

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title 47 of the District of Columbia Official Code to exempt certain agency overspending from review by a review board, to adjust the period for submission of a revised spending plan, and to make technical amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Anti-Deficiency Act Revision Act of 2006".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-355.02 is amended as follows:

(1) The lead-in text is amended by striking the phrase "chief financial" and inserting the word "fiscal" in its place.

(2) Paragraph (1) is amended by striking the phrase "or fund" and inserting the phrase "for an agency or fund" in its place.

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

"(2) Obligate the District for the payment of money before an appropriation is made or before a certification of the availability of funds is made, unless authorized by law;".

(5) Paragraph (3) is amended by striking the phrase "or" at the end.

(6) Paragraph (4) is amended by striking the period at the end and inserting a semicolon in its place.

(7) New paragraphs (5) through (8) are added to read as follows:

"(5) Allow an expenditure or obligation to exceed apportioned amounts;

"(6) Fail to submit a required plan or projection in a timely manner;

"(7) Knowingly report incorrectly on spending to date or on projected total annual spending; or

"(8) Fail to adhere to a spending plan through overspending that is greater than 5% of the agency's budget, or \$1 million, regardless of the percentage.".

(b) Section 47-355.03 is amended as follows:

(1) Strike the word "monthly" and insert the word "quarterly" in its place.

(2) Strike the phrase "chief financial" and insert the word "fiscal" in its place.

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(3) Striking the word “month” and insert the word “quarter” in its place.

(c) Section 47-355.04 is amended as follows:

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

(A) Strike the phrase “agency chief financial” and insert the phrase “agency fiscal” in its place.

(B) Strike the phrase “15 days” and insert the phrase “one month” in its place.

(2) Subsection (b) is amended by striking the phrase “10 days” and inserting the phrase “one month” in its place.

(d) Section 47-355.05(b) is amended by striking the phrase “agency chief financial officer” and inserting the phrase “agency fiscal officer” in its place.

(e) Section 47-355.06 is amended to read as follows:

“An agency head, deputy agency head, agency fiscal officer, agency budget director, agency controller, manager, or other employee may be subject to adverse personnel action, including removal, for violating any provision in § 47-355.02.”.

(f) Section 47-355.07 is amended as follows:

(1) Subsection (a) is amended by striking the phrase “which shall within 30 days of learning of a violation specified in § 47-355.06 by an agency convene a review board” and inserting the phrase “which shall convene, within 60 days of an alleged violation of § 47-355.02,” in its place.

(2) Subsection (c) is amended by striking the word “violation” and inserting the phrase “violation or may determine that no violation actually occurred” in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement contained in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia