8196 “(b)(1) An insurer shall perform a comparison of its insureds’ in-force policies, contracts,
8197 and retained asset accounts against a death master file, on at least a semi-annual basis, by using
8198 the full death master file once and thereafter using the death master file update files for future
8199 comparisons to identify potential matches of its insureds. For those potential matches identified
8200 as a result of a death master file match, the insurer shall within 90 days of a death master file
8201 match:

8202 “(A) Complete a good faith effort, which shall be documented by the
8203 insurer, to confirm the death of the insured or retained asset account holder against other
8204 available records and information;

8205 “(B) Determine whether benefits are due in accordance with the applicable
8206 policy or contract; and if benefits are due in accordance with the applicable policy or contract:

8207 “(i) Use good faith efforts, which shall be documented by the
8208 insurer, to locate the beneficiary or beneficiaries; and

8209 “(ii) Provide the appropriate claims forms or instructions to the
8210 beneficiary or beneficiaries to make a claim including the need to provide an official death
8211 certificate, if applicable under the policy or contract.

8212 “(2) With respect to group life insurance, insurers are required to confirm the
8213 possible death of an insured when the insurers maintain at least the following information of
8214 those covered under a policy or certificate:

8215 “(A) Social Security number or name and date of birth;

8216 “(B) Beneficiary designation information;

8217 “(C) Coverage eligibility;

8218 “(D) Benefit amount; and

8219 “(E) Premium payment status.

8220 “(3) Every insurer shall implement procedures to account for:

8221 “(A) Common nicknames, initials used in lieu of a first or middle name,
8222 use of a middle name, compound first and middle names, and interchanged first and middle
8223 names;

8224 “(B) Compound last names, maiden or married names, and hyphens, blank
8225 spaces or apostrophes in last names;

8226 “(C) Transposition of the “month” and “date” portions of the date of birth;
8227 and

8228 “(D) Incomplete Social Security numbers.

8229 “(4) To the extent permitted by law, the insurer may disclose minimum necessary
8230 personal information about the insured or beneficiary to a person who the insurer reasonably
8231 believes may be able to assist the insurer locate the beneficiary or a person otherwise entitled to
8232 payment of the claims proceeds.

8233 “(c) An insurer or its service provider shall not charge any beneficiary or other authorized
8234 representative for any fees or costs associated with a death master file search or verification of a
8235 death master file match conducted pursuant to this section.

8236 “(d) The benefits from a policy, contract or a retained asset account, plus any applicable
8237 accrued contractual interest shall first be payable to the designated beneficiaries or owners and in
8238 the event said beneficiaries or owners cannot be found, shall be transferred to the Unclaimed
8239 Property Administrator as unclaimed property pursuant to the Revised Uniform Unclaimed
8240 Property Act of 2021, ~~passed on 1st reading approved by the Committee of the Whole~~ on July 20,
8241 2021 (~~Committee print~~Engrossed version of Bill 24-285) (“Revised Uniform Unclaimed
8242 Property Act of 2021”). Interest payable under D.C. ~~istrict of Columbia~~ Official Code § 28-3302
8243 shall not be payable as unclaimed property.

8244 “(e) Pursuant to section 7014 of the Revised Uniform Unclaimed Property Act of 2021,
8245 an insurer shall notify the Unclaimed Property Administrator upon the expiration of the statutory
8246 time period for abandoned property that:

8247 “(1) A policy or contract beneficiary or retained asset account holder has not
8248 submitted a claim with the insurer; and

8249 “(2) The insurer has complied with subsection (b) of this section and has been
8250 unable, after good faith efforts documented by the insurer, to contact the retained asset account
8251 holder, beneficiary or beneficiaries

8252 “(f) Upon such notice, an insurer shall immediately submit the unclaimed policy or
8253 contract benefits or unclaimed retained asset accounts, plus any applicable accrued interest, to
8254 the Unclaimed Property Administrator pursuant section 7014 of to the Revised Uniform
8255 Unclaimed Property Act of 2021.

8256 “(g) Failure to meet any requirement of this section with such frequency as to constitute a
8257 general business practice is a violation of a law of the District under section 6 ~~of this act.~~
8258 Nothing herein shall be construed to create or imply a private cause of action for a violation of
8259 this section.”.

8260 **SUBTITLE B. -PAYGO CAPITAL FUNDING**

8261 Sec. 7101. -Short title.

8262 This subtitle may be cited as the “Paygo Capital Funding Amendment Act of 2021”.

8263 Sec. 7102. -Section 47-392.02(f) of the District of Columbia Official Code is amended as
8264 follows:

8265 (a) The lead-in language is amended by striking the phrase “Local funds revenue
8266 transfer” and inserting the phrase “Transfer of local or dedicated funds” in its place.

8267 (b) Paragraph (2) is amended as follows:

8268 (1) Strike the phrase “local funds transfer” and insert the phrase “transfer of local
8269 or dedicated funds” in its place.

8270 (2) Strike the phrase “Fiscal Year 2020” and insert the phrase “Fiscal Year 2020
8271 (“minimum transfer amount”); except, that in Fiscal Year 2025, the minimum transfer amount
8272 shall be \$206 million” in its place.

8273 (c) Paragraph (3) is amended by striking the phrase “minimum local funds transfer” both
8274 times it appears and inserting the phrase “minimum transfer amount” in its place.

8293 “(JJ) Cash assistance for excluded workers given pursuant to grants
8294 awarded by the Washington Convention and Sports Authority after taxable year ending
8295 December 31, 2019 and ending before January 1, 2023.”.

8296 (c) New subsections (KK) through (PP) are added to read as follows:

8297 “(KK) For tax years beginning after December 31, 2020, public health
8298 emergency response grants issued pursuant to section 5b of the District of Columbia Public
8299 Emergency Act of 1980, effective June 24, 2021 (D.C. Law 24-9; D.C. Official Code § 7-
8300 2304.02), or successor law.

8301 “(LL) For taxable years beginning after December 31, 2020,
8302 unemployment insurance benefits provided by the District or any other state, including:

8303 “(i) District-funded benefits paid pursuant to ~~S~~subchapter I of
8304 Chapter 1 of Title 51 of the District of Columbia Official Code or a similar program in another
8305 state, including any extension of such benefits;

8306 “(ii) Fully or partially federally funded benefits paid pursuant to
8307 temporary or permanent unemployment benefits programs, including Federal Pandemic
8308 Unemployment Compensation provided for by section 2104 of Division A of the Coronavirus
8309 Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 318; ~~15~~ U.S.C. §
8310 9023); and

8311 “(iii) Benefits paid pursuant to special programs, including
8312 Disaster Unemployment Assistance provided for by section 410 of the Disaster Relief Act of

8313 1974, approved May 22, 1974 (88 Stat. 156; (42 U.S.C. § 5177), or Pandemic Unemployment
8314 Assistance provided for by section 2102 of Division A of the Coronavirus Aid, Relief, and
8315 Economic Security Act, approved March 27, 2020 (134 Stat. 313; (15 U.S.C. § 9021) to
8316 individuals who do not qualify for regular unemployment insurance benefits.”

8317 “(MM) Grants issued pursuant to section 2032(h)(1)(A) of the Deputy
8318 Mayor for Planning and Economic Development Limited Grant Making Authority Act of 2012,
8319 effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04(h)(1)(A)).”

8320 “(NN) The following grants made by the Deputy Mayor for Planning and
8321 Economic Development:

8322 “(i) Small business rent relief grants awarded pursuant to section
8323 2032(l) of the Deputy Mayor for Planning and Economic Development Limited Grant-Making
8324 Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
8325 328.04(l));

8326 “(ii) Grants awarded to the DC Center for the LQBT Community
8327 pursuant to section 2032(m) of the Deputy Mayor for Planning and Economic Development
8328 Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168;
8329 D.C. Official Code § 1-328.04(m));

8330 “(iii) Large company grants awarded pursuant to section 2032(n)
8331 of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority

8332 Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
8333 328.04(n));
8334 “(iv) Local food access grants awarded pursuant to section 2032(o)
8335 of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority
8336 Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
8337 328.04(o));
8338 “(v) Guaranteed income pilot program grants awarded pursuant to
8339 section 2032(p) of the Deputy Mayor for Planning and Economic Development Limited Grant-
8340 Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official
8341 Code § 1-328.04(p));
8342 “(vi) Grants awarded to Community Development Financial
8343 Institutions or Minority Depository Institutions pursuant to section 2032(q) of the Deputy Mayor
8344 for Planning and Economic Development Limited Grant-Making Authority Act of 2012,
8345 effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04(q));
8346 “(vii) Equity growth impact grants awarded pursuant to section
8347 2032(r) of the Deputy Mayor for Planning and Economic Development Limited Grant-Making
8348 Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
8349 328.04(r));
8350 “(viii) Great Streets program grants awarded pursuant to section
8351 2032(a) of the Deputy Mayor for Planning and Economic Development Limited Grant-Making

8352 Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
8353 328.04(s));
8354 “(ix) Bridge Fund recovery and special events support grants
8355 awarded pursuant to section 2032(t) of the Deputy Mayor for Planning and Economic
8356 Development Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C.
8357 Law 19-168; D.C. Official Code § 1-328.04(t));
8358 “(x) Small and medium business recover and growth program
8359 grants awarded pursuant to section 2032(u) of the Deputy Mayor for Planning and Economic
8360 Development Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C.
8361 Law 19-168; D.C. Official Code § 1-328.04(u)); and
8362 “(xi) Equity impact enterprise commercial property acquisition
8363 grants awarded pursuant to section 2032(v) of the Deputy Mayor for Planning and Economic
8364 Development Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C.
8365 Law 19-168; D.C. Official Code § 1-328.04(v)).
8366 “(OO) COVID-19 hotel recovery grants awarded pursuant to section 2192
8367 of the COVID-19 Hotel Recovery Grant Program Act of 2021, passed on 1st reading July 20,
8368 2021 (Engrossed version of Bill 24-285).
8369 “(PP) Delayed unemployment compensation payments made pursuant to
8370 section 7(j) of the District of Columbia Unemployment Compensation Act, approved August 28,
8371 1935 (49 Stat. 949; D.C. Official Code § 51-107(j)).”.

8372 Sec. 7113. Applicability.
8373 Amendatory section 47-1803.02(a)(2)(MM) in section 7112(c) shall apply as of January
8374 1, 2020.

8375 **SUBTITLE D. DCRB EXECUTIVE LEADERSHIP**

8376 Sec. 7121. -Short title.

8377 This subtitle may be cited as the “District of Columbia Retirement Board Executive
8378 Leadership Amendment Act of 2021”.

8379 Sec. 7122. Section 121 of the District of Columbia Retirement Reform Act, approved
8380 November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711), is amended as follows:

8381 (a) Subsection (c)(1) is amended as follows:

8382 (1) Strike the phrase “exceed \$10,000.” and insert the phrase “exceed:” in its
8383 place.

8384 (2) New subparagraphs (A) and (B) are added to read as follows:

8385 “(A) Beginning in Fiscal Year 2021, \$25,000 for the Chairperson of the
8386 Board; and

8387 “(B) Beginning in Fiscal Year 2021, \$15,000 for each member entitled to
8388 compensation under this paragraph other than the Chairperson.”.

8389 (b) Subsection (g)(2) is amended by adding a new subparagraph (D) to read as follows:

8390 “(D) Notwithstanding any other provision of law, the annual salary of the
8391 Executive Director shall be fixed by the Board as it considers necessary at a rate not to exceed
8392 135% of the highest step of Grade E5 of the Executive Service.”.

8393 **SUBTITLE E. TAX ABATEMENTS FOR AFFORDABLE HOUSING**

8394 Sec. 7131. Short title.

8395 This subtitle may be cited as the “Tax Abatements for Affordable Housing in High-Need
8396 Areas Amendment Act of 2021”.

8397 Sec. 7132. ~~Section 2062(b) of the Fiscal Year 2021 Budget Support Act of 2020,~~
8398 ~~effective December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 47-859.06) is amended by~~
8399 ~~striking the phrase “and shall not exceed \$4 million annually thereafter” and inserting the phrase~~
8400 ~~“and for every fiscal year thereafter shall be a minimum of \$4 million, increased annually by 4%~~
8401 ~~starting in Fiscal Year 2026” in its place. Section 47-859.06 of Title 47 of the District of~~
8402 Columbia Official Code is amended as follows:

8403 (a) Subsection (b) is amended to read as follows:

8404 “(b) The Mayor may, through a competitive process, designate real property to be eligible
8405 to receive a tax abatement under this section; provided, that the total amount of the tax
8406 abatements associated with real property designated by the Mayor pursuant to this subsection
8407 shall not exceed:

8408 “(1) \$200,000 in Fiscal Year 2024;

8409 “(2) \$4 million in Fiscal Year 2025; and

8410 “(3) \$4 million increased by 4% in Fiscal Year 2026 and further increased by 4% in each
8411 fiscal year thereafter.”.

8412 (b) Subsection (c) is amended by striking the phrase “by this section” wherever it appears
8413 and inserting the phrase “by subsection (a) of this section” in its place.

8414 (c) A new subsection (c-1) is added to read as follows:

8415 “(c-1)(1) In lieu of the abatement provided for in subsection (a) of this section, real
8416 property tax imposed by § 47-811 on real property certified as eligible pursuant to subsection (d)
8417 of this section shall be abated for the period set forth in paragraph (3) of this subsection;
8418 provided, that:

8419 “(A) The real property is located within:

8420 “(i) The Downtown Business Improvement District, as defined in §
8421 2-1215.51(b); or

8422 “(ii) The Golden Triangle Business Improvement District, as
8423 defined in § 2-1215.52(b);

8424 “(B) The real property is designated by the Mayor pursuant to paragraph
8425 (2) of this subsection;

8426 “(C) For the duration of the period set forth in paragraph (3) of this
8427 subsection, at least 20% of the housing units developed or redeveloped through a change in use
8428 that results in housing units on the real property are affordable to and rented by households

8429 earning on average 80% or less of the median family income; provided, that during such period

8430 no such household earns more than 100% of the median family income; and

8431 “(D) The following requirements are met:

8432 “(i) The developer files a covenant in the land records of the

8433 District, binding on the developer and all of its successors in interest with respect to the property,

8434 covenanting to comply with the requirements of subparagraph (C) of this paragraph;

8435 “(ii) The developer enters into an agreement with the District that

8436 requires the developer to, at a minimum, contract with certified business enterprises for at least

8437 35% of the contract dollar volume of the construction and operations of the project, in

8438 accordance with § 2-218.46;

8439 “(iii) The developer enters into a First Source Agreement for the

8440 operations of the project; and

8441 “(iv) The developer enters into an agreement with the Mayor

8442 setting forth the requirements of this paragraph and such other terms and conditions as the Mayor

8443 considers appropriate.

8444 “(2) The Mayor may, through a competitive process, designate real property

8445 eligible to receive a tax abatement under this subsection; provided, that the total amount of the

8446 tax abatements associated with real property designated by the Mayor pursuant to this subsection

8447 shall not exceed:

8448 “(A) \$125,000 in Fiscal Year 2025;

8449 “(B) \$2.5 million in Fiscal Year 2026; and
8450 “(C) \$4 million annually thereafter.
8451 “(3) The tax abatement provided for by this subsection shall begin in the tax year
8452 immediately following the tax year during which the certificate of occupancy was issued for the
8453 final housing unit counted toward satisfying the affordability requirement of paragraph (1)(C) of
8454 this subsection and shall continue until the end of the 35th tax year after the tax year during
8455 which such certificate of occupancy is issued; except, that the tax abatement provided for by this
8456 subsection shall not begin before October 1, 2024.”.
8457 (c) Subsection (d) is amended as follows:
8458 (1) Paragraph (1) is amended as follows:
8459 (A) The lead-in language is amended by striking the phrase “for the
8460 abatement provided by this section” and inserting the phrase “for an abatement provided by this
8461 section” in its place.
8462 (B) Subparagraph (B) is amended by striking the phrase “subsection
8463 (a)(3)” and inserting the phrase “subsections (a)(3) or (c-1)(1)(C)” in its place.
8464 (C) Subparagraph (C) is amended by striking the phrase “subsection (c)”
8465 and inserting the phrase “subsections (c) or (c-1)(3)” in its place.
8466 (D) Subparagraph (D) is amended by striking the phrase “subsection (a)”
8467 and inserting the phrase “subsections (a) or (c-1)(1)” in its place.
8468 (E) Subparagraph (E) is amended by striking the phrase “subsection (b)”

8469 and inserting the phrase “subsections (b) or (c-1)(2)” in its place.

8470 (2) Paragraph (2) is amended by striking the phrase “the abatement provided by
8471 this section” and inserting the phrase “an abatement provided by this section” in its place.

8472 (d) Subsection (e) is amended by striking the phrase “The tax abatement provided by”
8473 and inserting the phrase “The tax abatements provided by” in its place.

8474 (e) Subsection (f) is amended by striking the phrase “subsection (b)” and inserting the
8475 phrase “subsections (b) or (c-1)(2)” in its place.

8476 **SUBTITLE F. -EVENTS DC**

8477 Sec. 7141. Short title.

8478 This subtitle may be cited as the “Events DC Grant-Making Act of 2021”.

8479 Sec. 7142. National Cherry Blossom Festival Fundraising.

8480 (a) There is established a matching grant program to support the 2022 National
8481 Cherry Blossom Festival (“Program”), which shall be administered by the Washington
8482 Convention and Sports Authority (“Events DC”). Under the Program, a matching grant
8483 shall be awarded to a nonprofit organization that organizes and produces an event or
8484 events as part of the official, month-long National Cherry Blossom Festival (“Festival”)
8485 of up to \$1,000,000 for every dollar above ~~\$1,000~~750,000 that the organization has raised
8486 in corporate donations by ~~March 31~~April 30, 2022.

8487 (b) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Account,
8488 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by
8489 subsection (a) of this section.

8490 (c) A grant awarded pursuant to this section shall be in addition to any other grant
8491 awarded by Events DC in support of the Festival.

8492 ~~Sec. 7143. Youth and Science Museum Grant.~~

8493 ~~—(a) The Washington Convention and Sports Authority (“Events DC”) shall~~
8494 ~~administer a grant to support a museum geared toward youth and science in the~~
8495 ~~Downtown Business Improvement District established by Section 201 of the Business~~
8496 ~~Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C.~~
8497 ~~Official Code § 2-1215.51).~~

8498 ~~(b) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Account,~~
8499 ~~\$1,000,000 shall be transferred to Events DC to use for the grant authorized by~~
8500 ~~subsection (a) of this section.~~

8501 ~~(c) A grant awarded pursuant to this section shall be in addition to any other grant~~
8502 ~~awarded by Events DC in support of a museum geared toward youth and science.~~

8503 Sec. ~~7144~~7143. The lead-in language of section 204(m) of the Washington Convention
8504 Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official
8505 Code § 10-1202.04(m)), is amended by striking the phrase “Fiscal Year 2020 or Fiscal Year
8506 2021” and inserting the phrase “Fiscal Year 2021 or Fiscal Year 2022” in its place.

8507 **SUBTITLE G. EXCLUDED WORKER PAYMENT**

8508 Sec. 7151. Short title.

8509 This subtitle may be cited as the “Excluded Worker Payment Amendment Act of 2021”.

8510 Sec. 7152. The lead-in language of section 203a(a) of the Washington Convention Center

8511 Authority Act of 1994, effective ~~September 28, 1994~~December 3, 2020 (D.C. Law ~~10-18823-~~

8512 149; D.C. Official Code § 10-1202.03a(a)), is amended to read as follows:

8513 “(a) The Washington Convention and Sports Authority shall issue, subject to the
8514 availability of funds, grants or contracts to nonprofit entities to use to provide cash assistance to
8515 District residents who are otherwise excluded from District and federal aid related to COVID-19.
8516 To qualify for cash assistance from grants or contracts awarded pursuant to this section, a
8517 District resident shall:”

8518 ~~Sec. 7153. Section 47-1803.02(a)(2)(JJ) of the District of Columbia Official Code is~~
8519 ~~amended to read as follows:~~

8520 ~~“(JJ) Cash assistance for excluded workers given pursuant to grants~~
8521 ~~awarded by the Washington Convention and Sports Authority in after taxable year ending~~
8522 ~~December 31, 2019 and ending before January 1, 20232020, 2021, and 2022.”.~~

8523 **SUBTITLE H. COUNCIL PERIOD 24 RULE 736 AND OTHER REPEALS**

8524 Sec. 7161. Short title.

8525 This subtitle may be cited as the “Council Period 24 Rule 736 and Other Repeals

8526 Amendment Act of 2021”.

8527 Sec. 7162. Section 5(b)(1) of the District of Columbia Public Emergency Act of 1980,
8528 effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(1)), is repealed.

8529 Sec. 7163. The Trash Compactor Tax Incentive Amendment Act of 2014, effective
8530 March 11, 2015 (D.C. Law 20-223; 62 DCR 227), is repealed.

8531 ~~Sec. 7164. The Public School Health Services Amendment Act of 2017, effective~~
8532 ~~February 17, 2018 (D.C. Law 22-61; 65 DCR 127), is repealed.~~

8533 Sec. ~~7165~~7164. The Maternal Mental Health Task Force Establishment Act of 2018,
8534 effective July 17, 2018 (D.C. Law 22-139; 65 DCR 5966), is repealed.

8535 Sec. ~~7166~~7165. The Hearing Aid Assistance Program Act of 2018, effective July 27,
8536 2018 (D.C. Law 22-151; 65 DCR 6123), is repealed.

8537 Sec. ~~7167~~7166. ~~Sections 2(a), 2(b)(2), 2(c)(1), 2(c)(2)(A), 2(c)(3), 2(c)(4)(B), the~~
8538 ~~amendatory section 207 within section 2(e), 2(f), 2(g), 2(h), and 2(i) of t~~The Traffic and Parking
8539 Ticket Penalty Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-175; 65 DCR
8540 9546), ~~and amendatory section 207 of the District of Columbia Traffic Adjudication Act of 1978,~~
8541 ~~effective October 30, 2018 (D.C. Law 22-175; D.C. Official Code § 50-2302.07), in section 2(e)~~
8542 ~~is of the Traffic and Parking Ticket Penalty Amendment Act of 2018, effective October 30, 2018~~
8543 ~~(D.C. Law 22-175; 65 DCR 9546), are~~ repealed.

8544 Sec. ~~7168~~7167. ~~Section 101 of t~~The Save Good Food Amendment Act of 2018, effective
8545 February 22, 2019 (D.C. Law 22-212; 65 DCR 12927), is repealed.

8546 Sec. ~~7169~~7168. The Rental Housing Smoke Free Common Area Amendment Act of
8547 2018, effective March 22, 2019 (D.C. Law 22-260; 66 DCR 1370), is repealed.

8548 Sec. ~~7170~~7169. The Paperwork Reduction and Data Collection Act of 2018, effective
8549 March 22, 2019 (D.C. Law 22-264; 66 DCR 1388), is repealed.

8550 Sec. ~~7171~~7170. The District Historical Records Advisory Board Amendment Act of
8551 2018, effective March 28, 2019 (D.C. Law 22-271; 66 DCR 1446), is repealed.

8552 Sec. ~~7172~~7171. The Language Access for Education Amendment Act of 2018, effective
8553 April 11, 2019 (D.C. Law 22-282; 66 DCR 1606), is repealed.

8554 Sec. ~~7173~~7172. The Disabled Veterans Homestead Exemption Act of 2018, effective
8555 April 11, 2019 (D.C. Law 22-283; 66 DCR 1615), is repealed.

8556 Sec. ~~7174~~7173. The Safe Disposal of ~~Pharmaceuticals-Controlled Substances~~
8557 ~~Amendment~~ Act of 2018, effective April 11, 2019 (D.C. Law 22-285; 66 DCR 1621), is
8558 repealed.

8559 Sec. ~~7175~~7174. The D.C. Healthcare Alliance Reform Amendment Act of 2019, effective
8560 September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

8561 **SUBTITLE I. SUBJECT-TO-APPROPRIATIONS REPEALS AND**
8562 **MODIFICATIONS**

8563 Sec. 7181. Short title.

8564 This subtitle may be cited as the “Subject-~~to-~~Appropriations Repeals and Modifications
8565 Amendment Act of 2021”.

8566 Sec. 7182. Section 11 of the Childhood Lead Exposure Prevention Amendment Act of
8567 2017, effective September 23, 2017 (D.C. Law 22-21; 64 DCR 7631), is repealed.

8568 Sec. ~~7182~~7183. Section 10(a) of the Campaign Finance Reform Amendment Act of 2018,
8569 effective March 13, 2019 (D.C. Law 22-250; 66 DCR 985), is amended to read as follows:

8570 “(a) Sections 6(b)(4), (8), and (22), and (pp)(8) and (9) shall not apply to contracts, as
8571 defined in section 101(10C)(A)(ii) of the Board of Ethics and Government Accountability
8572 Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27,
8573 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10C)(A)(ii)), including those contracts’
8574 option periods or similar contract extensions or modifications, sought, entered into, or executed
8575 before November 9, 2022.”.

8576 Sec. ~~7183~~7184. -Section 5 of the Public Restroom Facilities Installation and Promotion
8577 Act of 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is repealed.

8578 Sec. ~~7184~~7185. -Section 4 of the Care for LGBTQ Seniors and Seniors with HIV
8579 Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-154; 67 DCR 13244), is
8580 repealed.

8581 Sec. ~~7185~~7186. Section 3 of the Autonomous Vehicles Testing Program Amendment Act
8582 of 2020, effective December 23, 2020 (D.C. Law 23-156; 67 DCR 13048), is repealed.

8583 Sec. ~~7186~~7187. Section 5 of the Dementia Training for Direct Care Workers Support
8584 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-201; 67 DCR 14750), is
8585 repealed.

8586 Sec. ~~7187~~7188. Section 3 of the Helping Children Impacted by Parental Incarceration
8587 Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-278; 68 DCR 1154), is
8588 repealed.

8589 Sec. ~~7188~~7189. Section 3 of the MLK Gateway Real Property Tax Abatement
8590 Amendment Act of 2019, effective January 10, 2020 (D.C. Law 23-46; 66 DCR 15345), is
8591 repealed.

8592 Sec. ~~7189~~7190. Section 4 of the Postpartum Coverage Expansion Amendment Act of
8593 2020, effective October 20, 2020 (D.C. Law 23-132; 67 DCR 9887), is repealed.

8594 Sec. ~~7190~~7191. Section 3 of the Office for the Deaf, ~~DeafBlind~~Deafblind, and Hard of
8595 Hearing Establishment Amendment Act of ~~2021~~2020, effective December 8, 2020 (D.C. Law
8596 23-152; 67 DCR 12254), is repealed.

8597 Sec. ~~7191~~7192. Section 301 of the Commission on Poverty Establishment Amendment
8598 Act of 2020, effective March 16, 2021 (D.C. Law 23-184; 68 DCR 1220), is repealed.

8599 Sec. ~~7192~~7193. Section 5~~(A)~~ of the Residential Housing Environmental Safety
8600 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-188; 68 DCR 1227), is
8601 amended as follows:

8602 (a) Subsection (a) is amended by striking the phrase “This act” and inserting the phrase
8603 “Sections 2 and 3” in its place.

8604 (b) Subsection (c)(2) is amended by striking the phrase “this act” and inserting the phrase
8605 “the provisions identified in subsection (a) of this section” in its place.

8606 Sec. ~~7193~~7194. -Section 3 of the Psychology Interjurisdictional Compact Act of 2020,
8607 effective March 16, 2021 (D.C. Law 23-190; 68 DCR 16), is repealed.

8608 Sec. ~~7194~~7195. Section 301 of the Addressing Dyslexia and Other Reading Difficulties
8609 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-191; 68 DCR 115), is
8610 repealed.

8611 Sec. ~~7195~~7196. Section 4 of the Initiative and Referendum Process Improvement
8612 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-192; 68 DCR 1073), is
8613 repealed.

8614 Sec. 7197. Section 3 of the Electric Vehicle Readiness Amendment Act of 2020, effective
8615 March 16, 2021 (D.C. Law 23-194; 68 DCR 1100), is repealed.

8616 Sec. ~~7196~~7198. Section 3 of the Energy Efficiency Standards Amendment Act of 2020,
8617 effective March 16, 2021 (D.C. Law 23-195; 68 DCR 39), is amended as follows:

8618 (a) Subsection (a) is amended by striking the phrase “one year after the date described in
8619 subsection (b) of this section.” and inserting the phrase “October 1, 2022.” in its place.

8620 (b) Subsection (b) is repealed.

8621 Sec. ~~7197~~7199. Section 4 of the Diverse Washingtonians Commemorative Works
8622 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-196; 68 DCR 753), is
8623 repealed.

8624 Sec. ~~7198~~7200. Section 301 of the Shared Fleet Devices Amendment Act of 2020,
8625 effective March 16, 2021 (D.C. Law 23-203; 67 DCR 13886), is repealed.

8626 Sec. ~~7199~~7201. Section 12 of the Students’ Right to Home or Hospital Instruction Act of
8627 2020, effective March 16, 2021 (D.C. Law 23-204; 67 DCR 14756), is repealed.

8628 Sec. ~~7200~~7202. Section 302 of the Ban on Non-Compete Agreements Amendment Act of
8629 2020, effective March 16, 2021 (D.C. Law 23-209; 68 DCR 782), is amended to read as follows:

8630 “Section 302. Applicability.

8631 “This act shall apply as of April 1, 2022.”.

8632 Sec. ~~7201~~7203. Section 6(a) of the Zero Waste Omnibus Amendment Act of 2020,
8633 effective March 16, 2021 (D.C. Law 23-211; 68 DCR 68), is amended to read as follows:

8634 “(a) Section 2(b)(2), ~~the amendatory section 103(e) within 2(b)(3), 2(d)(2), and (m)(1),~~
8635 amendatory section 103(e) of the Sustainable Solid Waste Management Amendment Act of
8636 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03(e)), in
8637 section 2(b)(3), and amendatory sections 112c and 112e of the Sustainable Solid Waste
8638 Management Amendment Act of 2014, effective March 16, 2021 (D.C. Law 23-211; D.C.
8639 Official Code §§ 8-1031.12c and 8-1031.12e), within section 2(k), and ~~2(m)(1)~~ shall apply upon
8640 the date of inclusion of their fiscal effect in an approved budget and financial plan.”.

8641 Sec. ~~7202~~7204. Section 5 of the District of Columbia Water and Sewer Authority
8642 Omnibus Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-229; 68 DCR 1112),
8643 is repealed.

8644 Sec. ~~7203~~7205. Section 4 of the Public Facilities Environmental Safety Amendment Act
8645 of 2020, effective March 16, 2021, (D.C. Law 23-233; 68 DCR 1128), is amended to read as
8646 follows:

8647 “Sec. 4. Applicability.

8648 “(a) Section 2(b)(2) of this act shall apply upon the date of inclusion of its fiscal effect in
8649 an approved budget and financial plan.

8650 “(b) The Chief Financial Officer shall certify the date of inclusion of the fiscal effect in an
8651 approved budget and financial plan and provide notice to the Budget Director of the Council of
8652 the certification.

8653 “(c)(1) The Budget Director shall cause the notice of the certification to be published in
8654 the District of Columbia Register.

8655 “(2) The date of publication of the notice of the certification shall not affect the
8656 applicability of section 2(b)(2).”.

8657 Sec. 7206. Section 3 of the Voluntary Agreement Moratorium Amendment Act of 2020,
8658 effective March 16, 2021 (D.C. Law 23-246; 68 DCR 1232), is repealed.

8659 Sec. ~~7204~~7207. Section 601 of the Department of Buildings Establishment Act of
8660 ~~2019~~2020, effective April 5, 2021 (D.C. Law 23-269; 68 DCR 1490), is repealed.

8661 Sec. ~~7205~~7208. Section 301 of the Office of the Ombudsperson for Children
8662 Establishment Amendment Act of 2020, effective April 5, 2021 (D.C. Law 23-270; 68 DCR
8663 1510), is repealed.

8664 Sec. ~~7206~~7209. The Omnibus Public Safety and Justice Amendment Act of 2020,
8665 effective April 27, 2021 (D.C. Law 23-274; 68 DCR 1034), is amended as follows:

8666 (a) Section 1101 is amended to read as follows:

8667 “Sec. 1101. Section 4902(a-1)(1) of the Department of Health Functions Clarification Act
8668 of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731(a-1)(1)), is
8669 amended by striking the phrase “Central Detention Facility” and inserting the phrase “Central
8670 Detention Facility, Correctional Treatment Facility, and Central Cell Block” in its place.”.

8671 (b) Section 1501 is repealed.

8672 Sec. ~~7207~~7210. Section 4 of the Medical Marijuana Program Patient Employment
8673 Protection Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-276; 68 DCR
8674 ~~479448~~), is repealed.

8675 Sec. ~~7208~~7211. Section 5 of the Restore the Vote Amendment Act of 2020, effective
8676 April 27, 2021 (D.C. Law 23-277; 67 DCR 13867), is repealed.

8677 Sec. ~~7209~~7212. Section 6 of the Bella Evangelista and Tony Hunter Panic Defense
8678 Prohibition and Hate Crimes Response Amendment Act of 2020, effective May 15, 2021 (D.C.
8679 Law 23-283; 68 DCR 764), is repealed.

8680 Sec. ~~7210~~7213. Section 4 of the Green Food Purchasing Amendment Act of 2021,
8681 enacted on June 7, 2021 (D.C. Act 24-93; 68 DCR 6015), is amended to read as follows:

8682 “Sec. 4. Applicability.

8683 “Section 3 shall apply as of January 1, 2023.”.

8684 Sec. ~~7211~~7214. Section 3 of the D.C. Central Kitchen, Inc. Tax Rebate Amendment Act
8685 of 2021, enacted on June 7, 2021 (D.C. Act 24-94; 68 DCR 6020), is repealed.

8686 Sec. ~~7212~~7215. Section 6(b)(1) of the Comprehensive Plan Amendment Act of 2021,
8687 enacted July 7, 2021 (D.C. Act 24-110; ~~68 DCR 6918~~), is amended by striking the phrase
8688 “Sections 3 and 4 shall apply upon the date of inclusion of their” and inserting the phrase
8689 “Section 3 shall apply upon the date of inclusion of its” in its place.

8690 ~~Sec. 7213~~7216. ~~Section 3 of the Certified Midwife Credential Amendment Act of 2021,~~
8691 ~~as approved by the Committee on Health on June 30, 2021 (Committee print of Bill 24-143), is~~
8692 ~~repealed.~~

8693 **SUBTITLE J. INCOME TAX FAIRNESS**

8694 Sec. 7221. Short title.

8695 This subtitle may be cited as the “Income Tax Fairness Amendment Act of 2021”.

8696 Sec. 7222. ~~D.C. Official Code §~~Section 47-1806.03(a) of the District of Columbia
8697 Official Code is amended by adding a new paragraph (11) to read as follows:

8698 “(11) In the case of taxable years beginning after December 31, 2021, there is
8699 imposed on the taxable income of every resident a tax determined in accordance with the
8700 following table:

Not over \$10,000	4% of the taxable income
Over \$10,000 but not over \$40,000	\$400, plus 6% of the excess over \$10,000
Over \$40,000 but not over \$60,000	\$2,200, plus 6.5% of the excess over \$40,000

Over \$60,000 but not over \$250,000	\$3,500, plus 8.5% of the excess over \$60,000
Over \$250,000 but not over \$500,000	\$19,650, plus 9.25% of the excess over \$250,000
Over \$500,000 but not over \$1,000,000	\$42,775, plus 9.75% of the excess over \$500,000
Over \$1,000,000	\$91,525, plus 10.75% of the excess over \$1,000,000

8701 .”

8702 **SUBTITLE K. EARNED INCOME TAX CREDIT AS BASIC INCOME**

8703 Sec. 7231. Short title.

8704 This subtitle may be cited as the “Earned Income Tax Credit as Basic Income
8705 Amendment Act of 2021”.

8706 Sec. 7232. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as
8707 follows:

8708 (a) The table of contents is amended by adding a new section designation to read as
8709 follows:

8710 “47-1806.04a. Public outreach for earned income tax credit.”.

8711 (b) Section 47-1806.04 is amended as follows:

8712 (1) Subsection (f) ~~is amended~~ is amended as follows:

8713 (A) Paragraph (1) is amended by adding ~~a~~ new subparagraphs (B-1), (B-
8714 2), and (B-3) to read as follows:

8715 “(B-1) If a return is filed for a full calendar or fiscal year beginning after
8716 December 31, 2021, an individual with a qualifying child who is allowed an earned income tax
8717 credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against
8718 the tax imposed by this chapter for the taxable year in an amount equal to ~~55~~70% of the earned
8719 income tax credit allowed under section 32 of the Internal Revenue Code of 1986.”

8720 “(B-2) If a return is filed for a full calendar or fiscal year beginning after
8721 December 31, 2024, an individual with a qualifying child who is allowed an earned income tax
8722 credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against
8723 the tax imposed by this chapter for the taxable year in an amount equal to 85% of the earned
8724 income tax credit allowed under section 32 of the Internal Revenue Code of 1986.

8725 “(B-3) If a return is filed for a full calendar or fiscal year beginning after
8726 December 31, 2025, an individual with a qualifying child who is allowed an earned income tax
8727 credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against
8728 the tax imposed by this chapter for the taxable year in an amount equal to 100% of the earned
8729 income tax credit allowed under section 32 of the Internal Revenue Code of 1986”.

8730 (B) Paragraph (3) is amended to read as follows:

8731 “(3)(A) The credit allowed under this subsection shall be refundable to the
8732 individual claiming the credit.

8752 “(iv) Notwithstanding sub-subparagraphs ~~(i) and (ii) and (iii)~~ of
8753 this subparagraph, the entire amount of a credit to be refunded shall be immediately subject to
8754 the offset provisions of subchapter III of ~~C~~chapter 44 of this title.

8755 “(v) The Chief Financial Officer shall send a notice to every
8756 individual whose refund, or any portion thereof, will be paid in monthly refund payments
8757 pursuant to ~~this~~ sub-subparagraphs ~~(i)(I) or (ii)(I) and (iii)~~ of this subparagraph.”.

8758 (2) Subsection (g) is amended by adding a new paragraph (3) to read as follows:

8759 “(3) Any refunds paid pursuant to this subsection shall be paid in the manner
8760 described in subsection (f)(3) of this section.”.

8761 (c) A new section 47-1806.04a is added to read as follows:

8762 “§ 47-1806.04a. Public outreach for earned income tax credit.

8763 “(a) The Mayor may, subject to available funding, issue grants to a nonprofit organization
8764 registered in the District, pursuant to Chapter 4 of Title 29 ~~of the District of Columbia Official~~
8765 ~~Code~~, to provide outreach and education about the tax credit allowed pursuant to § 47-1806.04(f)
8766 and (g).

8767 “(b) By January 1, 2025, the Mayor shall issue a grant of \$250,000 to a research
8768 institution located in the District for the purpose of collecting data and issuing a report to the
8769 Council describing the impact on eligible households of the payments required pursuant to § 47-
8770 1806.04(f) and (g).”.

8771 **TITLE VIII. SPECIAL PURPOSE REVENUE, DEDICATED REVENUE, AND**

8772 **CAPITAL**

8773 **SUBTITLE A. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

8774 Sec. 8001. Short title.

8775 This title may be cited as the “Designated Fund Transfer Act of 2021”.

8776 Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the
 8777 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year
 8778 ~~2021-2022~~ the following amounts from certified funds and other revenue in the identified
 8779 accounts to the unassigned fund balance of the General Fund of the District of Columbia:

Agency Code	Fund Detail	Fund-Name	FY21	FY22
AG0	602	-Lobbyist Fund	235,063	-
AM0	2225	-West End Library/Firehouse Maintenance	222,678	-
AT0	606	Recorder of Deeds Surcharge	1,587,489	-
BG0	1111	Disability Compensation Fund	6,674,750	-
CF0	619	DC Jobs Trust Fund	158,008	-
CJ0	1121	Fair Elections Fund	668,173	-
CR0	6008	Real Estate Guaranty and Education Fund	352,749	-
CR0	6009	Real Estate Appraisal Fee	101,041	-
DB0	602	-HPAP Repay	103,550	-
EB0	609	-Industrial Revenue Bond Program	455,646	-
EN0	632	-Small Business Access to Capital Access Fund	167,338	813,313
GA0	640	-DC Non-Profit School Food Service	525,000	-
GD0	618	Student Residency Verification	91,162	-
GD0	620	Child Development Facilities	180,248	-
HA0	602	Enterprise Fund Account	402,388	-
HC0	649	-Health Facility Fee	12,534	-
HC0	673	-DOH Regulatory Enforcement Fund	13,963	-
HC0	612	-Animal Control Dog License Fees	14,449	-
HC0	612	-Food Handlers Certification	183,887	-

HC0	110	-Nursing Home Quality of Care	—318,190	-
HC0	614	-Adjudication Fines	—32,840	-
HC0	632	Pharmacy Protection	—30,923	-
HC0	643	Board of Medicine	—2,487,363	-
HC0	661	ICF/MR Fees and Fines	—239,376	-
HT0	631	Medicaid — Third Party Liability	—129,101	-
HT0	632	Bill of Rights — Grievance/Appeals	—692,366	-
KA0	6000	-General O-Type Revenue Sources	—331,180	-
LQ0	110	MPD Reimbursable Subsidy Program	—650,000	-
RJ0	640	-Subrogation Fund	—350,987	-
RJ0	640	Subrogation Fund	—386,825	-
RJ0	1240	Captive Insurance Fund	—580,509	-
SR0	2350	Securities and Banking Fund	—1,444,934	-
TO0	602	DC Net Services Support	—181,835	-
TO0	1200	SERV US Program	—48,761	-
UL0	622	Universal Paid Leave Fund	—54,886,145	-
VA0	600	-Office of Veterans Affairs Fund	—15,000	-

8780

<u>Agency Code</u>	<u>Fund Detail</u>	<u>Fund Name</u>	<u>FY22</u>	<u>Frequency</u>
EN0	632	Small Business Access to Capital Access Fund	813,313	One-time
TO0	1200	SERV US Program	48,761	One-time
UC0	1630	911 and 311 Assessments	150,000	Recurring
		<u>Total</u>	<u>1,012,074</u>	

8781

8782

(~~b~~e) The total amounts identified in subsections (a) and (~~b~~) of this section shall be made

8783

available as set forth in the approved Fiscal Year 2022 Budget and Financial Plan.

8784

~~Sec. 8003. Applicability.~~

8785

~~This subtitle shall apply as of September 1, 2021.~~

8786 **SUBTITLE B. CAPITAL BUDGET ADJUSTMENTS**

8787 ~~Sec. 8011. Short title:~~

8788 ~~This subtitle may be cited as the “Fiscal Year 2022 Capital Project Reallocation Approval~~
 8789 ~~Act of 2021”.~~

8790 ~~Sec. 8012. In Fiscal Year 2021, the Chief Financial Officer shall rescind or adjust capital~~
 8791 ~~project allotments as set forth in the following tabular array, with the savings to be used in~~
 8792 ~~accordance with the Fiscal Year 2022 Local Budget Act of 2021, as approved by the Committee~~
 8793 ~~of the Whole on July 20, 2021 (Committee print of Bill 24-285):~~

Owner Agency	Project No	Project Title	Fund Detail	Total
AM0	PL902C	CRITICAL SYSTEM REPLACEMENT	300	713,000
	PL901C	ENERGY RETROFITTING OF DISTRICT BUILDING	300	1,000,000
	PL602C	ROOF REPLACEMENT POOL	300	(401,000)
	PL601C	HVAC REPAIR RENOVATION POOL	300	(200)
	PL108C	BIG 3 BUILDINGS POOL	300	(56,004)
	PL105C	ARCHIVES RECORDER OF DEEDS	300	(24,562)
	PL104C	ADA COMPLIANCE POOL	300	(34,287)
	PL101C	SHELTER AND TRANSITIONAL HOUSING POOL	300	(219,800)
	DLY19C	DALY BUILDING REHABILITATION – PHASE ONE	300	(1,000,000)
	DCHSEC	NEW HOSPITAL PROJECT PUBLIC PARKING STRU	309	(128,348)
	BRM04C	MARION S. BARRY, JR. BUILDING	300	(1,121)
BC101C	FACILITY CONDITION ASSESSMENT	300	1,000,000	
CE0	LAR37C	LAMOND RIGGS LIBRARY	300	250,000
CF0	PFL08C	PAID FAMILY LEAVE IT APPLICATION	304	(4,660,399)
	PFL08C	PAID FAMILY LEAVE IT APPLICATION	314	(339,601)
EB0	SC216C	CRUMMELL SCHOOL CONSTRUCTION REDEVELOPM	300	(1,600,000)
	EB015C	LINCOLN HEIGHTS, RICHARDSON DWELLINGS	300	(850,346)
	AWR01C	SAINT ELIZABETHS E CAMPUS INFRASTRUCTURE	300	2,200,346
FA0	PLT10C	CRIME FIGHTING TECHNOLOGY	300	(838,997)

FBO	20630C	FIRE APPARATUS	300	{4,800}
FR0	DIG19C	FORENSIC EVIDENCE DIGITAL STORAGE	304	{1,000,000}
GA0	YY1MLC	MILITARY ROAD SCHOOL MODERNIZATION/RENO	300	{867}
HA0	QG638C	KENILWORTH PARKSIDE RECREATION CENTER	300	{1,269}
	QE834C	SMALL PARK IMPROVEMENTS	300	70,000
HY0	DHA21C	DEVELOPMENT AND REHABILITATION – DCHA	309	650,050
JA0	THK22C	SINGLES SHELTER REPLACEMENT/SEASONAL SHE	300	6,000,000
KA0	MNT00A	MAINTENANCE	385	14,499,408
	LMEQUC	EQUIPMENT	304	1,342,949
	LMALLC	ALLEYS	300	845,933
	CE302C	EQUIPMENT MAINTENENCE	300	{164,862}
	CE302C	EQUIPMENT MAINTENENCE	304	{406,034}
	CE302C	EQUIPMENT MAINTENENCE	330	{271,738}
	BR005C	H STREET BRIDGE	385	25,000,000
	6EQ05C	PARKING METERS	304	{500,000}
KT0	CP201C	COMPOSTING FACILITY	300	{315}
P00	DWB03C	PROCUREMENT SYSTEMS	304	{164}
RK0	RMS01C	RISK MANAGEMENT IT SYSTEM	301	{91,131}
TO0	ZB141C	HUMAN RESOURCES APPLICATION SECURITY INI	300	{873}
	ZB141C	HUMAN RESOURCES APPLICATION SECURITY INI	303	{1,501}
	ZB141C	HUMAN RESOURCES APPLICATION SECURITY INI	304	{3}
	ZA143C	IT GIS MANAGEMENT	300	{109,911}
	NMM17C	ENTERPRISE NETWORK MONITORING MODERNIZAT	300	{2,284}
	N9001C	NEXT GENERATION DATA CENTER ARCHITECTURE	300	{30,593}
	N6002C	TRANSPORTATION INFRASTRUCTURE MODERNIZAT	300	{326,104}
	N6002C	TRANSPORTATION INFRASTRUCTURE MODERNIZAT	304	{2,063}
	N3802C	PROCURMENT SYSTEM	300	{372}
	N3802C	PROCURMENT SYSTEM	304	{172}
	N3102C	DATA MANAGEMENT AND PUBLICATION PLATFORM	300	{41,319}
	N2503C	DATA CENTER RELOCATION GO BOND	304	{7,129}
	N1601B	DCWAN	300	{4,402}
	N1601B	DCWAN	304	{11,220}
	EQ103C	CREDENTIALING AND WIRELESS	300	{108,696}
	EAP20C	PEOPLESOFT ENTERPRISE DATA RECLAMATION	304	{276,786}
	AB115C	ARCHIVES BUILDING	300	{553,005}

Total	-	-	-	39,499,408
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8794 ~~Sec. 8113. Applicability.~~

8795 ~~— This subtitle shall apply as of September 30, 2021.~~

8796 **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

8797 Sec. 9001. Applicability.

8798 Except as otherwise provided, this act shall apply as of October 1, 2021.

8799 Sec. 9002. Fiscal impact statement.

8800 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal

8801 impact statement required by section 4a of the General Legislative Procedures Act of 1975,

8802 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

8803 Sec. 9003. Effective date.

8804 This act shall take effect following approval by the Mayor (or in the event of veto by the

8805 Mayor, action by the Council to override the veto), a ~~60~~30-day period of congressional review as

8806 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December

8807 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of

8808 Columbia Register.