

TABLE OF CONTENTS
FISCAL YEAR 2010 BUDGET SUPPORT ACT OF 2009

TITLE I. GOVERNMENT DIRECTION AND SUPPORT 11

 SUBTITLE A. ONE CARD SERVICE SUPPORT 11

 SUBTITLE B. UNEMPLOYMENT COMPENSATION MODERNIZATION 11

 SUBTITLE C. OFFICE OF DOCUMENTS PERSONNEL 11

 SUBTITLE D. TELECOMMUNICATION ACCOUNTABILITY 11

 SUBTITLE E. SMART LIGHTING STUDY 12

 SUBTITLE F. ELECTION REFORM FUND ESTABLISHMENT
 AMENDMENT ACT 13

 SUBTITLE G. ELECTRONIC SIGNATURES 13

 SUBTITLE H. SUMMER YOUTH EMPLOYMENT 13

 SUBTITLE I. LEGISLATIVE BRANCH BUDGET SUBMISSION 14

 SUBTITLE J. CRITERIA FOR COUNCIL REVIEW OF CONTRACT
 OPTION CLARIFICATION AMENDMENT 14

 SUBTITLE K. INDEPENDENCE OF LEGISLATIVE BRANCH
 INFORMATION AND PERSONNEL 15

 SUBTITLE L. ENERGY REDUCTION PLAN 16

 SUBTITLE M. REPROGRAMMING AND GRANTS CLARIFICATION ... 16

 SUBTITLE N. REPROGRAMMING POLICY AMENDMENT 17

 SUBTITLE O. CAPITAL IMPROVEMENT FUNDING 17

 SUBTITLE P. INTERN ANTI-DISCRIMINATION ACT 18

 SUBTITLE Q. REALLOCATION OF SPECIFIC CAPITAL BUDGET
 FUNDING 18

 SUBTITLE R. DISTRICT OF COLUMBIA WATER AND SEWER
 AUTHORITY GRANT CLARIFICATION 20

 SUBTITLE S. EFFICIENT PROCUREMENT PRACTICE 21

 SUBTITLE T. TRANSPORTATION CAPITAL PROJECTS
 REQUIREMENTS 21

 SUBTITLE U. POST-EMPLOYMENT BENEFITS 22

 SUBTITLE V. OLD NAVAL HOSPITAL GRANT 24

 SUBTITLE W. CHANGE IN USE OF CERTAIN PROPERTIES
 FORMERLY TITLED IN THE UNITED STATES GOVERNMENT .. 24

 SUBTITLE X. DDOE FINE ENHANCEMENT 24

 SUBTITLE Y. RETAIL SERVICE STATION TRANSFER TAX 25

 SUBTITLE Z. EMPLOYEE PARKING PROGRAM FUND 25

 SUBTITLE AA. CAPITAL PROJECT SUPPORT FUND 25

 SUBTITLE BB. LOBBYING REGISTRATION FEE 27

 SUBTITLE CC. BONUS PAY RESTRICTION 28

 SUBTITLE DD. DCPL CAPITAL PROJECT FUND DESIGNATION 28

 SUBTITLE EE. PURCHASE OF 225 VIRGINIA AVENUE, S.E. 28

 SUBTITLE FF. BOYS AND GIRLS CLUB PROPERTY ACQUISITION ... 29

SECOND ENROLLED ORIGINAL

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION	31
SUBTITLE A. PROACTIVE ABATEMENT OF NUISANCE PROPERTIES	31
SUBTITLE B. EXPEDITED ADVISORY NEIGHBORHOOD COMMISSIONS NOTIFICATION	31
SUBTITLE C. ZONING ENHANCED CUSTOMER SERVICES	32
SUBTITLE D. DISTRICT OF COLUMBIA SURVEYOR AND SPECIAL REVIEW REQUESTS ENHANCED CUSTOMER SERVICES	32
SUBTITLE E. BUSINESS LICENSING NOTICE AND COMPLIANCE	33
SUBTITLE F. COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNTING CORRECTION	36
SUBTITLE G. NEIGHBORHOOD INVESTMENT FUND IMPLEMENTATION PLAN	37
SUBTITLE H. FINANCIAL INCENTIVES FOR MOTION PICTURE AND TELEVISION PRODUCTIONS	39
SUBTITLE I. WASHINGTON CONVENTION CENTER AUTHORITY SPORTS AND ENTERTAINMENT COMMISSION MERGER	44
SUBTITLE J. SOUTHWEST WATERFRONT REDEVELOPMENT TIMING	55
SUBTITLE K. HOUSING PRODUCTION TRUST FUND	56
SUBTITLE L. HOUSING ASSISTANCE PAYMENT	56
SUBTITLE M. TARGETED HOMEOWNER GRANT PROGRAM FUNDING	56
SUBTITLE N. RENTAL UNIT FEE AMENDMENT	57
SUBTITLE O. ABATEMENT OF NUISANCE PROPERTY FUND	57
SUBTITLE P. ELEVATOR MAINTENANCE STANDARDS AND LICENSING	58
SUBTITLE Q. ADVANCED METERING INFRASTRUCTURE IMPLEMENTATION AND COST RECOVERY AUTHORIZATION	60
SUBTITLE R. GET DC RESIDENTS TRAINING FOR JOBS NOW	61
SUBTITLE S. RENTAL HOUSING COMMISSION	63
SUBTITLE T. IMPLEMENTATION OF ECONOMIC DEVELOPMENT CAPITAL FUNDS	63
SUBTITLE U. THE DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT REDUCTION IN FORCE	64
SUBTITLE V. BUSINESS IMPROVEMENT DISTRICT LITTER CLEANUP ASSISTANCE	65
SUBTITLE W. DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT AMENDMENT ACT	65
SUBTITLE X. SMALL BUSINESS MICRO LOAN FUND ACT	69
SUBTITLE Y. LOCAL RENT SUPPLEMENT	69
SUBTITLE Z. NEW COMMUNITIES FINANCIAL ASSISTANCE	69
SUBTITLE BB. DEPARTMENT OF EMPLOYMENT SERVICES ADULT TRAINING FUNDING	70

SECOND ENROLLED ORIGINAL

TITLE III. PUBLIC SAFETY AND JUSTICE	71
SUBTITLE A. CONSUMER PROTECTION FUNDS ACT	71
SUBTITLE B. E-911 AND CONSUMER PROTECTION FUND AMENDMENT ACT	71
SUBTITLE C. FEMS AND DOC HEADQUARTERS ACT	72
SUBTITLE D. OFFICE OF ADMINISTRATIVE HEARINGS MAILING CERTIFICATION	72
SUBTITLE E. OFFICE OF JUSTICE GRANTS ADMINISTRATION GRANTS	73
SUBTITLE F. DC JAILS FACILITY CONDITION ASSESSMENT	73
TITLE IV. PUBLIC EDUCATION SYSTEM	74
SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS	74
SUBTITLE B. CHARTER SCHOOL FACILITIES ALLOTMENT	79
SUBTITLE C. CHARTER SCHOOL FACILITIES ALLOTMENT TASK FORCE	79
SUBTITLE D. STATE BOARD OF EDUCATION	80
SUBTITLE E. DCPL PROCUREMENT AUTHORITY	80
SUBTITLE F. DEPARTMENT OF EDUCATION TECHNICAL AMENDMENTS	81
SUBTITLE G. STATEWIDE COMMISSION ON CHILDREN, YOUTH, AND THEIR FAMILIES	83
SUBTITLE H. MASTER FACILITIES PLAN AND SCHOOL FACILITY CIP	85
SUBTITLE I. RESERVE FOR AFRICAN-AMERICAN CIVIL WAR RECORDS ACT	86
SUBTITLE J. UNIVERSITY OF THE DISTRICT OF COLUMBIA EXPANSION	87
SUBTITLE K. OFFICE OF PUBLIC EDUCATION FACILITIES MODERNIZATION FUNDING	87
SUBTITLE L. ACCURACY IN ENROLLMENT PROJECTIONS	89
SUBTITLE M. PRE-KINDERGARTEN COMMUNITY-BASED ORGANIZATION SUPPORT	89
SUBTITLE N. SLATER SCHOOL	89
SUBTITLE O. UDC CAPITAL BUDGET AUTHORITY AND FUNDING TRANSFER	90
SUBTITLE P. DISTRICT OF COLUMBIA PUBLIC SCHOOLS REALTY OFFICE TRANSFER TO THE OFFICE OF PUBLIC EDUCATION FACILITIES MODERNIZATION	90
SUBTITLE Q. CARNEGIE LIBRARY EXHIBITS	90
SUBTITLE R. CHILD CARE SERVICES	91
TITLE V. HUMAN SUPPORT SERVICES	91
SUBTITLE A. GRANDPARENT CAREGIVERS EXTENSION PROGRAM	91
SUBTITLE B. DEPARTMENT OF HEALTH GRANT AUTHORITY	91

SECOND ENROLLED ORIGINAL

SUBTITLE C. EFFI SLAUGHTER BARRY HIV/AIDS INITIATIVE	92
SUBTITLE D. MEDICAL ASSISTANCE PROGRAM	92
SUBTITLE E. CONTINUATION OF HEALTH COVERAGE	93
SUBTITLE F. REPORTING REQUIREMENTS HUMAN SERVICES	93
SUBTITLE G. GRANTS TO CYITC REQUIREMENTS	94
SUBTITLE H. DEPARTMENT ON DISABILITY SERVICES REPORTING, WAITING LIST, AND ASSESSMENT REQUIREMENTS	95
SUBTITLE I. CATEGORICAL ELIGIBILITY	96
SUBTITLE J. DEPARTMENT OF PARKS AND RECREATION ENTERPRISE FUND PURCHASE AUTHORIZATION	97
SUBTITLE K. COMMUNITY HEALTH PROGRAM SUPPORT	97
SUBTITLE L. HEALTH PROFESSIONAL LOAN REPAYMENT PROGRAM	98
SUBTITLE M. FIXED COSTS ALLOCATIONS	98
SUBTITLE N. HEALTHY DC FUND AMENDMENT	98
SUBTITLE O. DESIGNATED ALLOCATIONS	99
SUBTITLE P. CHILD AND FAMILY SERVICES TRANSPORTATION FUND	100
SUBTITLE Q. UNITED MEDICAL CENTER REPAYMENT	100
SUBTITLE R. TANF AMENDMENT	101
SUBTITLE S. CFSA RAPID HOUSING ASSISTANCE ACT	101
TITLE VI. PUBLIC WORKS	102
SUBTITLE A. DRIVER EDUCATION PROGRAM AND FLEET PROGRAM	102
SUBTITLE B. VEHICLE INSPECTION IMPROVEMENT	103
SUBTITLE C. EQUITABLE PARKING METER RATES	105
SUBTITLE D. DISTRICT DEPARTMENT OF TRANSPORTATION ESTABLISHMENT	106
SUBTITLE E. D.C. TAXICAB COMMISSION SPECIAL ACCOUNT	107
SUBTITLE F. DISTRICT OF COLUMBIA TAXICAB LICENSE FEE	107
SUBTITLE G. PEDESTRIAN ADVISORY COUNCIL	109
SUBTITLE H. WMATA FUND AMENDMENT	110
SUBTITLE I. COST DRIVEN RE-FORMULATION OF THE DISTRICT DEPARTMENT OF TRANSPORTATION BUDGET FOR FISCAL YEAR 2011	111
SUBTITLE J. ANACOSTIA COMMUNITY BOATHOUSE ASSOCIATION RELOCATION	111
SUBTITLE K. TOUR BUS FEES	112
TITLE VII. FINANCE AND REVENUE	112
SUBTITLE A. BUDGET FINANCING CONTINGENCIES	112
SUBTITLE B. SALES TAX APPLICABILITY	115
SUBTITLE C. FISCAL YEAR 2010 EXPENDITURE OF CERTAIN DEDICATED TAXES	115

SECOND ENROLLED ORIGINAL

SUBTITLE D. SCHOOL MODERNIZATION FINANCING	116
SUBTITLE E. REAL PROPERTY FAIRNESS	116
SUBTITLE F. DISALLOWANCE OF CERTAIN EXPENSES PAID TO RELATED PARTIES	118
SUBTITLE G. ECONOMIC INTERESTS IN REAL PROPERTY CLARIFICATION	120
SUBTITLE H. REAL PROPERTY TAX REFORM	120
SUBTITLE I. TAX COMPLIANCE	125
SUBTITLE J. RECOVERY ACT TAX DEDUCTION DECOUPLING	125
SUBTITLE K. THE NON-INDIVIDUAL INCOME TAX ELECTRONIC FILING ACT OF 2009	126
SUBTITLE L. BUILDING BRIDGES ACROSS THE RIVER TAX EXEMPTION	126
SUBTITLE M. FORT CHAPLIN PARK SOUTH CONGREGATION OF JEHOVAH'S WITNESSES, INC. TAX RELIEF ACT	126
SUBTITLE N. URBAN INSTITUTE REAL PROPERTY TAX ABATEMENT ACT	127
SUBTITLE O. RANDALL SCHOOL DEVELOPMENT TAX ABATEMENT ACT	128
SUBTITLE P. CAPITAL GRANT AUTHORITY REPEAL	128
SUBTITLE Q. 14W AND THE YMCA ANTHONY BOWEN PROJECT REAL PROPERTY TAX EXEMPTION AND REAL PROPERTY TAX RELIEF ACT OF 2009	129
SUBTITLE R. VIEW 14 PROJECT ECONOMIC DEVELOPMENT ACT OF 2009	129
SUBTITLE S. LIMITATION ON BORROWING TECHNICAL AMENDMENTS	130
SUBTITLE T. GOD OF SECOND CHANCE TAX RELIEF ACT	132
SUBTITLE U. COMBINED REPORTING REFORM ACT	132
SUBTITLE V. REVENUE ENHANCEMENT ACT	132
TITLE VIII O-TYPE TRANSFERS AND CAPITAL PROJECT REVISIONS	135
SUBTITLE A. FISCAL YEAR 2009 TRANSFER OF O-TYPE REVENUE	135
SUBTITLE B. RESCISSION AND MODIFICATION OF FISCAL YEAR 2009 CAPITAL PROJECT FUNDING	137
SUBTITLE C. FISCAL YEAR 2010 TRANSFER OF O-TYPE REVENUE	139
SUBTITLE D. FINANCIAL PLAN TRANSFER OF O-TYPE REVENUE ..	141
TITLE IX. COMMITTEE REPORTS	142
TITLE X. FISCAL IMPACT AND EFFECTIVE DATE	142

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish a replacement fee of \$5 for DC One Cards; to amend the District of Columbia Unemployment Compensation Act to continue the current administrative assessment through the end of 2013; to amend the District of Columbia Documents Act of 1978 to remove minimum staffing and salary requirements within the Office of Documents; to amend the Office of Chief Technology Officer Establishment Act of 1998 to authorize the Office of the Chief Technology to require District agencies to re-certify their telecommunications inventory and to de-certify or disconnect unused landlines, wireless phone lines, and data circuits assigned to District agencies; to require the District Department of the Environment to study strategies and standards for optimal lighting methods and levels in the District; to amend the District of Columbia Election Code of 1955 to establish the Election Reform Fund for the purpose of funding legislative reform initiatives in the District's elections processes and procedures; to amend the District of Columbia Finance Reform and Conflict of Interest Act of 1974 to permit the Director of the Office of Campaign Finance to accept electronic signatures; to amend the Youth Employment Act of 1979 to limit the summer youth employment program to 21,000 participants annually, set the duration of the program at 6 weeks and establish a set registration period from January 2nd to April 1st each year; to amend chapter 3 of Title 47 of the District of Columbia Official Code to provide that the Council Chairman shall submit to the Mayor the annual budget estimates for the Council, the Office of the District of Columbia Auditor, and the Office of the Advisory Neighborhood Commissions, and to require the Mayor to transmit those budget requests along with his recommendation in his annual budget request; to amend the District of Columbia Procurement Practices Act of 1985 to clarify that contracts previously approved by the Council that contain options must be re-submitted for Council approval of the option before the option may be exercised; to amend the Council of the District of Columbia Independence Act of 1982 to exempt the wire, electronic, and oral communications of the Office of the District of Columbia Auditor and the Council of the District of Columbia from the oversight, interception, and monitoring by the Office of the Chief Technology Officer or any other District government executive branch official, and to provide that a legislative branch agency may acquire, use, and manage, independent of the executive branch, information systems; to amend the Office of the Chief Technology Officer Establishment Act of 1998 to clarify that the Office of the Chief Technology Office and executive branch officials have no authority to monitor or intercept legislative branch communications; to amend the District of Columbia Government Comprehensive Merit Personnel Act to provide that the Chairman of the Council shall have personnel authority over employees of the Council; to require the Mayor to develop an energy reduction plan

SECOND ENROLLED ORIGINAL

for all District agencies; to amend chapter 3 of Title 47 of the District of Columbia Official Code to provide that any funds of \$500,000 or more transferred from an agency without grant-making authority to an agency with grant-making authority shall be transferred through a reprogramming, and to provide that an agency with grant-making authority is authorized to issue grants only from funds appropriated or reprogrammed to that agency; to amend chapter 3 of Title 47 of the District of Columbia Official Code to make an adjustment to the reprogramming threshold for capital projects and to clarify actions requiring reprogramming and methods of reporting all reprogrammings; to amend Chapter 3 of Title 47 of the District of Columbia Official Code to require the Mayor to submit to the Council specified information pertaining to capital projects of \$1 million or more for Council approval, and to require the Chief Financial Officer to submit to the Council an unaudited report before December 15 of each year on the expenditure of all pooled funds with a value of less than \$1 million and a comprehensive final report for all major capital projects and all minor capital projects in the prior fiscal year by February 1; to amend the Human Rights Act of 1977 to expand the definition of employees to include unpaid interns; to reallocate certain capital funds; to require the Deputy Mayor for Economic Development and the District of Columbia Water and Sewer Authority to execute a memorandum of understanding in regard to fire protection services for residences in the 2600 block of Klinge Road; to amend the District of Columbia Procurement Practices Act of 1985 to add the Purchase Card Program to the nonlapsing fund established for the District of Columbia Supply Schedule; to amend the District of Columbia Procurement Practices Act of 1985 to exempt from statutory approval the annual capital improvement plan and budget for the Highway Trust Fund unless it is submitted to the Council in the format and detail required by the fiscal year 2010 budget; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to modify post-employment health and life insurance benefits for persons first employed by the District government after September 30, 1987 who are covered under the District Retirement Benefits Program and retire under that program; to amend the Office of Property Management Establishment Act of 1998 to authorize the Office of Property Management to make a grant not to exceed \$5.5 million to the Old Naval Hospital Foundation for the purpose of renovating and making improvements to the Old Naval Hospital, Carriage House, and adjacent grounds; to require legal authorization for certain changes in use of properties requested to be conveyed from the United States to the District; to amend Title 16 of the District of Columbia Municipal Regulations to increase certain environmental fines; to amend section 47-903 of the District of Columbia Code to increase the transfer tax for retail service stations; to amend the Office of Property Management Establishment Act of 1998 to require the increase of employee parking rates; to establish the Capital Project Support Fund to be used to provide funding for qualified capital projects, within which shall be established 2 the Bond Account and the Non-Bond Account; to amend the District of Columbia Finance Reform and Conflict of Interest Act, approved August 14, 1974 to establish fees for lobbying; to provide that no funds shall be used to support the categories of special pay or bonus pay in fiscal year 2010; to provide that capital funds for the District of Columbia Public Libraries to be separated by individual library projects with available balances for each project; to approve the purchase and disposition of 225 Virginia Avenue; to authorize the Mayor to enter into an agreement with the Boys and Girls Club of Greater Washington; to amend

SECOND ENROLLED ORIGINAL

Title 14 of the District of Columbia Municipal Regulations to change the fee schedule for charging the administrative cost of the fund for the abatement of nuisances and establish a fee to cover proactive inspection costs of the Department of Consumer and Regulatory Affairs; to amend the Advisory Neighborhood Commission Act of 1975 to provide to each Advisory Neighborhood Commission at least twice a month by electronic mail a current list of applications for construction, demolition, and public space permits within the boundaries of their Advisory Neighborhood Commission, and to establish a fee to recover the cost of preparing and issuing zoning compliance letters to bring the District into conformity with surrounding jurisdictions; to amend the Construction Codes Approval and Amendments Act of 1986 to provide that funds of Construction and Zoning Compliance Management Fund shall be used to pay for enhanced customer service delivery; to amend An Act To establish a code of law for the District of Columbia to establish a schedule of fees, to establish an Enhanced Surveyor Function Fund, to provide that all fees collected by the Office of the Surveyor be deposited in the Fund, to provide that all revenue credited to the fund be used for upgrading the surveying systems and enhancing customer service, and to revise the schedule of fees collected by the Office of the Surveyor; to amend Chapter 28 of Title 47 of the District of Columbia Code to modify business license processing by transferring 50% of civil infractions fines to the Basic Business License Fund, to place responsibility for renewing basic business licenses on owners, and to assess late fees on lapsed basic business licenses; to amend the District of Columbia Business Corporation Act to provide expedited services for a fee; to amend the District of Columbia Nonprofit Corporation Act to establish expedited service fees; to amend the District of Columbia Cooperative Association Act to authorize expedited service fees; to amend the Limited Liability Company Act of 1994 to establish expedited service fees; to amend the Uniform Partnership Act of 1996 to establish expedited service fees; to amend the Uniform Limited Partnership Act of 1987 to establish expedited services fees; to amend the National Capital revitalization Corporation and Anacostia Waterfront Corporation reorganization Act of 2008 to eliminate the requirement that revenues from the Office of the Deputy Mayor for Planning and Economic Development assets that are encumbered by requirements of the federal Community Development Block Grant program be held in a segregated account within the Department of Housing and Community Development budget and to require that the funds be held in a segregated account within the budget for the Office of the Deputy Mayor for Planning and Economic Development, to require the Office to submit to Council a spending plan for all expenditures from CDBG funds within its budget authority, and to require that the Office to provide quarterly financial reports on CDBG funds within its budget authority; to amend the Neighborhood Investment Act of 2004 to clarify that the NIF program shall not expire after 5 years, to reallocate Neighborhood Investment Fund dollars with the budget authority of the Office of the Deputy Mayor for Planning and Economic Development, to establish the Get D.C. Residents Training for Jobs Now Vocational Education Fund, and to establish the Fiscal Year 2010 NIF fund; to amend the Film DC Economic Incentive Act of 2006 to reallocate Neighborhood Investment Fund dollars to provide financial incentives to motion picture and television productions located in the District; to amend section 2 of the Confirmation Act of 1978; section 851 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978; section 202 the Whistleblower Reinforcement Act of 1998; section 320 of the District of Columbia

SECOND ENROLLED ORIGINAL

Procurement Practices Act of 1985; section 1833 of the Economic Development Liaison Office Establishment Act of 1998; section 2 of the Tax Incrementing Financing Authorization Act of 1998; section 2 of the Retail Incentive Act; the Robert F. Kennedy Memorial Stadium and District of Columbia National Guard Armory Public Safety Act; section 3 of the Commission on Fashion Arts and Events Establishment Act of 2008; the Omnibus Sports Consolidation Act of 1994; section 7 of the Recreation Act of 1994; the Washington Convention Center Management Act of 1979; the Ballpark Omnibus Financing and Revenue Act of 2004; and Title 25 and 47 of the District of Columbia Official Code to make conforming amendments; to clarify the distribution between affordable for-sale and rental units in the Anacostia Development Zone and to establish the earliest date by which the closing on the conveyance of the Southwest Waterfront Properties may occur; and to amend the Housing Production Trust Fund Act of 1988 to increase the percentage of funds allocated for the administration of the Housing Production Trust Fund to not to exceed in a fiscal year 10% of the funds deposited into the fund; to amend the Rental Housing Conversion and Sale Act of 1980 to add the Department of Housing and Community Development as an administrator of the Housing Assistance Fund; to amend the Historic Landmark and Historic District Protection Act of 1978 to repeal the sunset of the authorization to expend appropriated funds for the Targeted Homeowner Grant program; to amend the Rental Housing Act of 1985 to increase the fee housing providers pay into the fund and to establish the Office of the Chief Tenant Advocate Rental Accommodations Fee Fund; to amend An Act To provide for an abatement of nuisances in the District of Columbia for the Commissioners of said District, and for other purposes to permit donations or restitution into the fund by private individuals and from recoveries from enforcement action by the Office of Attorney General for the abatement of property violations; to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require licensing for elevator repair, maintenance, alteration, and installation, to authorize the promulgation of rules, and to establish fees, to authorize the electric company to implement advanced metering infrastructure, to authorize the electric company to establish a regulatory asset for the costs, including depreciation and amortization expense, to reserve the ability of the Public Service Commission to review the prudence of actual expenditures made by the electric company, to obligate the electric company to demonstrate that its costs are prudently incurred, and to require the electric company to net any utility cost savings resulting from advanced metering infrastructure deployment from the cost recovery sought each year; to require the Mayor to establish evening, weekend and summer adult career technical training for industry certification for District residents at the Phelps Architecture, Construction, and Engineering High School, at the Academy of Construction and Design at Cardozo Senior High School, and at the Hospitality Public Charter School at Roosevelt High School in partnership with existing career technical education programs; to amend the Department of Housing and Community Development United Fund Establishment Act of 2008 to authorize a one time payment from the Department of Housing and Community Development's Unified Fund to pay for enhancements for the Rental Housing Commission and to provide funding to support the housing needs of veterans; to allocate \$1.5 million from the Office of the Deputy Mayor for Planning and Economic Development's capital budget to the O Street Market project, to provide that \$2.235 million in capital funds be utilized to support the Pennsylvania Avenue S.E. Great Streets

SECOND ENROLLED ORIGINAL

project, and to provide criteria for Great Street projects to receive economic development capital funds; to require the Mayor to implement a specified reduction in force for the Office of the Deputy Mayor for Planning and Economic Development, and to require that the savings realized from the reduction in force be transferred from the Economic Development Special Fund to the General Fund; to amend the Business Improvement District Litter Cleanup Assistance Fund Establishment Act of 2007 to add a reference to Ward 4 BID Demonstration Project; to amend the Compliance Unit Establishment Act of 2008 to expand the duties, responsibilities and reporting requirements of the Compliance Unit; to amend the Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2007 to eliminate certain responsibilities from the Commission, to authorize the District of Columbia Auditor to review certain documents, to change the subcontracting requirements, to change the requirement of a disadvantaged business enterprise, to reduce the points allotted to a long-time resident business enterprise, and to conform certain duties, responsibilities and reporting requirements of the agencies and the Department; to authorize the District of Columbia Auditor to enforce violations, to authorize the Director to assess penalties for violations, to establish reporting requirements for certain contractors, and to amend the standard for assessing certain penalties; to amend the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to document the dollar amount actually expended with local, small, and disadvantaged business enterprises in construction and developments with certified business enterprises in development projects as equity partners, and for contracting and procurement of goods and services; to amend the Small, Local, and Disadvantaged Business enterprise Development and Assistance Act of 2007 to amend the Small Business Micro Loan Fund to expand the uses for the funds to include a grant of local funds to provide operating support to a newly formed business association in Ward 3; to amend the District of Columbia Housing Authority Act of 1999 to require the Authority to allocate certain funds toward project-based and sponsor-based voucher assistance, and to allocate funds remaining in the Rent Supplement Fund at the end of any fiscal year that are not needed by the Authority; to amend the Economic Development Liaison Office Establishment Act of 1998 to authorize grants and loans in support of New Communities projects; to require the Department of Consumer and Regulatory Affairs to define nuisance properties and create a fee schedule; to require that the Department of Employment Services expend no more than 5% of the budgeted amount approved for adult training for administration, that the remaining funding be used to support training for current and emerging jobs, and that funding opportunities be open to a broad range of providers, and to require Department of Employment Services to issue a report on the utilization of funds; to amend section 28-3911 of the District of Columbia Official Code to establish an additional revenue source for the District of Columbia Consumer Protection Fund, to increase the maximum amount that may be contained in the fund, and to provide clarifying language; to amend the Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000 to restrict in fiscal year 2010 the use of funds in the Emergency and Non-Emergency Number Telephone Calling Systems Fund to defraying technology and equipment costs directly incurred by the District of Columbia and its agencies and instrumentalities in providing a 911 system, and direct costs incurred by wireless carriers in providing wireless E-911 service; to prevent the proposed relocation of the headquarters of the Fire and Emergency Medical Services Department

SECOND ENROLLED ORIGINAL

and the headquarters of the Department of Corrections from the Grimke building to the Patricia R. Harris School; to amend the Rental Housing Act of 1985 to provide that the Rent Administrator's mailings shall be sent by first-class mail; to allocate funds for specified grants and criteria from the Office of Justice Grants Administration; to require a DC Jail Facility assessment; to amend the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998 to establish funding levels and per-student weightings for the FY 2010 Uniform Per Student funding Formula and to clarify that local educational agencies receiving formula funds shall comply with state-level regulations and standards, and to establish a funding amount for the charter school facilities allotment; to establish a task force to analyze the public charter schools facilities allotment; to repeal section 3(b)(14) of the State Education office Establishment Act of 2000; to amend section 403 of the State Board of Education establishment Act of 2007 to authorize the State Board of Education to structure its own organization; to amend section 5 of An Act to establish and provide for the maintenance of a free public library and reading room in the District of Columbia to establish and provide for the maintenance of a free public library and reading room in the District of Columbia to grant the Board of Library Trustees the authority to procure goods and services independent of the Office of Contracting and Procurement; to amend the District of Columbia Procurement Practices Act of 1985 to clarify the Board of Library Trustees' authority regarding contract protests, appeals, and claims arising from procurements of the Board of Library Trustees; to amend the Public Education Reform Amendment Act of 2007 to require the Deputy Mayor for Education to submit a statewide strategic education and youth development framework plan to the Council for approval; to amend the Interagency Collaboration and Services Integration Establishment Act of 2007 to rename the Interagency Collaboration and Services Integration Commission as the Statewide Commission on Children, Youth, and their Families; to amend section 1104 of the School Based Budgeting and Accountability Act of 1998 to change the date for submission of the Master Facilities Plan and Capital Improvement Plan to coincide with the budget timeline; to allocate capital funds from pooled capital funds within the Office of Property Management for the African-American Civil War Museum; to authorize the University of the District of Columbia to have exclusive use of the closed Bertie Backus Middle School Building; to authorize revised allocation for projects from funds previously authorized but not allocated in the Fiscal Year 2009 Proposed Financial Plan and Budget; to establish a working group to develop a uniform method of projecting student enrollment; to provide that \$2.4 million in local funds in the Office of the State Superintendent of Education be used for increasing pre-k slots in community-based organizations; to provide that Associates for renewal of Education, Inc. be offered the right of first offer on a disposition of Slater School and be permitted to remain in occupancy and to make necessary repairs during the leasing preference procedure; to authorize that capital projects shall be the responsibility of the University of the District of Columbia; to transfer all functions, authority, programs, positions, personnel, property, records, and funds of the District of Columbia Public Schools Realty Office to the Office of Public Education Facilities Modernization; to provide that an amount of \$1 million in capital funds be available from the Department of Parks and Recreation capital funds to the District of Columbia Public Library to support The Historical Society of Washington, D.C. in developing exhibits in the Carnegie Library; to provide that the Office of the State

SECOND ENROLLED ORIGINAL

Superintendent of Education continue to provide through the Department of Parks and Recreation direct child care programs, and to require the Office of the State Superintendent of Education to submit to the Council a comprehensive analysis and plan for child care programs for special needs and developmentally disabled children in fiscal year 2010 by November 15, 2009; to amend the Grandparent Caregivers Pilot Program Establishment Act of 2005 to make permanent the program through which a grandparent may be eligible to receive subsidy payments for the care and custody of a child; to amend the Department of Health Functions Clarification Act of 2001 to permit the Director of the Department of Health to issue grants for specified purposes; to provide authority to issue grants; to amend the Effi Slaughter Barry HIV/AIDS Initiative Act of 2008 to provide technical and financial assistance to selected community service providers located east of the Anacostia river; to amend An Act to enable the District of Columbia to receive federal assistance under title XIX of the Social Security Act for a medical assistance program and for other purposes to authorize the Mayor to submit medical assistance plans to the Secretary of the United States Department of Health and Human Services; to amend the Continuation of Health Coverage Act of 2002 to provide that an employee shall have the right to continue coverage under the employer's health benefits plan for the length of time a subsidy is available under the American Recovery and Reinvestment Act of 2009; to establish reporting requirements for the Department of Human Services on the savings produced by the Housing First Program, on services to homeless individuals during the hypothermia season, and on implementation of the healthy foods initiative to allow food stamps to be used at Farmers' markets; to amend the Children and Youth Initiative Establishment Act of 1999 to direct the Mayor to submit grants and grant renewals to the Children and Youth Investment Trust Corporation in excess of \$1 million to the Council for review; to amend the Department on Disability Services Establishment Act of 2006 to direct the Department on Disability Services to issue rules and regulations to clarify the responsibility of the Department with respect to persons who have applied and are considered eligible to receive services, and have been placed on the Department's Waiting List; to require the Mayor to establish a Temporary Aid to Needy Families funded program or service for the purpose of establishing categorical eligibility for the food stamp program, and to require the Mayor to establish the Heat and Eat Initiative as part of the Low-Income Home Energy Assistance Program to maximize the allowable standard deduction used to calculate benefit levels; to amend the Recreation Act of 2004 to authorize the Recreation Enterprise Fund to be used to purchase food, snacks, and non-alcoholic beverages for the general public, Department of Parks and Recreation program participants, and District government employees; to amend the Community Access to Health Care Amendment Act of 2006 to support funding in fiscal year 2010 for services; to amend the District of Columbia Health Professional Recruitment Program Act of 2005 to make a technical adjustment to the annual service requirement; to prohibit the Department of Health, Mental Health, and Health Care Finance from transferring funds in excess of a budgeted amount; to amend section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996 to support fiscal year 2010 expenditures; to designate certain allocations within the fiscal year 2010 budget; to amend the Prevention of Child Abuse and Neglect Act of 1977 to establish the Child and Family Services Agency Transportation Fund to fund the costs of transporting certain District wards with special

SECOND ENROLLED ORIGINAL

needs living outside the District; to amend section 102 of the Community Access to Health Care Amendment Act of 2006 to permit Specialty Hospitals of America, or certain of its subsidiaries, to deduct certain expenses related to the Metropolitan Police Department Arrestee program; to amend the District of Columbia Public Assistance Act to structure the Temporary Assistance to Needy Families to require work-eligible applicants to complete an employment program orientation, to require recipients referred to a governmental or nongovernmental employment or education program to complete an assessment, to authorize monetary incentives to customers who meet the federal work participation requirement; to require the Child and Family Services Agency to publicly report the number of emancipating youth and families who apply for or are referred for Rapid Housing assistance, the number of such youth and families who are eligible for assistance, and the number of youth and families who receive assistance; to amend the Motor Vehicle Services Fees and Driver Education Support Act of 1982 to allow the Mayor discretion to use the Driver Education Program Fund for Department of Motor Vehicle functions; to amend The District of Columbia Traffic Adjudication Act of 1978 to eliminate adjudication for participants in the fleet program; to amend Title 18 of the District of Columbia Municipal Regulations to eliminate most vehicle safety inspection; to amend Chapter 24 of Title 18 of the District of Columbia Municipal Regulations to increase parking meter rates and to repeal the Saturday Moratorium; to amend section 2 of the Parking Meter Fee Moratorium Act of 2004 to increase parking meter rates; to repeal the Equitable Parking Meter Rates Temporary Amendment Act of 2009; to amend the Department of Transportation Establishment Act of 2002 to clarify that public space rental fees and certain fines for moving violations for overweight vehicles are to be deposited in the District Department of Transportation Unified Fund; to amend section 20a of the District of Columbia Taxicab Commission Establishment Act of 1985 to require the District of Columbia Taxicab Commission Fund to consist of the all the assessments levied by the Commission; to amend Title 47 of the District of Columbia Code to raise certain licensing fees; to amend title 31 of the District of Columbia Municipal Regulations to increase certain licensing and operator fees, to establish the Pedestrian Advisory Council, describe the membership and purpose of the Pedestrian Advisory Council, and provide that District of Columbia Office of Transportation shall fund the operations of the Pedestrian Advisory Council; to amend section 5 of the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to provide that the District Department of Transportation shall provide the Bicycle Advisory Council with an annual operating budget; to amend the Washington Metropolitan Area Transit Authority Fund Act of 2006; to direct the Chief Financial Officer to provide support to the District Department of Transportation to identify the key cost drivers in the agency and to submit a report detailing the results of the analysis to the Council by February 1, 2010; to require the Mayor to execute an agreement with the Anacostia Community Boathouse Association relating to providing a relocation site for the association; to amend section 1216 of Title 31 of the District of Columbia Municipal Regulations to increase the limousine and tour bus fee, and to require the Mayor to establish a new program to encourage domestic sightseeing tour bus operations; to amend the Southwest Waterfront Bond Financing Act of 2008, the National Public Radio Property Tax Abatement Act of 2008, the City Market at O Street Tax Increment Financing Act of 2008, the Georgia Commons Real Property Tax Exemption and Abatement Act of 2007, the Urban Institute

SECOND ENROLLED ORIGINAL

Real Property Tax Abatement Temporary Act of 2009, the Tregaron Conservancy Tax Exemption and Relief Act of 2008, section 47-446 of the District of Columbia Official Code, the Service Improvement and Fiscal Year 2000 Budget Support Act of 1999, the Recreation Volunteer Background Check and Screening Act of 2000, the Government Employer-Assisted Housing Amendment Act of 1999, the Public Access to Automated External Defibrillator Act of 2000, the Greater Southeast Community Hospital Corporation and the Greater Southeast Management Company Loan Emergency Approval Resolution of 1999, the Greater Southeast Community Hospital Corporation and Hadley Memorial Hospital Tax Abatement Act of 2001, the DC Teachers Federal Credit Union Real Property Tax Exemption Act of 2002, the Woolly Mammoth Theatre Tax Abatement Act of 2002, the Square 456 Payment in Lieu of Taxes Act of 2002, the Mandarin Oriental Hotel Project Tax Deferral Act of 2002, the Square 456 Payment in Lieu of Taxes Act of 2002, the South Capitol Street Development Disposition Approval Resolution of 2006, the Taxation Without Representation Federal Tax Pay-Out Message Board Installation Act of 2008, the Lower Income Homeownership Cooperative Housing Association Re-Clarification Act of 2008, the So Others Might Eat Property Tax Exemption Act of 2008, the Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978, the St. Martin's Apartments Tax Exemption Act of 2008, the Prohibition of the Investment of Public Funds in Certain Companies Doing Business with the Government of Iran and Sudan Divestment Conformity Act of 2008, the Pedestrian and Bicycle Safety and Enhancement Fund Establishment Act of 2008, the Domestic Partnership Police and Fire Amendment Act of 2008, the Gateway Market Center and Residences Real Property Tax Exemption Act of 2008, the Asbury United Methodist Church Equitable Real Property Tax Relief Act of 2008, the Eckington One Residential Economic Development Act of 2008, the Limitation on Borrowing and Establishment of the Operating Cash Reserve Act of 2009, the Washington Area Transit Authority Fund Act of 2006 the Washington, D.C. Fort Chaplin Park South Congregation of Jehovah's Witnesses, Inc. Real Property Tax Relief Temporary Act of 2008, the NoMA Residential Development Tax Abatement Act of 2009, the Randall School Development Project Tax Abatement Temporary Act of 2009, the Opportunity Accounts Act of 2000, the Fiscal Year 2007 Budget Support Act of 2006, the Government Employer-Assisted Housing Amendment Act of 1999, and the Rental Housing Act of 1985 to eliminate or add budget funding applicability provisions to reflect the budget and financial plan; to amend section 47-2005 of the District of Columbia Official Code repeal the sales tax holiday; to establish certain one-time uses of funds in the Neighborhood Investment Fund; to amend section 47-392.02(j-1) of the District of Columbia Official Code to provide that the operating cash reserve may be funded by annual appropriations, and to repeal provisions governing its use; to amend section 47-305.02 of the District of Columbia Official Code to repeal certain provisions of the School Modernization Financing Act of 2006; to amend Chapter 8 of Title 47 of the District of Columbia Official Code to impose a limitation on owner-occupant residential tax credit; to amend section 47-1803.03 of the District of Columbia Official Code to disallow for income tax purposes certain interest expenses and intangible expenses that are directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirectly transactions with, one or more related members; to amend the District of Columbia Deed Recordation Tax Act of 1962 to clarify that transfers of shares in a cooperative housing association are

SECOND ENROLLED ORIGINAL

subject to taxes levied on the transfer of economic interests; to amend section 47-813 of the District of Columbia Official Code to define Class 3 blighted property; to amend Chapter 44 of Title 47 of the District of Columbia Official Code to authorize the Chief Financial Officer to establish a tax amnesty program; to amend section 47-1803.02 of the District of Columbia Official Code to decouple certain District tax deductions from Internal Revenue Code provisions amended by the American Recovery and Reinvestment Act of 2009; to amend section 47-4402 of the District of Columbia Official Code to reduce the threshold for requiring non-individual income taxpayers to make payments electronically; to amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property owned by Building Bridges Across the River, Inc., a nonprofit corporation, and used as a community playground; to provide equitable real property tax relief to the Washington, D.C. Fort Chaplin Park South Congregation of Jehovah's Witnesses, Inc., a tax-exempt religious organization; to amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide a real property tax abatement for certain real property owned by The Urban Institute; to amend Chapter 46 of Title 47 of the D.C. Official Code to provide a real property tax exemption to the Randall School development project, starting on October 1, 2008, to cease once a certificate of occupancy issues for any part of the Randall School development project; to repeal section 3 of the Arts, Cultural, and Educational Facilities Support Act of 2004; to amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide real property and sales tax exemptions for a mixed-use real estate project on Lot 164, Square 234, including the renovation of a community and wellness facility; to amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide a real property tax exemption to a mixed-use real estate project on Lot 155, Square 2868; to amend Chapter 3 of Title 47 of the District of Columbia Official Code to make technical changes relating to the limitation on borrowing cap; to require that all corporations taxable in the District of Columbia determine the income apportionable or allocable to the District of Columbia by reference to the income and apportionment factors of all commonly controlled corporations organized within the United States with which they are engaged in a unitary business; to provide equitable property tax relief to the God of a Second Chance Ministry for real property located at Lot 153, Square 5365; to amend Title 47 of the District of Columbia Official Code to freeze the homestead deduction, standard deduction, and personal exemption until fiscal year 2013, to increase the retail sales and use tax from 5.75% to 6% for 3 fiscal years, to increase the gasoline tax from \$.20 to \$.235, and to increase the cigarette tax from \$.10 per cigarette to \$.125 per cigarette; to amend Chapter 24 of Title 47 of the District of Columbia Official Code to establish a \$.075 weight-based excise tax on certain tobacco products; to authorize the transfer of certified fund balances from fiscal years 2009, 2010, 2011, 2012, and 2013 special purpose revenue accounts to local funds, and to authorize the use of such funds without regard to special purpose limitations; to rescind certain capital projects and their associated budget authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2010 Budget Support Act of 2009".

SECOND ENROLLED ORIGINAL

**TITLE I. GOVERNMENT DIRECTION AND SUPPORT
SUBTITLE A. ONE CARD SERVICE SUPPORT**

Sec. 1001. Short title.

This subtitle may be cited as the "Technology Services Support Act of 2009".

Sec. 1002. Definitions.

For the purposes of this subtitle, the term:

(1) "DC One Card" means a credential issued by the District government as a single credential for purposes of accessing multiple District facilities, programs, and benefits, including public libraries, facilities of the Department of Parks and Recreation, and public schools.

(2) "Electronic chip" means a smart chip, radio frequency identification chip, or other contact or contact-less electronic media, including a Washington Metropolitan Area Transit Authority Smartrip chip, embedded in a DC One Card, to be read by participating agencies and programs for identification of the cardholder.

Sec. 1003. Replacement fee.

A nonrefundable fee of \$5 for replacement of any DC One Card that contains an electronic chip shall be collected by the agency issuing the replacement card at the point of issuance of the replacement card.

Sec. 1004. Rules.

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

SUBTITLE B. UNEMPLOYMENT COMPENSATION MODERNIZATION

Sec. 1010. Short title.

This subtitle may be cited as the "Unemployment Compensation Modernization Amendment Act of 2009".

Sec. 1011. Section 3(m)(3) of the District of Columbia Unemployment Compensation Act, approved August 28, 1955 (49 Stat. 947; D.C. Official Code § 51-103(m)(3)), is amended by striking the phrase "December 31, 2008" and inserting the phrase "December 31, 2013" in its place.

SUBTITLE C. OFFICE OF DOCUMENTS PERSONNEL

Sec. 1020. Short title.

This subtitle may be cited as the "Documents Amendment Act of 2009".

Sec. 1021. Section 2(f) of the District of Columbia Documents Act of 1978, effective March 6, 1979 (D.C. Law 2-153; D.C. Official Code § 2-611(f)), is repealed.

SUBTITLE D. TELECOMMUNICATION ACCOUNTABILITY

Sec. 1030. Short title.

This subtitle may be cited as the "Telecommunication Accountability Amendment Act of

2009".

Sec. 1031. Section 1814 of the Office of the Chief Technology Officer Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 1-1403), is amended as follows:

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

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

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

"(10)(A)(i) Review the use of landlines, wireless phone lines, and data for which the District pays for telecommunication services and decertify and disconnect such services whenever not in active use; and

"(ii) Require District agencies to annually re-certify all inventory in the fixed cost management system of active landlines, wireless phone lines, and data circuits.

"(B) The Office may:

"(i) Disconnect landlines in favor of wireless devices and vice versa based on usage analysis and in consultation with agency directors; and

"(ii) Review and reject any requests for telecommunication services that do not comply with the technology standards of the Office.

"(C) The Office shall not impose any requirement, determination, or decision concerning, or otherwise interfere with, the telecommunications inventory of the Council unless the Council specifically consents."

SUBTITLE E. SMART LIGHTING STUDY

Sec. 1040. Short title.

This subtitle may be cited as the "Smart Lighting Study Act of 2009".

Sec. 1041. Definitions.

For the purposes of this subtitle, the term "DDOE" means the District Department of the Environment.

Sec. 1042. Smart lighting study.

(a) Within 270 days after the effective date of this subtitle, DDOE shall submit a report to the Council recommending strategies and standards for optimal lighting methods and levels in the District. The report shall address:

- (1) Public safety;
- (2) Energy efficiency;
- (3) Cost efficiency;
- (4) Effects on environmental health; and
- (5) Aesthetics.

(b) In producing the report required by subsection (a) of this section, DDOE shall:

(1) Consult with civil servants who have technical expertise and work for the Office of Planning, the Office of Property Management, the Department of Housing and Community Development, the District Department of Transportation, the Metropolitan Police Department, the Fire and Emergency Medical Services Department, and appropriate federal authorities, including the General Services Administration, the Architect of the Capitol, and the

SECOND ENROLLED ORIGINAL

National Capital Planning Commission;

(2) Solicit input from the public; and

(3) Evaluate recognized lighting standards, including standards promulgated by the Illuminating Engineering Society and the International Dark Sky Association.

SUBTITLE F. ELECTION REFORM FUND ESTABLISHMENT AMENDMENT ACT

Sec. 1050. Short title.

This subtitle may be cited as the "Election Reform Fund Establishment Amendment Act of 2009".

Sec. 1051. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended by adding a new section 6a to read as follows:

"Sec. 6a. Establishment of the Election Reform Fund.

"(a) There is established as a nonlapsing fund the Election Reform Fund ("Fund"), which shall be administered by the Board and shall be used solely to implement election reform initiatives to be enacted by the Council. On or about October 1, 2009, the Chief Financial Officer shall deposit \$300,000 into the Fund.

"(b) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (a) of this section without regard to fiscal year limitation, subject to authorization by Congress.

"(c) Notwithstanding subsection (a) of this section, no funds in the Fund shall be expended until the Council approves, by resolution, a September 2010 primary election preparation plan submitted to the Council by March 31, 2010."

SUBTITLE G. ELECTRONIC SIGNATURES

Sec. 1060. Short title.

This subtitle may be cited as the "Campaign Finance Electronic Signature Amendment Act of 2009".

Sec. 1061. Section 303(1) of the District of Columbia Campaign Finance Reform and Conflict of Interest Act of 1974, approved August 14, 1974 (88 Stat. 456; D.C. Official Code § 1-1103.03(1)), is amended by striking the word "mediums" and inserting the phrase "mediums, including electronic or digital signatures," in its place.

SUBTITLE H. SUMMER YOUTH EMPLOYMENT

Sec. 1070. Short title

This subtitle may be cited as the "Summer Youth Employment Amendment Act of 2009".

Sec. 1071. Section 2(a)(1) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)), is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase "10,000 youth" and inserting the phrase "no less than 10,000 and no more than 21,000 youth" in its place.

(b) A new subparagraph (A-i) is added to read as follows:

SECOND ENROLLED ORIGINAL

“(A-i) Registration for the summer youth jobs program shall occur between the second day of January and the first day of April of each year.”.

(c) Subparagraph (B) is amended by striking the phrase “minimum of” and inserting the phrase “period of no more than 6 weeks” in its place.

SUBTITLE I. LEGISLATIVE BRANCH BUDGET SUBMISSION

Sec. 1080. Short title.

This subtitle may be cited as the "Legislative Branch Budget Submission Act of 2009".

Sec. 1081. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

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

“47-318.01b. Legislative branch budget submission.”.

(b) A new section 47-318.01b is added to read as follows:

“§ 47-318.01b. Legislative branch budget submission.

"(a) At least 20 days prior to the Mayor's submission of the annual budget to the Council, the Chairman of the Council shall transmit to the Mayor an estimate in detail of the amount of money required for the:

“(1) Council;

“(2) Office of the District of Columbia Auditor; and

“(3) Office of the Advisory Neighborhood Commissions for the ensuing fiscal

year.

“(b) The Mayor shall transmit the same estimate required by subsection (a) of this section in his annual estimate of appropriations for the District of Columbia, with such recommendations as he may consider proper.”.

SUBTITLE J. CRITERIA FOR COUNCIL REVIEW OF CONTRACT OPTION CLARIFICATION AMENDMENT

Sec. 1090. Short title.

This subtitle may be cited as the "Criteria for Council Review of Contract Options Clarification Amendment Act of 2009".

Sec. 1091. Section 105a(b) of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a(b)), is amended by adding a new paragraph (3) to read as follows:

"(3)(A) Council approval of contracts submitted pursuant to paragraph (2) of this subsection shall expire 12 months after the award of the contract.

“(B)(i) Council approval of a contract containing a provision that grants to the District the option of continuing or amending the contract beyond the 12-month period of Council approval shall not constitute Council approval of the exercise of the option contract.

“(ii) To exercise an option that meets the criteria for Council review pursuant to this section, the Mayor shall submit the option contract to the Council pursuant to this section.

“(iii) The exercise of an option that meets the criteria for Council review under this subsection without Council review of the option contract is a violation of this

SECOND ENROLLED ORIGINAL

section and of section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).”.

SUBTITLE K. INDEPENDENCE OF LEGISLATIVE BRANCH INFORMATION AND PERSONNEL

Sec. 1100. Short title.

This subtitle may be cited as the "Independence of Legislative Branch Information Technology and Personnel Authority Amendment Act of 2009".

Sec. 1101. The Council of the District of Columbia Independence Act of 1982, effective July 24, 1982 (D.C. Law 4-127; D.C. Official Code § 1-301.44 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 1-301.44) is amended by adding new sections 2a and 2b to read as follows:

“Sec. 2a. Independence of legislative branch information technology.

“(a) No person, including an employee or contractor of the Office of the Chief Technology Officer, or individual employed by or acting on behalf of an official of the Executive branch of the District of Columbia government, shall monitor, access, review, intercept, obtain, use, or disclose to any person or entity a record or electronic communication of a legislative branch agency without the prior express written consent of the Chairman of the Council or the District of Columbia Auditor for their electronic communications.

“(b) For the purposes of sections 2a and 2b the term:

(1) “Electronic communication” means any transfer of signs, signals, writing, images, sounds, data, voice, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photooptical system, including electronic mail, telecommunications, and wireless or wired network communications.

“(2) “Legislative branch agency” means the Council of the District of Columbia and the District of Columbia Auditor.”.

“(c) Persons violating this section shall be subject to a fine of not more than \$10,000 or imprisonment of not more than 5 years, or both; provided, that this section shall not apply to the contents of any communication that has been disclosed publicly by the legislative branch agency.

“Sec. 2b. Legislative branch information technology acquisition.

“(a) A legislative branch agency may invest in, acquire, use, and manage, independent of the Executive branch, information technology and telecommunications systems and resources, including hardware, software, and contract services.

“(b) A legislative branch agency may, independent of the Executive branch, establish, acquire, maintain, and manage electronic mail messaging systems and services, internet access services, and information technology security systems and services.”.

Sec. 1102. The Office of the Chief Technology Officer Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 1-1401 *et seq.*), is amended by adding a new section 1816a to read as follows:

“Sec. 1816a. Applicability.

“Sections 1813 and 1814 shall not apply to the Council of the District of Columbia or the Office of the District of Columbia Auditor; provided, that the Council may enter into written agreements with the Office of the Chief Technology Officer to coordinate the operations of its electronic communications.”.

SECOND ENROLLED ORIGINAL

Sec. 1103. Section 406(b)(3)(A) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)(3)(A)), is amended as follows:

(a) The existing text is designated as sub-subparagraph (i).

(b) A new sub-subparagraph (ii) is added to read as follows:

“(ii) For employees of the Council, the Chairman of the Council shall exercise the authority possessed by the Director of the Department of Human Resources and may adopt personnel procedures applicable to those employees; and”.

SUBTITLE L. ENERGY REDUCTION PLAN

Sec. 1110. Short title.

This subtitle may be cited as the "Energy Reduction Planning Act of 2009".

Sec. 1111. Energy reduction.

(a) The Mayor shall develop a plan that results in a 15% reduction in energy use by each District agency and instrumentality.

(b) The plan shall:

(1) Include specific recommendations on implementation, including the resources and the time period required to implement the plan;

(2) Be submitted to the Council on or before December 31, 2009; and

(3) Consider all sources of energy.

SUBTITLE M. REPROGRAMMING AND GRANTS CLARIFICATION

Sec. 1120. Short title.

This subtitle may be cited as the "Grant-Making Authority Act of 2009".

Sec. 1121. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

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

“47-368.06. Limitation on grant-making authority.”.

“(b) A new section 47-368.06 is added to read as follows:

“§ 47-368.06. Limitation on grant-making authority.

“(a) An agency with grant-making authority shall not issue grants using any funds it receives through an intra-District transfer, a memorandum of understanding, or a reprogramming from any agency that does not have grant-making authority.

“(b) Notwithstanding subsection (a) of this section, an agency with grant-making authority may issue grants using any funds it receives through an intra-District transfer, a memorandum of understanding, or a reprogramming from an agency that does not have grant-making authority for purposes of the following:

“(1) Effectuating the Hospital and Medical Services Corporation Regulatory Amendment Act of 2009, passed on 4th reading on September 22, 2009 (Enrolled version of Bill 18-203); and

(2) Implementing projects and programs funded by the Nursing Facility Quality of Care Fund, established by § 47-1262.”.

SECOND ENROLLED ORIGINAL

SUBTITLE N. REPROGRAMMING POLICY AMENDMENT

Sec. 1130. Short title.

This subtitle may be cited as the "Reprogramming Policy Act of 2009".

Sec. 1131. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-361(2A) of the District of Columbia Official Code is amended by striking the phrase "centers and responsibility centers" and inserting the phrase "centers, responsibility centers, capital projects, capital sub-projects, and, in a performance-based agency, includes programs, activities, and object classes" in its place.

(b) Section 47-362(e) is repealed.

(c) Section 47-363 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "any responsibility center of more than \$400,000" and inserting the phrase "any responsibility center, or, in a performance-based agency, of any program or activity of \$500,000 or more" in its place.

(2) Subsection (c) is amended to read as follows:

"(c) The Mayor shall submit to the Council for approval a reprogramming request when an agency proposes to:

"(1) Transfer funds of \$500,000 or more in any fiscal year from one capital project or sub-project to another capital project or sub-project;

"(2) Transfer funds of \$500,000 or more in any fiscal year from one agency to another agency;

"(3) Establish a new capital project or sub-project; or

"(4) Change the capital project or sub-project description to alter the:

"(A) Scope;

"(B) Purpose; or

"(C) Location."

SUBTITLE O. CAPITAL IMPROVEMENT FUNDING

Sec. 1140. Short title.

This subtitle may be cited as the "Capital Project Clarification Act of 2009".

Sec. 1141. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

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

"47-339.01. Capital projects."

(b) A new section 47-339.01 is added to read as follows:

"§ 47-339.01. Capital projects.

"(a)(1) In accordance with §§ 1-204.43 and 1-204.44, the Mayor shall prepare and include in the annual budget a multiyear capital improvements plan for all agencies for all capital projects, which shall include for each capital project a written:

"(A) Description of the scope of the project;

"(B) Description of the purpose of the project;

"(C) Estimated fully-funded cost;

"(D) Estimated impact on the operating budget;

SECOND ENROLLED ORIGINAL

“(E) Description of its geographic location, including the address and ward; provided, that planning and other studies as set forth in § 1-201.03(8)(A)), or a project established solely to procure capital equipment or information technology equipment, including those projects under the Master Lease program, shall not require a specified location; and

“(F) A facility name or identifier, if applicable.

“(2)(A) A capital project may include multiple public betterments or improvements only if the public betterments or improvements are:

“(i) At more than one location;

“(ii) Of similar type or purpose; and

“(iii) Do not involve construction of new facilities or substantial rehabilitation of government buildings.

“(B) The information listed in paragraph (1) of this subsection shall be separately provided for any public betterment or improvement included as part of a capital project if the cost of the public betterment or improvement is greater than \$500,000 or more than 10% of the approved budget for the capital project.

“(b)(1) The Mayor shall provide the information required by subsection (a) of this section for every capital project for which funds have been appropriated, in whole or in part, beginning in fiscal year 2008, with the annual budget for each fiscal year until the project has been completed.

“(2) For projects included in fiscal years 2008, 2009, and 2010 budgets, the Mayor shall submit to the Council the information required by subsection (a) of this section by February 1, 2010, for each capital project for which this information has not been provided.”.

SUBTITLE P. INTERN ANTI-DISCRIMINATION ACT

Sec. 1150. Short title.

This subtitle may be cited as the "Intern Anti-Discrimination Amendment Act of 2009".

Sec. 1151. Section 102(9) of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.02(9)), is amended by striking the period at the end and inserting the phrase "; provided, that the term "employee" shall include an unpaid intern." in its place.

SUBTITLE Q. REALLOCATION OF SPECIFIC CAPITAL BUDGET FUNDING

Sec. 1160. Short title.

This subtitle may be cited as the "Reallocation of Capital Budget Funding Act of 2009".

Sec. 1161. Notwithstanding any prior appropriation, the following funds shall be reallocated in accordance with the Fiscal Year 2010 Proposed Budget and Financial Plan submitted to the Congress as follows:

(1) An amount of \$19.106 million from project PL105C, entitled "Archives Recorder of Deeds Pool" to:

Agency	Project #	Name	Amount
FA0	CTV10C	Tactical Village	\$1,000
AM0	CR006C	Renovation of DC Jail Sallyport	850
AM0	MA218C	Inmate Showers	500

SECOND ENROLLED ORIGINAL

AM0	MA223C	Staff & Visitors Entrance	800
AM0	CR007C	Inmate Processing Center	4,000
EB0	EB407C	Baseball Academy	8,300
HAO	QA501C	Stoddert Recreation Center	2,156
HAO	QJ901C	Purchase and Maintain Boys & Girls Clubs	1,000
KA0	EDL15C	Connecticut Av NW Streetscape (K to N St)	500

(2) An amount of \$60.384 million from project PL106C, entitled "Government Centers" to the following projects; provided, that project funding authorized in this paragraph and included in the Fiscal Year 2009 Office of Public Education Facilities Modernization Funding Amendment Act of 2009, passed on 4th reading on September 22, 2009 (Enrolled version of Bill 18-403 ("OPEFM act"), shall be allocated as directed by the OPEFM act; provided further, that any funds not designated for specific school locations shall not be available for demolitions, repairs, or improvements to facilities no longer in use as schools by the District of Columbia Public Schools ("DCPS") and not scheduled to be put back in use as active schools in the DCPS within the next 3 years:

Agency	Project #	Name	Amount
HAO	QJ901C	Purchase & Maintain Boys & Girls Club	\$ 4,000
GM0	YY132C	Elementary Middle Schools Modern.	3,600
GM0	YY230C	School Stabilization	13,500
CE0	CWM01C	Reserve for African American Civil War Records	4,000
AM0	new	DPW Parking Enforcement branch headquarters (former Meyer ES)	5,000
RM0	HX501C	Improvement to Mental Health Hospital Complex	2,100
GM0	YY630C	Planning	2,200
GM0	SG303C	ADA Compliance	3,500
GM0	SK120C	Athletic Fields and Playgrounds	2,484
GM0	YY133C	Selected Additions	20,000 .

(3) An amount of \$3.744 million from project AWC01C, entitled "District Subsidy to AWC" to:

Agency	Project #	Name	Amount
HAO	Q501C	Stoddert Recreation Center	\$3,744

(4) An amount of \$2 million from CRV00C, entitled "Master Equipment Lease - Department of Consumer and Regulatory Affairs," to:

Agency	Project #	Name	Amount (\$ millions)
HAO	RG003C	Playground Renovation (Shepherd Park ES)	\$1,500
HAO	GN601C	Upshur/Hamilton Community Parks	\$ 500

(5) An amount of \$145,000 from project ISM08C, entitled "Records Management" in the Department of Consumer and Regulatory Affairs to:

Agency	Project #	Name	Amount
HAO	QN301C	Ft. Stevens Rehabilitation	\$ 145

(6) An amount of \$1.5 million from AWC 01C, entitled "District Subsidy to AWC" in the Deputy Mayor for Planning and Economic Development to:

SECOND ENROLLED ORIGINAL

Agency	Project #	Name	Amount
EBO	EB410C	O Street Market	\$ 1,500

(7) An amount of \$991 million from project 2O600C, entitled "Firefighting Apparatus Replacement" in the Fire and Emergency Medical Services Department to:

Agency	Project #	Name	Amount
CEO	TEN37C	Tenley Library	\$ 991

(8) An amount of \$900,000 from project SA301C, entitled "Metrorail Rehab" to:

Agency	Project #	Name	Amount
KAO	ED310C	Cleveland Park Streetscape	\$ 500
KAO	EDL14C	Lot 59 Improvements	\$ 400

(9) An amount of \$50 million from the accounts listed below for the purposes of section 2(b) of the Washington Metropolitan Area Transit Authority Fund Act of 2006, effective June 16, 2006 (D.C. Law 16-132; 53 DCR 4727):

Agency	Project #	Name	Amount (\$ millions)
KVO	RID01C	Real ID	\$ 9,479
KAO	GFL02C	Salt Dome	\$ 2,800
AMO	PL106C	Government Centers	\$ 2,475
GAO	NM937C	Rudolph School (former)	\$ 1,880
GAO	NK537C	Luke Moore HS	\$ 370
GAO	SG138C	General Improvement	\$ 1,323
GAO	NF937C	Hardy MS	\$ 121
KAO	EDL08C	4th Street improvements	\$ 778
KE0	SA301C	Metrorail Rehab	\$21,454
KE0	SA302C	Metrorail Name Change	\$ 500
KA0	CDTE2A	Jefferson Drive Bridge Rehab	\$ 1,112
KA0	CDT47A	Benning Road Bridge over Anacostia River	\$ 3,725
KE0	SA203C	Metrobus	\$ 2,006
KE0	SA204C	Metrobus	\$ 1,030
KE0	SA205C	Metrobus	\$ 10
AMO	CR004C	No Title	\$ 937

**SUBTITLE R. DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY
GRANT CLARIFICATION**

Sec. 1170. Short title.

This subtitle may be cited as the "WASA Grant Clarification Act of 2009".

Sec. 1171. Grant clarification.

The Deputy Mayor for Economic Development and the District of Columbia Water and Sewer Authority shall execute a memorandum of understanding for the expenditure of funds allocated for fiscal year 2010 to mitigate operational challenges in ensuring water supply for fire protection of the residences in the 2600 block of Klinge Road, N.W.

SECOND ENROLLED ORIGINAL

SUBTITLE S. EFFICIENT PROCUREMENT PRACTICE

Sec. 1180. Short title.

This subtitle may be cited as the "District of Columbia Supply Schedule and Purchase Card Fund Amendment Act of 2009".

Sec. 1181. Section 1103 of the District of Columbia Procurement Practices Act of 1985, effective November 13, 2003 (D.C. Law 15-39; D.C. Official Code § 2-311.03), is amended to read as follows:

"Sec. 1103. District of Columbia Supply Schedule and Purchase Card Fund.

"(a) For the purposes of this section, the term:

"(1) "District of Columbia Supply Schedule" or "DCSS" means the District of Columbia's multiple award schedule procurement program for providing commercial products and services to District government agencies.

"(2) "Purchase Card Program" means the credit card program under which District government agencies are authorized to make purchases for supplies or services.

"(b)(1) The Chief Procurement Officer shall charge and collect a fee, in an amount to be determined by rule, on all sales, purchase orders, delivery orders, task orders, and purchase card transactions made under contracts awarded to contractors under the DCSS.

"(2) Subject to the terms of any memoranda of understanding with the Chief Financial Officer regarding adherence to the applicable requirements of federal grants, loans, or other extensions of credit to the District, the Chief Procurement Officer shall collect any rebates issued to the District by the purchase card issuers under the established Purchase Card Program.

"(c)(1) There is established as a nonlapsing fund the District of Columbia Supply Schedule and Purchase Card Fund ("Fund"), which shall be used solely to pay the costs associated with operating and maintaining the District of Columbia Supply Schedule, the Purchase Card Program, cooperative purchasing agreements, or any other revenue, rebates, or fees generated by programs administered by the Office of Contracting and Procurement. Except as provided in paragraph (2) of this subsection, all funds collected from these sources shall be deposited into the Fund.

(2) For fiscal years 2010 through 2013, the first \$15,000 collected shall be deposited in the General Fund of the District of Columbia.

"(d) Except as provided in subsection (c)(2) of this section, all funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (c) of this section without regard to fiscal year limitation, subject to authorization by Congress."

SUBTITLE T. TRANSPORTATION CAPITAL PROJECTS REQUIREMENTS

Sec. 1190. Short title.

This subtitle may be cited as the "Transportation Procurement Practices Amendment Act of 2009".

Sec. 1191. Section 105a(h) of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a(h)), is amended by adding a new paragraph (3) to read as follows:

SECOND ENROLLED ORIGINAL

"(3) For fiscal year 2010, paragraph (1) of this subsection shall not apply unless the annual capital improvement plan and budget for the Highway Trust Fund is submitted to the Council for review and approval in the same format and same detail as required in the FY2010 Proposed Capital Improvement Plan and Budget and includes an accounting for all funding requested with project descriptions and related information."

SUBTITLE U. POST-EMPLOYMENT BENEFITS

Sec. 1200. Short title.

This subtitle may be cited as the "District Retirement Program Post-Employment Health and Life Insurance Benefits Amendment Act of 2009".

Sec. 1201. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*) is amended as follows:

(a) Section 2103 (D.C. Official Code § 1-621.03) is amended as follows:

(1) Paragraph (1)(B)(i) through (iii) is amended to read as follows:

"(i) Reaching 57 years of age and having completed 25 years of creditable District service in a correctional officer position;

"(ii) Reaching 62 years of age and having completed 10 years of District government service in a position other than correctional officer; or

"(iii) Becoming entitled to disability benefits under the Social Security Act."

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

"(2A) "Creditable District service" means all service in the employment of the District government that is creditable for purposes of the employee's retirement."

(3) Paragraph (6) is amended by striking the phrase "Member of family" and inserting the phrase "Member of family" or "Family member" in its place.

(b) Section 2109 (D.C. Official Code § 1-621.09) is amended as follows:

(1) Subsections (d) are amended to read as follows:

"(d) Every fiscal year, the Chief Financial Officer shall deposit into the Fund the amount that has been appropriated for the purpose of funding the District contribution for the health and life insurance premiums of annuitants. The Chief Financial Officer may also deposit into the Fund any balances in rate stabilization fund reserves that are refunded to the District by a health insurance carrier."

(2) New subsections (f) through (i) are added to read as follows:

"(f) In the case of an annuitant who has separated pursuant to the District Retirement Benefit Program, no contribution shall be made by the District until the annuitant attains 62 years of age. The annuitant shall pay 100% of the cost of any health benefit plan selected by the annuitant until the annuitant attains age 62. Upon attaining 62 years of age, the District shall pay a portion of the cost of any health benefit plan selected by the annuitant in accordance with subsections (h)(1) or (2) of this section.

"(g) In the case of an annuitant who retired pursuant to the Teachers' Retirement System, the Police and Fire Retirement System, the Judges' Retirement System or the Teachers' Insurance and Annuity Association programs, the District shall pay the portion of the cost of any health benefit plan selected by the annuitant in accordance with subsection (h) of this section.

SECOND ENROLLED ORIGINAL

"(h) The District contribution to post-employment health benefits for an annuitant (and following the annuitant's death, the annuitant's eligible family members) shall be determined as follows:

"(1) For annuitants who retire with at least 10 years of creditable District service, but less than 30 years of creditable District service, the District contribution to the cost of a health benefit plan selected by the annuitant shall be an amount equal to 25% of the cost of the selected health benefit plan (as secondary to Medicare) and 20% for the covered family member of the annuitant, plus an additional 2.5% for each year of creditable District service over 10 years; provided, that the District contribution shall not exceed 75% of the cost of the selected health benefits plan and 60% for the covered family member of the annuitant. The annuitant and family member shall contribute the applicable balance of the cost of the selected health benefit plan.

"(2) For annuitants with 30 or more years of creditable District service, the District contribution shall be an amount equal to 75% of the cost of the selected health benefit plan and the annuitant shall contribute 25% of the cost of the selected health benefit plan. For a covered family member of an annuitant, the District contribution shall be an amount equal to 60% of the cost of the selected health benefit plan and the covered family member shall contribute 40% of the cost of the selected health benefit plan.

"(3) For annuitants who are injured or killed in the line of duty, the District's contribution shall be an amount equal to 75% of the cost of the selected health benefit plan and the annuitant shall contribute 25% of the cost of the selected health benefit plan. For a covered family member of an annuitant, the District contribution shall be an amount equal to 60% of the cost of the selected health benefit plan and the family member shall contribute 40% of the cost of the selected health benefit plan."

(c) Section 2113 (D.C. Official Code § 1-621.13) is amended by adding a new subsection (d) to read as follows:

"(d) The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 1, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue proposed rules relating to post-employment health benefits coverage including structuring coverage so that it is secondary to other coverage (including Medicare). The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved."

(d) A new section 2117 is added to read as follows:

"Sec. 2117. Post-employment benefits.

"(a) An annuitant may be eligible for the post-employment health benefits as set forth in section 2105.

"(b) To be eligible for post-employment health benefits, the annuitant must:

"(1) Retire with at least 10 years of creditable District service;

"(2) Be enrolled in a health benefit plan under section 2105 at the time of retirement;

"(3) Have been continuously enrolled in a health benefit plan under section 2105 for a period of at least 5 years preceding the annuitant's retirement date; and

"(4) Remain continuously covered under a health benefit plan under section 2105.

SECOND ENROLLED ORIGINAL

"(c) If an annuitant's coverage in a health benefit plan under section 2105 ends, for any reason, the annuitant shall cease to be eligible for post-employment health benefits and shall not re-enroll, as an annuitant, in a health benefit plan under section 2105.

"(d) Upon the death of an annuitant who is enrolled in a health benefit plan under section 2105 with family coverage, the annuitant's surviving spouse and dependent children who are covered under the health benefit plan at the time of death may continue enrollment in a health benefit plan under section 2105."

(e) A new section 2216 is added to read as follows:

"Sec. 2216. Post-employment benefits.

"An annuitant may elect to convert group life insurance benefits authorized in section 2203 to an individual policy upon separation from service."

SUBTITLE V. OLD NAVAL HOSPITAL GRANT

Sec. 1210. Short title.

This subtitle may be cited as the "Old Naval Hospital Grant Amendment Act of 2009".

Sec. 1211. The Office of Property Management Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 10-1001 *et seq.*), is amended by adding a new section 1806k to read as follows:

"Sec. 1806k. Old Naval Hospital Foundation grant authority.

"Subject to appropriations, the Office of Property Management may make a grant in the amount not to exceed \$5.5 million to the Old Naval Hospital Foundation for the purposes of renovating and making improvements to the Old Naval Hospital, Carriage House, and adjacent grounds, located at 921 Pennsylvania Avenue, S.E. ("Property"), in accordance with plans and specifications approved by the Office of Property Management and pursuant to a grant agreement between the District and the Old Naval Hospital Foundation. The Property shall be used by the Foundation for purposes as specified in the agreement to be entered into between the District and the Foundation."

SUBTITLE W. CHANGE IN USE OF CERTAIN PROPERTIES FORMERLY TITLED IN THE UNITED STATES GOVERNMENT

Sec. 1220. Short title.

This subtitle may be cited as the "Approval of Change in Use of Certain Properties Formerly Titled in the United States Government Act of 2009".

Sec. 1221. The use of any property transferred to the District pursuant to the Second Fiscal Year 2010 Budget Request Act, passed on 1st reading on July 31, 2009 (Enrolled version of Bill 18-412), shall not be modified unless the new use is authorized pursuant to District law.

SUBTITLE X. DDOE FINE ENHANCEMENT

Sec. 1230. Short title.

This subtitle may be cited as the "District of Columbia Environmental Protection Enhancement Amendment Act of 2009".

Sec. 1231. Chapter 32 of Title 16 of the District of Columbia Municipal Regulations is amended by adding a new subsection 16-3201.7 to read as follows:

SECOND ENROLLED ORIGINAL

“3201.7. The fine amounts for infractions classified under sections 16-3637, 16-3644, 16-3645, 16-3646, 16-3650, 16-3651, and 16-3662 shall be double the amounts provided in subsection 3201.1. The revenue realized as a result of the increase in the fine grants under this subsection shall be deposited in the General Fund of the District of Columbia”.

SUBTITLE Y. RETAIL SERVICE STATION TRANSFER TAX

Sec. 1240. Short title.

This subtitle may be cited as the “Retail Service Station Transfer Tax Act of 2009”.

Sec. 1241. Section 47-903 of the District of Columbia Official Code is amended by adding a new subsection (a-5) to read as follows:

“(a-5) In addition to the additional tax under subsection (a-4) of this section, for deeds recorded on or after June 1, 2009, an additional tax of 5% is imposed on a deed that is subject to the tax under subsection (a) of this section and that transfers an interest in real property upon which is located a retail service station, as defined in § 36-301.01(15)), where the retail service station had, or should have had a business license or endorsement to operate a retail service station within 6 months before the date the deed was timely recorded. The tax collected under this subsection shall be deposited in the General Fund of the District of Columbia.”.

SUBTITLE Z. EMPLOYEE PARKING PROGRAM FUND

Sec. 1250. Short title.

This subtitle may be cited as the "Employee Parking Program Fund Amendment Act of 2009".

Sec. 1251. Section 1806k of the Office of Property Management Establishment Act of 1998, effective August 16, 2008 (D.C. Law 12-175; D.C. Official Code § 10-1016), is amended as follows:

(a) Subsection (a) is amended by striking the word “All” and inserting the phrase “Except as provided by subsection (d) of this section, all” in its place.

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

“(d) Beginning on October 1, 2009, the Office of Property Management shall charge District government employees within the employee parking program the same parking rate as market-rate parking within the general geographic area of the parking space; provided, that in no case shall the fee charged be more than \$160 per month per parking space. For fiscal years 2010-2013, the revenue realized as a result of the increase in parking rates under this subsection shall be deposited in the General Fund of the District of Columbia.”.

SUBTITLE AA. CAPITAL PROJECT SUPPORT FUND

Sec. 1260. Short title.

This subtitle may be cited as the "Capital Project Support Fund Establishment Act of 2009".

Sec. 1261. Definitions.

For the purposes of this act, the term:

(1) “Surplus bond funds” means proceeds from the District’s bond issuances,

SECOND ENROLLED ORIGINAL

including general obligation bonds and income tax secured revenue bonds that are designated to fund certain capital projects and which:

(A) Remain available after the authorized project has been completed or the funds no longer considered necessary;

(B) For a project with a balance of more than \$250,000, no funds have been expended or encumbered for 3 consecutive years, and the agency has not notified the Chief Financial Officer within 30 days of the end of the 3-year period that the agency intends to use the funds to implement the project within 18 months; or

(C) For a project with a balance of \$250,000 or less, no funds have been expended or encumbered for 3 consecutive years.

(2) "Surplus non-bond funds" means funds from sources other than proceeds from the District's bond issuances designated to fund certain capital projects and which:

(A) Remain available after the authorized project has been completed or the funds no longer considered necessary;

(B) For a project with a balance of more than \$250,000, no funds have been expended or encumbered for 3 consecutive years, and the agency has not notified the Chief Financial Officer within 30 days of the end of the 3-year period that the agency intends to use the funds to implement the project within 18 months; or

(C) For a project with a balance of \$250,000 or less, no funds have been expended or encumbered for 3 consecutive years.

Sec. 1262. Capital Project Support Fund; establishment.

(a) There is established the Capital Project Support Fund ("Fund") to be used to provide funding for qualified capital projects, within which shall be established 2 accounts. One account shall be designated the Bond Account and the other account shall be designated the Non-Bond Account.

(b) All surplus bond funds identified by the Chief Financial Officer shall be deposited into the Bond Account.

(c) All surplus non-bond funds identified by the Chief Financial Officer shall be deposited into the Non-Bond Account, including those from the Local Street Maintenance Fund, Master Equipment Lease/Purchase financing, Sale of Assets and Pay-as-You-Go capital funding, but excluding federal grants and Federal Highway Trust Fund.

Sec. 1263. Expenditures from Fund.

(a) Funding for an approved capital project may be provided through redirection in an approved budget and financial plan or through a reprogramming, pursuant to Chapter 3 of Title 47 of the District of Columbia Official Code.

(b) Within 30 days of a request by the Mayor to reprogram the money in the Fund to an approved capital project, the Chief Financial Officer shall certify that the funds are available and the expenditure to support the project is in compliance with this act. If a project is to receive funds from both the Bond Account and the Non-Bond Account, the Chief Financial Officer shall also certify the amount to be funded from each account.

Sec. 1264. Reporting requirements.

(a) The Chief Financial Officer shall submit a written report to the Mayor and the Council on a quarterly basis on the status of the Fund, including the current balance of the Fund,

SECOND ENROLLED ORIGINAL

specifying the amount in each account, and a list of the projects supported by the Fund, specifying the account.

(b) An agency that receives an extension pursuant to section 1261(1)(B) or (2)(B) shall submit an activity report and schedule for completion within 120 days of the start of the extension.

Sec. 1265. Washington Metropolitan Area Transit Authority project.

(a) Notwithstanding any other provision of this act, the budget authority for an approved capital project shall be reprogrammed, pursuant to Chapter 3 of Title 47 of the District of Columbia Official Code, for use pursuant to the Washington Metropolitan Area Transit Authority Fund Act of 2006, effective June 16, 2006 (D.C. Law 16-132; 53 DCR 4727) (“WMATA project”); provided, that:

(1) The capital project has been completed or the funds no longer considered necessary and budget authority remain available;

(2) For a capital project with a balance of more than \$250,000, no funds have been expended or encumbered for 3 consecutive years, and the agency has not notified the Chief Financial Officer within 30 days of the end of the 3-year period that the agency intends to use the funds to implement the project within 18 months; or

(3) For a capital project with a remaining budget authority of \$250,000 or less, the capital project has not been funded for 3 consecutive years.

(b) If at any time the Chief Financial Officer determines that certain funds are not needed to meet the requirements of the WMATA project, those funds may be reprogrammed, pursuant to Chapter 3 of Title 47 of the District of Columbia Official Code, to any capital project that the Chief Financial Officer certifies a funding need.

SUBTITLE BB. LOBBYING REGISTRATION FEE

Sec. 1270. Short title.

This subtitle may be cited as the “Campaign Finance Reform and Conflict of Interest Amendment Act of 2009”.

Sec. 1271. Section 502 of the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 462; D.C. Official Code § 1-1105.02), is amended as follows:

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

(b) The newly designated subsection (a) is amended as follows:

(1) Strike the phrase “if such person receives compensation” and insert the phrase “and pay the required registration fee if the person receives compensation” in its place.

(2) A new sentence is added at the end to read as follows:

“Failure to register as required by this section shall result in a civil penalty of treble the registration fee amount.”.

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

“(b)(1) Except as provided in paragraph (2) of this subsection, the registration fee for lobbyists shall be \$250.

“(2) The registration fee for lobbyists who lobby solely for nonprofit organizations shall be \$50.

SECOND ENROLLED ORIGINAL

“(c) All fees collected under subsection (b) of this section shall be used to administer and enforce Title V of this act.”.

SUBTITLE CC. BONUS PAY RESTRICTION

Sec. 1280. Short title.

This subtitle may be cited as the “Bonus Pay Restriction Act of 2009”.

Sec. 1281. For fiscal year 2010, no funds shall be used to support the categories of special awards pay (comptroller subcategory 0137) or bonus pay (comptroller subcategory 0138).

SUBTITLE DD. DCPL CAPITAL PROJECT FUND DESIGNATION

Sec. 1290. Short title.

This subtitle may be cited as the “DCPL Capital Project Fund Designation Act of 2009”.

Sec. 1291. District of Columbia Public Library capital funds.

All capital funds for the District of Columbia Public Library shall be separated by individual library project with available balances for each project and funding priority shall be given to wards where no renovation project exceeding \$2.5 million in value has been undertaken since fiscal year 2006.

SUBTITLE EE. PURCHASE OF 225 VIRGINIA AVENUE, S.E.

Sec. 1300. Short title.

This subtitle may be cited as the “Purchase of 225 Virginia Avenue, S.E. Act of 2009”.

Sec. 1301. Purchase of 225 Virginia Avenue, S.E.

(a) Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51) (“Home Rule Act”), and notwithstanding section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a) (“Procurement Practices Act”), and the procedures and requirements of the Office of Property Management Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 10-1001 *et seq.*) (“Office of Property Management Establishment Act”), the Council approves the exercise by the Mayor of the purchase option contained in the District’s sublease for the real property located at 225 Virginia Avenue, S.E., known for tax and assessment purposes as Lots 21, 36, 37, and 831 in Square 766 (“Property”), and the Mayor contracting to purchase the Property in an amount not to exceed \$85.2 million, exclusive of the costs of settlement.

(b) Notwithstanding the procedures and requirements of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), the Council approves the disposition by the Mayor of the Property pursuant to a negotiated agreement with Stonebridge Carras, LLC, or an affiliate or assignee approved by the Mayor, pursuant to a ground lease for a period in excess of 20 years or such other method the Mayor determines to be in the best interests of the District; provided, that the Mayor shall not dispose of the Property unless the agreement to dispose of the Property is executed by the Mayor at the same time that the Mayor executes the agreement described in subsection (c) of this section.

SECOND ENROLLED ORIGINAL

(c) Notwithstanding the procedures and requirements of the Procurement Practices Act and the procedures and requirements of the Office of Property Management Establishment Act, the Mayor may negotiate an agreement with Stonebridge Carras, LLC, or an affiliate or assignee approved by the Mayor, for the lease of a build-to-suit office building to be located at the Property with a lease term for a period of years no longer than the ground lease authorized in subsection (b) of this section that includes a requirement that the landlord construct base building improvements and construct and provide tenant improvements at the Property based on plans and specifications approved by the Mayor, and as an amortized rental rate over the term of the lease, the agreed to costs of the design, construction, installation, and provision of the improvements; provided, that the agreement shall be submitted to the Council for approval pursuant to section 451 of the Home Rule Act and section 105a of the Procurement Practices Act.

SUBTITLE FF. BOYS AND GIRLS CLUB PROPERTY ACQUISITION

Sec. 1310. Short title.

This subtitle may be cited as the "Boys and Girls Club of Greater Washington Property Acquisition Act of 2009".

Sec. 1311. Boys and Girls Club of Greater Washington property acquisition agreement.

(a) The Mayor is authorized to enter into an agreement with the Boys and Girls Club of Greater Washington ("BGCGW") ("agreement"), for the acquisition of the following real property:

- (1) Frank R. Jelleff Branch property;
- (2) Mary & Daniel Loughran Clubhouse # 10; and
- (3) Eastern Branch.

(b) The agreement shall provide that:

- (1) BGCGW and the District's obligations are contingent upon a payment to

BGCGW:

- (A) In the amount of \$7.5 million at settlement;
- (B) In the amount of \$3.125 million by October 1, 2010;
- (C) In the amount of \$3.125 million by October 1, 2011;
- (D) In the amount of \$3.125 million by October 1, 2012; and
- (E) In the amount of \$3.125 million by October 1, 2013;

(2) All income from leases and other revenue attributable to the properties after the date of closing shall accrue to the District; and

- (3) The properties shall be accepted in "as is" condition at closing.

(c) The agreement shall contain such other terms and conditions as the Mayor determines to be in the best interest of the District of Columbia.

Sec. 1312. Boys and Girls Club of Greater Washington property acquisition transition.

(a) The Mayor is authorized to contract with BGCGW for the operation of a summer camp during the summer of 2009 and for continued after-school programming through the closing on the sale of the Frank R. Jelleff Branch property, but no later than December 31, 2009, for which the District shall pay BGCGW \$60,000 before July 1, 2009, and \$20,000 before the end of 2009.

(b) The Mayor is authorized to contract with BGCGW to open and operate the Mary & Daniel Loughran Clubhouse #10 from 4 p.m., to 10 p.m., through the summer of 2009, to

SECOND ENROLLED ORIGINAL

provide teen recreation opportunities and a summer day camp for children from 6 through 12 years of age, for which BGCGW will receive \$33,000 before July 1, 2009. The Mayor shall negotiate with BGCGW to continue providing its customary and usual program operations through closing, but no later than December 31, 2009.

(c)(1) The Mayor is authorized to contract with BGCGW to provide transportation for up to 26 youths currently served at Hopkins Branch and Hopkins Branch's current Branch Director to BGCGW summer camp at the Richard England Clubhouse #14. BGCGW shall use its best efforts to identify adequate space at Hopkins Branch to provide programming in its 5 core programming areas, to serve at least 45 youths on a daily basis.

(2) For fiscal year 2010, the District shall pay up to 50% of the budget for programming at Hopkins Branch, if the District of Columbia Housing Authority identifies adequate space in reasonably close proximity to the existing facility, in an amount not to exceed \$121,000 for the operations during fiscal year 2010.

(d)(1) Within 60 days after execution of the agreement, the Mayor shall enter into discussions with BGCGW as to the terms and conditions for BGCGW to continue to provide programs and services at Frank R. Jelleff Branch, the Mary & Daniel Loughran Clubhouse #10, and Eastern Branch prior to completion of the sale. BGCGW shall competitively bid for the operation of programs as soon as practicable following the sale.

(2) The Mayor shall encourage BGCGW to explore options to re-establish programs at the Eastern Branch prior to the transfer of ownership to the District of Columbia, contingent upon obtaining a valid certificate of occupancy for the Eastern Branch building.

(e) In addition to the operating funds described in subsections (a), (b), and (c) of this section, the District shall:

(1) Contract with BGCGW for the services identified in the fiscal year 2010 budget, approved on May 12, 2009, totaling \$450,000;

(2) Pay \$200,000 from funds identified in the fiscal year 2010 budget to BGCGW to assist BGCGW in making payments required under its lease at THEARC, located at 1901 Mississippi Avenue, S.E.; and

(3) Subject to the availability of funds, reimburse BGCGW up to \$150,000 for the expenses associated with office renovations and other costs related to BGCGW's planned relocation of its headquarters operations and 25 employees from the current location in Silver Spring, Maryland to the Richard England Clubhouse #14, located at 4103 Benning Road, N.E., in the District.

Sec. 1313. Section 320 of the District of Columbia Procurement Practices Act of 1985, effective April 9, 1997 (D.C. Law 11-259; D.C. Official Code § 2-303.20), is amended by adding a new subsection (u) to read as follows:

"(u) Nothing in this act shall affect the authority of the Mayor to enter into an agreement with the Boys and Girls Club of Greater Washington to provide the services described in section 1322 of the Boys and Girls Club of Greater Washington Property Acquisition Act of 2009, passed on 4th reading on September 22, 2009 (Enrolled version of Bill 18-203)."

SECOND ENROLLED ORIGINAL

**TITLE II. ECONOMIC DEVELOPMENT AND REGULATION
SUBTITLE A. PROACTIVE ABATEMENT OF NUISANCE PROPERTIES**

Sec. 2001. Short title.

This subtitle may be cited as the "Administrative Abatement and Proactive Abatement Fee Amendment Act of 2009".

Sec. 2002. Subsection 220.1 of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 220.1) is amended as follows:

(a) Paragraph (b) is amended by striking the word "and".

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

"(c) A fee to cover the administrative costs of the fund established by D.C. Official Code § 42-3131.01(b)(1)(A), of one hundred seventy-five dollars (\$ 175.00) base fee and thirty dollars (\$30.00) for each additional hour; and".

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

"(d) A fee to cover proactive inspection costs of the Department of Consumer and Regulatory Affairs of thirty-five dollars (\$35) per unit on rental accommodations of three (3) units or more shall be charged biennially. The charge shall not exceed two thousand dollars (\$2,000.00) biennially. The fee shall be deposited in the fund established by D.C. Official Code § 42- 3131.01(b)(1)(A).".

**SUBTITLE B. EXPEDITED ADVISORY NEIGHBORHOOD COMMISSIONS
NOTIFICATION**

Sec. 2010. Short title.

This subtitle may be cited as the "Expedited Advisory Neighborhood Commissions Notification Amendment Act of 2009".

Sec. 2011. Section 13(c) of the Advisory Neighborhood Commission Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.10(c)), is amended by adding new paragraphs (3) and (4) to read as follows:

"(3) The Department of Consumer and Regulatory Affairs shall ensure that each affected Commission, the Commissioner representing the affected single member district, the affected ward Councilmember, and the Office of Advisory Neighborhood Commissions is provided a current list at least twice a month of applications for construction, demolition, raze, and public space permits. The list may be provided by electronic or first-class mail; provided, that the notice to the affected Commission shall be by first-class mail unless the affected Commission agrees in writing to receive electronic mail notifications.

"(4) The Office of Zoning shall ensure that each affected Commission, the Commissioner representing the affected single member district, the affected ward Councilmember, and the Office of Advisory Neighborhood Commissions is provided notice of applications, public hearings, proposed actions, and actions on all zoning cases. The notice may be provided by electronic or first-class mail; provided, that the notice to the affected Commission shall be by first-class mail unless the affected Commission agrees in writing to receive electronic mail notifications.".

SECOND ENROLLED ORIGINAL

SUBTITLE C. ZONING ENHANCED CUSTOMER SERVICES

Sec. 2020. Short title.

This subtitle may be cited as the "Zoning Enhanced Customer Services Amendment Act of 2009".

Sec. 2021. The Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.*), is amended as follows:

(a) Section 7a (D.C. Official Code § 6-1406.01) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "Regulations, and all" and inserting the phrase "Regulations and from fees, as established by the Mayor by rule, for administrative services rendered by the Office of the Zoning Administrator, and all" in its place.

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

(A) Paragraph (3)(N) is amended by striking the word "and" at the end.

(B) Paragraph (4) is amended by striking the phrase "projects." and inserting the phrase "projects; and" in its place.

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

"(5) To pay for enhanced customer service delivery."

(b) A new section 7b (to be codified at D.C. Official Code § 6-1406.02) is added to read as follows:

"Sec. 7b. Compliance letter fees.

"The Office of Zoning Administrator administrative fee for the issuance of compliance letters shall be as follows:

"(1) Zoning compliance letter for a single lot: \$25.

"(2) Zoning compliance letter for all other requests: \$100."

SUBTITLE D. DISTRICT OF COLUMBIA SURVEYOR AND SPECIAL REVIEW REQUESTS ENHANCED CUSTOMER SERVICES

Sec. 2030. Short title.

This subtitle may be cited as the "Surveyor and Special Review Requests Enhanced Customer Services Amendment Act of 2009".

Sec. 2031. Section 1593 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1426; D.C. Official Code § 1-1329), is amended as follows:

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

"(a-1) Subject to subsection (a) of this section, the fees of the Office of the Surveyor shall be as follows:

"(1) Building plats (up to 3 usual-shaped lots): \$50.

"(2) Registration of land surveyors (renewal of certification): \$75.

"(3) Registration of land surveyors (application): \$125.

"(4) Street and alley closings or revisions (closing application initial processing stage): \$2,500.

"(5) Subdivision of land plats (up to 3 usual-shaped lots): \$400.

"(6) Subdivision of land plats (more than 3 usual-shaped lots): \$400.

"(7) Private surveyor's plat (filing wall examination report): \$50.

"(8) Designation of a new address in the District of Columbia: \$25.

"(9) Fire suppression systems for hoods and ducts - project review fees:

SECOND ENROLLED ORIGINAL

- "(A) One to 50 nozzles - \$6 each;
- "(B) Each nozzle thereafter - \$3 each;
- "(C) Minimum review fee - \$33.

Title 12 of the District of Columbia Municipal Regulations (12A DCMR § 104.10): \$175.

- "(11) Specialized shop drawing review requests: \$20 per hour.
- "(12) Elevator repair permit fee: 1% of construction cost (minimum \$33).
- "(13) New elevator permit fee: \$85 per cab.

Surveyor staff: \$30 per hour.

"(14) Optional surveyor's preliminary review meeting sessions with the Surveyor: \$50 per hour.

- "(15) Optional surveyor's preliminary review meeting sessions with the Surveyor: \$50 per hour.
- "(16) Optional expedited building plats: \$75.
- "(17) Optional electronic building plat: \$5."

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

"(e)(1) There is established as a nonlapsing fund the Enhanced Surveyor Function Fund ("Fund"), to be administered by the Department of Consumer and Regulatory Affairs. The funds in the Fund shall be used solely for the purposes of maintaining and upgrading the surveying systems and enhancing customer service delivery by the Office of the Surveyor.

"(2) Except as provided in paragraph (3) of this subsection, all fees collected by the Office of the Surveyor shall be deposited into the Fund. All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in paragraph (1) of this subsection without regard to fiscal year limitation, subject to authorization by Congress.

"(3) Notwithstanding paragraph (2) of this subsection, fees collected by the Office of the Surveyor in the amount of \$29,750 annually shall be deposited in the General Fund of the District of Columbia in fiscal years 2010 through 2013."

SUBTITLE E. BUSINESS LICENSING NOTICE AND COMPLIANCE

Sec. 2040. Short title.

This subtitle may be cited as the "Business Licensing Processing Adjustment Act of 2009".

Sec. 2041. Chapter 28 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "47-2851.13. Establishment of Basic Business License Fund; disposition of license fees." and inserting the phrase "47-2851.13. Establishment of Basic Business License Fund; disposition of license fees, penalties, and fines." in its place.

(b) Section 47-2851.10 is amended as follows:

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

"(a) The Department may, by electronic mail or other methods of communication, send notice of impending license expiration, an application for renewal, and a statement of the applicable renewal fee to each licensee within 30 days prior to the expiration date at the mailing

SECOND ENROLLED ORIGINAL

address or electronic mail address shown on the Department's records for the licensee. It shall be the responsibility of the licensee to update the address information maintained by the Department."

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

"(b)(1) A license that has not been revoked, suspended, or voluntarily relinquished and that has not been renewed by its expiration date shall be deemed to be lapsed. A licensee may apply for renewal of the license at any time within 30 days after the lapsing of the license and the license shall be reinstated upon the payment of a penalty of \$250, plus all other applicable fees or penalties provided by law.

"(2) A license that is lapsed for more than 30 days shall be deemed to be expired. A licensee whose license is lapsed for more than 30 days, but less than 6 months, after the lapsing of the license may apply for renewal of the license and the license shall be reinstated upon the payment of a penalty of \$500, plus all other applicable fees and penalties provided by law."

(3) Subsection (c) is amended as follows:

(A) Paragraph (1) is repealed.

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

"(2) A licensee whose license has been expired for at least 6 months shall be treated as a new applicant and not as an applicant for renewal, unless otherwise provided by applicable law. If the new applicant conducted business during the 6 months after the expiration date of the license without complying with the renewal procedures pursuant to this section, the applicant shall be deemed to have conducted business without a license and shall be liable for any and all fees and fines applicable to conducting business without a license. A new application for a license shall not be processed until all applicable fines and fees have been paid."

(c) Section 47-2851.13 is amended as follows:

(1) The section heading is amended by striking the phrase "licensing fees" and inserting the phrase "license fees, penalties, and fines" in its place.

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

"(b) All fees collected for the issuance of a basic business license and endorsements, including renewals, late renewal penalties, other penalties, and fines, shall be deposited in the Fund. Half of the total amount of penalties and fines collected as a result of notices of infractions issued for basic business license violations shall also be deposited in the Fund. The entire cost of the basic business licensing system shall be paid from the Fund and no other appropriated funds shall be used for that purpose."

(d) Section 47-2855.04 is amended to read as follows:

"§ 47-2855.4. Rules; fees.

"(a) The Mayor shall adopt rules as necessary to administer this subchapter. The rules may include the specifying of forms and the setting of fees for trade name registrations, amendments, searches, renewals, and copies of registration documents.

(b) Fees set pursuant to subsection (a) of this section shall not exceed the actual cost of administering this title; provided, that

"(1) For expedited same-day service, there shall be a fee of \$100 in addition to other fees required by statute or rule;

"(2) For expedited 3-day service, there shall be a fee of \$50 in addition to other fees required by statute or rule."

SECOND ENROLLED ORIGINAL

Sec. 2042. Section 121(b) of the District of Columbia Business Corporation Act, approved June 8, 1954 (68 Stat. 228; D.C. Official Code § 29-101.121(b)), is amended as follows:

- (a) Paragraph (18) is amended by striking the word "and".
- (b) Paragraph (19) is amended by striking the period and inserting a semicolon in its place.
- (c) New paragraphs (20) and (21) are added to read as follows:
 - "(20) Expedited same-day service, \$100, in addition to all other fees required by statute or rule; and
 - "(21) Expedited 3-day service, \$50, in addition to all other fees required by statute or rule."

Sec. 2043. Section 92(a) of the District of Columbia Nonprofit Corporation Act, approved August 6, 1962 (76 Stat. 300; D.C. Official Code § 29-301.92(a)), is amended as follows:

- (a) Paragraph (20) is amended by striking the word "and" at the end.
- (b) Paragraph (21) is amended by striking the phrase "\$75." and inserting the phrase "\$75;" in its place.
- (c) New paragraphs (22) and (23) are added to read as follows:
 - "(22) Expedited same-day service, \$100 in addition to all other fees required by statute or rule; and"
 - "(23) Expedited 3-day service, \$50 in addition to all other fees required by statute or rule."

Sec. 2044. Section 44 of the District of Columbia Cooperative Association Act, approved June 19, 1940 (54 Stat. 490; D.C. Official Code § 29-944), is amended as follows:

- (a) The section heading is amended to read as follows:

"Sec. 44. Taxation; annual license fee; basic business license; expedited filing services."
- (b) A new subsection (c) is added to read as follows:

"(c) The Mayor may offer the following filing services:
 - "(1) Expedited same-day service, for a fee of \$100 in addition to all other fees required by statute or rule; and
 - "(2) Expedited 3-day service, for a fee of \$50 in addition to all other fees required by statute or rule."

Sec. 2045. Section 64(a) of the Limited Liability Company Act of 1994, effective July 23, 1994 (D.C. Law 10-138; D.C. Official Code § 29-1063 (a)), is amended as follows:

- (a) New paragraphs (5) and (6) are added to read as follows:
 - "(5) For expedited same-day service, the fee shall be \$100 in addition to all other fees required by statute or rule.
 - "(6) For expedited 3-day service, the fee shall be \$50 in addition to all other fees required by statute or rule."

Sec. 2046. The Uniform Partnership Act of 1996, effective April 9, 1997 (D.C. Law 11-234; D.C. Official Code § 33-101.01 *et seq.*), is amended as follows:

- (a) Section 105(f) (D.C. Official Code § 33-101.05(f)) is amended to read as follows:

SECOND ENROLLED ORIGINAL

"(f)(1) The Mayor may collect a fee for filing or providing a certified copy of a statement and for recording the statement.

"(2) In addition to other fees required by statute or rule, there shall be a fee of:

"(A) \$100 for expedited same-day service; and

"(B) \$50 for expedited 3-day service."

(b) Section 1004(a) (D.C. Official Code § 33-110.04(a)) is amended to read as follows:

"(a)(1) The Mayor may require that a limited liability partnership file a statement of qualification or statement of foreign qualification, or cancellation thereof or amendment thereto, and a biennial report, on forms provided by the Mayor.

"(2) Except as provided in paragraph (3) of this subsection, the Mayor may assess a fee for such filings in accordance with subsection (b) of this section.

"(3) In addition to other fees required by statute or rule, there shall be a fee of:

"(A) \$100 for expedited same-day service; and

"(B) \$50 for expedited 3-day service."

Sec. 2047. Section 1102(b) of the Uniform Limited Partnership Act of 1987, effective December 10, 1987 (D.C. Law 7-49; D.C. Official Code § 33-211.02(b)), is amended to read as follows:

"(b)(1) Except as provided in paragraph (2) of this subsection, the Department shall set fees as necessary for the implementation of this act.

"(2) In addition to other fees required by statute or rule, there shall be a fee of:

"(A) \$100 for expedited same-day service; and

"(B) \$50 for expedited 3-day service."

SUBTITLE F. COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNTING CORRECTION

Sec. 2050. Short title.

This subtitle may be cited as the "Community Development Block Grant Accounting Correction Amendment Act of 2009".

Sec. 2051. Section 301(e) of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; 55 DCR 1689) ("NCRC-AWC Reorganization Act"), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase "included as a segregated line item in the budget of the Department of Housing and Community Development that the Mayor is required to submit to the Council pursuant to section 442 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42), and shall be".

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

"(3) The Office of the Deputy Mayor for Planning and Economic Development ("DMPED") shall be required to transmit to the Council a CDBG spending plan annually that lists its planned uses for CDBG funds. The spending plan shall be submitted to the Council on the first day of January for each year that the Department of Housing and Community Development is required to submit its Annual Action Plan to the U.S. Department of Housing and Urban Development. If the Council does not approve or disapprove the spending plan by resolution within 30 days, the spending plan shall be deemed approved.

SECOND ENROLLED ORIGINAL

"(4) DMPED shall provide to the Council a report on CDBG funds within its budget authority within 15 days after the end of each fiscal quarter. The report shall include:

“(A) An executive summary;

“(B) A list of all DMPED CDBG program income received during the fiscal quarter covered by the report;

“(C) A list of all expenditures of DMPED CDBG funds during the fiscal quarter covered by the report;

“(D) A summary report on each project being funded with DMPED CDBG funds, including the status of, and accomplishments related to, the project and a timeline for project completion;

“(E) A list of all DMPED CDBG assets acquired during the fiscal quarter covered by the report; and

“(F) A list of all DMPED CDBG assets disposed of during the fiscal quarter covered by the report, including a description of all potential future income related to the disposition.”.

SUBTITLE G. NEIGHBORHOOD INVESTMENT FUND IMPLEMENTATION PLAN
Sec. 2060. Short title.

This subtitle may be cited as the "Neighborhood Investment Fund Implementation Plan Amendment Act of 2009".

Sec. 2061. Section 2 of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071), is amended as follows:

(a) Subsection (c) is amended by striking the phrase "a 5-year" and inserting the word "the" in its place.

(b) New subsections (h), (i), and (j) are added to read as follows:

"(h)(1) There is established as a nonlapsing fund the Get D.C. Residents Training for Jobs Now Career Technical Training Fund ("Career Technical Training Fund"), which shall be used to fund all costs associated with the 24-hour vocational education programs at Phelps Architecture, Construction and Engineering High School, Academy for Construction and Design at Cardozo Senior High School, and the Hospitality Public Charter School at Roosevelt High School.

“(2) All funds deposited into the Career Technical Training Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in paragraph (1) of this subsection without regard to fiscal year limitation, subject to authorization by Congress.

"(i) The Mayor shall transfer \$1.1 million annually, adjusted yearly for inflation, from the Neighborhood Investment Fund to the Career Technical Training Fund. The initial deposit to the Career Technical Training Fund shall be made on or about October 1, 2009.

"(j) The Neighborhood Investment Fund dollars under the budget authority for the Office of the Deputy Mayor for Planning and Economic Development in fiscal year 2010 shall be allocated on a one-time basis as follows:

“(1) An amount of \$370,613 for personal and administrative costs associated with the implementation of the Neighborhood Investment Fund, including salary, fringe benefits, and supplies;

SECOND ENROLLED ORIGINAL

“(2) An amount of \$1,425,000 to be transferred to the Department of Small and Local Business Development through an intra-District transfer and dispersed to the following Main Street programs as follows:

- “(A) An amount of \$150,000 to Shaw;
- “(B) An amount of \$75,000 to Historic Dupont;
- “(C) An amount of \$100,000 to Adams Morgan;
- “(D) An amount of \$150,000 to Vinegar Hill, N.W.;
- “(E) An amount of \$150,000 to Georgia Avenue;
- “(F) An amount of \$150,000 to Rhode Island;
- “(G) An amount of \$150,000 to North Capitol;
- “(H) An amount of \$150,000 to H Street, N.E.;
- “(I) An amount of \$50,000 to Barracks Row;
- “(J) An amount of \$150,000 to Deanwood; and
- “(K) An amount of \$150,000 to Congress Heights;

“(3) Each Main Streets program receiving \$150,000 or more through the Neighborhood Investment Fund Implementation Plan Amendment Act of 2009, passed on 4th reading on September 22, 2009 (Enrolled version of Bill 18-203), as set forth in paragraph (2) of this subsection, shall use \$50,000 of its \$150,000 allocation for a Business Improvement District Litter Cleanup program pursuant to section 6092 of the Business Improvement District Litter Cleanup Assistance Fund Establishment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.111);

“(4) An amount of \$3 million for the New Communities Human Capital Program;

“(5) An amount of \$1.1 million to be transferred annually, adjusted yearly for inflation, to the Career Technical Training Fund pursuant to subsection (i) of this section;

“(6) An amount of \$2.091 million for the DC USA parking garage; and

“(7) An amount of \$835,000 for each of the following Neighborhood Investment Fund Target Areas to be used for competitive grants for projects, programs, or initiatives, exclusively in each area and consistent with this act:

- “(A) Columbia Heights;
- “(B) Brightwood;
- “(C) Washington Highlands;
- “(D) Deanwood/Deanwood Heights;
- “(E) Bloomingdale/Eckington;
- “(F) Logan Circle Neighborhood;
- “(G) H Street;
- “(H) Anacostia;
- “(I) Congress Heights;
- “(J) Shaw Neighborhood;
- “(K) Brookland/Edgewood; and
- “(L) Bellvue.”.

Sec. 2062. NIF Fund Balance.

There is established as a nonlapsing fund the Fiscal Year 2010 NIF Fund (“Fund”) into which the Chief Financial Officer shall deposit \$3.2 million in fiscal year 2009 funds from the anticipated fiscal year 2009 Neighborhood Investment Fund carryover. All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance

SECOND ENROLLED ORIGINAL

of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in section 2(j) of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071(j))("Act"), without regard to fiscal year limitation, subject to authorization by Congress. No funds shall be transferred from the Fund until October 1, 2009, at which time the funds shall be used in accordance with section 2(j) of the Act.

SUBTITLE H. FINANCIAL INCENTIVES FOR MOTION PICTURE AND TELEVISION PRODUCTIONS

Sec. 2070. Short title.

This subtitle may be cited as the "Financial Incentives for Motion Picture and Television Productions Amendment Act of 2009".

Sec. 2071. The Film DC Economic Incentive Act of 2006, effective March 14, 2007 (D.C. Law 16-290; D.C. Official Code § 39-501 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 39-501) is amended as follows:

(1) The heading is amended by striking the phrase "Film DC Economic Incentive Grant Fund" and inserting the phrase "Film DC Economic Incentive Fund" in its place.

(2) Subsection (a) is amended by striking the phrase "Film DC Incentive Grant Fund" and inserting the phrase "Film DC Economic Incentive Fund" in its place.

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

"(b) Subject to section 2a and subject to the availability of funds, the Mayor may provide to an eligible production company, as an incentive for the production of movies, television shows, or other video productions in the District, a payment equal to the following:

"(1) The sum of 42% of the company's qualified production expenditures that are subject to taxation in the District;

"(2) The sum of 21% of the company's qualified production expenditures that are not subject to taxation in the District;

"(3) The sum of 30% of the company's qualified personnel expenditures;

"(4) The sum of 50% of the company's qualified job training expenditures; and

"(5) The sum of 25% of the company's base infrastructure investment; provided, that if the base infrastructure investment is in a facility that may be used for purposes unrelated to production or postproduction activities, then the base infrastructure investment shall be eligible for the 25% incentive payment only if the Mayor determines that the facility will support and be necessary to secure production or postproduction activity.

"(c) Subject to section 2b and subject to the availability of funds, the Mayor may provide to an applicant, as an incentive for the creation of production and postproduction facilities in the District, a payment of 25% of the taxpayer's base infrastructure investment; provided, that if all or a portion of the base infrastructure investment is in a facility that may be used for purposes unrelated to production or postproduction activities, then the base infrastructure investment shall be eligible for the 25% payment only if the Mayor determines that the facility will support and be necessary to secure production or postproduction activity."

(b) New sections 2a, 2b, 2c, 2d, and 2e are added to read as follows:

"Sec. 2a. Production incentives.

"(a) To qualify for a payment under section 2(b), an eligible production company shall:

SECOND ENROLLED ORIGINAL

"(1) Spend at least \$250,000 in the District for the development, preproduction, production, or postproduction costs of a qualified production;

"(2) File an application with the Mayor pursuant to subsection (b) of this section;

"(3) Enter into an incentive agreement with the Mayor pursuant to subsection (d) of this section;

"(4) Comply with the terms of the agreement; and

"(5) Not be delinquent in a tax or other obligation owed to the District or be owned or under common control of an entity that is delinquent in a tax or other obligation owed to the District.

"(b) An eligible production company seeking a payment under section 2(b) shall submit an application to the Mayor. The application shall be submitted in a form, and with such documentation and information, may be prescribed by the Mayor, including:

"(1) An estimate of qualified production expenditures;

"(2) An estimate of qualified personnel expenditures;

"(3) An estimate of qualified job training expenditures; and

"(4) An estimate of and total investment in qualified film and digital media infrastructure projects in the District associated with an identified qualified production.

"(c) After receiving an application under subsection (b) of this section, the Mayor shall review the application and determine whether to enter into an incentive agreement pursuant to subsection (d) of this section with the eligible production company. In determining whether to enter into an incentive agreement with the eligible production company, the Mayor may consider:

"(1) The potential that, in the absence of a payment under section 2b(a), the qualified production will be produced in a location other than the District;

"(2)(A) The qualified production is likely to promote the District as a tourist destination;

"(B) The qualified production is likely to create contracting and procurement opportunities for certified business enterprises;

"(C) The qualified production is likely to:

"(i) Create jobs;

"(ii) Job training opportunities; and

"(iii) Apprenticeships for District residents;

"(D) The qualified production will produce employment opportunities for District youth;

"(E) The qualified production is likely to promote economic development and neighborhood revitalization in the District;

"(F) A payment under section 2b(a) is likely to attract private investment for the production of other qualified productions or base infrastructure investments in the District; and

"(3) The record of the eligible production company in completing commitments to engage in a qualified production.

"(d) An incentive agreement entered into by the Mayor and the eligible production company shall include the following provisions:

"(1) The name of the eligible production company;

"(2) The name and description of the qualified production;

"(3) The eligible production company's:

"(A) Estimated qualified production expenditures;

SECOND ENROLLED ORIGINAL

- “(B) Qualified personnel expenditures;
- “(C) Qualified job training expenditures; and
- “(D) The base infrastructure investment;

“(4) A preliminary estimate of the payment to be made by the District pursuant to the agreement;

“(5) Any obligations of the eligible production company, including obligations such a commitment to hire District residents, provide apprenticeship opportunities for District residents and youth, provide employment opportunities for District residents and youth, and to contract with certified business entities; and

“(6) Any other provisions considered appropriate by the Mayor.

“(e) If the Mayor determines that an eligible production company, after it completes the qualified production, has complied with the terms of the agreement entered into under this section, the Mayor shall provide to the company the payment authorized by section 2(b).

“(f) The Mayor shall reserve funds sufficient to pay the amount identified in subsection (d)(4) of this section.

“Sec. 2b. Infrastructure incentives.

“(a) To be eligible for a payment under section 2(c), an approved applicant shall:

“(1) Invest and expend at least \$250,000 for a qualified film and digital media infrastructure project in the District;

“(2) File an application with the Mayor pursuant to subsection (b) of this section;

“(3) Enter into an agreement with the Mayor pursuant to subsection (d) of this section;

“(4) Comply with the terms of the agreement; and

“(5) Not be delinquent in a tax or other obligation owed to the District, or be owned or under common control of an entity that is delinquent in a tax or other obligation owed to the District.

“(b) An approved applicant seeking a payment under section 2(c) shall submit an application to the Mayor, in a form and with the documentation and information, including an estimate of total base infrastructure investment, as may be prescribed by the Mayor.

“(c) After receiving an application under subsection (b) of this section, the Mayor shall review the application and determine whether to enter into an incentive agreement with the applicant pursuant to subsection (d) of this section. In determining whether to enter into the incentive agreement, the Mayor may consider:

“(1) The potential that, in the absence of a payment under section 2(c), the qualified film and digital media infrastructure project in which the base infrastructure investment will be made will be constructed in a location other than the District, or not constructed at all;

“(2) The extent to which the qualified film and digital media infrastructure project is likely to:

“(A) Create contracting and procurement opportunities for certified business enterprises;

“(B) Create jobs, job training opportunities, and apprenticeships for District residents and District youth;

“(C) Promote economic development and neighborhood revitalization in the District;

“(3) The extent to which the qualified film and digital media infrastructure project is likely to attract motion picture, television, and video production to the District; and

SECOND ENROLLED ORIGINAL

"(6) The record of the applicant in completing commitments to engage in qualified film and digital media infrastructure projects.

"(d) An incentive agreement entered into by the Mayor and the eligible production company shall include the following provisions:

"(1) The name of the applicant;

"(2) A description of the qualified film and digital media infrastructure project;

"(3) The applicant's estimated base investment;

"(4) A preliminary estimate of the payment to be made by the District pursuant to this agreement;

"(5) Any obligations of the eligible production company, including obligations such as a commitment to hire District residents, provide apprenticeship opportunities for District residents and youth, provide employment opportunities for District residents and youth, and to contract with certified business entities; and

"(6) Any other provisions considered appropriate by the Mayor.

"(e) If the Mayor determines, after the qualified film and digital media infrastructure project is complete, that an applicant has complied with the terms of the agreement under this section, the Mayor may provide to the company the payment authorized by section 2(c).

"Sec. 2c. Definitions.

"For the purposes of this act, the term:

"(1) "Base infrastructure investment" means the cost, including fabrication and installation, expended by a person in the development of a qualified film and digital media infrastructure project for tangible assets of a type that are, or under the United States Internal Revenue Code will become, eligible for depreciation, amortization, or accelerated capital cost recovery for federal income tax purposes that are physically located in the District for use in a business activity in the District and that are not mobile tangible assets. The term "base infrastructure investment" does not include qualified production expenditure or qualified personnel expenditure.

"(2) "Below-the-line crew" means a person employed by an eligible production company for a qualified production after production begins and before production is completed, including a producer, director, writer, actor, or other person in a similar position.

"(3) "Eligible production company" means an entity in the business of producing qualified productions.

"(4) "Postproduction expenditure" means a direct expenditure for editing, Foley recording, automatic dialogue replacement, sound editing, special or visual effects, including computer-generated imagery or other effects, scoring and music editing, beginning and end credits, negative cutting, soundtrack production, dubbing, subtitling, addition of sound or visual effects, advertising, marketing, distribution, and related expenses.

"(5) "Qualified film and digital media infrastructure project" means a film, video, television, or digital media production and postproduction facility located in the District, movable and immovable property and equipment related to the facility, and any other facility that is a necessary component of the primary facility. The term "qualified film and digital media infrastructure project" does not include a movie theater or other commercial exhibition facility.

"(6) "Qualified job training expenditure" means salary and other expenditures paid by an eligible production company to provide qualified personnel with on-the-job training to upgrade or enhance the skills of the qualified personnel as a member of the below-the-line crew for a qualified production.

SECOND ENROLLED ORIGINAL

"(7) "Qualified personnel" means a District resident that is legally eligible for employment.

"(8) "Qualified personnel expenditure" means an expenditure made in the District directly attributable to the production or distribution of a qualified production that is a transaction subject to taxation in the District and is a payment of wages, benefits, or fees to below-the-line crew members, and includes a payment to a personal services corporation or professional employer organization for the services of qualified personnel as below-the-line crew members.

"(9) "Qualified production" means motion picture, television, or video content created in whole or in part in the District, intended for nationwide distribution or exhibition by any means, including by motion picture, documentary, television programming, commercials, or internet video production and includes a trailer, pilot, or any video teaser associated with a qualified production. The term "qualified production" does not include:

"(A) A production that:

"(i) Consists primarily of televised news or current events;

"(ii) Consists primarily of a live sporting event;

"(iii) Consists primarily of political advertising;

"(iv) Primarily markets a product or service other than a qualified

production; or

"(B) A radio program.

"(10) "Qualified production expenditure" means a development, preproduction, production, or postproduction expenditure made in the District that is:

"(i) Directly attributable to the production or distribution of a qualified production;

"(ii) Is for the production or distribution of a qualified production;

"(iii) In accordance with generally accepted entertainment industry practices; and

"(iv) Not a qualified personnel expenditure.

"(B) Qualified production expenditure includes the purchase of tangible personal property or services related to producing or distributing a qualified production, production work, production equipment, production software, development work, postproduction work, postproduction equipment, postproduction software, set design, set construction, set operations, props, lighting, wardrobe, catering, lodging, use of vehicles directly attributable to the production or distribution of a qualified production, and any purchase of equipment relating to the duplication or market distribution of any content created or produced in the District, and payment of wages, benefits, or fees to any contractual or salaried employee excluding below-the-line crew who performs services in the District, including a payment to a personal services corporation or professional employer organization for the services of qualified personnel.

"Sec. 2d. Motion picture and television production permits.

"(a) The Mayor may issue a permit for the occupation of the public space for motion picture, television, and other media productions ("film permit") pursuant to section 603 of the Budget Support Act of 1997, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.03).

"(b) The Mayor may impose a one-time fee for processing of the film permit application in the amount of \$30 per production.

SECOND ENROLLED ORIGINAL

“(c) The film permit fee shall be \$150 per day per location to occupy public space or a public right-of-way.

“(d) The Mayor may periodically revise the schedule of fees by rulemaking.

“(e) The fees received by the Mayor from applications for and issuance of the film permits shall be deposited into the special account established by section 2e.

“(f) No permit may be transferred from one location to another.

“Sec. 2e. Film DC Special Account.

“(a) There is established as a nonlapsing fund the Film DC Special Account Fund (“Fund”), which shall be used solely for the purposes set forth in subsection(b)(3) of this section. All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b)(3) of this section without regard to fiscal year limitation, subject to authorization by Congress.

“(b)(1) There shall be deposited into the Fund the fees derived from film permits applied for or issued pursuant to section 2d, other funds as may be designated by law, regulation, or reprogramming, and all interest earned on all deposits.

“(2) There shall be allocated annually to the Office of Motion Picture and Television Development an amount that is equal to the total deposits and earnings that are estimated to remain unspent in the Fund at the end of the preceding fiscal year plus all deposits and earnings that are estimated to be received during the fiscal year for which the allocation is made.

“(3) The funds in the Fund shall be used solely to pay for operating expenses of the Office of Motion Picture and Television Development; provided, that no funds in the Fund shall be used for personnel or personnel-related expenses.”.

SUBTITLE I. WASHINGTON CONVENTION CENTER AUTHORITY SPORTS AND ENTERTAINMENT COMMISSION MERGER

Sec. 2080. Short title.

This subtitle may be cited as the "Washington Convention Center Authority and Sports and Entertainment Commission Merger Amendment Act of 2009".

Sec. 2081. The Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1201.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 10-1201.01) is repealed.

(b) Section 201 (D.C. Official Code § 10-1202.01) is amended as follows:

(1) Paragraph (1) is redesignated as paragraph (1C).

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

"(1A) "Armory" means the District of Columbia National Guard Armory."

"(1B) "Authority" means the Washington Convention and Sports Authority established pursuant to section 202.

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

"(2) "Chief Financial Officer" means the Chief Financial Officer established by section 424(a)(1) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(a)).”.

SECOND ENROLLED ORIGINAL

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

"(4A) "District sports and entertainment facility" means:

"(A) Any stadium, arena, or recreation site owned, operated, or under the direct control of the Authority, including Robert F. Kennedy Memorial Stadium, the District of Columbia National Guard Armory, and the ballpark, as defined in D.C. Official Code § 47-2002.05(a)(1)(A)).

"(B) Any property subordinate, or functionally related, to any stadium, arena, or recreation site, including team offices domiciled in a District sports and entertainment facility, parking lots, parking garages, and practice facilities."

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

"(8) "Robert F. Kennedy Memorial Stadium" includes all property, facilities, equipment, and appliances of any kind comprising the areas designated as A, B, C, D, or E on the revised map entitled "Map to Designate Transfer of Stadium and Lease of Parking Lots to the District," prepared jointly by the National Park Service (National Capital Region) and the District of Columbia Department of Public Works for site development and dated October 1986 (NPS drawing number 831/87284-A) and any other future additions thereto."

(c) Section 202 (D.C. Official Code § 10-1202.02) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "Washington Convention Center Authority ("Authority")" and inserting the phrase "Washington Convention and Sports Authority" in its place.

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

"(b) Notwithstanding any other provisions of this act, the general purposes of the Authority are to:

"(1) Acquire, construct, equip, maintain, and operate the new convention center, in whole or in part, directly or under contract;

"(2) Promote, develop, and maintain the District as a location for convention, trade shows, and other meetings;

"(3) Engage in activities to promote trade shows, conventions, concerts, and other events related to activities at a facility of the Authority;

"(4) Consolidate the District's efforts in promoting and managing sporting and entertainment events;

"(5) Promote, develop, and maintain the District as a location for sporting events, sports teams, recreational events, film, television, and other motion picture productions, and entertainment events, directly or under contract;

"(6) Develop, construct, and lease the ballpark in accordance with section 105 of the Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.05);

"(7) Encourage and support youth activities in the District, including by sponsoring sporting events for young athletes, attracting national collegiate championships to the District, and providing disadvantaged youths with opportunities to attend sporting events;

"(8) Exercise the non-military functions of the Armory Board and the Armory, including controlling the scheduling, rental, and promotion of the Armory and its adjacent facilities and leasing unused or vacant space in the Armory;

"(9) Exercise the non-regulatory functions of the Boxing and Wrestling Commission, including all advertising, promotion, and attraction of boxing, wrestling, and mixed martial arts events; and

SECOND ENROLLED ORIGINAL

"(10) Maintain and operate the old convention center site until such time as is considered appropriate by the Mayor."

(3) Subsection (d) is amended by striking the phrase "community." and inserting the phrase "community related to the new convention center."

(d) New sections 202a, 202b, 202c, and 202d are added to read as follows:

"Sec. 202a. Transfer of authority of the Armory Board.

"All references to the Armory Board in An Act To establish a District of Columbia Armory Board, and for other purposes, approved June 4, 1948 (62 Stat. 339; D.C. Official Code § 3-301 *et seq.*) ("Armory Board Act"), are deemed to be references to the Authority, and the Authority shall have such powers and responsibilities as are created by such references to the Armory Board in the Armory Board Act, unless the clear meaning requires otherwise.

"Sec. 202b. Transfer of authorities and functions of the District of Columbia Sports and Entertainment Commission; abolishment of the District of Columbia Sports and Entertainment Commission.

"(a)(1) All authorities and functions of the District of Columbia Sports and Entertainment Commission, established pursuant to the Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; D.C. Official Code § 3-1401 *et seq.*), are transferred to the Authority, except that the maintenance and operation of the Robert F. Kennedy Memorial Stadium and the nonmilitary section of the Armory shall be transferred to the Office of Property Management.

"(2) The Authority and the Office of Property Management shall enter into a Memorandum of Agreement not later than 60 days before the beginning of each fiscal year that shall set forth the terms and conditions for the Office of Property management to maintain the Robert F. Kennedy Memorial Stadium and the nonmilitary portion of the Armory, including the level of service and the procedures and timing for reimbursement to the Office of Property Management for its maintenance and upkeep services at the Robert F. Kennedy Memorial Stadium and the nonmilitary portion of the Armory.

"(b) The District of Columbia Sports and Entertainment Commission is abolished.

"Sec. 202c. Transfer of assets, rights, and obligations of the District of Columbia Sports and Entertainment Commission.

"(a)(1) Legal and equitable title to all real property, personal property, records, capital, and intangible assets of the District of Columbia Sports and Entertainment Commission shall transfer, vest, and be titled in the name of the Authority.

"(2) All unexpended balances of appropriations, allocations, income, and other funds available to the District of Columbia Sports and Entertainment Commission shall transfer to the Authority and shall be deposited in the Sports and Entertainment Fund.

"(3)(A) All lawful existing non-employment and non-employment-related contractual rights and obligations of the District of Columbia Sports and Entertainment Commission shall transfer to the Authority, which shall assume all rights, duties, liabilities, and obligations as a successor in interest.

"(B) Notwithstanding subparagraph (A) of this paragraph, the rights of the District of Columbia Sports and Entertainment Commission under section 8.4 of the Lease Agreement, dated March 6, 2006, between the District of Columbia Sports and Entertainment Commission and the Baseball Expos, L.P., as may be amended, shall be assigned ½ to the Mayor and ½ to the Council.

SECOND ENROLLED ORIGINAL

“(4) No rights and obligations of employment or employment-related contracts of the District of Columbia Sports and Entertainment Commission, except for lawful rights and obligations of individual employment contracts, shall transfer to the Authority, which shall assume all rights, duties, liabilities, and obligations as a successor in interest.

“(5) All other existing rights and obligations, and all causes of actions of the District of Columbia Sports and Entertainment Commission shall transfer to the Authority.

“(b) No existing lawful contract or other lawful legal obligation of the District of Columbia Sports and Entertainment Commission transferred pursuant to subsection (a) of this section, shall be abrogated or impaired by the repeal of the Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; D.C. Official Code § 3-1401 *et seq.*), or the superceding of Mayor's Order 79-218, dated September 14, 1979, except for any obligation of the District of Columbia Sports and Entertainment Commission to the District of Columbia related to personnel expenses.

“(c) Other than with respect to the rights and obligations of employment and employment-related contracts of the District of Columbia Sports and Entertainment Commission not transferred pursuant to subsection (a)(4), nothing in section 201 or 202 shall impair the obligations, commitments, pledges, or covenants, or the security made or provided by the District of Columbia Sports and Entertainment Commission; provided, that the liability of the Authority with respect to any such obligation, commitment, pledge, covenant, or security made or provided by the District of Columbia Sports and Entertainment Commission shall be limited to the assets and property of the District of Columbia Sports and Entertainment Commission transferred pursuant to this section and any income derived from such assets.”.

(e) Section 203 (D.C. Official Code § 10-1202.03) is amended as follows:

(1) Paragraph (4) is amended by striking the phrase “employees,” and inserting the phrase “employees, advisors, consultants,” in its place.

(2) Paragraph (10) is amended by striking the word “contracts” and inserting the phrase “contracts, joint ventures, or other agreements ” in its place.

(3) New paragraphs (10A) through (10J) are added to read as follows:

“(10A) To maintain an office or offices at any location in the District;

“(10B) To establish standards for the use of and attendance at its facilities;

“(10C) To fix, revise, charge, and collect fees, rents, or other charges for the use of, or attendance at, its facilities and for services rendered in connection with the use of, or attendance at, its facilities;

“(10D) To manage parking lots, concessions, and other ancillary properties and services at facilities under its jurisdiction;

“(10E) To furnish such services to renters, lessees, and other occupants and users of its facilities as in its judgment is necessary or suitable for carrying out its purposes;

“(10F) To provide through its employees, or by the grant of one or more concessions, or both, for the furnishing of services and things for the accommodation of persons admitted to or using any of its facilities or portions of its facilities;

“(10G) To provide for the insurance of any property, operations, members of the Board of Directors, officers, agents, or employees of the Authority against any risk or hazard;

“(10H) To develop, construct, maintain, operate, acquire, own, equip, improve, rehabilitate, expand, and maintain convention, sports, entertainment, and recreation facilities in the District;

SECOND ENROLLED ORIGINAL

"(10I) To establish one or more nonprofit or for-profit subsidiaries to perform any of its functions under this act;

"(10J) To hold an ownership interest in, and operate, a professional sports team or team franchise on a temporary or permanent basis;".

(4) Paragraph (12) is amended as follows:

(A) Strike the phrase "upon obtaining a license from the Alcoholic Beverage Control Board pursuant to section 10 of the District of Columbia Alcoholic Beverage Control Act, approved January 2, 1934 (48 Stat. 324; D.C. Official Code § 25-220), Title 25, or to permit others to sell or dispense, upon obtaining a license from the Alcoholic Beverage Control Board" and insert the phrase "or to permit others to sell or dispense" in its place.

(B) Strike the phrase "permitted;" and insert the phrase "permitted, including the hours and days during which the sale or dispensing of alcoholic beverages shall be made or shall be permitted;" in its place.

(5) Paragraph (14) is amended by striking the phrase "Chief Financial Officer" and inserting the phrase "chief financial officer" in its place.

(f) Section 204(b) (D.C. Official Code § 10-1202.04(b)) is amended by striking the phrase "Washington Convention Center Authority Fund" and inserting the phrase "Washington Convention Center Fund" in its place.

(g) Section 205 (D.C. Official Code § 10-1202.05) is amended as follows:

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

(A) Paragraph (1) is amended by striking the number "9" and inserting the number "11" in its place.

(B) Paragraph (2) is amended by striking the number "7" and inserting the number "9" in its place.

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

(i) Strike the number "7" and insert the number "9" in its place.

(ii) Strike the phrase "1 shall be from the hospitality industry" and insert the phrase "1 shall be from the hotel industry, 1 shall be from the restaurant industry," in its place.

(iii) Strike the number "5" and insert the number "6" in its place.

(iv) Strike the phrase "construction," and insert the phrase "construction, sports, entertainment," in its place.

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

"(4) The members of the Board of Directors of the Washington Convention Center Authority serving on the effective date of the Washington Convention Center Authority and Sports and Entertainment Commission Merger Amendment Act of 2009, passed on 3rd reading on July 31, 2009 (Second Engrossed version of Bill 18-203) ("MAA"), shall become members of the Board of Directors of the Washington Convention and Sports Authority and shall serve the remainder of their terms and may be reappointed to full terms as members of the Board of Directors of the Washington Convention and Sports Authority.

"(5)(A) In addition to the members of the Board of Directors of the Washington Convention and Sports Authority serving pursuant to paragraph (4) of this subsection, the following 2 persons shall begin serving as public members on the Board of Directors of the Washington Convention and Sports Authority on the effective date of the MAA:

"(i) The person who was serving as vice chairman of the District of Columbia Sports and Entertainment Commission Board of Directors on May 12, 2009; and

SECOND ENROLLED ORIGINAL

“(ii) The President of the Hotel Association.

“(B) The 2 public members appointed pursuant to this paragraph shall serve 4-year terms and may be reappointed.

“(C) The wards of residence of the 2 public members appointed pursuant to this paragraph shall not be considered for the purposes of the restriction imposed by subsection (f) of this section”.

(2) Subsection (e) is amended by striking the number “7” and inserting the number “9” in its place.

(3) Subsection (j) is amended as follows:

(A) Strike the word "Five" and insert the word "Six" in its place.

(B) Strike the phrase “District shall be” and insert the phrase "District with respect to the issuance of bonds and the adoption of budgets and financial plans, shall be" in its place.

(4) Subsection (k) is amended to read as follows:

“(k) Board members shall serve without compensation, except that Board members may be reimbursed for all reasonable and necessary expenses incurred while engaged in official duties of the Board.”.

(h) Section 206(a) (D.C. Official Code § 10-1202.06(a)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase "the Existing Convention Center and the New Convention Center" and inserting the phrase "the new convention center and District sports and entertainment facilities," in its place.

(2) Paragraph (3) is amended by striking the phrase "the Existing Convention Center and the New Convention Center" and inserting the phrase "the new convention center and District sports and entertainment facilities" in its place.

(3) Paragraph (5) is amended by striking the phrase "for, a General Manager to the Existing Convention Center and New Convention Center" and inserting the phrase "for the Chief Executive Officer and General Manager" in its place.

(4) Paragraph (6) is amended by striking the phrase "General Manager" and inserting the phrase "Chief Executive Officer and General Manager" in its place.

(i) Section 207 (D.C. Official Code § 10-1202.07) is amended as follows:

(1) The heading is amended by striking the phrase "General Manager" and inserting the phrase "Chief Executive Officer and General Manager" in its place.

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

(A) Strike the phrase "a General Manager" and insert the phrase "a Chief Executive Officer and General Manager" in its place.

(B) Strike the phrase "the New Convention Center and the Existing Convention Center" and insert the phrase "the new convention center, District sports and entertainment facilities, and the Authority" in its place.

(C) Strike the phrase "The General Manager" and insert the phrase "The Chief Executive Officer and General Manager" in its place.

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

“(a-1) The General Manager of the Washington Convention Center Authority serving on the effective date of the Washington Convention Center Authority and Sports and Entertainment Commission Merger Amendment Act of 2009, passed on 3rd reading on July 31, 2009 (Second Engrossed version of Bill 18-203), shall become the Chief Executive Officer and General Manager of the Authority.”.

SECOND ENROLLED ORIGINAL

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

(A) The lead-in text is amended by striking the phrase "General Manager" and inserting the phrase "Chief Executive Officer and General Manager" in its place.

(B) Paragraph (4) is amended by striking the phrase "Existing Convention Center and New Convention Center bookings" and inserting the phrase "bookings, events, and productions for the new convention center and District sports and entertainment facilities" in its place.

(C) Paragraph (5) is amended by striking the phrase "Existing Convention Center and the New Convention Center" and inserting the phrase "Authority and its facilities" in its place.

(5) Subsection (c) is amended by striking the phrase "General Manager" and inserting the phrase "Chief Executive Officer and General Manager" in its place.

(j) Section 208 (D.C. Official Code § 10-1202.08) is amended as follows:

(1) The heading is amended by striking the word "Authority".

(2) Subsection (a) is amended by striking the phrase ""Washington Convention Center Authority Fund ("Fund")"" and inserting the phrase "Washington Convention Center Fund ("Convention Center Fund")" in its place.

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

(A) Strike the word "Fund" and insert the phrase "Convention Center Fund" in its place.

(B) Strike the phrase "District," and insert the phrase "District of Columbia, nor the Sports and Entertainment Fund," in its place.

(4) Subsection (c)(1) is amended as follows:

(A) Strike the word "Fund" and insert the phrase "Convention Center Fund" in its place.

(B) Strike the phrase "New Convention Center" and insert the phrase "new convention center" in its place.

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

(A) Strike the phrase "deposit in the Fund" and insert the phrase "deposit in the Convention Center Fund" in its place.

(B) Strike the phrase "deposited in the Fund" and insert the phrase "deposited in the Convention Center Fund" in its place.

(6) Subsection (e) is amended as follows:

(A) Strike the phrase "secured by the Fund" and insert the phrase "secured by the Convention Center Fund" in its place.

(B) Strike the phrase "revenues in the Fund" and insert the phrase "revenues in the Convention Center Fund" in its place.

(k) Section 208a (D.C. Official Code § 10-1202.08a) is amended as follows:

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

(A) Strike the phrase "for the payment of marketing service contracts".

(B) Strike the word "District" and insert the phrase "District and the hosting of sporting events, sports teams, recreational events, and entertainment events in the District" in its place.

(2) Subsection (c) is amended by striking the phrase "of the marketing service contracts" and inserting the phrase "the Authority shall allocate to the Marketing Fund" in its place.

SECOND ENROLLED ORIGINAL

(3) Subsection (d) is amended by striking the phrase “the marketing service contracts” and inserting the phrase “the marketing service contracts that the Authority may enter into” in its place.

(4) Subsection (e) is amended as follows:

(A) The lead-in text is amended by striking the phrase “contracts with the following entities” and inserting the phrase “a contract with” in its place.

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

(i) The lead-in text is amended by striking the phrase “The Washington, DC Convention and Tourism Corporation, pursuant to which the Washington, DC Convention and Tourism Corporation” and inserting the phrase “Destination, DC (formerly, the Washington, DC Convention and Tourism Corporation), pursuant to which Destination, DC” in its place.

(ii) Subparagraph (C) is amended by striking the phrase “Washington Convention Center Authority” and inserting the word “Authority” in its place.

(5) A new subsection (e-1) is added to read as follows:

“(e-1) The marketing service contracts may include contracts with:

“(1) The DC Chamber of Commerce, pursuant to which the DC Chamber of Commerce shall be designated as the primary contractor to promote participation by local, small, and minority businesses in the hospitality industry, especially through neighborhood and cultural tourism; and

“(2) The Greater Washington Hispanic Chamber of Commerce (formerly known as the Greater Washington Ibero American Chamber of Commerce), for the purpose of pursuit of special projects, as designated by the Authority.”

(1) New sections 208b and 208c (to be codified at D.C. Official Code § 10-1202.08b and 10-1202.08c) are added to read as follows:

“Sec. 208b. Sports and Entertainment Fund.

“(a) There is established as a nonlapsing fund the Sports and Entertainment Fund, to be maintained by the Authority.

“(b)(1) There shall be deposited into the Sports and Entertainment Fund all monies remaining in the Sports and Entertainment Commission Fund, all revenues of the Authority derived from the District sports and entertainment facilities (except revenues derived from the Walter D. Washington Convention Center), all revenues of the Authority derived from other sports- and entertainment-related activities of the Authority, all interest earned on money in the Fund, and all other monies deposited pursuant to the laws of the District.

“(2) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (c) of this section without regard to fiscal year limitation, subject to the authorization by Congress.

“(c) Monies in the Sports and Entertainment Fund shall be used to pay for the operating expenses of the Authority, including expenses incurred through contracts, and for the hosting of sports events, sports teams, recreational events, and entertainment events in the District.

“Sec. 208c. Sports Facilities Account.

“(a) There is established the Sports Facilities Account (“Account”) as a nonlapsing account within the General Fund of the District of Columbia, which shall be used solely for the

SECOND ENROLLED ORIGINAL

maintenance and upkeep of the Robert F. Kennedy Memorial Stadium and the nonmilitary portion of the Armory.

“(b)(1) In accordance with section 202b(a)(1), the Authority shall transfer from the Sports and Entertainment Fund established by section 208b to the Account an amount equal to the budget authority for maintenance and operation of the Robert F. Kennedy Memorial Stadium and the nonmilitary portion of the Armory on October 1 of each year.

“(2) Funds deposited into the Account pursuant to this subsection shall be maintained in segregated sub-accounts associated with each revenue source, as the Chief Financial Officer determines to be necessary.

“(3) The funds deposited into the Account shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for maintenance and operation of the Robert F. Kennedy Memorial Stadium and the nonmilitary portion of the Armory without regard to fiscal year limitation, subject to authorization by Congress.”.

(m) Section 209 (D.C. Official Code § 10-1202.09) is amended as follows:

(1) Strike the phrase "New Convention Center" and insert the phrase "new convention center" in its place.

(2) Strike the phrase “this act” and insert the phrase "this act or to finance, refinance, or assist in the financing or refinancing of the construction of, or capital improvements to, any District sports and entertainment facility" in its place.

(n) Section 210(a) (D.C. Official Code § 10-1202.10(a)) is amended by striking the phrase "the new convention center" and inserting the phrase "the construction of, or capital improvements to, the new convention center or a District sports or entertainment facility" in its place.

(o) Section 211 (D.C. Official Code § 10-1202.11) is amended as follows:

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

(A) Strike the word "Assets" and insert the phrase "All property, assets," in its place.

(B) Strike the word “taxation” and insert the phrase "taxation and from any special assessments imposed by the District" in its place.

(2) Subsection (m) is amended to read as follows:

"(m) Bonds issued by the Authority, their transfer, and the interest on the bonds shall be exempt from District taxation, except for estate, inheritance, and gift taxation.”.

(p) Section 213(a) (D.C. Official Code § 10-1202.13(a)) is amended by striking the phrase “Authority exceeds” and inserting the phrase "Authority in the Convention Center Fund exceeds" in its place.

(q) Section 218(b) (D.C. Official Code § 10-1202.18(b)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase "Deputy Mayor for Operations (or successor officer) or the Deputy Mayor's" and inserting the phrase "City Administrator or the City Administrator's" in its place.

(2) Paragraph (4) is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Authority" in its place.

(3) Paragraph (7) is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Authority" in its place.

(r) Section 307 (D.C. Official Code § 10-1203.07) is amended as follows:

(1) The heading is amended by striking the word "Authority".

SECOND ENROLLED ORIGINAL

(2) Subsection (a) is amended by striking the word "Authority".

Sec. 2082. Conforming amendments.

(a) Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), is amended as follows:

(1) Paragraph (12) is repealed.

(2) Paragraph (20) is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(b) Section 851(1)(I) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective April 20, 1999 (D.C. Law 12-260; D.C. Official Code § 1-608.51(1)(I)), is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(c) Section 202(5) of the Whistleblower Reinforcement Act of 1998, effective October 7, 1998 (D.C. Law 12-160, D.C. Official Code § 2-223.01(5)), is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(d) Section 320 of the District of Columbia Procurement Practices Act of 1985, effective April 12, 1997 (D.C. Law 11-259; D.C. Official Code § 2-303.20), is amended as follows:

(1) Subsection (e) is amended by striking the phrase "Washington Convention Center Board of Directors" and inserting the phrase "Washington Convention and Sports Authority or its Board of Directors" in its place.

(2) Subsection (f) is repealed.

(e) Section 1833(9) of the Economic Development Liaison Office Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 2-1203.02(9)), is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(f) Section 2(4) of the Tax Increment Financing Authorization Act of 1998, effective September 11, 1998 (D.C. Law 12-143; D.C. Official Code § 2-1217.01(4)), is amended by striking the phrase "Washington Convention Center Authority Fund" and inserting the phrase "Washington Convention Center Fund" in its place.

(g) Section 2(2) of the Retail Incentive Act, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.71(2)), is amended by striking the phrase "Washington Convention Center Authority Fund" and inserting the phrase "Washington Convention Center Fund" in its place.

(h) The Robert F. Kennedy Memorial Stadium and District of Columbia National Guard Armory Public Safety Act, effective November 3, 1977 (D.C. Law 2-37; D.C. Official Code § 3-341 *et seq.*), is amended as follows:

(1) Section 4a(b) (D.C. Official Code § 3-343.01(b)) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "District of Columbia Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(B) Paragraph (1A) is amended by striking the phrase "District of Columbia Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(2) Section 4b (D.C. Official Code § 3-343.02) is amended as follows:

SECOND ENROLLED ORIGINAL

(A) Subsection (a) is amended by striking the phrase "District of Columbia Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(B) Subsection (b) is amended by striking the phrase "District of Columbia Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(i) Section 3(b)(1)(F) of the Commission on Fashion Arts and Events Establishment Act of 2008, effective April 15, 2008 (D.C. Law 17-148; D.C. Official Code § 3-652(b)(1)(F)), is amended by striking the phrase "District of Columbia Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(j) The Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; D.C. Official Code § 3-1401 *et seq.*), is repealed.

(k) Section 7(a)(6) of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-306(a)(6)), is amended to read as follows:

"(6) The Chief Executive Officer and General Manager of the Washington Convention and Sports Authority; and".

(l) Sections 3 and 4 of the Washington Convention Center Management Act of 1979, effective November 3, 1979 (D.C. Law 3-36; D.C. Official Code §§ 10-1271 and 10-1272), are repealed.

(m) The Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.01 *et seq.*), is amended as follows:

(1) Section 105 (D.C. Official Code § 10-1601.05) is amended by adding a new subsection (g) to read as follows:

"(g) References in this section to the Sports and Entertainment Commission shall be deemed to refer to the Washington Convention and Sports Authority, as successor to the Sports and Entertainment Commission, unless the context clearly indicates otherwise."

(2) Section 202(b)(2) (D.C. Official Code § 10-1602.02(b)(2)) is amended by striking the phrase "Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(n) Title 25 of the District of Columbia Official Code is amended follows:

(1) Section 25-101(55) is repealed.

(2) Section 25-113(g)(1) is amended by striking the phrase "the Washington Convention Center,".

(3) Section 25-505 is amended as follows:

(A) The heading is amended by striking the phrase "and Washington Convention Center".

(B) The text is amended by striking the phrase "and for the Washington Convention Center".

(o) Title 47 of the District of Columbia Official Code is amended as follows:

(1) Section 47-368.01(a) is amended by striking the phrase "Sports and Entertainment Commission; Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(2) Chapter 20 is amended as follows:

(A) The table of contents is amended by striking the phrase "Sports and Entertainment Commission; Washington Convention Center Authority" and inserting the phrase "Washington Convention Sports Authority" in its place.

SECOND ENROLLED ORIGINAL

(B) Section 47-2002.03 is amended as follows:

(i) The heading is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

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

(I) Strike the phrase "Washington Convention Center Authority" and insert the phrase "Washington Convention and Sports Authority ("Authority")" in its place.

(II) Strike the phrase "Washington Convention Center Authority Fund" and insert the phrase "Washington Convention Center Fund" in its place.

(3) Chapter 22 is amended as follows:

(A) The table of contents is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(B) Section 47-2202.02 is amended as follows:

(i) The heading is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

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

(I) Strike the phrase "Washington Convention Center Authority" and insert the phrase "Washington Convention and Sports Authority ("Authority")" in its place.

(II) Strike the phrase "Washington Convention Center Authority Fund" and insert the phrase "Washington Convention Center Fund" in its place.

Sec. 2083. Reporting requirement.

The Washington Convention Center Authority shall conduct an operating and financial analysis related to the merger with the District of Columbia Sports and Entertainment Commission ("DCSEC"), and deliver to the Council by not later than September 30, 2009, a report and plan that includes the following:

- (1) The costs associated with the merger;
- (2) Any liabilities and obligations of DCSEC assumed by the new Authority; and
- (3) A plan to reduce expenses and increase revenues associated with DCSEC

programs.

SUBTITLE J. SOUTHWEST WATERFRONT REDEVELOPMENT TIMING

Sec. 2090. Short title.

This subtitle may be cited as the "Southwest Waterfront Redevelopment Timing Act of 2009".

Sec. 2091. Unless approved by the Council, by resolution, the closing for the conveyance of title of the Southwest Waterfront properties by the District, the disposition of which was approved by the Council in the Southwest Waterfront Third Revised Emergency Approval Resolution of 2008, effective December 16, 2008 (Res. 17-955; 56 DCR 744), shall not occur before October 1, 2010.

SECOND ENROLLED ORIGINAL

SUBTITLE K. HOUSING PRODUCTION TRUST FUND

Sec. 2100. Short title.

This subtitle may be cited as the "Housing Production Trust Fund Amendment Act of 2009".

Sec. 2101. Section 3(b)(10) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(b)(10)), is amended by striking the phrase "5%" and inserting the phrase ", beginning in fiscal year 2009, 10%" in its place.

SUBTITLE L. HOUSING ASSISTANCE PAYMENT

Sec. 2110. Short title.

This subtitle may be cited as the "Housing Assistance Payment Clarification Amendment Act of 2009".

Sec. 2111. The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et. seq.*), is amended as follows:

(a) Section 304 (D.C. Official Code § 42-3403.04) is amended by adding a new subsection (a-1) to read as follows:

"(a-1) Administration. Housing assistance payments shall be administered by the Department of Housing and Community Development."

(b) Section 307 (D.C. Official Code § 42-3403.07) is amended as follows:

(1) Subsection (a-1) is amended by adding the phrase "and by the Department of Housing and Community Development" after the phrase "(Enrolled version of Bill 16-200)".

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

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

"(1) An amount not to exceed one-third of the funds deposited in the fund each fiscal year shall be used by the Office of the Chief Tenant Advocate to fund emergency housing and tenant relocation assistance;"

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

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

"(2) An amount not to exceed one-third of the funds deposited in the fund each fiscal year shall be used by the Department of Housing and Community Development as follows:"

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

"(B) For administration and delivery of housing assistance payments under section 304; and"

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

"(3) An amount not to exceed one-third of the funds annually collected in the fund each fiscal year shall be used by the Office of the Tenant Advocate for the annual administrative and operational purposes of the Office of the Tenant Advocate."

SUBTITLE M. TARGETED HOMEOWNER GRANT PROGRAM FUNDING

Sec. 2120. Short title.

This subtitle may be cited as the "Targeted Homeowner Grant Program Funding Amendment Act of 2009".

SECOND ENROLLED ORIGINAL

Sec. 2121. Section 11b(k) of the Historic Landmark and Historic District Protection Act of 1978, effective March 2, 2007 (D.C. Law 16-189; D.C. Official Code § 6-1110.02(k)), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase "fiscal year, beginning from fiscal year 2006 through fiscal year 2010." and inserting the phrase "fiscal year." in its place.

(b) Paragraph (3) is amended by striking the word "applicable".

SUBTITLE N. RENTAL UNIT FEE AMENDMENT

Sec. 2130. Short title.

This subtitle may be cited as the "Rental Unit Fee Amendment Act of 2009".

Sec. 2131. Section 401 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3504.01), is amended as follows:

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

(b) The newly designated subsection (a) is amended as follows:

(1) Strike the figure "17" and insert the figure "\$21.50" in its place.

(2) Add the phrase "from the prior fiscal year" after the phrase "fees collected" the second time it appears.

(3) Strike the phrase "a special account" and insert the phrase "the fund established by subsection (b) of this section" in its place.

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

"(b) There is established as a nonlapsing fund the Office of the Chief Tenant Advocate Rental Accommodations Fee Fund ("Fund"). All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in this section without regard to fiscal year limitation, subject to authorization by Congress."

SUBTITLE O. ABATEMENT OF NUISANCE PROPERTY FUND

Sec. 2140. Short title.

This subtitle may be cited as the "Abatement Property Nuisance Fund Amendment Act of 2009".

Sec. 2141. Section 1(b)(2) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01(b)(2)), is amended as follows:

(a) Strike the phrase "grants from any source" and insert the phrase "grants, donations, or restitution from any source" in its place.

(b) Strike the phrase "; and all other receipts" and insert the phrase "recoveries from enforcement action brought by the Office of the Attorney General on behalf of the District of Columbia or District of Columbia agencies for the abatement of violations of Chapters 1 through 16 of Title 14 of the District of Columbia Code of Municipal Regulations, excluding funds obtained through administrative proceedings; and all other receipts" in its place.

SUBTITLE P. ELEVATOR MAINTENANCE STANDARDS AND LICENSING

Sec. 2150. Short title.

This subtitle may be cited as the "Elevator Maintenance Standards and Licensing Act of 2009".

Sec. 2151. Chapter 28 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for subchapter I-B is amended by adding a new part F-i to read as follows:

"Part F-i. Elevator Maintenance.

"47-2853.95. Scope of practice for elevator contractors, elevator mechanics, and elevator inspectors.

"47-2853.96. Eligibility requirements.

"47-2853.97. Certain representations prohibited.

"47-2853.98. Temporary license.

"47-2853.99. Fees; rules."

(b) Section 47-2853.04(a) is amended as follows:

(1) Paragraph (36) is amended by striking the phrase “; and” at the end.

(2) Paragraph (37) is amended by striking the period and inserting a semicolon in its place.

(3) New paragraph (38),(39), and (40) are added to read as follows:

"(38) Elevator Mechanic;

"(39) Elevator Contractor; and

"(40) Elevator Inspector."

(c) Section 47-2853.06(d) is amended to read as follows:

"(d) There is established a Board of Industrial Trades consisting of 15 members, of whom 3 shall be plumbers licensed in the District, 2 shall be electricians licensed in the District, 2 shall be refrigeration and air conditioning mechanics licensed in the District, 2 shall be steam and other operating engineers licensed in the District, 2 shall be asbestos workers, one shall be an elevator mechanic licensed in the District, one shall be an elevator inspector licensed in the District, one shall be an elevator contractor licensed in the District, and one shall be a consumer member. The Board of Industrial Trades shall regulate the practice of plumbers, gasfitters, electricians, refrigeration and air conditioning mechanics, steam and other operating engineers, asbestos workers, elevator mechanics, elevator inspectors, except for those employed by the District of Columbia or by the Washington Metropolitan Area Transit Authority, and elevator contractors. The Board may establish bonding and insurance requirements, subcategories of licensure, education, and experience requirements for licensure, and other requirements."

(d) Section 47-2853.91 is amended to read as follows:

"§ 47-2853.91. Scope of practice for electricians.

"(a) For the purposes of this part, the term "electrician" means any person who designs, installs, maintains, alters, converts, changes, repairs, removes, or inspects electrical wiring, equipment, conductors, or systems in buildings or structures or on public and private space for the transmission, distribution, or use of electrical energy for power, heat, light, radio, television, signaling, communications, or any other purpose, except elevators, platform lifts, stairway chair lifts, manlifts, conveyors, escalators, dumbwaiters, material lifts, automated people movers, and other related conveyances.

SECOND ENROLLED ORIGINAL

"(b) This part shall not apply to an elevator contractor or mechanic licensed under part F-i of this subchapter if the elevator contractor or mechanic is performing work incidental to work licensed under part F-i of this subchapter."

(e) The lead-in text for section 47-2853.92(b) is amended to read as follows:

"An applicant for licensure as a journeyman electrician or a master electrician limited (low voltage) shall establish to the satisfaction of the Board of Industrial Trades that he or she has satisfactorily completed a class on Title 12C of the District of Columbia Municipal Regulations or equivalent code within 2 years prior to submittal of the application and has:"

(f) Subchapter I-B is amended by adding a new part F-i to read as follows:

"Part F-i. Elevator Maintenance.

"§ 47-2853.95. Scope of practice for elevator contractors, elevator mechanics, and elevator inspectors.

"(a) For the purposes of this part, the term:

"(1) "Elevator contractor" means any sole proprietor, firm, or corporation who, for compensation, engages in erecting, constructing, installing, altering, servicing, repairing, or performing tests of elevators, platform lifts, stairway chair lifts, manlifts, conveyors, escalators, dumbwaiters, material lifts, automated people movers, and other related conveyances.

"(2) "Elevator mechanic" means any individual who engages in erecting, constructing, installing, altering, servicing, repairing, or testing elevators, platform lifts, stairway chair lifts, manlifts, conveyors, escalators, dumbwaiters, material lifts, automated people movers, and other related conveyances.

"(3) "Elevator inspector" means any individual who engages in performing inspections of elevators, platform lifts, stairway chair lifts, manlifts, conveyors, escalators, dumbwaiters, material lifts, automated people movers, and other related conveyances.

"(b) This part shall not apply to an electrician licensed under part F of this subchapter if the work performed by the electrician is work for which he or she is licensed to perform under part F of this subchapter.

"§ 47-2853.96. Eligibility requirements.

"(a) An applicant for licensure as an elevator contractor shall establish to the satisfaction of the Board that the applicant:

"(1) Has in his or her employ individuals licensed under this part who perform the work described by the applicant in the application;

"(2) Has complied with the bonding and insurance requirements established by rule; and

"(3) Meets any other requirements established by rule.

"(b)(1) An applicant for licensure as an elevator mechanic shall establish to the satisfaction of the Board that the applicant:

"(A) Has passed the examination required by the Board; and

"(B) Meets any other requirements established by rule.

"(2) Until rules are promulgated pursuant to paragraph (1) of this subsection, the Board may issue a 2-year license to an applicant who has:

"(A) A certificate of completion of an apprenticeship program for elevator mechanic registered with the Bureau of Apprenticeship Training, U.S. Department of Labor, the District of Columbia Apprenticeship Council, or an equivalent state's apprenticeship council;

SECOND ENROLLED ORIGINAL

"(B) Worked as an elevator mechanic for 2 years in any combination of construction, maintenance, or repair without direct supervision and for an employer licensed to do business in the District, within the previous 3 years;

"(C) A valid license from a state having standards substantially equal to those of the District; or

"(D) Has passed the examination required by the Department of Consumer and Regulatory Affairs.

"(c) An applicant for licensure as an elevator inspector shall establish to the satisfaction of the Board that the applicant:

"(1) Meets the requirements of this subchapter;

"(2) Meets the current ASME QEI-1, Standards for the Qualifications of Elevator Inspectors, or equivalent; and

"(3) Meets any other requirement established by rule.

"§ 47-2853.97. Certain representations prohibited.

"Unless licensed in accordance with this part, no person shall use the words or terms "elevator contractor," "elevator mechanic," "licensed elevator contractor," "licensed elevator mechanic," "elevator inspector," "licensed elevator inspector," or any words describing an elevator specialty licensed by the Board to imply that the person is authorized to perform the services of an elevator contractor, elevator mechanic, or elevator inspector in the District.

"§ 47-2853.98. Temporary license.

"In the event of emergency circumstances, the Board may, pursuant to rule, issue a temporary license for a period not to exceed 30 days.

"§ 47-2853.99. Fees; rules.

"(a) Notwithstanding any other provisions of this subchapter, including sections 47-2853.10 and 47-2853.11:

"(1)(A) The fee for the issuance, renewal, or reinstatement of a license under this part shall be \$260; provided, that this fee shall not apply to elevator mechanics employed by the Washington Metropolitan Area Transit Authority.

"(B) Application fees paid under this section shall not be refundable, even if the applicant withdraws his or her application for licensure, certification, or registration, or is found to be not qualified.

"(2)(A) All fees collected under this part shall be deposited in the General Fund of the District of Columbia.

"(b) On or before December 31, 2009, the Mayor, pursuant to Chapter 5 of Title 2, shall issue rules to implement the provisions of this part."

SUBTITLE Q. ADVANCED METERING INFRASTRUCTURE IMPLEMENTATION AND COST RECOVERY AUTHORIZATION

Sec. 2160. Short title.

This subtitle may be cited as the "Advanced Metering Infrastructure Implementation and Cost Recovery Authorization Act of 2009".

Sec. 2161. Definitions.

For purposes of this act, the term:

SECOND ENROLLED ORIGINAL

(1) "Advanced Metering Infrastructure" or "AMI" means a system capable of providing 2-way communication with metering equipment to gather at least hourly energy consumption data on a daily basis for all customers.

"(2) "ARRA" means the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (123 Stat. 115; 26 U.S.C. § 1, note).

"(3) "Commission" means the Public Service Commission.

"(4) "Customer" shall have the same meaning as set forth in section 101(12) of the Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501(12)).

(5) "Electric company" shall have the same meaning as set forth in the fifteenth unnumbered paragraph, beginning "The term "electric company"", of section 8(1) of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 976; D.C. Official Code § 34-207).

(6) "Meter Data Management System" means a system that provides a single data repository which can gather data from multiple metering systems and then supply that data to multiple applications such as billing, forecasting, customer service, system operation and maintenance.

(7) "Regulatory asset" means specific costs that a public utility may defer to its balance sheet and accrue earnings thereon at its authorized rate of return.

(8) "Smart Grid" means the installation of advanced technology to enhance the operation of the electric distribution and transmission system.

Sec. 2162. Authorization of Advanced Metering Infrastructure implementation (Smart Grid) and cost recovery.

(a) The electric company may implement an Advanced Metering Infrastructure for all consumers, provided, that the electric company obtains a sufficient amount of federal funds for AMI implementation under the ARRA. The sufficiency of the amount of the federal funds obtained shall be determined by the Commission. The Commission shall make a determination of the sufficiency of federal funds obtained within no more than 60 days after the receipt of notice from the electric company of the amount of federal funds awarded.

(b) The electric company may establish a regulatory asset for the costs, net of the amount of the ARRA funds received, including depreciation and amortization expense, incurred by the electric company between base rate cases for the implementation of Advanced Metering Infrastructure, including the amortization expense of the Meter Data Management System, the depreciation expense on the AMI meters, and the undepreciated net book costs of the meters replaced by the AMI meters. The regulatory asset shall accrue a return at the electric company's authorized rate of return on the balance in the regulatory asset.

(c) The creation of a regulatory asset for Advanced Metering Infrastructure shall not affect the authority of the Commission to review the prudence of costs associated with implementation of AMI. In any Commission proceeding reviewing the costs, the electric company shall have the burden to prove that all of the costs have been prudently incurred.

(d) The electric company shall net any utility cost savings resulting from AMI deployment from the regulatory asset.

SUBTITLE R. GET DC RESIDENTS TRAINING FOR JOBS NOW

SECOND ENROLLED ORIGINAL

Sec. 2170. Short title.

This subtitle may be cited as the "Get DC Residents Training for Jobs Now Act of 2009".

Sec. 2171. Establishment of evening, weekend, and summer adult technical career training program.

(a) The Mayor shall establish an evening, weekend, and summer adult technical career training program ("Program") for District residents in partnership with existing technical career training programs within 8 months of the effective date of this subtitle. The Program shall provide technical career training opportunities for adults during evening hours, weekends, and summer months. The Program shall be conducted at the following locations:

- (1) Phelps Architecture, Construction and Engineering High School;
- (2) The Academy for Construction and Design at Cardozo Senior High School;

and

- (3) The Hospitality Public Charter High School at Roosevelt High School.

(b) Part of the funding directed to support adult technical career training should be applied to cover the cost of operating these facilities beyond traditional school hours.

Sec. 2172. Targeted Program areas.

Priority for participation in the Program shall be given to District residents who reside in Neighborhood Investment Plan Target Areas, as described in section 4 of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1073).

Sec. 2173. Instructional expertise in implementation of the Program.

(a) The Mayor shall select certain entities to provide technical instruction and expertise to the Program. The entities shall include trade associations, professional groups, unions, nonprofit organizations, and other groups certified to provide adult technical career training.

(b) The University of the District of Columbia shall work in conjunction with the Hospitality Public Charter High School at Roosevelt High School, and in partnership with existing adult technical career training programs, to open the Hospitality Public Charter High School at Roosevelt High School for night, weekend, and summer classes and training as one component of the Program.

Sec. 2174. Sources of funding.

(a) The Mayor shall apply for grants and additional federal funding that may be available as part of the Workforce Investment Act of 1998, approved August 7, 1998 (112 Stat. 936; 29 U.S.C. § 9201 *et seq.*) ("the Act"), to support the Program and may administer funds pursuant to the Act.

(b)(1) To qualify for funding made available pursuant to the Act, agencies, organizations, and other groups that will offer adult technical career training as part of the Program shall be required to create and submit competitive proposals that match current and future employment needs within the District as identified by the Mayor.

(2) Entities that have been previously certified by the Mayor for adult technical career training and who have an established success rate, as determined by the Mayor, shall be exempt from the requirements of paragraph (1) of this subsection.

SECOND ENROLLED ORIGINAL

(c) The Mayor shall apply for grants and additional federal funding that may be available as part of the Carl D. Perkins Career and Technical Education Improvement Act of 2006, approved August 12, 2006 (120 Stat. 683; 20 U.S.C. § 2301 *et seq.*).

(d) The Mayor shall apply for additional federal funding that may be available for technical career training in the form of competitive grants under the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (123 Stat. 115; 26 U.S.C. § 1, note).

Sec. 2175. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle. The proposed rules shall be submitted to the Council for a 30-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 30-day review period, the proposed rules shall be deemed approved.

SUBTITLE S. RENTAL HOUSING COMMISSION

Sec. 2180. Short title

This subtitle may be cited as the "Rental Housing Commission Enhancement Amendment Act of 2009".

Sec. 2181. Section 2009(c) of the Department of Housing and Community Development United Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 42-2857.01(c)), is amended as follows:

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

(b) Paragraph (13) is amended by striking the period at the end and inserting a semicolon in its place.

(c) New paragraphs (14), (15), and (16) are added to read as follows:

"(14) To provide one-time funding for enhancements for the Rental Housing Commission;

"(15) To provide funding to support the housing needs of veterans; and

"(16) To provide funding to assist tenants evicted under section 501 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01)."

Sec. 2182. Section 501(o) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(o)), is amended as follows:

(a) Paragraph (1)(B) is amended by striking the phrase "Department of Human Services" and inserting the phrase "Department of Housing and Community Development" in its place.

(b) Paragraph (10) is amended by striking the phrase "Department of Human Services" and inserting the phrase "Department of Housing and Community Development" in its place.

SUBTITLE T. IMPLEMENTATION OF ECONOMIC DEVELOPMENT CAPITAL FUNDS

SECOND ENROLLED ORIGINAL

Sec. 2190. Short title.

This subtitle may be cited as the "Economic Development Capital Fund Implementation Plan Act of 2009".

Sec. 2191. Notwithstanding any prior appropriation and in accordance with the Fiscal Year 2010 Proposed Budget and Financial Plan submitted to the Congress, the amount of \$1.5 million from the Office of the Deputy Mayor for Planning and Economic Development's capital budget, allocated to the former Anacostia Waterfront Corporation capital subsidy project, number AWCO1C, shall be allocated to the O Street Market project, number EB410C, to be used for pre-development costs related to the O Street Market project.

Sec. 2192. (a) For fiscal year 2010, up to \$2.235 million in capital project, number EB402, Pennsylvania Avenue S.E. Properties, shall be utilized to support the Pennsylvania Avenue S.E. Great Streets project ("Pennsylvania Avenue").

(b)(1) In addition to the requirements of sections 443 and 444 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; DC Official Code §§ 1-204.43 and 1-204.44), funds shall not be encumbered, obligated, or expended for any Great Street project established by the Deputy Mayor for Planning and Economic Development receiving economic development capital funds in the District of Columbia, including Pennsylvania Avenue, without submitting to the Council the following:

- (A) A spending plan for a proposed loan or grant over the amount of \$250,000;
- (B) The loan or grant agreement; and
- (C) A statement of financial need.

(2) The requirements of paragraph (1) of this subsection applies to all Great Streets projects established by the Deputy Mayor for Planning and Economic Development in the District of Columbia, irrespective of when economic development capital funds were allocated.

SUBTITLE U. THE DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT REDUCTION IN FORCE

Sec. 2200. Short title.

This subtitle may be cited as the "Economic Development Reduction in Force Act of 2009".

Sec. 2201. The Mayor shall implement a reduction in force for the Office of the Deputy Mayor for Planning and Economic Development as follows:

- (1) Eliminate the Project Manager Advisor position (includes position numbers 00047656, 00045503, 00045810, and 00044904).
- (2) Freeze the following positions:
 - (A) One Project Manager (position number 00046405);
 - (B) Two Special Assistants (position numbers 00046086 and 00042979); and
 - (C) One Paralegal Specialist (position number 00047368).

SECOND ENROLLED ORIGINAL

SUBTITLE V. BUSINESS IMPROVEMENT DISTRICT LITTER CLEANUP ASSISTANCE

Sec. 2210. Short title.

This subtitle may be cited as the "Business Improvement District Litter Cleanup Assistance Fund Establishment Amendment Act of 2009".

Sec. 2211. Section 6092 of the Business Improvement District Litter Cleanup Assistance Fund Establishment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.111), is amended as follows:

(a) Subsection (b)(2) is amended by striking the word "Fund" and inserting the phrase "Fund and be available for use in the subsequent fiscal year" in its place.

(b) Subsection (c)(4) is amended as follows:

(1) Subparagraph (A) is amended by striking the word "or" at the end.

(2) Subparagraph (B) is amended by striking the period at the end and inserting the phrase "; or" in its place.

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

"(C) A "Ward 4 BID Demonstration Project" as that term is used in section 8004(e)(3) of the Designated Appropriation Allocation Act of 2008, effective August 16, 2008 (D.C. Law 17-219; 55 DCR 7602)."

SUBTITLE W. DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT AMENDMENT ACT

Sec. 2220. Short title.

This subtitle may be cited as the "Department of Small and Local Business Development Amendment Act of 2009".

Sec. 2221. The Compliance Unit Establishment Act of 2008, effective June 13, 2008 (D.C. Law 17-176; D.C. Official Code § 1-301.181 *et seq.*), is amended as follows:

(a) Section 2(b) (D.C. Official Code § 1-301.181(b)) is amended to read as follows:

"(b) The Unit shall:

"(1) Conduct an audit and report on compliance related to real estate development transactions, agreements, or parcels ("projects") receiving government assistance, which were previously managed by the dissolved National Capital Revitalization Corporation and Anacostia Waterfront Corporation and placed under the management of the Office of the Deputy Mayor for Planning and Economic Development, pursuant to the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.01 *et seq.*);

"(2) Monitor agency contracting and procurement activities to the extent those activities are related to the achievement of the goals set forth in section 2341 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2007, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.41) ("Act");

"(3) Review quarterly and annual reports required by sections 2350 and 2353 of the Act of each agency;

SECOND ENROLLED ORIGINAL

"(4) Monitor third-party contracting and procurement activities to the extent those activities are related to contracting with, and procuring from, certified business enterprises; and

"(5) Review any reports as may be required of third parties."

(b) Section 3 (D.C. Official Code § 1-301.182) is amended by adding a new subsection (c) to read as follows:

"(c) In reviewing the annual report required by sections 2350 and 2353 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2007, effective October 20, 2005, (D.C. Law 16-33; D.C. Official Code § 2-218.50 and 2-218.53), and the annual report, the Unit is authorized to look at any contracts, accounts, records, reports, findings, and all other papers, things, or property belonging to or in use by the District government and contractor."

(c) A new section 4a (D.C. Official Code § 1-301.184) is added to read as follows:

"Sec. 4a. Compliance review reporting requirements.

"(a) The Unit shall submit to the Council, within 60 days of the end of each quarter, the quarterly reports of each agency required by section 2353 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2007, effective October 20, 2005, (D.C. Law 16-33; D.C. Official Code § 2-218) ("Act"), and the quarterly reports of each government corporation required by section 2350(f) of the Act.

"(b) The Unit shall submit to the Council the following:

"(1) A summary of the information that each agency is required to submit pursuant to section 2353 of the Act and the information that each government corporation is required to submit pursuant to section 2350(f) of the Act, in a format that shows the cumulative progress of each agency's or government corporation's annual LSDBE contracting and procurement goals to date, and the actual dollar amount expended with each business enterprise for the current fiscal year; and

"(2) A list of all agencies and government corporations that have not submitted a report for that quarter with a detailed explanation of what actions were taken by the Department of Small and Local Business Development ("Development") to effectuate compliance with the reporting requirement.

"(3) A summary of the information that each contractor is required by the Auditor, in a format as prescribed by the Auditor; and

"(4) A list of all contractors that have not submitted a report with a detailed explanation of what actions were taken by the Department to effectuate compliance with the reporting requirement."

Sec. 2222. The Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

(a) Section 2350 (D.C. Official Code § 2-218.50) is amended as follows:

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

(A) Strike the phrase "the effective date of this subtitle " and insert the phrase "Department of Small and Local Business Development Amendment Act of 2009" in its place.

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

SECOND ENROLLED ORIGINAL

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

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

"(4) The dollar amount actually expended with local, small, and disadvantaged business enterprises in construction and development projects;

"(5) The dollar amount actually expended with certified business enterprises in development projects as equity partners; and

"(6) The dollar amount actually expended with certified business enterprises for contracting and procurement of goods and services."

(2) Subsection (i) is amended to read as follows:

"(i) The District of Columbia Auditor shall review the annual report of each government corporation to determine whether the planned activities of the government corporation for the succeeding fiscal year are likely to enable the agency to achieve the requirements set forth in this section. The District of Columbia Auditor shall make recommendations on activities the government corporation should engage in to meet or exceed the requirements set forth in this section. The District of Columbia Auditor's recommendations shall be submitted to the government corporation, the Council, the Mayor, and the Department."

(3) Subsection (g)(1) is amended by striking the phrase "and volumes" and inserting the phrase ", volumes, and amounts" in its place.

(4) Subsection (j) is amended as follows:

(1) Strike the word "Commission" both times it appears and insert the word "Department" in its place.

(2) The last sentence is amended to read as follows:

"The Department's recommendations, if any, shall be submitted to the government corporation and the District of Columbia Auditor."

(b) Section 2353 (D.C. Official Code § 2-218.53), is amended as follows:

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

"(a) Each agency shall submit to the Department, within 30 days after the end of the quarter, a quarterly report listing each expenditure as it appears in the general ledger from the expendable budget of the agency during the quarter, which shall include:

"(1) The name of the vendor from which the goods or services were purchased;

"(2) The vendor identification number as it appears in the general ledger;

"(3) A description of the goods or services;

"(4) Whether the vendor was a certified Small Business Enterprise;

"(5) The funding source for the expenditure (local, federal, other, or capital);

"(6) The date of the expenditure;

"(7) The dollar amount of the expenditure; and

"(8) The total expenditure on Small Business Enterprises and the percentage that the total expenditure on Small Business Enterprises is when compared to the total expenditure.

"(b) Each agency shall submit to the Department, within 30 days of the issuance of the Comprehensive Annual Financial Report, an annual report listing each expenditure as it appears in the general ledger from the expendable budget of the agency during the fiscal year which shall include:

SECOND ENROLLED ORIGINAL

"(1) The information required to be included in the quarterly reports (with calculations for the fiscal year);

"(2) A description of the activities the agency engaged in, including the programs required by this part, to achieve the goals set forth in section 2341; and

"(3) A description of any changes the agency intends to make during the succeeding fiscal year to the activities it engages in to achieve the goals set forth in section 2341."

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

(A) Strike the word "Department" both times it appears and insert the phrase "The District of Columbia Auditor" in its place.

(B) The last sentence is amended to read as follows:

"The District of Columbia Auditor's recommendations shall be submitted to the agency, the Council, and the Department."

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

(A) Strike the word "Commissions" both times it appears and insert the word "Department" in its place.

(B) The last sentence is amended to read as follows:

"The Department's recommendations, if any, shall be submitted to the agency and the Council."

(c) Section 2354 (D.C. Official Code § 2-218.54) is amended to read as follows:

"Sec. 2354. Department reporting requirements.

"(a) Within 45 days of its receipt of the annual reports required by section 2353(b), the Department shall submit to the District of Columbia Auditor, through the Compliance Unit established by the Compliance Unit Establishment Act of 2008, effective June 13, 2008 (D.C. Law 17-176; 55; D.C. Official Code § 1-301.181 *et seq.*), the following documents and information:

"(1) A copy of the annual reports required by section 2353; and

"(2) A chart listing the following information with respect to each agency for the current fiscal year:

"(A) The total budget of each agency;

"(B) The expendable budget of each agency;

"(C) A description of each funding source, object class, object, or item that was excluded from the total budget of the agency in the Department's calculation of the expendable budget of the agency;

"(D) Each goal of the agency under section 2341 in percentage and dollar terms; and

"(E) The actual dollar amount expended with each certified business enterprise.

"(b) Within 45 days of its receipt of the annual reports required by section 2350(g), the Department shall submit to the District of Columbia Auditor, through the Compliance Unit established by the Compliance Unit Establishment Act of 2008, effective June 13, 2008 (D.C. Law 17-176; 55 DCR 5390) a report containing the following information with respect to each government corporation for the current and prior fiscal years:

"(1) The expendable budget of the government corporation.

SECOND ENROLLED ORIGINAL

"(2) A list of all agencies and government corporations that have not submitted a report for that quarter with a detailed explanation of what actions were taken by the Department to effectuate compliance with the reporting requirement."

SUBTITLE X. SMALL BUSINESS MICRO LOAN FUND ACT

Sec. 2230. Short title.

This subtitle may be cited as the "Small Business Micro Fund Amendment Act of 2009".

Sec. 2231. Section 2375 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 2-218.75), is amended as follows:

(a) Subsection (a)(1) is amended by striking the phrase "and disadvantaged" and inserting the phrase "or disadvantaged" in its place.

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

"(2) To make a one-time grant in an amount of \$50,000 to provide operating support to a newly formed business association in Ward 3; and".

SUBTITLE Y. LOCAL RENT SUPPLEMENT

Sec. 2240. Short title.

This subtitle may be cited as the "Local Rent Supplement Amendment Act of 2009".

Sec. 2241. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

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

"(b) The Authority shall allocate the funds appropriated for the program annually toward project-based and sponsor-based voucher assistance, as described in section 26b, tenant-based assistance, as described in section 26c, and capital-based assistance, as described in section 26d."

(b) A new section 26d is added to read as follows:

"Sec. 26d. Capital-based assistance.

"Funds remaining in the Rent Supplement Fund at the end of any fiscal year that are not needed by the Authority to satisfy its current contractual obligations for project-based, sponsor-based, or tenant-based assistance, including any rent increase adjustments, shall be allocated for a reserve equal to \$5.88 million plus 2 months of program payment obligations for its then current contractual obligations, with all remaining funds to be allocated as capital gap financing for the construction or rehabilitation of housing units for which project-based or sponsor-based assistance was previously awarded as an operating subsidy. The funding shall be distributed in the form of construction or capital improvement grants. All units constructed or improved with funds allocated pursuant to this section shall comply with all applicable requirements promulgated by the Authority pursuant to sections 26a, 26b, and 26c."

SUBTITLE Z. NEW COMMUNITIES FINANCIAL ASSISTANCE

Sec. 2250. Short title.

SECOND ENROLLED ORIGINAL

This subtitle may be cited as the "New Communities Financial Assistance Amendment Act of 2009".

Sec. 2251. New Communities grant and loan authority.

Section 1833(10) of the Economic Development Liaison Office Establishment Act of 1998, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 2-1203.02), is amended by striking the phrase "issue grants as may be necessary to implement only the human capital projects that are part of the New Communities Initiative" and inserting the phrase "issue grants or loans as may be necessary to implement projects that are part of the New Communities Initiative" in its place.

SUBTITLE BB. DEPARTMENT OF EMPLOYMENT SERVICES ADULT TRAINING FUNDING.

Sec. 2260. Short title.

This subtitle may be cited as the "Adult Training Funding Act of 2009".

Sec. 2261. Use of local funds designated for adult training.

(a) No more than 5% of the budgeted amount approved for adult training in the Department of Employment Services ("DOES") shall be used for administration.

(b) The DOES shall ensure that funding supports training for jobs that:

- (1) Currently exist in the District;
- (2) Are in emerging industries, in the District;
- (3) Offer career advancement; and
- (4) Are in industries that are hiring and that offer career advancement.

(c) Funding opportunities shall be open to the broadest range of District workforce development providers, not solely those under the Workforce Investment Act of 1998, approved August 7, 1998 (112 Stat. 936; 20 U.S.C. § 2822), or the Temporary Assistance to Needy Families program.

(d) The DOES shall require organizations that receive funding to demonstrate how the funds were utilized. The DOES shall require each organization that receives funding to report the number of residents placed in jobs, including:

- (1) Titles and job descriptions;
- (2) Starting wage;
- (3) Starting hours per week;
- (4) Starting benefits, if any;
- (5) The retention number after:
 - (A) Three months;
 - (B) Six months; and
 - (C) One year;
- (6) Wages after one year;
- (7) Hours of work per week after one year; and
- (8) Benefits, if any, after one year.

(e) The DOES shall encourage collaboration, particularly with organizations that offer adult literacy and multiple services, and shall give preference in funding to providers that apply for funding collectively and can demonstrate the ability to provide a wide range of job training services.

SECOND ENROLLED ORIGINAL

**TITLE III. PUBLIC SAFETY AND JUSTICE
SUBTITLE A. CONSUMER PROTECTION FUNDS ACT
Sec. 3001 Short title.**

This subtitle may be cited as the "Consumer Protection Funds Act of 2009".

Sec. 3002. Section 28-3911 of the District of Columbia Official Code is amended as follows:

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

"(a)(1) There is established as a nonlapsing fund the District of Columbia Consumer Protection Fund ("Fund"), which shall be used for the purposes set forth in subsection (b) of this section with assets not to exceed \$3.4 million at any time. Any balance at any time in excess of \$3.4 million shall be deposited in the Emergency and Non-Emergency Number Telephone Calling Systems Fund, established by § 34-1802. The Fund shall consist of:

"(A) Sums as may be transferred to the Fund under a court order or judgment in an action brought pursuant to § 28-3909;

"(B) Gifts, grants, or cy pres payments made to support consumer protection activities by the Office of the Attorney General for the District of Columbia ("OAG");

"(C) Sums as may be recovered by the OAG under § 28-3909 by judgment or in settlement of claims; and

"(D) Beginning on October 1, 2009, the following percentages of any recovery from litigation brought by the OAG on behalf of the District or District agencies, other than a recovery governed by subparagraph (C) of this paragraph:

"(i) Five percent of a recovery under \$2 million;

"(ii) For a recovery between \$2 million and \$5 million, \$100,000 plus 2.5 % of any amount in excess of \$2 million; and

"(iii) For a recovery above \$5 million, \$175,000 plus 1% of any amount in excess of \$5 million.

"(2) For the purposes of this subsection, the term "recovery" shall include funds obtained through court determinations or through settlements of lawsuits in which OAG represents the District or District agencies, but shall not include:

"(A) Funds obtained through administrative proceedings in which OAG represents the District or District agencies; or

"(B) Funds obligated to another source or fund by court order, a settlement agreement, or District or federal law."

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

"(a-1) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to authorization by Congress."

(c) The lead-in text to subsection (b) is amended by striking the phrase "Corporation Counsel" and inserting the phrase "OAG" in its place.

**SUBTITLE B. E-911 AND CONSUMER PROTECTION FUND AMENDMENT
ACT**

SECOND ENROLLED ORIGINAL

Sec. 3010. Short title.

This subtitle may be cited as the "E-911 and Consumer Protection Fund Amendment Act of 2009".

Sec. 3011. The Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1801 *et seq.*), is amended as follows:

(a) Section 603 (D.C. Official Code § 34-1802) is amended by adding a new subsection (b-2) to read as follows:

"(b-2) After October 1, 2010, no monies in the Fund shall be used to defray nonpersonal costs related to overhead, including energy, rentals, janitorial services, security, or occupancy costs. The Fund shall be used solely to defray technology and equipment costs directly incurred by the District of Columbia and its agencies and instrumentalities in providing a 911 system and direct costs incurred by wireless carriers in providing wireless E-911 service. The Fund shall not be used for any other purpose."

(b) Section 604a(b) (D.C. Official Code § 34-1803.01(b)) is amended by striking the phrase "as of May 15, 2007, for the fund set" and inserting the phrase "of \$3.4 million for the fund as set" in its place.

SUBTITLE C. FEMS AND DOC HEADQUARTERS ACT

Sec. 3020. Short title.

This subtitle may be cited as the "FEMS and DOC Headquarters Act of 2009".

Sec. 3021. Relocation of headquarters for Fire and Emergency Medical Services Department and Department of Corrections.

(a) The headquarters of the Fire and Emergency Medical Services Department and the headquarters of the Department of Corrections shall not be relocated to or housed in the Patricia R. Harris Education Center and no funds shall be expended for those purposes.

(b) The Mayor shall develop a plan for the permanent relocation of the headquarters for the Fire and Emergency Medical Services Department and the Department of Corrections that shall:

- (1) Be submitted to the Council no later than March 1, 2010;
- (2) Be included in the Mayor's fiscal year 2011 budget and financial plan submission to the Council;
- (3) Include the proposed location for a headquarters for each agency or the location of a headquarters for both agencies;
- (4) Include the time line for relocating the headquarters;
- (5) Include the total costs for relocating the headquarters; and
- (6) Identify funding for relocating the headquarters.

SUBTITLE D. OFFICE OF ADMINISTRATIVE HEARINGS MAILING CERTIFICATION

Sec. 3030. Short title.

This subtitle may be cited as the "Office of Administrative Hearings Mailing Certification Amendment Act of 2009".

SECOND ENROLLED ORIGINAL

Sec. 3031. Section 216 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.16), is amended as follows:

(a) Subsection (b) is amended by striking the phrase “by certified mail or other form of service which assures delivery of the petition” and inserting the phrase “by first-class mail” in its place.

(b) Subsection (c) is amended by striking the phrase “by certified mail or other form of service which assures delivery” and inserting the phrase “by first-class mail” in its place.

(c) Subsection (j) is amended by striking the phrase “by certified mail or other form of service which assures delivery of the decision” and inserting the phrase “by first-class mail” in its place.

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

“(m) The service of any document in a proceeding under this section, including a petition, hearing notice, and decision, shall be accompanied by a certificate of service specifying, at a minimum:

“(1) The person served;

“(2) The date served and by whom; and

“(3) The manner of service.”.

SUBTITLE E. OFFICE OF JUSTICE GRANTS ADMINISTRATION GRANTS

Sec. 3040. Short title.

This subtitle may be cited as the "Office of Justice Grants Administration Grants Act of 2009".

Sec. 3041. Fiscal year 2010 grants of the Office of Justice Grants Administration.

From the fiscal year 2010 funds available to the Office of Justice Grants Administration, the following grants shall be awarded:

(1) No less than \$200,000 to help fund an organization that runs a rural camp in the region for District youth; provided that, part of the camp curriculum shall be to nurture and reinforce self-awareness, self-esteem, character, and constructive decision-making.

(2) No less than \$125,000 to help fund an organization that assists inmates at the DC Jail or Correctional Treatment Facility and recently released inmates.

(3) A grant shall be awarded to help fund an organization that diverts first-time, non-violent youth offenders away from the juvenile justice system by providing alternative sentencing that involves them in activities that help other youth and the community.

(4) A grant shall be given to help fund a community-based, cross-jurisdictional organization in the area of the Takoma Metro Station, whose objectives are to help reduce crime and promote public safety.

SUBTITLE F. DC JAILS FACILITY CONDITION ASSESSMENT

Sec. 3050. Short title.

This subtitle may be cited as the “Assessment of the District of Columbia Jail Facility Condition Act of 2009”.

Sec. 3051. Assessment of District of Columbia Jail and ancillary facilities.

SECOND ENROLLED ORIGINAL

(a) On or before December 15, 2009, the Office of Property Management shall provide to the Council Committees on Public Safety and the Judiciary and Government Operations and Environment a detailed physical assessment of the condition of the District of Columbia Jail and ancillary facilities. The assessment shall:

(1) Determine the amount and location of facility deficiencies, including deferred maintenance and the need for upgrades to equipment and the facility that are mission critical; and

(2) Provide an itemized estimate of the costs to meet each identified need.

(b) An amount of \$50,000 from the Office of Property Management, project BC101C, Facility Condition Assessment, may be used for the purposes set forth in subsection (a) of this section.

TITLE IV. PUBLIC EDUCATION SYSTEM

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

Sec. 4001. Short title.

This subtitle may be cited as the "Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 2009".

4002. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

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

"Grade Level	Weighting	Per Pupil Allocation in FY 2010
"Pre-School	1.34	\$11,752
"Pre-Kindergarten	1.30	\$11,401
"Kindergarten	1.30	\$11,401
"Grades 1-3	1.00	\$ 8,770
"Grades 4-5	1.00	\$ 8,770
"Ungraded ES	1.00	\$ 8,770
"Grades 6-8	1.03	\$ 9,033
"Ungraded MS/JHS	1.03	\$ 9,033
"Grades 9-12	1.16	\$10,173
"Ungraded SHS	1.16	\$10,173
"Alternative Program	1.17	\$10,261
"Special ed schools	1.17	\$10,261
"Adult	0.75	\$ 6,578

(b) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended by striking the tabular array and inserting the following tabular array in its place:

"Special Needs Add-ons: Level/Program	Definition	Weighting	Per Pupil
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SECOND ENROLLED ORIGINAL

			Supplemental FY 2010
Level 1: Special Education	Eight hours or less per week of specialized services	0.52	\$ 4,560
Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	0.79	\$ 6,928
Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.56	\$13,681
Level 4: Special Education	More than 24 hours per week which may include instruction in a self contained (dedicated) special education school other than residential placement	2.83	\$24,819
LEP/NEP	Limited and non-English proficient students	0.45	\$ 3,947
Summer	An accelerated instructional program in the summer for students who do not meet literacy standards pursuant to promotion policies of the District of Columbia Public Schools and public charter schools	0.17	\$ 1,491
Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their	1.70	\$14,909

SECOND ENROLLED ORIGINAL

instructional program

"Residential Add-ons:

Level/Program	Definition	Weighting	Per Pupil Supplemental FY
2010			
Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.374	\$ 3,280
Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.360	\$11,927
Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.941	\$25,793
Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of students living in a D.C. Public School or public	2.924	\$25,644

SECOND ENROLLED ORIGINAL

	charter school that provides students with room and board in a residential setting		
Level 5: Special Education - Residential	Residential placement Additional funding to support the after hours level 4 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	9.40	\$82,438
LEP/NEP - Residential	Additional funding to support the after-hours Limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.68	\$ 5,964

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

Level/Program	Definition	Weight	Per Pupil Supplemental FY
2009			
Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.064	\$ 561
Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their	0.231	\$2,026

SECOND ENROLLED ORIGINAL

IEPs			
Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.500	\$4,385
Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.497	\$4,359
Special Education Level 5 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	1.598	\$14,015

(c) Section 107 (D.C. Official Code § 38-2906) is amended as follows:

(1) Subsection (c) is repealed.

(2) Subsection (d) is amended by striking the phrase "State Education Office" and inserting the phrase "Office of the State Superintendent of Education" in its place.

(3) Subsection (e) is amended by striking the phrase "Board of Education is required to submit its budget request" and inserting the phrase "Chancellor is required to submit his or her budget request" in its place;

(d) Section 107a (D.C. Official Code § 38-2906.01) is repealed.

(e) Section 108 (D.C. Official Code § 38-2907) is amended to read as follows:
"38-2907. Education costs excluded from the Formula payments.

“(a) The cost of transportation for students with disabilities, tuition payments for private placements for students with disabilities, and the cost of performing state education functions for the District of Columbia are not covered by the Formula and shall be allocated by the Mayor and Council to the Office of the State Superintendent of Education (“OSSE”), or to another agency as considered appropriate by the Mayor, in addition to the amount generated by the Formula.

“(b) The OSSE, as the state education agency for the District of Columbia, shall perform all state education functions for public charter schools and for DCPS, which are local education agencies.”.

(h) Section 110 (D.C. Official Code § 38-2909) is repealed.

SECOND ENROLLED ORIGINAL

SUBTITLE B. CHARTER SCHOOL FACILITIES ALLOTMENT

Sec. 4010. Short title.

This subtitle may be cited as the "Charter School Facilities Allotment Reform Amendment Act of 2009".

Sec. 4011. Section 109(b-1) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2908(b-1)), is amended by striking the figure "\$3,109" and inserting the figure "\$2,800" in its place.

SUBTITLE C. CHARTER SCHOOL FACILITIES ALLOTMENT TASK FORCE

Sec. 4020. Short title.

This subtitle may be cited as the "Public Charter School Facilities Allotment Task Force Establishment Act of 2009".

Sec. 4021. Establishment.

(a) There is established a Public Charter School Facilities Allotment Task Force ("Task Force"). The Task Force shall:

(1) Consult with:

(A) Public charter schools;

(B) The Council;

(C) Relevant District government agencies; and

(D) Banking, or other financial, professionals to determine the

financial implications of any changes to the current uniform per student formula for the public charter schools facilities allotment.

(2) Conduct a comprehensive analysis of facilities expenditures among public charter schools, including the allowable facilities expenditures recommended by the Mayor, and identify additional factors bearing on expenditures, if any, for consideration;

(3) Develop recommendations for a cost-based allocation formula for the public charter schools facilities allotment; and

(4) Identify cost-saving strategies and measures to ensure that public charter schools facilities allotment funds are used exclusively on public charter school facilities.

(b) The Task Force shall submit to the Council its analysis and recommendations, including its recommendation for a cost-based allocation formula for the public charter schools facilities allotment, by November 30, 2009.

(c) The Task Force shall be disbanded by no later than December 31, 2009.

Sec. 4022. Oversight and composition of the Task Force.

(a) The Public Charter School Board shall oversee the Task Force, which shall be comprised of the following members, or their designees:

(1) The Mayor;

(2) The Chairman of the Council;

(3) The Deputy Mayor for Education;

(4) The State Superintendent of Education;

(5) The Chairperson of the Public Charter School Board;

SECOND ENROLLED ORIGINAL

- (6) The Executive Director of the Public Charter School Board; and
- (7) The Chief Financial Officer for the District of Columbia.
- (b) The following shall serve as advisory members of the Task Force;
 - (1) The chief financial officers, or their designees, of at least 6 public charter schools, representing a range of enrollment, grade levels, and geographic location;
 - (2) Professionals in the field of public charter school financing;
 - (3) Representatives from public charter school advocacy groups; and
 - (4) Other individuals considered necessary or beneficial by the Public Charter School Board.

SUBTITLE D. STATE BOARD OF EDUCATION

Sec. 4030. Short title.

This subtitle may be cited as the "State Board of Education Clarification Amendment Act of 2009".

Sec. 4031. Section 3(b)(14) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(14)), is repealed.

Sec. 4032. Section 403(d) of the State Board of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2652(d)), is amended to read as follows:

“(d) The Mayor shall, by order, specify the Board’s organizational structure, staff, budget, operations, reimbursement of expenses policy, and other matters affecting the Board’s functions; provided, that the Board shall be allocated 3 full-time equivalent staff members to perform administrative functions from within the Office of the State Superintendent of Education. These individuals shall be selected by the Board from a list of at least 3 qualified individuals per position produced by the State Superintendent. The individuals selected and serving shall not be removed except with the approval of both the Board and the State Superintendent.”.

SUBTITLE E. DCPL PROCUREMENT AUTHORITY

Sec. 4040. Short title.

This subtitle may be cited as the "DCPL Procurement Amendment Act of 2009".

Sec. 4041. Section 5 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-105), is amended as follows:

- (a) Subsection (a) is amended as follows:
 - (1) Paragraph (1) is amended to read as follows:
 - “(1) Have the authority to provide for the care and preservation of the library;
 - (2) Paragraph (3) is amended to read as follows:
 - “(3) Have the authority to procure all goods and services necessary to operate the library system, independent of the Office of Contracting and Procurement and the

SECOND ENROLLED ORIGINAL

requirements of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*)("Act"), except as specified in section 320 of the Act, and in accordance with subsection (c) of this section;"

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

"(c)(1) The Board may issue rules to govern its procurement. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution, within the 45-day period, the proposed rules shall be deemed disapproved.

"(2) The Board may exercise procurement authority consistent with rules promulgated under the Act until the Board promulgates rules under paragraph (1) of this subsection."

Sec. 4042. Section 320 of the District of Columbia Procurement Practices Act of 1985, effective April 12, 1997 (D.C. Law 11-259; D.C. Official Code § 2-303.20), is amended by adding a new subsection (u) to read as follows:

"(u) Nothing in this act shall affect the authority of the Board of Library Trustees, except that Title IX shall apply to contract protests, appeals, and claims arising from procurements of the Board of Library Trustees."

Sec. 4043. Applicability.

This subtitle shall apply as of March 2, 2009.

SUBTITLE F. DEPARTMENT OF EDUCATION TECHNICAL AMENDMENTS

Sec. 4050. Short title.

This subtitle may be cited as the "Department of Education Establishment Amendment Act of 2009".

Sec. 4051. The Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191 *et seq.*), is amended as follows:

(a) Section 202 (D.C. Official Code § 38-191) is amended as follows:

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

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

"(i) Subparagraph (B) is amended by adding the word "and" at the end.

"(ii) Subparagraph (C) is repealed.

(B) Paragraph (2) is amended by striking the phrase "education level; provided," and inserting the phrase "education level, including the District of Columbia Public Schools, public charter schools, and the University of the District of Columbia; provided," in its place.

(2) New subsections (c), (d), and (e) are added to read as follows:

"(c) By December 31, 2009, the Deputy Mayor for Education shall submit to the Council for approval, by resolution, and to the State Board of Education for review, a plan describing the framework that it shall use to develop a statewide, strategic education and youth development plan ("EYD plan").

SECOND ENROLLED ORIGINAL

“(d) By September 30, 2010, the Deputy Mayor for Education shall submit to the Council for approval, by resolution, and to the State Board of Education for review, the EYD plan, which shall include:

“(1) A clearly articulated vision statement for children and youth from zero to 24 years of age;

“(2) Stated goals and operational priorities;

“(3) An assessment of needs, including a showing that the comprehensive strategy to address the stated needs is based on research and data;

“(4) A timeline and benchmarks for planning and implementation;

“(5) An operational framework that provides for shared accountability, broad-based civic community involvement, and coordination:

“(A) With District, school, and other community efforts;

“(B) With key stakeholders throughout the community, including those in top public and civic leadership;

“(C) Of the education sector with housing, health, and welfare;

“(D) With economic development policies and plans; and

“(E) Of multiple funding streams to ensure sustainability of the EYD plan;

“(6) An explication of the location and planning, including intended use and design, for the District’s educational facilities and campuses; and

“(7) Recommendations for policy and legislative changes, if needed, to increase the effectiveness of the EYD plan.

“(e) The Mayor shall review and update the EYD plan every 3 years and submit the plan to the Council for approval, by resolution, and to the State Board of Education for review.”.

(b) Section 204 (D.C. Official Code § 38-193) is amended as follows:

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

“(a)(1) By October 1 of each year, beginning in 2009, and every year thereafter, an evaluator shall be retained to conduct an independent evaluation of District of Columbia Public Schools (“DCPS”) and of any affiliated education reform efforts. The evaluation shall be conducted according to the standard procedures of the evaluator, with full cooperation of the Council, Mayor, Chancellor, State Superintendent of Education, and other government personnel.

“(2) The annual evaluation shall include an assessment of:

“(A) Business practices;

“(B) Human resources operations and human capital strategies;

“(C) All academic plans; and

“(D) The annual progress made as measured against the benchmarks submitted the previous year, including a detailed description of student achievement.

“(3) The initial evaluation shall incorporate benchmarks and analysis of the best available data to assess annual achievement.”.

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

“(b) On September 30, 2014, the independent evaluator shall submit to the Council, the State Board of Education, and the Mayor a 5-year assessment of the public education system established by this act, which shall include:”.

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

SECOND ENROLLED ORIGINAL

“(c)(1) The evaluations, and assessment, required by this section shall be conducted by the National Research Council of the National Academy of Sciences (“NRC”) for the 5-year period described in this section.

“(2) By December 31, 2009, prior to conducting the initial evaluation, NRC shall submit to the Council and the Mayor a compilation of data and an analysis plan, which shows:

“(A) A description of the procedures and method to be used to conduct the evaluation;

“(B) The opportunities for public involvement;

“(C) The estimated release dates of interim and final evaluation reports; and

“(D) A revised budget and funding plan for the evaluation.”.

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

“(d) The Office of the Chief Financial Officer shall transfer by October 5, 2009, an amount of \$325,000 in local funds through an intra-District transfer from DCPS to the Office of the District of Columbia Auditor to contract with NRC to conduct the initial evaluation required by this section.”.

SUBTITLE G. STATEWIDE COMMISSION ON CHILDREN, YOUTH, AND THEIR FAMILIES

Sec. 4060. Short title.

This subtitle may be cited as the “Interagency Collaboration and Services Integration Commission Establishment Amendment Act of 2009”.

Sec. 4061. The Interagency Collaboration and Services Integration Commission Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 2-1592 *et seq.*), is amended as follows:

(a) Section 502(1) (D.C. Official Code § 2-1592(1)) is amended to read as follows:

“(1) “Commission” means the Statewide Commission on Children, Youth, and their Families established in section 504.”.

(b) Section 503 (D.C. Official Code § 2-1593) is amended as follows:

(1) The lead-in language is amended as to read as follows:

“The purpose of the Commission is to promote a vision of the District of Columbia as a stable, safe, and healthy environment for children, youth, and their families by reducing juvenile and family violence and promoting social and emotional skills among children, youth, and their families through the oversight of a comprehensive, community-based integrated service delivery system aligned with the statewide strategic education and youth development plan, described in section 202 of the Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191), that includes:”.

(c) Section 504(a) (D.C. Official Code § 2-1594(a)) is amended by striking the phrase “an Interagency Collaboration and Services Integration Commission” and inserting the phrase “the Statewide Commission on Children, Youth, and their Families” in its place.

(d) Section 505(c) (D.C. Official Code § 2-1595(c)) is amended as follows:

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

SECOND ENROLLED ORIGINAL

(A) Subparagraph (A) is amended by striking the phrase “of the objectives of the Commission, including” and inserting the phrase “of the efforts to meet the objectives of the Commission, including a description of activities, alignment with the statewide education and youth development framework and strategic plan, and” in its place.

(B) Subparagraph (B) is amended by striking the word “and” at the end.

(2) New paragraphs (5), (6), and (7) are added to read as follows:

“(5) Develop goals and determine priorities for children, youth, and their families, based on established annual benchmarks and goals that are reported as part of the Deputy Mayor for Education’s agency performance measures;

“(6) Meet at least 4 times a year; and

“(7) Make available on the Deputy Mayor for Education’s website:

“(A) An updated list and description of ongoing initiatives and subcommittees of the Commission;

“(B) An agenda of topics to be discussed, along with all supporting documentation, which shall also be distributed to the members of the Commission at least 48 hours in advance of a Commission meeting, which includes:

“(i) The relevant action steps;

“(ii) An implementation status report; and

“(iii) Any other data relevant to the Commission’s meeting;

and

“(C) Within 2 weeks of each Commission meeting, the minutes of,

and

action steps determined at, the meeting.”.

(e) Section 506 (D.C. Official Code § 2-1596) is amended follows:

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

(A) Paragraph (20) is amended by striking the word “and” at the end.

(B) New paragraphs (22), (23), and (24) are added to read as follows:

“(22) Executive Director of the Children and Youth Investment Trust Corporation;

“(23) President of the State Board of Education; and”

“(24) In consultation with youth service advocates and organizations throughout the community, 5 members from the community, appointed by the Mayor, in accordance with subsection (c) of this section.

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

“(c)(1) The members of the community appointed pursuant to subsection (a)(24) of this section shall include:

“(A) A local funder of youth service and development activities;

“(B) A representative of the early childhood education community;

“(C) A representative of the youth service provider community;

“(D) A representative from the post-secondary preparedness community;

and

“(E) An expert on primary and secondary education policy.

“(2) Members of the community appointed pursuant to subsection (a)(24) of this section may be rotated or changed based upon the agenda for each Commission meeting.

SECOND ENROLLED ORIGINAL

SUBTITLE H. MASTER FACILITIES PLAN AND SCHOOL FACILITY CIP
Sec. 4070. Short title.

This subtitle may be cited as the “Master Facilities Plan and School Facility Capital Improvement Plan Reconciliation Amendment Act of 2009”.

Sec. 4071. Section 1104 of the School Based Budgeting and Accountability Act of 1998, approved March 26, 1999 (D.C. Law D.C. Law 12-175; D. C. Official Code § 38-2803), is amended as follows:

(a) Subsection (a) amended by striking the phrase “The District of Columbia Public Schools shall, by June 1, 2007, submit to the Council for review and approval a revised and comprehensive multiyear Facilities Master Plan, which” and inserting the phrase “The Mayor shall submit a revised comprehensive multiyear Master Facilities Plan for the District of Columbia Public Schools and public charter schools, developed with the Office of Public Education Facilities Modernization in accordance with this section, along with the Mayor’s annual submission of a budget recommendation for public schools to the Council for review and approval, which” in its place.

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

(1) The lead-in language is amended by striking the phrase “Facilities Master Plan” and inserting the phrase “Master Facilities Plan” in its place.

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

“(6) A school-by-school description relating facility needs and requirements to:

“(A) The facility’s programmatic usage with specific linkages and relationships to adopted education plans of a local education agency, school district, or institution, including specific plans provided for special education, early childhood education, and career and technical education programs; and

“(B) The statewide education and youth development plan described in Section 202 of the Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191), and how they permit schools to be centers of the community;”.

(3) New paragraphs (8), (9), and (10) are added to read as follows:

“(8) A communications and community involvement plan for each school that includes engagement of key stakeholders throughout the community, including:

“(A) Local School Restructuring Teams;

“(B) School Improvement Teams; and

“(C) Advisory Neighborhood Commissions;

“(9) Evidence of coordination of the District’s education sector with housing, health, and welfare sectors, and economic development policies and plans; and

“(10) The location, planning, use, and design of the District’s educational facilities and campuses.”.

(c) Subsection (c) and (d) are amended to read as follows:

“(c) In developing the Facilities Master Plan, the Mayor shall consider the facilities needs of all public school students and shall consult with:

“(1) The Council;

“(2) The Director of the Office of Public Education Facilities Modernization;

“(3) The Public Charter School Board;

SECOND ENROLLED ORIGINAL

- “(4) Representatives of public charter schools;
- “(5) The Public School Modernization Advisory Committee; and
- “(6) Key stakeholders throughout the community.

“(d)(1) Beginning in fiscal year 2010, a Public School Facility capital improvement plan (“School Facility CIP”) shall be updated each fiscal year as part of the Mayor’s capital improvement plan for all public facilities, as required by section 444 of the District of Columbia Home Rule Act, approved on December 24, 1973 (87 Stat. 800; D.C. Official Code § 1-204.44).

“(2)(A) The School Facility CIP shall include for each school and other education facilities of DCPS and public charter schools, the following information:

- “(i) A description of the scope of work to be done and schedule of major milestones;
- “(ii) Justification for the work pursuant to the Master Facilities Plan;
- “(iii) A full-funded cost estimate of improvements planned for the next fiscal year and the succeeding 5 fiscal years;
- “(iv) The estimated cost of operating the improved facility, whether the new cost is more or less than the previous School Facility CIP estimate;
- “(v) The amount of capital funds expended in the prior fiscal year; and
- “(vi) The name, address, and ward of each project.

“(B) Each School facility CIP shall:

- “(i) Meet the requirements listed in subsection (b) of this section;
- “(ii) Give due consideration to the record established by the testimony, and any exhibits, during the hearing required by paragraph (3) of this subsection; and
- “(iii) Be consistent with the policy of broad public participation, as stated in this section.

“(3)(A) No more than 60 days or less than 30 days prior to the Mayor’s submission of a School Facility CIP to the Council, and upon 15 days public notice, the Mayor shall conduct a public hearing to solicit the views of the public. In no event shall the hearing be prior to the annual submission by the Office of Public Education Facilities Modernization of its proposed budget to the Mayor.

“(B) The Mayor shall transmit the record of the hearing to the Council at or before the public hearing on the annually submitted proposed budget for Office of Public Education Facilities Modernization.”.

Sec. 4072. Section 203 of the School Modernization Financing Act of 2006, effective June 8, 2006 (D.C. Law 16-123; D.C. Official Code § 38-2973.03), is repealed.

SUBTITLE I. RESERVE FOR AFRICAN-AMERICAN CIVIL WAR RECORDS ACT

Sec. 4080. Short title.

This subtitle may be cited as the "Reserve for African-American Civil War Records Act of 2009".

SECOND ENROLLED ORIGINAL

Sec. 4081. African-American Civil War Museum Funding.

(a) An amount of \$4 million pooled capital funds from within the Office of Property Management shall be available in Fiscal Year 2010, and \$1 million in capital funds from within the Department of Parks and Recreation shall be available in Fiscal Year 2011, to the District of Columbia Public Library. The purpose of these funds shall be for the renovation of space in the Grimke School for the African-American Civil War Museum.

(b) Access to these funds is contingent upon Council approval of the proposed plan, including cost, for the museum.

(c) The District of Columbia Public Library shall have authority to negotiate additional floor space in the Grimke School for the African-American Civil War Museum.

SUBTITLE J. UNIVERSITY OF THE DISTRICT OF COLUMBIA EXPANSION

Sec. 4090. Short title.

This subtitle may be cited as the "University of the District of Columbia Expansion Act of 2009".

Sec. 4091. The University of the District of Columbia shall have exclusive use of the closed Bertie Backus Middle School building and site located at 5171 South Dakota Avenue, N.E., in Ward 5, to expand upon its collegiate mission.

SUBTITLE K. OFFICE OF PUBLIC EDUCATION FACILITIES

MODERNIZATION FUNDING

Sec. 4100. Short title.

This subtitle may be cited as the "Fiscal Year 2009 Office of Public Education Facilities Modernization Funding Amendment Act of 2009".

Sec. 4101. Notwithstanding the Fiscal Year 2009 Proposed Budget and Financial Plan or section 301 of the Fiscal Year 2009 Balanced Budget Support Temporary Amendment Act of 2008, effective March 21, 2009 (D.C. Law 17-326; 56 DCR 502), the Council authorizes the following allocations for projects from funds previously authorized, but not allocated, in the Fiscal Year 2009 Proposed Financial Plan and Budget:

- (1) An amount up to \$38.4 million to fund ongoing modernization projects at:
 - (A) Wheatley Middle School;
 - (B) Alice Deal Middle School;
 - (C) HD Cooke Elementary School;
 - (D) Savoy Elementary School; and
 - (E) School Without Walls;
- (2) An amount of \$9.5 million for the completion of design and to begin construction of HD Woodson Senior High School in accordance with the Science Technology Engineering and Mathematics academic model;
- (3) An amount of \$7.5 million to begin modernization of Eastern High School;
- (4) An amount of \$1.5 million to continue the development of the designs for Anacostia High School and Wilson High School;
- (5) An amount of \$6.341 million for Phase I modernizations, identified in the proposed Master Facilities Plan for:

SECOND ENROLLED ORIGINAL

- (A) Brent Elementary School;
- (B) Tubman Elementary School; and
- (C) Burroughs Elementary School.

(6) An amount of \$12.537 million for facility additions and new construction at Stoddert Elementary School and Janney Elementary School;

(7) An amount of \$8.74 million for athletic field and playground work, including facilities at:

- (A) Bell/Lincoln High School;
- (B) Mann Elementary School;
- (C) Murch Elementary School;
- (D) Tubman Elementary School;
- (E) Green Elementary School; and
- (F) Other athletic facilities identified by the Office of Public

Education Facilities Modernization (“OPEFM”).

(8) An amount of \$265,000 for auditing of the repair, improvement, and modernization programs; and

(9) An amount of \$2.666 million for planning and program management services.

Sec. 4102. Pursuant to the Fiscal Year 2010 Proposed Financial Plan and Budget and the Reallocation of Capital Budget Funding Act of 2009, passed on 4th reading on September 22, 2009 (Enrolled version of Bill 18-203), the Council authorizes the following allocations to OPEFM:

(1) An increase of \$3.6 million for Phase I. Elementary, Middle Schools Modernization program, including critical system repairs to Hart Middle School and Ferebee Hope Elementary.

(2) An increase of \$13.5 million for increases Projects in the Stabilization program city-wide (\$13.5 million), including the following:

(A) Air conditioning of the Coolidge High School gymnasium and the Banneker High School auditorium (\$2.1 million);

(B) Window replacements at Kimball Elementary School, Maury Elementary School, and Ketcham Elementary School (\$4.35 million);

(C) Security doors at Hart Middle School (\$550,000);

(D) Roof replacement at Brent Elementary School (\$800,000);

(E) Installation of a computer lab at Anacostia High School (\$275,000); and

(F) Renovation of Rose/Reno School for enhanced capacity at Deal Middle School (\$4 million).

(3) An amount of \$2.48 million for Projects in a new program, Elementary Athletic Facilities and Playgrounds (\$2.48 million), to include improvements at the following elementary schools:

- (A) Orr;
- (B) Terrell McGogney;
- (C) River Terrace; and
- (D) Kenilworth.

SECOND ENROLLED ORIGINAL

(4) Increases in the Selected Additions and New Construction program of \$9 million for advancing the start of construction of a new Dunbar High School to fiscal year 2010, and of \$11 million for Stoddert Elementary;

(5) An amount of \$2.2 million for planning to support development of individual projects and completion of a comprehensive Master Facilities Plan; and

(6) An amount \$3.5 million for improvements required by the Americans with Disabilities Act, approved July 26, 1990 ((Pub. L. No. 101-336; 104 Stat. 327), including at Banneker High School and Beers Elementary School.

Sec. 4103. The Mayor shall provide to the Council information and estimates for all the projects listed in sections 4121 and 4122, as required by law prior, to submission of contracts.

SUBTITLE L. ACCURACY IN ENROLLMENT PROJECTIONS

Sec. 4110. Short title.

This subtitle may be cited as the "Accuracy in Public Education Projections Act of 2009".

Sec. 4111. The Office of the State Superintendent, with the participation of the Council, District of Columbia Public Schools, and the Public Charter School Board shall convene a working group that shall develop a uniform method by which enrollment projections will be completed for both public schools and the public charter schools based on empirical and objective data. The methodology shall be developed by a third party that shall be independent of the government of the District of Columbia. The enrollment projections shall include demographic analysis and necessary programmatic factors upon which future budgets shall be based, beginning with the fiscal year 2011 budget.

SUBTITLE M. PRE-KINDERGARTEN COMMUNITY-BASED ORGANIZATION SUPPORT

Sec. 4120. Short title.

This subtitle may be cited as the "Pre-Kindergarten Community-Based Organization Support Act of 2009".

Sec. 4121. Of the fiscal year 2010 local funds appropriated for pre-kindergarten programs and services within the Office of the State Superintendent of Education, \$2.4 million shall be used for increasing pre-k slots in community-based organizations.

SUBTITLE N. SLATER SCHOOL

Sec. 4130. Short title.

This subtitle may be cited as the "District of Columbia School Reform Education Facility Act of 2009".

Sec. 4131. (a) Pursuant to section 2209(b)(1)(A)(i)(I)(bb) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.09(b)(1)(A)(i)(I)(bb)), Associates for Renewal of Education, Inc., as an organization

SECOND ENROLLED ORIGINAL

providing youth and educational services and a tenant of Slater School since prior to December 2004, shall:

- (1) Be offered the right of first offer on a disposition of Slater School;
- (2) Be permitted to remain and continue to operate in Slater School under existing terms and conditions throughout the leasing preference procedure; and
- (3) Be permitted to make any functional improvements and general repairs as necessary.

(b) The Office of Property Management shall finalize a lease with Associates for Renewal of Education, Inc., within 90 days of the effective date of the District of Columbia School Reform Education Facility Emergency Act of 2009, passed on emergency basis on September 22, 2009 (Enrolled version of Bill 18-443).

SUBTITLE O. UDC CAPITAL BUDGET AUTHORITY AND FUNDING TRANSFER

Sec. 4140. Short title.

This subtitle may be cited as the "Transfer of Capital Budget Authority and Funding to the University of the District of Columbia Act of 2009".

Sec. 4141. Beginning October 1, 2009, all University of the District of Columbia ("UDC") capital projects shall be the responsibility of UDC to implement. The budget authority and any unexpended balances of appropriations, allocations, income, and other funds for all UDC capital projects shall be transferred from the Department of Real Estate Services (formerly, the Office of Property Management) to UDC upon the effective date of the Fiscal Year 2010 Budget Support Second Emergency Act of 2009, passed on emergency basis on September 22, 2009 (Enrolled version of Bill 18-443).

SUBTITLE P. DISTRICT OF COLUMBIA PUBLIC SCHOOLS REALTY OFFICE TRANSFER TO THE OFFICE OF PUBLIC EDUCATION FACILITIES MODERNIZATION

Sec. 4150. Short title.

This subtitle may be cited as the "District of Columbia Public Schools Realty Office Transfer Act of 2009".

Sec. 4151. (a) All functions, authority, programs, positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the District of Columbia Public Schools Realty Office shall be transferred to the Office of Public Education Facilities Modernization by the effective date of this subtitle.

(b) All rules, orders, obligations, determinations, grants, contracts, licenses, and agreements of the District of Columbia Public Schools Realty Office transferred to the Office of Public Education Facilities Modernization under subsection (a) of this section shall continue in effect according to their terms until lawfully amended, repealed, or modified.

SUBTITLE Q. CARNEGIE LIBRARY EXHIBITS

Sec. 4160. Short title.

This subtitle may be cited as the "Carnegie Library Exhibit Act of 2009".

SECOND ENROLLED ORIGINAL

Sec. 4161. Grants to The Historical Society of Washington, D.C.

An amount of \$1 million in capital funds shall be available from the Department of Parks and Recreation capital funds in Fiscal Year 2010 to the District of Columbia Public Library ("DCPL") to support The Historical Society of Washington, D.C. in developing exhibits in the Carnegie Library. For these purposes only, DCPL is authorized to provide grants to The Historical Society of Washington, D.C.

SUBTITLE R. CHILD CARE SERVICES

Sec. 4170. Short title.

This subtitle may be cited as the "Child Care Services Act of 2009".

Sec. 4171. (a) The Office of the State Superintendent of Education ("OSSE") shall continue to provide through the Department of Parks and Recreation direct child care programs, including daycare and early and after school care services at all recreation-based sites, including all sites in the Request for Offers (OPM-RFO-OUT-2009-2) issued by the Office of Property Management, unless a contract for a licensed provider to provide those same services has been executed by the District and, if required by section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), approved by the Council.

(b) The OSSE shall provide to the Council a comprehensive analysis and plan for child care programs for special needs and developmentally disabled children in fiscal year 2010 by November 15, 2009.

TITLE V. HUMAN SUPPORT SERVICES

SUBTITLE A. GRANDPARENT CAREGIVERS EXTENSION PROGRAM

Sec. 5001. Short title.

This subtitle may be cited as the "Grandparent Caregivers Extension Program Amendment Act of 2009".

Sec. 5002. Section 102 of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.02), is amended as follows:

(a) Subsection (a) is amended by striking the word "pilot".

(b) Subsection (b) is repealed.

SUBTITLE B. DEPARTMENT OF HEALTH GRANT AUTHORITY

Sec. 5010. Short title.

This subtitle may be cited as the "Department of Health Grant Authority Amendment Act of 2009".

Sec. 5011. The Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731 *et seq.*), is amended by adding a new section 4907a (to be codified at D.C. Official Code § 7-736.01) to read as follows:

"4907a. Grant authority.

SECOND ENROLLED ORIGINAL

"(a) For fiscal year 2010, the Director of the Department of Health shall have the authority to issue grants to qualified community organizations for the purposes of conducting health promotion, preventing disease, and providing health services; provided, that any grant in excess of \$250,000 shall be awarded through a competitive process unless otherwise authorized under law.

"(b) The Department of Health shall submit a quarterly report to the Council on all grants issued pursuant to the authority granted in subsection (a) of this section."

SUBTITLE C. EFFI SLAUGHTER BARRY HIV/AIDS INITIATIVE

Sec. 5020. Short title.

This subtitle may be cited as the "Effi Slaughter Barry HIV/AIDS Initiative Amendment Act of 2009".

Sec. 5021. The Effi Slaughter Barry HIV/AIDS Initiative Act of 2008, effective March 20, 2008 (D.C. Law 17-117; D.C. Official Code § 7-1611 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Official Code § 7-1613) is amended to read as follows:

"(a) The initiative shall provide technical and financial assistance to selected community HIV/AIDS service providers located east of the Anacostia river to support the:

"(1) Implementation or expansion of HIV/AIDS prevention and support programs;

"(2) Development of accurate performance measurement capabilities; and

"(3) Promotion of revenue diversity.

"(b) Assistance to selected community HIV/AIDS service providers shall be provided for up to 2 years."

(b) Section 6 (D.C. Official Code § 7-1615) is amended as follows:

(1) Designate existing language as subsection (a).

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

"(b) All grants awarded pursuant to the initiative shall be subject to terms and conditions approved by the Department of Health."

(c) Section 7 (D.C. Official Code § 7-1616) is amended to read as follows:

"The Department of Health shall distribute capacity building grants to initiative participants in an amount not to exceed the funds available in the Effi Slaughter Barry Initiative Fund, as established by section 7a."

(d) Section 7a (D.C. Official Code § 7-1617) is amended by adding a new subsection (e) to read as follows:

"(e) The Director of the Department of Health may make grants from the Fund to effectuate the purpose of the initiative."

SUBTITLE D. MEDICAL ASSISTANCE PROGRAM

Sec. 5030. Short title.

This subtitle may be cited as the "Medical Assistance Program Amendment Act of 2009".

Sec. 5031. Section 1(a) of An Act to enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical

SECOND ENROLLED ORIGINAL

assistance program and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02(a)), is amended by adding a new paragraph (3) to read as follows:

"(3) Review and approval by the Council of the Fiscal Year 2010 Budget and Financial Plan shall constitute the Council review and approval required by paragraph 2 of this subsection of any modification or waiver to the state plan required to implement during fiscal year 2010 an initiative to:

“(A) Utilize Disproportionate Share Hospital funding to support the transition of individuals into health insurance programs through the modification of the Disproportionate Share Hospital qualification and distribution methodology;

“(B) Change service limit methodology for personal care aide services;

“(C) Enhance prescription drug utilization and review activities;

“(D) Reduce reimbursement rates for prescription drugs to align pharmaceutical spending with national payment trends;

“(E) Change methodologies for recovering improper payments;

“(F) Obtain available State Children’s Health Insurance Program funding for immigrant children and pregnant women;

“(G) Shift coverage for unborn children of undocumented immigrants from the D.C. HealthCare Alliance to Medicaid;

“(H) Implement a new methodology for fee-for-service inpatient hospital reimbursement; and

“(I) Reduce disallowances for public provider agencies.”.

SUBTITLE E. CONTINUATION OF HEALTH COVERAGE

Sec. 5040. Short title.

This subtitle may be cited as the "Continuation of Health Coverage Amendment Act of 2009".

Sec. 5041. Section 3(a) of the Continuation of Health Coverage Act of 2002, effective June 25, 2002 (D.C. Law 14-149; D.C. Official Code § 32-732(a)), is amended by striking the phrase "3 months" and inserting the phrase: "3 months, or for the period of time during which the employee is eligible for premium assistance under the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (123 Stat. 115; 26 U.S.C. § 1, note)," in its place.

SUBTITLE F. REPORTING REQUIREMENTS HUMAN SERVICES

Sec. 5050. Short title.

This subtitle may be cited as the "Human Services Reporting Requirements Act of 2009".

Sec. 5051. Housing First report.

By January 30, 2010, the District of Columbia Auditor shall submit to the Council a financial impact report measuring the government-wide savings produced by the District's Housing First Program, including in emergency services, physical and mental health services, substance abuse services, personal safety, police services, and incarceration.

SECOND ENROLLED ORIGINAL

Sec. 5052. Winter plan report.

By September 1, 2010, the Department of Human Services shall submit to the Council, along with the annual winter plan required by section 5(b)(9) of Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-36; D.C. Official Code § 4-752.02(b)(9)), an evaluation of case management services provided to homeless individuals during the hypothermia season, including a detailed protocol to evaluate residents' needs to help them emerge from homelessness.

Sec. 5053. Healthy Foods Initiative report.

By October 10, 2010, the Department of Human Services shall submit to the Council a report on its implementation of the healthy foods initiative, which shall be funded by not less than \$500,000 of federal stimulus funds, to supplement food stamp benefits for families receiving Temporary Assistance for Needy Families benefits to allow certain stamps to be used at area Farmers' Markets to purchase locally grown and fresh produce.

SUBTITLE G. GRANTS TO CYITC REQUIREMENTS

Sec. 5060. Short title.

This subtitle may be cited as the "Children and Youth Initiative Establishment Amendment Act of 2009".

Sec. 5061. The Children and Youth Initiative Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D. C. Official Code § 2-1551 *et seq.*), is amended as follows:

(a) Section 2403 (D.C. Official Code § 2-1553) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "The Mayor" and inserting the phrase "Subject to the requirements in subsections (a-1) and (a-2) of this section, the Mayor" in its place.

(2) New subsections (a-1) and (a-2) are added to read as follows:

"(a-1)(1) Sub-grants shall be awarded on a 3-year basis, subject to the availability of funding.

"(2) At least 50 % of the members of a review panel for sub-grant applications shall be individuals who are not employees or contractors of the Children Youth Investment Trust Corporation.

"(a-2) No grant may be awarded under this section in excess of \$1 million during a 12-month period, either singularly or cumulatively, unless the grant is submitted to the Council for approval, in accordance with section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), or by act."

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

"(c) Beginning October 1, 2009, the Mayor shall submit a quarterly status report to the Council for all grants in excess of \$1 million, which includes:

"(1) Detailed grantee data;

"(2) Performance measures and performance outcomes under each grant;

"(3) The specific services provided to children and youth under each grant;

"(4) The entity providing the services, if one other than the grantee;

"(5) The time period of delivery of the services;

"(6) The type of service provided;

SECOND ENROLLED ORIGINAL

"(7) The actual amount paid for the services; and

"(8) The amount of other expenditures under the grant, if any.".

(b) A new section 2404a is added to read as follows:

"Sec. 2404a (to be codified at D.C. Official Code § 2-1553.01) is added to read as follows:

"Sec. 2404a. The Children and Youth Investment Corporation, or a successor single non-service provider, nonprofit organization, shall submit a biannual assessment and funding report to the Council, which includes:

"(1) A research-based needs assessment of at-risk youth, which identifies:

"(A) Available resources;

"(B) Needed resources, if any; and

"(C) Any gap in services; and

"(2) A list of funding priorities based upon the needs assessment.".

**SUBTITLE H. DEPARTMENT ON DISABILITY SERVICES REPORTING,
WAITING LIST, AND ASSESSMENT REQUIREMENTS**

Sec. 5070. Short title.

This subtitle may be cited as the "Department on Disability Services Reporting, Waiting List, and Assessment Amendment Act of 2009".

Sec. 5071. The Department on Disability Services Establishment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.*), is amended as follows:

(a) Section 105 (D.C. Official Code § 7-761.05) is amended as follows:

(1) Paragraph (5) is amended by striking the word "and" at the end.

(2) Paragraph (6) is amended by striking the period and inserting the phrase "where appropriate;" in its place.

(3) New paragraphs (7) and (8) are added to read as follows

"(7) In the establishment of a waiting list for supports and services, DDS shall confer with residents with intellectual and developmental disabilities and their families, service providers, and advocates to provide information to the Department in developing rules and procedures, which shall provide:

"(A) That persons on the waiting list begin to receive supports and services within a reasonable period of time;

"(B) That the allocation of supports and services is based on a fair, equitable, and consistent method;

"(C) That the minimum supports and services are available to all eligible persons;

"(D) The supports and services for which a waiting list will be established;

"(E) How a person is placed on the waiting list;

"(F) The criteria that determine rank on the waiting list;

"(G) The criteria for providing immediate services to a person on the waiting list:

"(i) If the person is homeless or at imminent risk of becoming homeless, as these terms are defined in section 2(18) and (23) of the Homeless Services

SECOND ENROLLED ORIGINAL

reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(18) and (23)); or

"(ii) If there is a reasonable belief that the person is in imminent danger or will be subject to abuse or neglect if the person does not receive immediate support or service;

"(H) The process for a person to appeal his or her placement or rank on the waiting list; and

"(I) The notice procedure for informing a person of his or her placement on the waiting list, including how long the person can expect to wait for supports and services; and

"(8) In partnership with residents with intellectual and developmental disabilities and their families, service providers, and advocates, through work groups, sponsor forums, or other type of assembly that ensures meaningful community participation, conduct a needs assessment of District residents with intellectual and developmental disabilities and their families, which shall be published no later than September 30, 2010."

(b) New sections 106a and 106b (to be codified at D.C. Official Code § 7-761.06a and 7-761.06b) are added to read as follows:

"Sec. 106a. Reporting requirements.

"(a) The Mayor shall publish reports on persons seeking and receiving services from the Department. Each report shall provide a monthly and year-to-date statistical profile of:

"(1) Persons who have applied for services, organized by:

"(A) Referral source;

"(B) Application status; and

"(C) Average length of time spent in each stage of the application

process;

"(2) Eligible persons who have requested but not yet received one or more services, organized by service type;

"(3) Persons receiving services, organized by service type; and

"(4) Persons terminated from services, organized by reason for termination.

"(b) The Mayor shall publish the reports required under subsection (a) of this section on a bimonthly basis throughout fiscal year 2010 and on a quarterly basis thereafter, no later than the 15th day following the end of the month or quarter for which the report is required.

"Sec. 106b. Reports and notices to be made available to the public.

"The Department shall make all reports and notices required under this act available on its website within one business day of publication, and shall provide copies to the public upon request."

SUBTITLE I. CATEGORICAL ELIGIBILITY

Sec. 5080. Short title.

This subtitle may be cited as the "Food Stamp Expansion Act of 2009".

Sec. 5081. Definitions

For the purpose of this subtitle, the term:

(1) "Categorical eligibility" means the automatic eligibility for the food stamps program as determined by the enrollment in a separate TANF funded program.

SECOND ENROLLED ORIGINAL

(2) "Food stamp program" means the federally funded Supplemental Nutrition Assistance Program.

(3) "LIHEAP" means the Low Income Home Energy Assistance program.

(4) "Maximum standard utility allowance" means the maximum level of accepted utility-based income deductions used in determining benefits under the food stamp program.

(5) "TANF" means the Temporary Assistance for Needy Families program.

Sec. 5082. Categorical eligibility for food stamps.

(a) The Mayor shall establish a TANF funded program or service for the purpose of establishing categorical eligibility.

(b) Categorical eligibility shall be granted to all applicants with a gross income at or below 200% of the federal poverty level.

Sec. 5083. LIHEAP Heat and Eat initiative.

(a) The Mayor shall establish a LIHEAP Heat and Eat initiative for the purpose of providing the maximum standard utility allowance to all participants.

(b) All food stamp program recipients shall be automatically enrolled in the LIHEAP Heat and Eat initiative.

(c) All LIHEAP Heat and Eat participants shall receive a minimum annual benefit of \$1.

(d) Participation in the LIHEAP Heat and Eat initiative shall not preclude any recipient from receiving standard LIHEAP benefits for which he or she is eligible.

SUBTITLE J. DEPARTMENT OF PARKS AND RECREATION ENTERPRISE FUND PURCHASE AUTHORIZATION

Sec. 5090. Short title.

This subtitle may be cited as the "Recreation Enterprise Fund Amendment Act of 2009".

Sec. 5091. Section 4(b) of the Recreation Act of 2004, effective January 13, 1995 (D.C. Law 10-246; D.C. Official Code § 10-303(b)), is amended as follows:

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

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

"(2) Proceeds from the Recreation Enterprise Fund may be used to purchase food, snacks, and non-alcoholic beverages for the general public, Department of Parks and Recreation program participants, and District government employees."

SUBTITLE K. COMMUNITY HEALTH PROGRAM SUPPORT

Sec. 5100. Short title.

This subtitle may be cited as the "Community Access to Health Care Amendment Act of 2009".

Sec. 5101. Section 102 of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1932 *et seq.*), is amended as follows:

SECOND ENROLLED ORIGINAL

(a) Subsection (b) (D.C. Official Code § 7-1932(b)) is amended as follows:

(1) Paragraph (4) is amended by striking the phrase "subject to subsection (d) of this section." and inserting the following in its place: "subject to subsection (d) of this section; provided, that \$750,000 shall be utilized during fiscal year 2010 to support tobacco cessation programs including the DC Quitline and free nicotine replacement programs for District residents.

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

"(10) For fiscal year 2010, grant \$750,000 to support operational expenses associated with the Medical Homes DC Initiative, subject to subsection (d) of this section.

(b) Subsection (d)(1) (D.C. Official Code § 7-1932(d)(1)) is amended by striking the phrase "subsection (b)(4),(5), (6) or (7) of this section" and inserting the phrase "subsection (b)(4),(5), (6), (7), (9), or (10) of this section" in its place.

SUBTITLE L. HEALTH PROFESSIONAL LOAN REPAYMENT PROGRAM

Sec. 5110. Short title.

This subtitle may be cited as the "Health Professional Recruitment Program Amendment Act of 2009".

Sec. 5111. Section 8(a)(2) of the District of Columbia Health Professional Recruitment Program Act of 2005, effective March 8, 2006 (D.C. Law 16-71; D.C. Official Code § 7-751.07(a)(2)), is amended to read as follows:

"(2) Participants shall provide full-time service of at least 1,800 hours per year, with no more than 12 hours of work performed in any 24 hour period. On-call status does not count toward the annual 1,800 hour requirement. Any exceptions to the 1,800 hour annual requirement or the on-call provision of this subsection must be approved by the Director prior to placement."

SUBTITLE M. FIXED COSTS ALLOCATIONS

Sec. 5120. Short title.

This subtitle may be cited as the "Fixed Costs Allocation Act of 2009".

Sec. 5121. Fixed costs allocations.

For fiscal year 2010, the Department of Health, the Department of Mental Health, and the Department of Health Care Finance shall not enter into a memorandum of understanding or other similar agreement with another agency of the District of Columbia for the transfer of funds in an amount that exceeds the amount budgeted for such services; provided, that nothing shall prohibit these departments from entering into an agreement for the transfer of funds when the purpose of the transfer is to allow for transition or other costs associated with moving into District-owned property.

SUBTITLE N. HEALTHY DC FUND AMENDMENT

Sec. 5130. Short title.

This subtitle may be cited as the "Hospital and Medical Services Corporation Regulatory Amendment Act of 2009".

SECOND ENROLLED ORIGINAL

Sec. 5131. Section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02), is amended by adding a new subsection (d) to read as follows:

"(d) Notwithstanding subsection (a) of this section, for fiscal year 2010, up to \$3.25 million from the Fund shall be utilized to support the following one-time allocations:

(1) An amount of \$2.5 million shall support a grant to an acute care pediatric hospital in the District for the purpose of supporting operational expenses associated with the new pediatric emergency facility located at the United Medical Center; and

"(2) Up to \$750,000 to support operational expenses associated with the delivery of health care services at the D.C. Jail.

SUBTITLE O. DESIGNATED ALLOCATIONS

Sec. 5140. Short title.

This subtitle may be cited as the "Designated Appropriation Allocations Act of 2009".

Sec. 5141. Designated allocations.

(a) Of the gross funds included in the fiscal year 2010 budget of the Department of Health, the following allocations shall be made:

(1) An amount of \$75,000 from within the Health Emergency Preparedness and Response Administration to support a community grant to facilitate hospital emergency preparedness response efforts in the District of Columbia;

(2) An amount of \$75,000 from within the HIV/AIDS Administration to support a community grant for pediatric HIV/AIDS programs and services;

(3) An amount of \$700,000 from within the HIV/AIDS Administration to be allocated to the Effi Slaughter Barry Initiative Fund, established by section 7a of the Effi Slaughter Barry HIV/AIDS Initiative Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 7-1617), for purposes of effectuating the Effi Slaughter Barry Initiative;

(4) An amount of \$150,000 from within the Community Health Administration to be dedicated to pre-school immunization programs for District residents;

(5) An amount of \$200,000 from within the Community Health Administration to support community partnerships for asthma prevention programs;

(6) An amount of \$600,000 from within the Community Health Administration to support a community grant for clinical nutritional home delivery services for individuals living with cancer and other life-threatening diseases;

(7) An amount of at least \$500,000 from within the Community Health Administration to support community grants for the prevention and treatment of diabetes, obesity, and cardiovascular disease;

(8) An amount of \$500,000 from within the Community Health Administration to improve perinatal outcomes;

(9) An amount of \$20,000 from within the Community Health Administration to support annual membership dues for the District of Columbia in the National Association of Prescription Drug Prices;

(10) An amount of \$700,000 from within the Community Health Administration to support allied health training programs affiliated with a hospital or university in the District of Columbia;

SECOND ENROLLED ORIGINAL

(11) An amount of \$400,000 from within the Community Health Administration to be allocated to the Health Professional Recruitment Fund, as established by section 16a of the District of Columbia Health Professional Recruitment Program Act of 2005, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 7-751.15a), for purposes of effectuating the Health Professional Recruitment program;

(12) An amount of \$5.3 million in local funds from within the Community Health Administration to support the delivery of school nursing services in partnership with an acute care pediatric hospital in the District, which shall be in addition to any non-local funding allocated to school nursing programs in fiscal year 2010;

(b) Of the gross funds included in the fiscal year 2010 budget of the Department of Mental Health, the following allocations shall be made:

(1) An amount of \$250,000 to support a community grant for parental support and post-partum counseling for District residents;

(2) An amount of \$250,000 to support financial audits of certified mental health rehabilitation service providers in the District; and

(3) An amount of up to \$250,000 to support a contract with a qualified vendor to provide technical assistance and to support management projects.

SUBTITLE P. CHILD AND FAMILY SERVICES TRANSPORTATION FUND

Sec. 5150. Short title.

This subtitle may be cited as " Child and Family Services Transportation Fund Amendment Act of 2009".

Sec. 5151. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended by adding a new section 303c to read as follows:

"Sec. 303c. Child and Family Services Agency Transportation Fund.

"(a)(1) There is established as a nonlapsing fund the Child and Family Services Agency Transportation Fund ("CFSA Fund"), which shall be used to pay, each fiscal year, the costs associated with the transportation of District wards with special needs living outside of the District and being transported on special transportation routes transporting District wards only.

"(2) The Agency shall pay the Administrator within 60 days of receiving an invoice for transportation services.

"(b) In a fiscal year, funds in excess of what is needed to pay the transportation costs described in subsection (a)(1) of this section, if any, may be used for other Agency purposes, including offering a payment differential for Agency licensed specialized foster homes or a bonus payment to Agency, or private agency, licensed specialized foster parents in the District.

"(c) All funds deposited into the CFSA Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsections (a) and (b) of this section without regard to fiscal year limitation, subject to authorization by Congress."

SUBTITLE Q. UNITED MEDICAL CENTER REPAYMENT

SECOND ENROLLED ORIGINAL

Sec. 5160. Short title.

This subtitle may be cited as the "Community Access to Health Care United Medical Center Amendment Act of 2009".

Sec. 5161. Section 102(b)(1) of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1932(b)(1)), is amended by striking the phrase "Community Hospital;" and inserting the phrase "Community Hospital; provided, that notwithstanding any agreement regarding the repayment of funds associated with this public-private partnership, beginning in calendar year 2009, repayment by Specialty Hospitals of America, LLC, or certain of its subsidiaries, of the \$20 million working capital loan shall be deferred until December 31, 2015, at which time the originally agreed to repayment schedule shall resume." in its place.

SUBTITLE R. TANF AMENDMENT

Sec. 5170. Short title.

This subtitle may be cited as the "TANF Work Incentives Act of 2009".

Sec. 5171. Public Assistance Act amendments.

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

(a) Section 519b (D.C. Official Code § 4-205.19b) is amended as follows:

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

"(a) As a condition of eligibility, all TANF applicants shall complete a preliminary assessment of their skills, prior work experience, employability, and barriers to employment."

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

"(a-1) As a condition of eligibility, all work-eligible TANF applicants shall complete an employment program orientation."

(b) Section 519d (D.C. Official Code § 4-205.19d) is amended as follows:

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

"(a-1) Recipients referred by the Mayor to an employment or education vendor or program shall participate in an assessment."

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

"(f) Subject to the availability of funds, the Mayor may provide monetary incentives to recipients for compliance with the federal work participation standards.

"(g) The Mayor may promulgate rules to implement this section."

(c) Section 519e(d) (D.C. Official Code § 4-205.19e(d)) is repealed.

SUBTITLE S. CFSA RAPID HOUSING ASSISTANCE ACT

Sec. 5180. Short title.

This subtitle may be cited as "Child and Family Services Rapid Housing Assistance Amendment Act of 2009".

Sec. 5181. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02 *et seq.*), is amended by adding a new section 303x to read as follows:

"Sec. 303x. Rapid Housing Program assistance.

SECOND ENROLLED ORIGINAL

“(a) The Agency shall track and publicly report the number of emancipating youth and families who apply for or are referred for assistance under the Rapid Housing Program, the number of youth and families who are eligible for assistance, and the number of youth and families who receive assistance.

“(b) The Agency shall maintain a waiting list of emancipating youth and families who are eligible but cannot receive assistance due to insufficient funds.”.

TITLE VI. PUBLIC WORKS

SUBTITLE A. DRIVER EDUCATION PROGRAM AND FLEET PROGRAM

Sec. 6001. Short title.

This subtitle may be cited as the "Driver Education Program and Fleet Program Amendment Act of 2009".

Sec. 6002. Section 9(c) of the Motor Vehicle Services Fees and Driver Education Support Act of 1982, effective April 3, 1982 (D.C. Law 4-97; D.C. Official Code § 50-1405.01(c)), is amended to read as follows:

"(c) Amounts allocated to, or deposited in, the Driver Education Program Fund shall be used by a District of Columbia agency, including the Department of Motor Vehicles, for the purposes of offering driver education programs approved by the Department of Motor Vehicles or used at the discretion of the Mayor for Department of Motor Vehicle functions as set forth in section 1825 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 50-904).".

Sec. 6003. Section 304a of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2303.04a ("Act")), is amended as follows:

(a) The heading is amended by striking the word "adjudication" and inserting the word "reconciliation" in its place.

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

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

“(1) "Fleet" means 10 or more company owned or long-term leased motor vehicles, or a vehicle that was part of the fleet adjudication program, which the motor vehicle owner elects to be part of the fleet reconciliation program.

“(2) "Motor vehicle fleet owner" means any corporation, firm, agency, association, organization, or other entity holding legal title to 10 or more company owned or leased motor vehicles and an owner who was part of the fleet adjudication program and elects to be part of the fleet reconciliation program.".

(c) Subsection (b) is amended by striking the word "adjudication" and inserting the word "reconciliation" in its place.

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

(1) The lead-in language is amended by striking the word "adjudication" and inserting the word "reconciliation" in its place.

(2) Paragraph (2) is amended by striking the word "adjudication" and inserting the word "reconciliation" in its place.

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

SECOND ENROLLED ORIGINAL

“(3) Satisfy all outstanding parking, moving, and automatic enforcement infractions prior to registration in the program.”.

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

“(e) A fleet owner participating in the fleet reconciliation program shall pay the amount owed stated in the monthly fleet infraction report, which sets forth the date and time of the infraction and other information contained in the original notice of infraction, within 30 days of its receipt. If the amount set forth in the fleet infraction report is not paid within 30 days, the Director shall notify the owner in writing that failure to pay within 30 days of the date of the notice of failure to pay shall be grounds for removal from the program. A fleet owner shall be given notice in writing if it is being removed from the program. The effective date of the removal shall be the date that notice of removal is sent to the fleet owner. A fleet owner shall not be entitled to adjudicate any violations listed in the monthly fleet infraction report. Penalties set forth in section 105(a)(2) are not applicable to the fleet reconciliation program. If a fleet owner is removed from the program by the Director, then the penalties set forth in section 105(a)(2) shall immediately apply and the owner shall be responsible for any penalties that would have incurred if the vehicle had not been part of the program. A fleet vehicle shall not be subject to towing or immobilization, for failure to pay notices of infraction while part of the fleet reconciliation program. If a fleet vehicle is removed from the program, either voluntarily or as a result of removal by the Director, the vehicle shall become immediately subject to towing or immobilization if the vehicle would have been subject to towing or immobilization had it not been part of the program.

“(f) Notwithstanding the provisions of the Driver Education Program and Fleet Program Amendment Act of 2009, passed on 4th reading on September 22, 2009 (Enrolled version of Bill 18-203), a member of the fleet reconciliation program shall be able to adjudicate a ticket on the basis of a citation having an invalid license plate or tag number, or for a duplicate citation for the same infraction.”.

SUBTITLE B. VEHICLE INSPECTION IMPROVEMENT

Sec. 6010. Short title.

This subtitle may be cited as the “Vehicle Inspection Improvement Amendment Act of 2009”.

Sec. 6011. Title 18 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 600 (18 DCMR § 600) is amended as follows:

(1) Section 600.1 (18 DCMR § 600.1) is amended to read as follows:

“This chapter shall contain rules prescribing standards for inspection of all motor vehicles registered in the District; and the procedure under which approved and rejected vehicles shall be processed.”.

(2) Section 600.4 (18 DCMR § 600.4) is amended by striking the phrase “public street or space” and inserting the phrase “or, if applicable, as set forth in §§ 601.4, 601.5 and 601.6” in its place.

(b) Section 601 (18 DCMR § 601) is amended as follows:

(1) Section 601.2 (18 DCMR §601.2) is amended by striking the phrase “Motor Vehicle Inspection Manual of the District of Columbia (also referred to as the “District Inspection Manual” or “Manual”), and inserting the phrase “current edition of the

SECOND ENROLLED ORIGINAL

Washington DC Vehicle Inspection Program Lane Operator's Manual (also referred to as the "Lane Operator's Manual")" or, when applicable, to the current edition of the American Association of Motor Vehicle Administrator's Vehicle Inspection Manual (also referred to as the "AAMVA Manual")" in its place.

(2) Section 601.3 (18 DCMR § 601.3) is amended as follows:

(A) Strike the phrase "The 1982 and 1999 issues of the Motor Vehicle Inspection Manual of the District of Columbia" and insert the phrase "The "Lane Operator's Manual" or, when applicable, the "AAMVA Manual"" in its place.

(B) Strike the phrase "Motor Vehicle Inspection Manual of the District of Columbia" and insert the phrase "the 'Lane Operator's Manual' or the 'AAMVA Manual'" in its place.

(3) Section 601.4 (18 DCMR § 601.4) is amended by striking the phrase "safe operating condition".

(4) Section 601.5 (18 DCMR § 601.5) is amended by striking the phrase "safety and".

(5) A new section 601.6 is added to read as follows:

"601.6 Vehicles registered in the District of Columbia shall be inspected periodically for safe operating condition and compliance with this Title as follows:

"(1) Bus not owned or leased by the Washington Metropolitan Area Transit Authority Bus: semiannually;

"(2) Taxicab and other public vehicle for hire: semiannually;

"(3) Commercial vehicle: annually; and

"(4) Tow truck: annually.".

(c) Section 602 (18 DCMR § 602) is amended as follows:

(1) Section 602.5 (18 DCMR § 602.5) is amended by striking the word "safety".

(2) Section 602.6 (18 DCMR § 602.6) is amended by striking the word "After" and inserting the phrase "No later than" in its place.

(d) Section 603 (18 DCMR § 603) is amended as follows:

(1) Section 603.1 (18 DCMR § 603.1) is amended to read as follows:

"603.1 If, upon inspection of any vehicle, the Director determines that it conforms to the standards contained in the current edition of the "Lane Operator's Manual", or when applicable, the current edition of the "AAMVA Manual" and this Title, the Director shall issue to the registrant or person desiring registration an approved inspection sticker for the vehicle.".

(2) Section 603.4 (18 DCMR § 603.4) is repealed.

(e) Section 604 (18 DCMR § 604) is amended as follows:

(1) Section 604.1 (18 DCMR § 604.1) is amended to read as follows:

"If, upon inspection of any vehicle, the Director determines it does not conform to the standards in the current edition of the "Lane Operator's Manual", or when applicable, the current edition of the "AAMVA Manual" and this Title, the Director shall issue to the registrant or person desiring registration a rejection sticker".

(2) Sections 604.2, 604.6, 604.7, 604.9 and 604.10 (18 DCMR §§ 604.2, 604.6, 604.7, 604.9, and 604.10) are repealed.

(f) Section 605 (18 DCMR § 605) is amended as follows:

(1) Section 605.2 (18 DCMR § 605.2) is amended to read as follows:

SECOND ENROLLED ORIGINAL

“The determination that the items that were the basis for the issuance of the rejection sticker have been brought into compliance with the applicable standard and the subsequent issuance of an "approved" inspection sticker may be made by personnel of the motor vehicle inspection facilities operated by the District of Columbia, except as provided in § 600.6.”.

(2) Sections 605.3 through 605.27 (18 DCMR §§ 605.3 and 605.27) are repealed.

(g) Section 606.2 (18 DCMR § 606.2) is amended by striking the phrase “District Inspection Manual” and inserting the phrase “Lane Operator’s Manual” or when applicable, the current ‘AAMVA Manual’ in its place.

(h) Sections 610, 611.612, and 613 (18 DCMR §§ 610, 611, 612, and 613) are repealed.

(i) Sections 615, 616, 617 and 618 (18 DCMR §§ 615, 616, 617, and 618) are repealed.

(j) Section 700.6 (18 DCMR § 700.6) is amended by striking the phrase “The Motor Vehicle Inspection Manual of the District of Columbia (also referred to as “District Inspection Manual” or “Manual” and inserting the phrase “The current edition of the Washington DC Vehicle Inspection Program Lane Operator’s Manual (also referred to as the “Lane Operator’s Manual”) or when applicable, to the current edition of the American Association of Motor Vehicle Administrator’s Vehicle Inspection Manual (also referred to as the “AAMVA Manual”)” in its place.

(k) Section 700.7 (18 DCMR § 700.7) is amended as follows:

(1) Strike the phrase “District Inspection Manual” and insert phrase “the current edition of the “Lane Operator’s Manual”, or when applicable, to the current edition of the “AAMVA Manual” in its place.

(2) Strike the phrase “Copies of the Manual” and insert the phrase “Copies of current edition of the Lane Operator’s Manual” and the current edition of the “AAMVA Manual” in its place.

(l) Section 754.4 (18 DCMR § 754.4) is amended by striking the phrase “Vehicle Inspection Manual” and inserting the phrase “the current edition of the Lane Operator’s Manual, or when applicable, to the current edition of the AAMVA Manual” in its place.

(m) Section 756.3 (18 DCMR § 756.3) is amended by striking the phrase “Vehicle Inspection Manual” and inserting the phrase “the current edition of the Lane Operator’s Manual, or when applicable, to the current edition of the AAMVA Manual” in its place.

SUBTITLE C. EQUITABLE PARKING METER RATES

Sec. 6020. Short title.

This subtitle may be cited as the "Equitable Parking Meter Rates Amendment Act of 2009".

Sec. 6021. Chapter 24 of Title 18 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 2404 is amended by adding a new section 2404.25 to read as follows:

"2404.25. Except as provided in § 2424, and notwithstanding the provisions of this section, the rates for parking meters in the District of Columbia shall be increased as follows:

"(1) Parking meters in premium demand parking meter rate zones shall charge a rate of \$2 per hour.

SECOND ENROLLED ORIGINAL

"(2) Parking meters in normal demand parking meter rate zones shall charge a rate of \$0.75 per hour."

(b) Section 2426 is repealed.

Sec. 6022. Section 2(a) of the Parking Meter Fee Moratorium Act of 2004, effective April 5, 2005 (D.C. Law 15-273; D.C. Official Code § 50-2633.01(a)), is amended to read as follows:

"(a) The Director of the District Department of Transportation ("Director") shall exempt particular neighborhoods from Saturday meter enforcement where the Director determines that Saturday meter enforcement would not be in the public interest. In making such a determination, the Director shall consider whether Saturday meter enforcement is necessary to maintain available curbside parking; provided, that by October 15, 2009, the Director shall submit to the Council for approval, by resolution, the neighborhoods to be exempted from Saturday enforcement and the criteria used to exempt each neighborhood. Nothing in this subsection may be implemented until the Council affirmatively approves the submission of the Director."

Sec. 6023. The Equitable Parking Meter Rates Temporary Amendment Act of 2009, effective March 31, 2009 (D.C. Law 17-374; 56 DCR 1390), is repealed.

**SUBTITLE D. DISTRICT DEPARTMENT OF TRANSPORTATION
ESTABLISHMENT**

Sec. 6030. Short title.

This subtitle may be cited as the "District Department of Transportation Establishment Amendment Act of 2009".

Sec. 6031. Section 9c of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.11), is amended as follows:

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

(1) Paragraph (1) is amended by striking the phrase "financing tools," and inserting the phrase "financing tools, to pay a portion of the District's annual operating subsidies to the Washington Metropolitan Area Transit Authority, to pay the annual operating budgets of the Bicycle Advisory Council and the Pedestrian Advisory Council," in its place.

(2) Paragraph (2) is repealed.

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

"(3) Funds from the Unified Fund shall be deposited in the unrestricted fund balance of the General Fund of the District of Columbia as follows:

"(A) For Fiscal Year 2010, an amount of \$3.5 million;

"(B) For Fiscal Year 2011, an amount of \$3.6 million; and

"(C) For Fiscal Year 2012, and each succeeding fiscal year, an amount of \$3.7 million."

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

(1) Paragraph (4) is amended to read as follows:

"(4) One hundred percent of the proceeds collected by the District for rental of public space, including revenue generated by public space rental fees collected pursuant to

SECOND ENROLLED ORIGINAL

the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.*) ("Act"), and bus shelter advertising revenue; provided, that any incremental revenue generated by public space rental fees for vaults pursuant to section 304 of the Act (D.C. Official Code § 10-1103.03) shall be deposited into the Highway Trust Fund."

(2) Paragraph (6) is amended by striking the phrase "District Department of Transportation." and inserting the phrase "District Department of Transportation; provided, that beginning in fiscal year 2010 the first \$2 million collected in each fiscal year shall be directed to the General Fund of the District of Columbia." in its place.

SUBTITLE E. D.C. TAXICAB COMMISSION SPECIAL ACCOUNT

Sec. 6040. Short title.

This subtitle may be cited as the "District of Columbia Taxicab Commission Establishment Amendment Act of 2009".

Sec. 6041. Section 20a of the District of Columbia Taxicab Commission Establishment Act of 1985, effective May 10, 1988 (D.C. Law 7-107; D.C. Official Code § 50-320), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "This fund shall consist of all assessments levied by the Public Service Commission of the District of Columbia" and inserting the phrase "The Fund shall consist of all assessments levied by the Commission" in its place.

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

"(b) The Fund shall be used to pay the costs of the Commission, including the costs of operating and administering programs, investigations, proceedings, and inspections, and any costs including any costs for improving the District's taxicab fleet."

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

(1) Strike the phrase "taxicab operators" and insert the phrase "taxicab and passenger vehicle for hire operators" in its place.

(2) Strike the phrase "taxicab rates" and insert the phrase "taxicab and passenger vehicle for hire rates" in its place.

(d) Subsection (d) is amended by striking the phrase "taxicab operator" and inserting the phrase "taxicab and passenger vehicle for hire operator" in its place.

(e) Subsections (e) and (f) are repealed.

SUBTITLE F. DISTRICT OF COLUMBIA TAXICAB LICENSE FEE

Sec. 6050. Short title.

This act may be cited as the "District of Columbia Taxicab License Fee Amendment Act of 2009".

Sec. 6051. Section 2829 of Title 47 of the District of Columbia Official Code is amended as follows:

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

(1) Strike the figure "\$35" and insert the figure "\$75" in its place.

SECOND ENROLLED ORIGINAL

- (2) Strike the figure “\$100” and insert the figure “\$200” in its place.
- (b) Subsection (i) is amended as follows:
 - (1) Strike the figure “\$5” and insert the figure “\$75” in its place.
 - (2) Strike the figure “\$100” and insert the figure “\$200” in its place.

Sec. 6052. Title 31 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 501.4 (31 DCMR § 501.4) is amended by striking the phrase “two hundred fifty dollars (\$250)” and inserting the phrase “four hundred seventy-five dollars (\$475), comprising an annual operating authority of three hundred seventy-five dollars (\$375) and a business license fee of one hundred dollars (\$100)” in its place.

(b) Section 801.5 (31 DCMR 801.5) is repealed.

(c) Section 827.1 (31 DCMR § 827) is amended as follows:

(1) Under the Annual Taxicab Vehicle License heading, strike the phrase “Taxicab 26.20” and insert the phrase “Taxicab 35.00” in its place.

(2) Under the Annual Operator ID Cards heading:

(A) Strike the phrase “Not valid for hire 35.00” and insert the phrase “Not valid for hire 100.00” in its place.

(B) Strike the phrase “Taxicab 35.00” and insert the phrase “Taxicab 75.00” in its place.

(d) Section 1005.2 (31 DCMR § 1005.2) is amended by striking the phrase “five dollars (\$5.00)” and inserting the phrase “seventy-five dollars (\$75.00)” in its place.

(e) Section 1008.7 (31 DCMR § 1008.7) is amended by striking the phrase “five dollars (\$5.00)” and inserting the phrase “seventy-five dollars (\$75.00)” in its place.

(f) Section 1009.8 (31 DCMR § 1009.8) is amended by striking the phrase “five dollars (\$5.00)” and inserting the phrase “one hundred dollars (\$100.00)” in its place.

(g) Section 1016.5 (31 DCMR § 1016.5) is amended by striking the phrase “twenty-five dollars (\$25)” and inserting the phrase “thirty-two dollars (\$32)” in its place.

(h) Section 1101 (31 DCMR § 1101) is amended by striking the phrase “taxicab operators” from the heading and inserting the phrase “public vehicle for hire operators” in its place.

(i) Section 1101.1 (31 DCMR § 1101.1) is amended by striking the phrase “taxicab operator” and inserting the phrase “operator licensed by the Commission” in its place.

(j) Section 1101.2 (31 DCMR § 1101.2) is amended by striking the phrase “taxicab operator” and inserting the phrase “operator licensed by the Commission” in its place.

(k) Section 1101.3 (31 DCMR § 1101.3) is amended by striking the phrase “taxicab operator” and inserting the phrase “operator licensed by the Commission” in its place.

(l) Section 1101.4 (31 DCMR § 1101.4) is amended by striking the phrase “taxicab operators” and inserting the phrase “operators licensed by the Commission” in its place.

(m) Section 1202.1 (31 DCMR § 1202.1) is amended as follows:

(1) By striking the phrase “two hundred fifty dollars (\$250) for the limousine organization” and inserting the phrase “four hundred seventy-five dollars (\$475), comprising an annual operating authority of three hundred seventy-five dollars (\$375) and a business license fee of one hundred dollars (\$100), for a limousine organization,” in its place.

(2) By striking the phrase “one hundred dollars (\$100) for an independently operated limousine” and inserting the phrase “two hundred fifty dollars (\$250), comprising

SECOND ENROLLED ORIGINAL

an annual operating authority of one hundred fifty dollars (\$150) and a business license fee of one hundred dollars (\$100), for an independently operated limousine,” in its place.

(n) Section 1215.5 (31 DCMR § 1215.5) is amended by striking the phrase “one hundred and twenty-five dollars (\$125)” and inserting the phrase “one hundred and sixty-two dollars (\$162)”

(o) Section 1216.4 (31 DCMR § 1216.4) is amended to read as follows:

“1216.4. The annual fee for an interjurisdictional permit, including any permit for any limousine operating within the District of Columbia under an authorization issued by the Washington Metropolitan Area Transit Commission, shall be four hundred dollars (\$400) per vehicle.”.

(p) A new section 1216.22 is added to read as follows:

“1216.22. Two hundred dollars (\$200) of the annual fee in subsection 1216.4 shall be used to increase enforcement of this section, including providing a list of approved limousine services to District hotels for service within District boundaries with a copy of applicable regulations.”.

Sec. 6053. Section 14(c-1) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-313(c-1)), is repealed.

SUBTITLE G. PEDESTRIAN ADVISORY COUNCIL

Sec. 6060. Short title.

This subtitle may be cited as the "Pedestrian Advisory Council Establishment Act of 2009".

Sec. 6061. Pedestrian Advisory Council.

(a) There is established a Pedestrian Advisory Council (“PAC”).

(b) The PAC shall be composed of 18 members appointed as follows:

- (1) The Director of the District Department of Transportation, or designee;
- (2) The Chief of the Metropolitan Police Department, or designee;
- (3) The Director of the Office of Planning, or designee;
- (4) The Director of the Department of Parks and Recreation, or designee;
- (5) The Chancellor of the District of Columbia Public Schools, or designee;

and

(6) Thirteen community representatives who are District of Columbia residents with a demonstrated interest in pedestrian safety, with each member of the Council of the District of Columbia appointing one representative.

(c) A chairperson shall be elected from among the 13 community representatives at the first meeting of the PAC, who shall serve for a term of 2 years.

(d) The community members shall be appointed for a term of 3 years, with initial staggered appointments of 4 members appointed for one year, 5 members appointed for 2 years, and 4 members appointed for 3 years. The members to serve the one-year term, the members to serve the 2-year term, and the members to serve the 3-year term shall be determined by lot at the first meeting of the PAC.

(e) The District Department of Transportation shall provide the PAC with an annual operating budget, which shall include funds to maintain a website where the PAC shall

SECOND ENROLLED ORIGINAL

provide a public listing of members, meeting notices, and meeting minutes.

(f) The purpose of the PAC shall be to serve as the advisory body to the Mayor, the Council of the District of Columbia, and the District agencies on matters pertaining to the improvement of pedestrian safety and accessibility.

Sec. 6062. District Department of Transportation operating funding for the Bicycle Advisory Council.

Section 5 of the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official Code § 50-1604), is amended by adding a new subsection (c-1) to read as follows:

"(c-1) The District Department of Transportation shall provide the Bicycle Advisory Council with an annual operating budget, which shall include funds to maintain a website, where the Bicycle Advisory Council shall provide a public listing of members, meeting notices, and meeting minutes."

SUBTITLE H. WMATA FUND AMENDMENT

Sec. 6070. Short title.

This subtitle may be cited as the "Washington Metropolitan Area Transit Authority Fund Amendment Act of 2009".

Sec. 6071. The Washington Metropolitan Area Transit Authority Fund Act of 2006, effective June 16, 2006 (D.C. Law 16-132; 53 DCR4727), is amended as follows:

(a) Section 2 is amended as follows:

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

"(a)(1) There is established as a nonlapsing fund the Washington Metropolitan Area Transit Authority Fund ("Fund"), which shall be used solely for the purposes set forth in subsection (b) of this section.

"(2) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section, subject to authorization by Congress.

"(3)(A) Except as provided in subparagraph (B) of this paragraph, the Fund shall be funded solely by an annual appropriation of \$50 million ("Required Funding").

"(B) If in any fiscal year, the amount appropriated for the Fund ("Anticipated Funding") is less than the Required Funding, a percentage of the sales tax revenue collected annually under Chapter 20 of Title 47 of the District of Columbia Official Code equal to the difference between the Required Funding and the Anticipated Funding ("Deficit") shall be apportioned from the proceeds of such annual sales tax revenues, other than dedicated taxes as defined under section 490(n)(5) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 807; D.C. Official Code § 1-204.90(n)(5)), and shall be deposited into the Fund in accordance with subsection (a-1)(2) of this section."

(2) New subsections (a-1) and (a-2) are added to read as follows:

"(a-1) On or before October 31 of each fiscal year, the Chief Financial Officer shall certify to the Mayor and the Council that:

"(1) The Congress appropriated \$50 million for the Fund in the current fiscal

year and the funds are available for obligation and expenditure in the current fiscal year; or

“(2) The amount of funds that are available for obligation and expenditure from the Fund and the amount of the Deficit.

“(a-2) In each fiscal year that the Chief Financial Officer certifies that there is a Deficit, in accordance with subsection (a-1)(2) of this section, the Chief Financial Officer shall, beginning November 1, commence the deposit of a percentage of sales tax revenues collected each month under Chapter 20 of Title 47 of the District of Columbia Official Code, apportioned from the proceeds of such monthly sales tax revenues, other than dedicated taxes as defined under section 490(n)(5) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 807; D.C. Official Code § 1-204.90(n)(5)), until the Deficit has been fully funded; provided, that the amount of such monthly sales tax shall be reduced by the interest on the Anticipated Funding earned during the fiscal year. The Chief Financial Officer shall determine the percentage of sales tax revenues necessary to satisfy the Deficit within the fiscal year.”.

(b) Section 3 is amended by striking the phrase “Section 2 shall” and inserting the phrase “Section 2(b) shall” in its place.

SUBTITLE I. COST DRIVEN RE-FORMULATION OF THE DISTRICT DEPARTMENT OF TRANSPORTATION BUDGET FOR FISCAL YEAR 2011

Sec. 6080. Short title.

This subtitle may be cited as the “District Department of Transportation’s Cost Driven Budget Reformulation Act of 2009”.

Sec. 6081. Pursuant to the Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), mandating the establishment of cost drivers for each budget activity, the Chief Financial Officer is directed to provide support to the District Department of Transportation to identify the key cost drivers in the agency and to submit a report detailing the results of the analysis to the Council by February 1, 2010.

SUBTITLE J. ANACOSTIA COMMUNITY BOATHOUSE ASSOCIATION RELOCATION

Sec. 6090. Short title.

This subtitle may be cited as the “Anacostia Community Boathouse Association Relocation Act of 2009”.

Sec. 6091. Anacostia Community Boathouse Association relocation.

No later than January 1, 2010, the Mayor shall execute an agreement with the Anacostia Community Boathouse Association (“ACBA”) to either;

(1) Affirm the District’s commitment as set forth in the 11th Street Bridges Project Environmental Impact Statement (“EIS”) and Record of Decision to relocate ACBA to the Washington Gas site, located on the Anacostia River adjacent to the 11th Street Bridge, following environmental remediation; or

(2) Provide an alternative site capable of meeting the EIS objective of fully supporting ACBA's operations, as adjudged by a boathouse expert appointed with the approval of the District, ACBA and the Member of the Council of the District of Columbia for Ward 6.

SECOND ENROLLED ORIGINAL

SUBTITLE K. TOUR BUS FEES

Sec. 6100. Short title.

This subtitle may be cited as the "Tour Bus Act of 2009".

Sec. 6101. Establishment of a domestic tour bus program.

(a) By December 30, 2009, the Mayor shall establish a new program to encourage domestic sightseeing tour bus operations, which shall include setting a yearly fee schedule for tour bus operators to encourage operators to register their vehicles in the District.

(b) All funds raised from the fee schedule shall be transferred to the Department of Parks and Recreation for environmental recreation programs.

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. BUDGET FINANCING CONTINGENCIES

Sec. 7001. Short title.

This subtitle may be cited as the "Budget Financing Contingencies Amendment Act of 2009".

Sec. 7002. Section 401 of the Southwest Waterfront Bond Financing Act of 2008, effective October 22, 2008 (D.C. Law 17-252; 55 DCR 9251), is repealed.

Sec. 7003. Section 3 of the National Public Radio Real Property Tax Abatement Act of 2008, effective August 29, 2008 (D.C. Law 17-220; 55 DCR 8235), is repealed.

Sec. 7004. Section 15 of the City Market at O Street Tax Increment Financing Act of 2008, effective November 28, 2008 (D.C. Law 17-278; 55 DCR 11050), is repealed.

Sec. 7005. Section 3 of the Georgia Commons Real Property Tax Exemption and Abatement Act of 2007, effective February 27, 2008 (D.C. Law 17-113; 55 DCR 1866), is repealed.

Sec. 7006. Section 3 of the Urban Institute Real Property Tax Abatement Temporary Act of 2009, effective March 31, 2009 (D.C. Law 17-376; 56 DCR 1383), is repealed.

Sec. 7007. Section 5 of the Tregaron Conservancy Tax Exemption and Relief Act of 2008, effective March 20, 2008 (D.C. Law 17-119; 55 DCR 1473), is repealed.

Sec. 7008. Section 47-446 of the District of Columbia Official Code is repealed.

Sec. 7009. Section 2202(e) of the Service Improvement and Fiscal Year 2000 Budget Support Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 1-307.03(e)), is amended by striking the first sentence.

Sec. 7010. Section 15 of the Recreation Volunteer Background Check and Screening Act of 2000, effective May 23, 2000 (D.C. Law 13-123, §15; 47 DCR 2050), is repealed.

Sec. 7011. Section 3 of the Government Employer-Assisted Housing Amendment

SECOND ENROLLED ORIGINAL

Act of 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2502), is amended by striking the phrase “Subject to availability of funds, there” and inserting the word “There” in its place.

Sec. 7012. Section 7 of the Public Access to Automated External Defibrillator Act of 2000, effective April 27, 2001 (D.C. Law 13-278; 48 DCR 1869) is repealed.

Sec. 7013. Section 2(f) of the Greater Southeast Community Hospital Corporation and the Greater Southeast Management Company Loan Emergency Approval Resolution of 1999, effective July 13, 1999 (Res. 13-245; 46 DCR 7141), is amended by striking the second sentence.

Sec. 7014. Section 3 of the Greater Southeast Community Hospital Corporation and Hadley Memorial Hospital Tax Abatement Act of 2001, effective March 19, 2002 (D.C. Law 14-82; 49 DCR 194), is repealed.

Sec. 7015. Section 3 of the DC Teachers Federal Credit Union Real Property Tax Exemption Act of 2002, effective March 27, 2003 (D.C. Law 14-253; 50 DCR 229), is repealed.

Sec. 7016. Section 3 of the Woolly Mammoth Theatre Tax Abatement Act of 2002, effective May 2, 2002 (D.C. Law 14-128; 49 DCR 2327), is repealed.

Sec. 7017. Section 3 of the Square 456 Payment in Lieu of Taxes Act of 2002, effective May 2, 2002 (D.C. Law 14-129; 49 DCR 2331), is repealed.

Sec. 7018. Section 5 of the Mandarin Oriental Hotel Project Tax Deferral Act of 2002, effective March 25, 2003 (D.C. Law 14-232; D.C. Official Code § 2-1217.32, note), is repealed.

Sec. 7019. Section 3 of the Square 456 Payment in Lieu of Taxes Act of 2002, effective March 25, 2003 (D.C. Law 14-234; D.C. Official Code § 47-1052, note), is repealed.

Sec. 7020. Section 2(a)(6) of the South Capitol Street Development Disposition Approval Resolution of 2006, effective July 11, 2006 (Res. 16-716; 53 DCR 6036), is amended by striking the phrase “, subject to the availability of appropriations.”.

Sec. 7021. Section 3 of the Taxation Without Representation Federal Tax Pay-Out Message Board Installation Act of 2008, effective October 21, 2008 (D.C. Law 17-232; 55 DCR 9008), is repealed.

Sec. 7022. Section 3 of the Lower Income Homeownership Cooperative Housing Association Re-Clarification Act of 2008, effective July 18, 2008 (D.C. Law 17-180; 55 DCR 6255), is repealed.

SECOND ENROLLED ORIGINAL

Sec. 7023. Section 3 of the So Others Might Eat Property Tax Exemption Act of 2008, effective July 18, 2008 (D.C. Law 17-185; 55 DCR 6104), is repealed.

Sec. 7024. Section 506b(b)(1) of the Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978, effective October 22, 2008 (D.C. Law 17-249; D.C. Official Code § 7-1305.06b(b)(1)), is amended by striking the phrase “, subject to availability of funds,”.

Sec. 7025. Section 3 of the St. Martin’s Apartments Tax Exemption Act of 2008, effective March 25, 2009 (D.C. Law 17-355; 56 DCR 1159), is repealed.

Sec. 7026. Section 301 of the Prohibition of the Investment of Public Funds in Certain Companies Doing Business with the Government of Iran and Sudan Divestment Conformity Act of 2008, effective March 21, 2009 (D.C. Law 17-337; 56 DCR 939), is repealed.

Sec. 7027. Section 5(b) of the Domestic Partnership Police and Fire Amendment Act of 2008, effective March 25, 2009 (D.C. Law 17-358; 56 DCR 1188), is repealed.

Sec. 7028. Section 3 of the Gateway Market Center and Residences Real Property Tax Exemption Act of 2008, effective March 25, 2009 (D.C. Law 17-359; 56 DCR 1193), is repealed.

Sec. 7029. Section 3 of the Asbury United Methodist Church Equitable Real Property Tax Relief Act of 2008, effective March 21, 2009 (D.C. Law 17-340; 55 DCR 951), is repealed.

Sec. 7030. Section 3 of the Eckington One Residential Project Economic Development Act of 2008, effective March 25, 2009 (D.C. Law 17-348; 55 DCR 971), is repealed.

Sec. 7031. The Limitation on Borrowing and Establishment of the Operating Cash Reserve Act of 2008, effective March 25, 2009 (D.C. Law 17-360; 56 DCR 1200), is amended as follows:

“Sec. 3a. Applicability.

“Section 2(d) shall take effect subject to the inclusion of its fiscal effect in an approved budget and financial plan.”.

Sec. 7032. Section 3 of the Washington Metropolitan Area Transit Authority Fund Act of 2006, effective June 16, 2006 (D.C. Law 16-132; 53 DCR 4727), is amended by adding a new paragraph (4) to read as follows:

“(4) Inclusion of the fiscal effect of this act in an approved budget and financial plan.

SECOND ENROLLED ORIGINAL

Sec. 7033. Section 3 of the Washington, D.C. Fort Chaplin Park South Congregation of Jehovah's Witnesses, Inc. Real Property Tax Relief Temporary Act of 2009, effective March 25, 2009 (D.C. Law 17-373; 56 DCR 1363), is repealed.

Sec. 7034. Section 3 of the NoMA Residential Development Tax Abatement Act of 2009, signed by the Mayor on April 29, 2009 (D.C. Act 18-54; 56 DCR 3568), is repealed.

Sec. 7035. Section 3 of the Randall School Development Project Tax Temporary Act of 2009, effective June 2, 2009 (D.C. Law 18-6; 56 DCR 2662), is repealed.

Sec. 7036. Section 8(b) and (d) of the Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-266; D.C. Official Code § 1-307.67(b) and (d)), is amended by striking the phrase "Subject to appropriations" and inserting the phrase "Subject to annual available appropriations" in its place.

Sec. 7037. The Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899), is amended as follows:

- (a) Section 2013 is repealed.
- (b) Section 4013 is repealed.

Sec. 7038. (a) Section 7(a) of the Government Employer-Assisted Housing Amendment Act of 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2506(a)), is amended by striking the phrase "following assistance:" and inserting the phrase "following assistance, subject to annual available appropriations:" in its place.

- (b) This section shall apply as of October 1, 2009.

Sec. 7039. Section 501(o)(2) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(o)(2)), is amended to read as follows:

"(2) This subsection shall not apply until its fiscal effect is included in an approved budget and financial plan."

SUBTITLE B. SALES TAX APPLICABILITY

Sec. 7040. Short title.

This subtitle may be cited as the "Sale Tax Applicability Act of 2009".

Sec. 7041. Section 47-2005 (32A) of the District of Columbia Official Code is repealed.

SUBTITLE C. FISCAL YEAR 2010 EXPENDITURE OF CERTAIN DEDICATED TAXES

Sec. 7050. Short title.

This subtitle may be cited as the "Fiscal Year 2010 Expenditure of Dedicated Taxes Amendment Act of 2009".

SECOND ENROLLED ORIGINAL

Sec. 7051. Notwithstanding any provision of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071 *et seq.*), up to \$11.566 million may be expended from the Neighborhood Investment Fund in fiscal year 2010 for :

- “(1) New Communities human capital activities;
- “(2) Community-serving projects implemented by the:
 - “(A) Department of Parks and Recreation;
 - “(B) Commission on Arts and Humanities;
 - “(C) Department of Human Services;
 - “(D) Department of Health, and
 - “(E) Office of the Deputy Mayor for Planning and Economic Development;
- “(3) Grants or other financial support for community-serving nonprofit organizations;
- “(4) Operating expenses of community development projects administered by the District;
- “(5) Operating expenses of the District's economic development and community development activities; and
- “(6) Other expenses as may be included in the Fiscal Year 2010 budget or a reprogramming.”.

SUBTITLE D. SCHOOL MODERNIZATION FINANCING

Sec. 7060. Short title.

This subtitle may be cited as the "School Modernization Financing Amendment Act of 2009".

Sec. 7061. Section 47-305.02 of the District of Columbia Official Code is amended as follows:

- (a) Subsection (a)(4), (5), and (6) is repealed.
- (b) Subsection (b) is repealed.

SUBTITLE E. REAL PROPERTY FAIRNESS

Sec. 7070. Short title.

This subtitle may be cited as the "Owner-Occupant Residential Tax Credit Act of 2009".

Sec. 7071. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the section designation "47-864.01. Owner-occupant residential tax credit (conditional)." and inserting the section designation "47-864.01. Repealed." in its place.

(b) Section 47-864 is amended to read as follows:

“§ 47-864. Owner-occupant residential tax credit.

“(a) Real property receiving the homestead deduction under § 47-850 or § 47-850.01 shall receive an owner-occupant residential tax credit.

“(b) The credit under subsection (a) of this section shall be calculated as follows:

“(1)(A) In the case of real property that did not receive the credit under this

section in the prior tax year:

"(i) Subtract the current tax year's homestead deduction from the prior tax year's assessed value; and
"(ii) Multiply the amount by 110% to determine the current tax year's taxable assessment; or

"(B) In the case of real property that did receive the credit under this section in the prior tax year:

"(i) Multiply the prior tax year's taxable assessment by 110%;
and

"(ii) Subtract from that amount the difference of the current tax year's homestead deduction less the prior tax year's homestead deduction to determine the current tax year's taxable assessment.

"(2) Subtract the current tax year's homestead deduction from the current tax year's assessed value.

"(3) Subtract the current tax year's taxable assessment determined under paragraph (1) of this subsection from the amount determined in paragraph (2) of this subsection;

"(4) If the amount determined under paragraph (3) of this subsection is a positive number, multiply the amount by the applicable real property tax rate to determine the credit for the current tax year.

"(c) The credit under this section shall not apply if:

"(1) During the prior tax year:

"(A)(i) The real property was transferred for consideration to a new owner; or

"(ii) The return required by §§ 42-1103(d) and 47-903(d) was due;

"(B) The value of the real property was increased due to a change in the zoning classification of the real property initiated or requested by the homeowner or anyone having an interest in the real property; or

"(C) The assessed value of the real property was clearly erroneous due to an error in calculation or measurement of improvements on the real property;

"(2) During the prior calendar year, the real property was assessed under § 47-829; or

"(3) During the current tax year, the qualifying homestead deduction applications for dwelling units in a cooperative housing association are:

"(i) Filed for less than 50% of the dwelling units; or

"(ii) Not filed timely for the entire tax year.

"(d) Notwithstanding any other provision of this section, if the entire interest in the real property is transferred to a new owner and the real property no longer qualifies as a homestead pursuant to § 47-850 or § 47-851, the real property shall be entitled to the credit applicable to the installment payable during the half tax year during which the ownership interest was transferred. At the end of the half tax year, the credit shall cease.

"(e) Notwithstanding any other provision of this chapter, if the current tax year's taxable assessment of a real property receiving the homestead deduction under § 47-850 or § 47-850.01 is less than 40% of the current tax year's assessed value, the current tax year's taxable assessment for purposes of subsection (b)(1) of this section shall be 40% of the

current tax year's assessed value.

"(f) The credit under this section shall:

"(1) Be nonrefundable;

"(2) Be apportioned equally between each installment during the tax year;

and

"(3) Not be carried forward or carried back.”.

(c) Section 47-864.01 is repealed.

Sec. 7072. Applicability.

Section 7091 shall apply to tax periods beginning after September 30, 2009.

SUBTITLE F. DISALLOWANCE OF CERTAIN EXPENSES PAID TO RELATED PARTIES

Sec. 7080. Short title.

This subtitle may be cited as the "Interest Expense and Intangible Expense Paid to Related Parties Disallowance Act of 2009".

Sec. 7081. Section 47-1803.03 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a)(19) is repealed.

(b) Subsection (d) is amended as follows: to add a new paragraph (7) to read as follows:

"(7)(A) Any otherwise deductible interest expense or intangible expense if the interest expense or intangible expense is directly or indirectly paid to, or accrued or incurred by, one or more related members in connection directly or indirectly with one or more direct or indirect transactions.

“(B) The disallowance under subparagraph (A) of this paragraph shall not apply to any portion of the interest expense or intangible expense to the extent that the corporation establishes, as determined by the Chief Financial Officer, that:

“(i) The transaction giving rise to the payment of the interest expense or intangible expense between the corporation and the related member did not have as a principal purpose the avoidance of any portion of the tax due under this title;

“(ii) The interest expense or intangible expense was paid pursuant to arm's length contracts at an arm's length rate of interest or price; and

“(iii)(I) During the same taxable year, the related member directly or indirectly paid interest expense to, or the interest expense or intangible expense was accrued or incurred by, a person who is not a related member; or

“(II)(aa) The related member was subject to a tax measured by its net income or receipts in the District, a state or possession of the United States, or a foreign nation that has entered into a tax treaty with the United States government;

“(bb) A measure of the tax imposed by the District, a state or possession of the United States, or a foreign nation that has entered into a comprehensive tax treaty with the United States government included in the interest expense or intangible expense received by the related member from the corporation; and

“(cc) The aggregate effective tax rate imposed

SECOND ENROLLED ORIGINAL

on the amounts received by the related member is equal to or greater than 4.5%; provided, that a related member receiving the interest or intangible payment shall not be considered to be subject to a tax merely by virtue of the related member's inclusion in a combined or consolidated return in one or more states.

“(C) A subtraction from federal taxable income shall be allowed from the taxable income of a corporation equal to the amount received as royalties, interest, or similar income from intangibles from a related member, to the extent the related member, with respect to the payment, is denied a deduction under subparagraph (A) of this paragraph or there is a similar deduction denial or addition modification of a state, possession of the United States, or of a foreign nation that has entered into a comprehensive tax treaty with the United States government for intangible expenses or interest expenses paid to related members.

“(D) For the purposes of this paragraph, the term:

“(i) "Aggregate effective tax rate" means the sum of the effective rates of tax imposed by the District of Columbia, states, or possessions of the United States, and foreign nations that have entered into comprehensive tax treaties with the United States government, where a related member receiving a payment of interest expense or intangible expense is subject to tax and where the measure of the tax imposed included the payment.

“(ii) "Intangible expense" means:

“(I) An expense, loss, or cost for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance, management, ownership, sale, exchange, or any other disposition of intangible property, to the extent the expense, loss, or cost is allowed as a deduction or cost in determining taxable income for the taxable year under the Internal Revenue Code of 1986;

“(II) A loss related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions; or

“(III) A royalty, patent, technical, or copyright and licensing fee; or

“(IV) Any other similar expense or cost.

“(iii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights, and similar types of intangible assets.

“(iv) "Interest expense" means an amount directly or indirectly allowed as a deduction under section 163 of the Internal Revenue Code for purposes of determining taxable income under the Internal Revenue Code of 1986.

“(v) "Related entity" means a person that, under the attribution rules of section 318 of the Internal Revenue Code of 1986, is:

“(I) A stockholder who is an individual or a member of the stockholder's family enumerated in section 318 of the Internal Revenue Code of 1986, if the stockholder and the members of the stockholder's family own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the value of the taxpayer's outstanding stock;

“(II) A stockholder or a stockholder's partnership, limited liability company, estate, trust, or corporation, if the stockholder and the stockholder's partnership, limited liability company, estate, trust, or corporation own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the value of the taxpayer's

SECOND ENROLLED ORIGINAL

outstanding stock; or

“(III) A corporation or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of section 318 of the Internal Revenue Code of 1986, if the taxpayer owns directly, indirectly, beneficially, or constructively, at least 50% of the value of the corporation's outstanding stock.

“(vi) "Related member" means:

“(I) A person that, with respect to the taxpayer any time during the year, is a related entity;

“(II) A component member, as defined in section 1563(b) of the Internal Revenue Code of 1986;

“(III) A controlled group of which the taxpayer is also a component; or

“(IV) Is a person to or from whom there is attribution of stock ownership in accordance with section 1563(e) of the Internal Revenue Code of 1986.”.

Sec. 7082. Applicability

Section 7081 shall be effective for taxable years beginning after December 31, 2008.

SUBTITLE G. ECONOMIC INTERESTS IN REAL PROPERTY

CLARIFICATION

Sec. 7090. Short title.

This subtitle may be cited as the "Economic Interests in Real Property Clarification Amendment Act of 2009".

Sec. 7091. The District of Columbia Deed Recordation Tax Act of 1962, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101 *et seq.*), is amended as follows:

(a) Section 302b (D.C. Official Code § 42-1102.02) is amended by adding a new subsection (c) to read as follows:

“(c) Notwithstanding any other provision of this act, a transfer of shares in a cooperative housing association in connection with the grant, transfer, or assignment of proprietary leasehold or other proprietary interest, in whole or in part, shall be a transfer of an economic interest.”.

(b) Section 303(a)(2) (D.C. Official Code § 42-1103(a)(2)) is amended by striking the period and inserting the phrase “; provided, that in the case of a transfer of shares in a cooperative housing association that is in connection with a grant, transfer, or assignment of a proprietary leasehold or other proprietary interest, in whole or in part, where the consideration allocable to the real property is less than \$400,000, the rate of tax shall be 2.2%.”.

SUBTITLE H. REAL PROPERTY TAX REFORM

Sec. 7100. Short title.

This subtitle may be cited as the "Real Property Tax Reform Classification Amendment Act of 2009".

SECOND ENROLLED ORIGINAL

Sec. 7101. Section 12(7) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3131.12(7)), is amended by striking the phrase “holes, breaks,” and inserting the phrase “holes, graffiti, breaks,” in its place.

Sec. 7102. Section 47-813 of the District of Columbia Official Code is amended by adding a new subsection (c-8) to read as follows:

“(c-8)(1) For tax year 2010 and thereafter, the following classes of taxable real property are established:

“(A) Class 1 Property;

“(B) Class 2 Property; and

“(C) Class 3 Property;

“(2)(A) Except as otherwise provided in this paragraph, Class 1 Property shall be comprised of residential real property that is occupied, improved, and used exclusively for nontransient residential dwelling purposes; provided, that the improved and nontransient real property shall not be classified as Class 1 Property if it appears on the list compiled under § 42-3131.16.

“(B) Unimproved real property benefitting from an exemption under subsection (c-6)(2)(C) of this section on December 27, 2006, shall continue to benefit from the exemption and be classified as Class 1 Property for the duration permitted under that subsection; provided, that the exemption shall not be valid after September 30, 2007; provided further, that the unimproved real property may qualify for an exemption in effect after December 28, 2006, and subject to the time restriction and exclusion set forth in subparagraph (E)(ii)(II) of this paragraph.

“(C) Real property used as a parking lot shall be classified as Class 1 Property if it appertains to improved Class 1 Property and if each approval required from the District government for use as a parking lot has been obtained.

“(D) Unimproved real property that abuts Class 1 Property shall be classified as Class 1 Property if the real property and the Class 1 Property have common ownership.

“(E)(i) Unimproved, residential real property shall be classified as Class 1 Property if:

“(I) The real property is actively offered for sale or rental at a reasonable market price as of September 30 of the preceding tax year or as of March 31 of the current tax year; provided, that a real property that has been offered for sale for more than 8 months shall be presumed not to be offered for sale at a reasonable market price, and a rental offered for rental for more than 90 days shall be presumed not to be offered for rental at a reasonable market price;

“(II) A building permit to construct at least one nontransient dwelling unit has been issued and construction is actively pursued as of September 30 of the preceding tax year or as of March 31 of the current tax year;

“(III) The zoning regulations adopted by the Zoning Commission for the District of Columbia do not allow the building of any structure on the real property as a matter of right;

“(IV) The unimproved air rights lot appertains to

improved Class 1 Property;

“(V) For a period not to exceed 12 months, the real property is the subject of a pending application for a necessary approval for development before the Board of Zoning Adjustment, the Zoning Commission for the District of Columbia, the Commission of Fine Arts, the Historic Preservation Review Board, the Mayor's Agent for Historic Preservation, the Department of Public Works, or the National Capital Planning Commission; or

“(VI) For a period not to exceed 12 months, the real property is encumbered by a deed of trust that was recorded during the 12 months preceding the current tax year.

“(ii)(I) Classification of unimproved real property as Class 1 Property pursuant to sub-subparagraph (i)(I), (II), (III), or (IV) of this subparagraph shall not exceed 3 tax years under the same, substantially similar, or related ownership.

“(II) Notwithstanding sub-sub-subparagraph (I) of this sub-subparagraph, unimproved real property under the same, substantially similar, or related ownership that qualified for and benefitted from an exemption under sub-subparagraph (i) of this subparagraph or under subsection (c-6)(2)(C) or (c-6)(2)(E) of this section, other than under sub-subparagraph (i)(V) or (VI) of this subparagraph or a similar provision of subsection (c-6)(2)(C), for 3 or more tax years shall no longer be classified as Class 1 Property beginning in tax year 2008.

“(III) For purposes of this sub-subparagraph, ownership shall be related if a deduction for a loss from the sale or exchange of properties between taxpayers would be disallowed under section 267 of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 78; 26 U.S.C. § 267); provided, that the exclusion under section 267(a)(1) for a loss in a distribution in a complete liquidation shall not apply.

“(F) Unimproved real property that is separated from Class 1 Property by a public alley less than 30 feet wide shall be classified as Class 1 Property if:

“(i) The real property is less than 1,000 square feet;

“(ii) The zoning regulations adopted by the Zoning Commission for the District of Columbia do not allow the building of any structure on the real property as a matter of right; and

“(iii) The real property and the Class 1 Property separated by the alley from the real property have common ownership.

“(3)(A) Except as otherwise provided in this paragraph, Class 2 Property shall be comprised of all real property which is not Class 1 or Class 3 Property.

“(B) Unimproved real property benefitting from an exemption under subsection (c-6)(3)(C) of this section on December 27, 2006, shall continue to benefit from the exemption and be classified as Class 2 Property for the duration permitted under subsection (c-6)(3)(c) of this section; provided, that the exemption shall not be valid after September 30, 2007; provided further, that the unimproved real property may qualify for an exemption in effect after December 28, 2006, and subject to the time restriction and exclusion set forth in subparagraph (E)(ii)(II) of this paragraph.

“(C) Real property used as a parking lot shall be classified as Class 2 Property if each approval required from the District government for use as a parking lot has been obtained.

“(D) Unimproved real property which abuts Class 2 Property shall be

SECOND ENROLLED ORIGINAL

classified as Class 2 Property if the real property and the Class 2 Property have common ownership.

“(E)(i) Unimproved, commercial real property shall be classified as Class 2 Property if:

“(I) The real property is actively offered for sale or rental at a reasonable market price as of September 30 of the preceding tax year or as of March 31 of the current tax year; provided, that a real property which has been offered for sale for more than 8 months shall be presumed not to be offered for sale at a reasonable market price, and a rental offered for rental for more than 90 days shall be presumed not to be offered for rental at a reasonable market price;

“(II) A building permit to construct an improvement or a parking lot has been issued and construction is actively pursued as of September 30 of the preceding tax year or as of March 31 of the current tax year;

“(III) The unimproved air rights lot appertains to improved Class 2 Property; or

“(IV) For a period not to exceed 12 months, the real property is the subject of a pending application for a necessary approval for development before the Board of Zoning Adjustment, the Zoning Commission for the District of Columbia, the Commission of Fine Arts, the Historic Preservation Review Board, the Mayor's Agent for Historic Preservation, the Department of Public Works, or the National Capital Planning Commission; or

“(V) For a period not to exceed 12 months, the real property is encumbered by a deed of trust that was recorded during the 12 months preceding the current tax year.

“(ii)(I) Classification of unimproved real property as Class 2 Property pursuant to sub-subparagraph (i)(I), (II), or (III) of this subparagraph shall not exceed 3 tax years under the same, substantially similar, or related ownership.

“(II) Notwithstanding sub-sub-subparagraph (I) of this sub-subparagraph, unimproved real property under the same, substantially similar, or related ownership that qualified for and benefitted from an exemption under sub-subparagraph (i) of this subparagraph or under subsection (c-6)(3)(C) of this section, other than under sub-subparagraph (i)(IV) or (V) of this subparagraph or under a similar provision of subsection (c-6)(3)(C) of this section, for 3 or more tax years shall no longer be classified as Class 2 Property beginning in tax year 2008.

“(III) For the purposes of this sub-subparagraph, ownership shall be related if a deduction for a loss from the sale or exchange of properties between taxpayers would be disallowed under section 267 of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 78; 26 U.S.C. § 267); provided, that the exclusion under section 267(a)(1) for a loss in a distribution in a complete liquidation shall not apply.

“(F) Unimproved real property which is separated from Class 2 Property by a public alley less than 30 feet wide shall be classified as Class 2 Property if:

“(i) The real property is less than 1,000 square feet;

“(ii) The zoning regulations adopted by the Zoning Commission for the District of Columbia do not allow the building of any structure on the real property as a matter of right; and

SECOND ENROLLED ORIGINAL

“(iii) The real property and the Class 2 Property separated by the alley from the real property have common ownership.

“(G) Class 2 Property shall include, as of September 30 of the preceding tax year, the unimproved real property that is within the Northeast No. 1/Eckington Yards Special Treatment Area and the Buzzard Point/Near Southeast Development Opportunity Area, as designated on the current District of Columbia Generalized Land Use Map that is part of the Comprehensive Plan; provided, that the real property is zoned for commercial development and the real property owner is engaged in predevelopment activities as supported by written documentation. For the purpose of this subparagraph, the term "predevelopment activities" means completion of one of the following:

“(i) Preparation of subdivision or large tract review applications;

“(ii) Preparation or application for District of Columbia permits or authorizations to proceed with development;

“(iii) Participation in special planning or transportation studies prepared in conjunction with the District of Columbia; or

“(iv) Completion of environmental assessment or mitigation studies prepared in conjunction with the District of Columbia.

“(4) Class 3 Property shall be comprised of all improved real property that is classified as blighted property in accordance with subparagraph (A) of this paragraph.

“(A) For the purposes of this section, blighted Property shall be comprised of all improved vacant real property determined by the Mayor or the Board of Condemnation of Insanitary Buildings to be unsafe, insanitary, or which is otherwise determined to threaten the public health, safety, or general welfare of the community. The following may be considered in determining whether a property is blighted:

“(i) Failure to comply with the following vacant building maintenance standards:

“(I) Doors, windows, areaways, and other openings are weather-tight and secured against entry by birds, vermin, and trespassers, and missing or broken doors, windows, and other openings are covered;

“(II) The exterior walls are free of holes, breaks, graffiti, and loose or rotting materials, and exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint; or

“(III) All balconies, porches, canopies, marquees, signs, metal awnings, stairways, accessory and appurtenant structures, and similar features are safe and sound, and exposed metal and wood surfaces are protected from the elements by application of weather-coating materials, such as paint; or

“(ii) The structure is boarded up.

“(B) The Department of Consumer and Regulatory Affairs shall regularly transmit a list of the real properties that are blighted property to the Office of Tax and Revenue.

“(C) To determine whether a real property is blighted, the Office of Tax and Revenue may request the Department of Consumer and Regulatory Affairs to inspect the real property to determine whether the real property is correctly included on the list compiled under subparagraph (B) of this paragraph.”.

SECOND ENROLLED ORIGINAL

SUBTITLE I. TAX COMPLIANCE

Sec. 7110. Short title.

This subtitle may be cited as the "Tax Compliance Act of 2009".

Sec. 7111. Chapter 44 of Title 47 of the District of Columbia Official Code is amended as follows:

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

" 47-4407. Amnesty for tax periods ending prior to December 31, 2009."

(b) A new section 47-4407 is added to read as follows:

"§ 47-4407. Amnesty for tax periods ending prior to December 31, 2009.

"(a) The Chief Financial Officer may establish a program to provide amnesty to a taxpayer liable for the payment of certain Title 47 taxes on returns or reports required for tax periods ending prior to December 31, 2008; provided, that if the Chief Financial Officer shall establish the tax amnesty program for a period ending after December 31, 2009, the tax amnesty program shall apply to tax returns or reports for tax periods ending prior to December 31, 2009.

"(b) Those eligible may receive amnesty from the imposition of any fee under § 47-4405, any fine or other civil or criminal penalty authorized under Chapters 41 or 42 of this title for the failure of the taxpayer to file a return or report, or pay a tax due for certain Title 47 taxes on a return or report that was required to be filed for tax periods as provided in subsection (a) of this section.

"(c)(1) The Chief Financial Officer may implement and administer the program for amnesty under this section.

"(2) The Chief Financial Officer may determine the specific dates for the amnesty period.

"(3) Excluding Title 47 real property fees and taxes under Chapters 8, 9, and 12 of this title, any Title 47 payments in lieu of real property taxes and ballpark fees in Chapter 27B of this title, the Chief Financial Officer may determine the specific tax types for which amnesty shall be granted.

"(4) The Chief Financial Officer may:

"(A) Require a taxpayer seeking amnesty to submit the documents or records as the Chief Financial Officer considers necessary to determine the truthfulness or accuracy of a return or report filed pursuant to this section; or

"(B) Subject any return or report filed pursuant to this section to the same audit procedures to which a return or report for the tax type is subjected.

"(5) The Chief Financial Officer may promulgate rules as may be necessary to interpret, administer, and enforce the provisions of this section."

SUBTITLE J. RECOVERY ACT TAX DEDUCTION DECOUPLING

Sec. 7120. Short title.

This subtitle may be cited as the "Recovery Act Tax Deduction Decoupling Act of 2009".

Sec. 7121. Section 47-1803.02 is amended as follows:

(a) Subsection (a) is amended by adding a new subparagraph (Y) to read as follows:

"(Y) Computations of discharge of indebtedness income under section

SECOND ENROLLED ORIGINAL

108(i) of the Internal Revenue Code of 1986."

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

"(a-1) Notwithstanding subsection (a) of this section, for the purposes of the deduction for state sales and excise taxes on the purchase of certain motor vehicles, the term "gross income" shall have the same meaning as set forth in section 61 of the Internal Revenue Code of 1986, as that section existed on December 31, 2008."

SUBTITLE K. THE NON-INDIVIDUAL INCOME TAX ELECTRONIC FILING ACT OF 2009

Sec. 7130. Short title.

This subtitle may be cited as the "Non-Individual Income Tax Electronic Filing Act of 2009".

Sec. 7131. Section 47-4402(c) of the District of Columbia Official Code is amended by striking the phrase "\$25,000" and inserting the phrase "\$10,000" in its place.

SUBTITLE L. BUILDING BRIDGES ACROSS THE RIVER TAX EXEMPTION

Sec. 7140. Short title.

This subtitle may be cited as the "Building Bridges Across the River, Inc. Real Property Tax Exemption and Real Property Tax Relief Act of 2009".

Sec. 7141. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

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

"47-1081. Building Bridges Across the River, Inc., Lots 2 and 6, Square 5894."

(b) A new section 47-1081 is added to read as follows:

"§ 47-1081. Building Bridges Across the River, Inc., Lots 2 and Square 5894.

"The real property located at 3315 and 3321 23rd Street, S.E., Lots 2 and 6, Square 5894, owned by Building Bridges Across the River, Inc., a nonprofit corporation, shall be exempt from all taxation so long as the real property continues to be owned by Building Bridges Across the River, Inc., and is used as a community playground."

Sec. 7142. Equitable real property tax relief.

The Council orders that all real property taxes, interest, penalties, fees, and other related charges assessed Building Bridges Across the River, Inc., from the period beginning on October 1, 2008, on real property located at 3315 and 3321 23rd Street, S.E., Lots 2 and 6, Square 5894, be forgiven and any payments already made for these periods be refunded.

SUBTITLE M. FORT CHAPLIN PARK SOUTH CONGREGATION OF JEHOVAH'S WITNESSES, INC. TAX RELIEF ACT

Sec. 7150. Short title.

This subtitle may be cited as the "Washington, D.C. Fort Chaplin Park South Congregation of Jehovah's Witnesses, Inc. Real Property Tax Relief Act of 2009".

Sec. 7151. Equitable real property tax relief.

SECOND ENROLLED ORIGINAL

The Council orders that all real property taxes, interest, penalties, fees, and other related charges assessed for the period of January 1, 2005 to June 30, 2007, on the real property described as Lot 0813, Square 5434, owned by the Washington, D.C. Fort Chaplin Park South Congregation of Jehovah's Witnesses, Inc., be forgiven and any payments made for this period be refunded.

SUBTITLE N. URBAN INSTITUTE REAL PROPERTY TAX ABATEMENT ACT
Sec. 7160. Short title.

This subtitle may be cited as "The Urban Institute Real Property Tax Abatement Act of 2009".

Sec. 7161. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

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

"47-4620. The Urban Institute -- 10-year real property tax abatement."

(b) A new section 47-4620 is added to read as follows:

"§ 47-4620. The Urban Institute -- 10-year real property tax abatement.

"(a) Subject to subsection (b) of this section, the tax imposed by Chapter 8 of this title on the portion of the real property described as Lot 840, Square 673 that is owned by The Urban Institute, shall be abated during the following tax years in the following amounts:

"(1) Tax year 2010: \$200,000; provided, that the abatement shall be applied to the 2nd semiannual installment;

"(2) Tax year 2011: \$625,000;

"(3) Tax year 2012: \$925,000;

"(4) Tax year 2013: \$1.5 million;

"(5) Tax year 2014: \$1.6 million;

"(6) Tax year 2015: \$1.7 million;

"(7) Tax year 2016: \$1.8 million;

"(8) Tax year 2017: \$1.9 million;

"(9) Tax year 2018: \$2 million;

"(10) Tax year 2019: \$2.1 million; and

"(11) Tax year 2020: \$650,000.

"(b) The abatement of real property taxes provided for by subsection (a) of this section shall apply so long as:

"(1) The real property continues to be owned and, except as set forth in paragraph (2) of this subsection, occupied by The Urban Institute;

"(2) At least 10,000 square feet of the real property is leased at a rate below the market rate to tenants that are exempt from federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), and the leased real property is used for the tenants' exempt purposes; and

"(3) The Urban Institute files the report required by § 47-1007(a), and includes the following:

"(A) The name of each tenant of the real property that is exempt from federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3));

SECOND ENROLLED ORIGINAL

"(B) The square footage leased by each such tenant;
"(C) A certification that each such tenant is being charged a lease rate that is below the market rate, a statement of the lease rate per square foot, and an explanation of the basis upon which the determination was made that each such tenant's lease rate is below the market rate; and
"(D) Other information as may be required by the Chief Financial Officer.

"(c) The Urban Institute shall be subject to § 47-1007(b) and (c)."

SUBTITLE O. RANDALL SCHOOL DEVELOPMENT TAX ABATEMENT ACT
Sec. 7170. Short title.

This subtitle may be cited as the "Randall School Development Project Tax Relief Act of 2009".

Sec. 7171. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

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

"47-4621. Randall School development project tax exemption."

(b) A new section 47-4621 is added to read as follows:

"§ 47-4621. Randall School development project tax exemption.

"The real property described as Lot 801, Square 643S, known as the Randall School development project, owned by the Trustees of the Corcoran Gallery of Art, a nonprofit corporation, shall be exempt from the tax imposed by Chapter 8 of this title, beginning October 1, 2008, and for so long as the Trustees of the Corcoran Gallery of Art own the real property; provided, that the exemption shall cease once a certificate of occupancy issues for any part of the Randall School development project. The exemption shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the Randall School development project."

SUBTITLE P. CAPITAL GRANT AUTHORITY REPEAL

Sec. 7180. Short title.

This subtitle may be cited as the "Capital Grant Authority Repeal Amendment Act of 2009".

Sec. 7181. The Arts, Cultural, and Educational Facilities Support Act of 2004, effective April 5, 2005 (D.C. Law 15-271; D.C. Official Code § 39-401 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 39-402) is repealed.

(b) A new section 3a (to be codified at D.C. Official Code § 39-402.01) is added to read as follows:

"Sec. 3a. Continuing authorization to provide public support.

"Subject to the appropriation of funds or the identification of legally available funds, the Mayor may provide economic assistance to pay all or a portion of the capital costs incurred by a project approved by the Council prior to November 1, 2009."

SECOND ENROLLED ORIGINAL

SUBTITLE Q. 14W AND THE YMCA ANTHONY BOWEN PROJECT REAL PROPERTY TAX EXEMPTION AND REAL PROPERTY TAX RELIEF ACT OF 2009

Sec. 7190. Short title.

This subtitle may be cited as the "14W and YMCA Anthony Bowen Project Real Property Tax Exemption and Real Property Tax Relief Act of 2009".

Sec. 7191. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

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

"47-4622. 14W and the YMCA Anthony Bowen Project. Lot 164, Square 234."

(b) A new section 47-4622 is added to read as follows:

"§ 47-4622. 14W and the YMCA Anthony Bowen Project. Lot 164, Square 234.

"(a) For the purposes of this section, the term:

"(1) "14W and the YMCA Anthony Bowen Project" means the acquisition, development, construction, installation, and equipping of a mixed-use project on the 14W and the YMCA Anthony Bowen Property, including the redevelopment of the historic Anthony Bowen YMCA, the construction of 231 units of rental housing, of which 18 will be affordable units at 60% or less of area median income, 12,200 square feet of ground-level retail space, and 170 below-grade parking spaces.

"(2) "14W and the YMCA Anthony Bowen Property" means the real property described as Lot 164, Square 234, owned by Perseus Realty, LLC.

"(b) The 14W and the Anthony Bowen Property shall be exempt from real property taxation under Chapter 8 of this title for 20 consecutive years as follows: 10 years capped at the Fiscal Year 2008 rate, and thereafter a 10% increase allowed per annum in years 11 through 20, until the annual real property taxation equals 100%.

"(c) The 14W and the YMCA Anthony Bowen Project shall be exempt from the tax imposed by Chapter 20 of this title on materials used directly for construction of the 14W and the YMCA Anthony Bowen project.

"(d) The exemptions set forth in subsections (b) and (c) of this section shall continue so long as the 14W and the YMCA Anthony Bowen Project consists of:

"(1) Two hundred and thirty-one rental apartment units (18 of which are inclusionary zoning units, to be permanently reserved for residents making 60% or less of current area median income);

"(2) A 170-space, below-grade garage, 12,200 square feet of ground-floor retail space; and

"(3) The new YMCA Anthony Bowen, a 45,000 square-foot, state-of-the-art community and wellness facility dedicated to the growing needs of the District's residents."

SUBTITLE R. VIEW 14 PROJECT ECONOMIC DEVELOPMENT ACT OF 2009

Sec. 7200. Short title.

This subtitle may be cited as the "View 14 Project Economic Development Act of 2009".

Sec. 7201. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

SECOND ENROLLED ORIGINAL

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

“47-4623. View 14 Project tax exemptions.”.

(b) A new section 47-4623 is added to read as follows:

“§ 47-4623. View 14 Project tax exemption.

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

“(1) “Developer” means L2CP, LLC, its successors, affiliates, and assigns.

“(2) “View 14 Project” means the acquisition, development, construction, installation, and equipping, including the financing, refinancing, or reimbursing of costs incurred of the mixed-use, multifamily residential and retail project under construction on the east side of 14th Street, N.W., between Florida Avenue and Belmont Street, to consist of:

“(A) One hundred and eighty-five units of condominium/apartment house use totaling approximately 173,765 square feet of floor area, including a minimum of 6,000 square feet devoted to affordable housing for residents with an income that is no greater than 80% of the metropolitan Washington D.C. area media income;

“(B) Approximately 13,903 square feet of retail space; and

“(C) A below-grade parking garage.

“(3) “View 14 Property” means the real property, including any improvements constructed thereon, described as Lot 155, Square 2868, as recorded on Page 68 of Book 201 in the Office of the Surveyor for the District of Columbia (or as the land for such lots may be subdivided into a record lot or lots or assessment and taxation lots, condominium lots, air rights lots, or any combination in the future).

“(b)(1) The View 14 Property shall be exempt from real property taxation under Chapter 8 of this title for 20 consecutive years, 10 years at 100% and a 10% increase in years 11 through 20 until the annual real property taxation equals 100%.

“(2) The View 14 Project shall be exempt from the tax imposed by Chapter 20 of this title on materials used directly for construction of the View 14 Project, which are incorporated into and become a part of the real property.

“(3) The tax exemptions granted by paragraphs (1) and (2) of this subsection shall not exceed, in the aggregate, \$5.7 million.

“(c) The tax exemptions pursuant to subsection (b) of this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the View 14 Project, the View 14 Property, or the developer.

“(d) This section shall not prevent or restrict the developer from utilizing any other tax, development or other economic incentives available to the View 14 Project, the View 14 Property, or the developer.

“(e) Nothing in this section shall be construed to limit the owner of the View 14 Property from appealing or contesting its real estate tax assessment.”.

SUBTITLE S. LIMITATION ON BORROWING TECHNICAL AMENDMENTS

Sec. 7210. Short title.

This subtitle may be cited as the "Limitation on Borrowing Technical Amendments Act of 2009".

Sec. 7211. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

SECOND ENROLLED ORIGINAL

(a) Section 47-334 is amended to read as follows:

“§ 47-334. Definitions.

“For the purposes of this subchapter, the term:

“(1) "Debt Service" means the amount of money necessary to pay interest on outstanding District Bonds, including interest payments deferred to future years, the principal on maturing District Bonds, and the required contributions to a sinking fund for District Bonds, but excluding debt service payments rebated to the District pursuant to the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (123 Stat. 115; 26 U.S.C. § 1 note).

“(2) "District Bonds" means:

“(A) General obligation bonds issued pursuant to the Home Rule Act;

“(B) Treasury capital-project loans;

“(C) Tax supported revenue bonds, notes, or other debt instruments secured by revenues derived from taxes, fees, or other general revenues of the District, or its agencies and authorities, pursuant to the District's power to tax and impose fees, including tax increment financed bonds, notes, or other debt instruments and bonds, notes, or other debt instruments financed by payments in lieu of taxes, but excluding revenue bonds, notes, or other debt instruments issued for the purpose of funding water and sewer facilities, as described in section 490(a) of the Home Rule Act, and bonds, notes, or other debt instruments paid or secured by revenues from the Master Settlement Agreement with tobacco companies, federal grants, or revenues from the operation of public enterprises, so long as those enterprises are fully self-supporting;

(D) Certificates of participation, and

(E) Lease purchase financing obligations.

“(3) "District Bond Issuance" means the District's authorizing, selling, and delivering of District Bonds, including District Bonds to refund outstanding District Bonds.

“(4) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).”.

“(5) "Total Expenditures" means the total amount included in the Total Expenditures and Transfers line item in the enacted District Budget and Financial Plan for the General Fund for an applicable fiscal year, plus any Debt Service amounts in an applicable fiscal year on District Bonds for which the Debt Service on such District Bonds is not included in the Total Expenditures and Transfers line item in the enacted District Budget and Financial Plan for the General Fund.

(b) Section 47-335.02 is amended to read as follows:

“§ 47-335.02. Borrowing limitation.

“(a) The Council shall not approve proposed District Bonds if the applicable annual Debt Service on the proposed District Bonds would cause the Debt Service on all District Bonds in the fiscal year in which the proposed District Bonds are issued, or in any of the 3 succeeding fiscal years, to exceed 12% of Total Expenditures in any applicable fiscal year, as contained in the most recently enacted District Budget and Financial Plan.

“(b) Obligations incurred pursuant to the authority contained in subchapter II of Chapter 3 of Title 3, obligations incurred by the agencies transferred or established by sections 201 or 202 of the Home Rule Act, whether incurred before or after such transfer or establishment, and obligations incurred pursuant to District Bonds issued prior to October 1, 1996, for the financing of Department of Public Works, Water and Sewer Utility

SECOND ENROLLED ORIGINAL

Administration capital projects shall not be included in determining the aggregate amount of Debt Service on all outstanding District Bonds subject to the 12% limitation specified in subsection (a) of this section.

"(c) The 12% limitation specified in subsection (a) of this section shall be calculated by the Office of the Chief Financial Officer as follows:

"(1) Determine the dollar amount equivalent to 12% of the Total Expenditures during the fiscal year for which the proposed District Bonds will be issued and the 3 succeeding fiscal years;

"(2) Determine the actual total amount of Debt Service to be paid during the fiscal year for which the proposed District Bonds will be issued and the 3 succeeding fiscal years for all outstanding District Bonds;

"(3) Determine the amount of Debt Service to be paid during the fiscal year for which the proposed District Bonds will be issued and the 3 succeeding fiscal years; and

"(4) If in any applicable fiscal year the sum of paragraphs (2) and (3) of this subsection exceeds the amount determined under paragraph (1) of this subsection, then the proposed District Bonds or Treasury loan shall not be issued."

(c) Section 47-392.02(j-1) is amended as follows:

(1) Paragraph (3)(A) is amended by striking the phrase "that \$25 million" and inserting the phrase "that not less than \$25 million" in its place

(2) Paragraph (4) is amended by striking the phrase "Cash Reserve" and inserting the phrase "Cash Reserve, including the \$25 million specified in paragraph 3(A)) of this subsection," in its place.

SUBTITLE T. GOD OF SECOND CHANCE TAX RELIEF ACT

Sec. 7220. Short title.

This subtitle may be cited as the "God of a Second Chance Ministry Real Property Tax Relief Act of 2009".

Sec. 7221. Equitable real property tax relief; exemption from penalties, or fees.

The Council orders that all unpaid real property taxes, interest, penalties, fees, and other related charges assessed against real property located at Lot 0153, Square 5365, be forgiven from the period beginning June 23, 2008, through May 31, 2009, and that any payment already made for this period be refunded.

SUBTITLE U. COMBINED REPORTING REFORM ACT

Sec. 7230. Short title.

This subtitle may be cited as the "Combined Reporting Reform Authorization Act of 2009".

Sec. 7231. Implementation of combined reporting reform.

The Council shall pass legislation to require, for tax years beginning after December 31, 2010, that all corporations taxable in the District of Columbia shall determine the income apportionable or allocable to the District of Columbia by reference to the income and apportionment factors of all commonly controlled corporations organized within the United States with which they are engaged in a unitary business.

SUBTITLE V. REVENUE ENHANCEMENT ACT

SECOND ENROLLED ORIGINAL

Sec. 7240. Short title.

This subtitle may be cited as the "Revenue Enhancement Act of 2009".

Sec. 7241. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-850(a) is amended to read as follows:

"(a) For purposes of levying the real property tax during a tax year, the Mayor shall deduct \$67,500, increased annually, beginning October 1, 2012, by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50), from the assessed value of real property which qualifies as a homestead. The deduction shall be apportioned equally between each installment during a tax year and shall not be carried forward or carried back."

(b) Section 47-850.01(a) is amended to read as follows:

"(a) For purposes of levying the real property tax during a tax year, the Mayor shall deduct from the assessed value of the real property owned by a cooperative housing association, as determined under § 47-820.01, \$67,500, increased annually, beginning October 1, 2012, by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50), for each homestead located therein. The deduction shall be apportioned equally between each installment during a tax year and shall not be carried forward or carried back."

(c) Section 47-1801.04(26) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase "beginning January 1, 2009," and inserting the phrase "beginning January 1, 2013," in its place.

(2) Subparagraph (B) is amended by striking the phrase "beginning January 1, 2009," and inserting the phrase "beginning January 1, 2013," in its place.

(d) Section 47-1806.02 is amended as follows:

(1) Subparagraph (f)(1)(A) is amended by striking the phrase "beginning January 1, 2009," and inserting the phrase "beginning January 1, 2013," in its place.

(2) Subsection (i) is amended by striking the phrase "beginning January 1, 2009," and inserting the phrase "beginning January 1, 2013," in its place.

(e) Section 47-2001 is amended as follows:

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

"(b-1) "Cigar" means any roll for smoking, other than a cigarette as defined in § 47-2401(1), made wholly or in part of tobacco, and where the wrapper or cover of the roll is made of natural leaf tobacco or any substance containing tobacco."

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

"(i-1) "Premium cigar" means any cigar with a retail cost of \$ 2.00 or more, or packaged units of cigars averaging \$ 2.00 or more per packaged cigar at retail."

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

"(v-1) "Other tobacco products" means any product containing tobacco that is intended or expected to be consumed, other than a cigarette, cigar, premium cigar, or pipe tobacco. "

(f) Section 47-2002 is amended as follows:

(1) The introductory language is amended by striking the phrase "5.75%, except for the period beginning June 1, 1994, and ending September 30, 1994, the rate shall be 7%, " and inserting the phrase "5.75%, except for the period beginning October 1, 2009, and ending September 30, 2012, the rate shall be 6%," in its place.

SECOND ENROLLED ORIGINAL

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

"(4A) The rate of tax shall be 5.75% of the gross receipts from the sale of or charges for tangible personal property or services by legitimate theaters, or by entertainment venues with 10,000 or more seats, excluding any such theaters or entertainment venues from which such taxes are applied to pay debt service on tax-exempt bonds;"

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

"(5) The rate of tax shall be 12% of the gross receipts from the sale of or charges for cigars, excluding premium cigars; and"

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

"(6) The rate of tax shall be 12% of the gross receipts from the sale of or charges for other tobacco products."

(g) Section 47-2202 is amended by striking the phrase "5.75%, except for the period beginning June 1, 1994, and ending September 30, 1994, the rate shall be 7%," and inserting the phrase "5.75%, except for the period beginning October 1, 2009, and ending September 30, 2012, the rate shall be 6%," in its place.

(h) Section 47-2301(a) is amended by striking the phrase "20 cents per gallon, except for the period beginning June 1, 1994, and ending September 30, 1994, a tax of 22.5 cents per gallon," and inserting the phrase "\$.235 per gallon" in its place.

(i) Chapter 24 of Title 47 of the District of Columbia Official Code is amended as follows:

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

"47-2402.01. Weight-based excise tax."

(2) Section 47-2401(1) is amended to read as follows:

"(1) The term "cigarette" means:

"(A) Any roll for smoking containing tobacco wrapped in paper or in any substance other than tobacco leaf;

"(B) Any roll for smoking containing tobacco, wrapped in any substance, weighing 4 pounds per thousand or less, except those wrapped entirely in whole tobacco leaf that do not have a filter; or

"(C) Any roll for smoking containing tobacco wrapped in any substance, however labeled or named, flavored or not, which because of its appearance, size, the type of tobacco used in the filler, or its packaging, pricing, marketing, or labeling, is likely to be offered to, purchased by, or consumed by consumers as a cigarette as described in this paragraph."

(3) Section 47-2402(a) is amended by striking the phrase "\$.10" and inserting the phrase "\$.125" in its place.

(4) A new section 47-2402.01 is added to read as follows:

"§ 47-2402.01. Weight-based excise tax.

"(a) In addition to the 12% gross sales tax imposed pursuant to § 47-2002(6), a tax of \$0.75 per ounce and a proportionate tax at the same rate on all fractional parts of an ounce shall be imposed on the possession of other tobacco products as that term is defined in § 47-2001(v-1). All funds generated pursuant to this subparagraph shall be deposited in the Community Health Care Financing Fund, established by section 101(a) of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1931(a)).

"(b)(1) On or before the 21st day of each calendar quarter, every person upon whom the

SECOND ENROLLED ORIGINAL

weight-based excise tax is imposed under the provisions of this chapter, during the preceding calendar quarter, shall file a return with the Mayor. The return shall provide:

“(A) The total amount of product subject to tax for the quarter for which the return is filed;

“(B) The amount of tax for which the person is liable; and

“(C) Any other information as the Mayor considers necessary for the computation and collection of the tax.

“(c) The Mayor may permit or require the returns to be made for other periods and upon other dates as he may specify.

“(d) The form of returns shall be prescribed by the Mayor and shall contain such information as the Mayor may consider necessary for the proper administration of this chapter.”.

(5) This subsection shall apply to tax periods beginning after December 31, 2009.

TITLE VIII O-TYPE TRANSFERS AND CAPITAL PROJECT REVISIONS

SUBTITLE A. FISCAL YEAR 2009 TRANSFER OF O-TYPE REVENUE

Sec. 8001. Short title.

This subtitle may be cited as the "Fiscal Year 2009 Additional Transfer of Special Purpose Revenues Act of 2009".

Sec. 8002. Fiscal Year 2009 Transfer of special purpose fund balances to local funds.

Notwithstanding any provision of law limiting the use of the funds listed in subsections (a) through (y) of this section ("Special Purpose Funds") for special purposes, the Chief Financial Officer shall transfer to local funds and recognize as fiscal year 2009 revenue \$106,240,358 from the Special Purpose Funds, as follows:

(a) From certified fund balances in accounts administered by the Office of Property Management, \$238,161, comprised of the following:

(1) \$94,294 from the Eastern Market enterprise fund; and

(2) \$143,867 from the rent fund;

(b) From certified fund balances administered by the Office of the Chief Financial Officer, \$3,608,710, comprised of the following:

(1) \$3,337,702 from the compliance and real property tax administration fund;

and

(2) \$271,008 from the bank fees fund;

(c) From certified fund balances in accounts administered by the Office of Contracting and Procurement, \$445,128, comprised of the following:

(1) \$297,963 from the surplus personal property sales fund; and

(2) \$147,165 from the supply schedule sales discount and operation fund;

(d) From certified fund balances in accounts administered by the Department of Employment Services ("DOES"), \$8,681,527, comprised of the following:

(1) \$1.4 million from the special purpose revenue fund;

(2) \$6.6 million from the unemployment insurance administrative assessment tax;

(3) \$33,379 from the special purpose revenue fund;

(4) \$172,607 from the unemployment insurance interest/penalties fund;

(5) \$400,939 from the DOES relocation fund; and

(6) \$74,602 from the unemployment insurance administrative assessment fund.

(e) From certified fund balances in accounts administered by the Office of the Tenant

SECOND ENROLLED ORIGINAL

Advocate, \$600,000 from the condominium conversion fund (also known as the housing assistance fund);

(f) From certified fund balances in accounts administered by the Department of Consumer and Regulatory Affairs, \$1,159,964, comprised of the following:

- (1) \$794,126 from the occupations and professions licensing fund; and
- (2) \$365,838 from the engineers' fund;

(g) From certified fund balances in accounts administered by the Department of Housing and Community Development, \$3,567,116 from the home purchase assistance fund;

(h) From certified fund balances in accounts administered by the Office of the Deputy Mayor for Planning and Economic Development, \$2 million from the industrial revenue bond program account;

(i) From certified fund balances in accounts administered by the Department of Fire and Emergency Medical Services, \$138,595 from the special events fund;

(j) From certified fund balances in accounts administered by the Office of the Chief Medical Examiner, \$24,450 from the medical examiner fees fund;

(k) From certified fund balances in accounts administered by the District of Columbia Public Schools, \$3,912,603, comprised of the following:

- (1) \$10,000 from the lease income-security deposits fund;
- (2) \$482,301 from the utility reimbursement (Pepco/Washington Gas) fund;
- (3) \$573,614 from the custodial reimbursement fund;
- (4) \$1,137,077 from the security deposits account; and
- (5) \$1,709,611 from the nonresident tuition account;

(l) From certified fund balances in accounts administered by the Office of Public Education Facilities Modernization, \$380,226 from the lease income fund;

(m) From certified fund balances in accounts administered by the Department of Health, \$5,353,727, comprised of the following:

- (1) \$55,574 from the vital records fee fund;
- (2) \$15,190 from the drug interdiction fund;
- (3) \$446,254 from the food handlers certification fund;
- (4) \$295,733 from the adjudication hearings and fines fund;
- (5) \$52,150 from the professional licensing fund;
- (6) \$82,857 from the animal control license fees fund;
- (7) \$216,290 from the health facility fee fund;
- (8) \$75,902 from the emergency medical services fees fund;
- (9) \$1,286,791 from the health care safety net fund;
- (10) \$15,011 from the adjudication hearings/adjudication fines fund;
- (11) \$1,492 from the other medical licenses and fees fund;
- (12) \$652 from the Medicaid reimbursement-APRA fund;
- (13) \$2,612,651 from the D.C. General collections fund; and
- (14) \$197,179 from the civil monetary penalties fund;

(n) From certified fund balances in accounts administered by the Department of Health Care Finance, \$799,665 from the bill of rights grievances and appeals fund;

(o) From certified fund balances in accounts administered by the Department of Human Services, \$40,000 from the special purpose revenue fund;

(p) From certified fund balances in accounts administered by the Office of People's Counsel, \$191,970 from the advocate for consumers fund;

SECOND ENROLLED ORIGINAL

(q) From certified fund balances in accounts administered by the District Department of the Environment, \$3,131,908, comprised of the following:

- (1) \$207,590 from the renewable energy development fund;
- (2) \$28,159 from the air quality adjudication hearings fund;
- (3) \$106,154 from the water quality adjudication hearings fund;
- (4) \$244,114 from the municipal aggregation account; and
- (5) \$2,545,891 from the sustainable energy trust fund;

(r) From certified fund balances administered by the Department of Motor Vehicles, \$1,136,061, comprised of the following:

- (1) \$235,736 from the out-of-state vehicle registration fund; and
- (2) \$900,325 from the general o-type revenue sources fund;

(s) From certified fund balances in accounts administered by the District of Columbia Taxicab Commission, \$81,949 from the taxicab assessment fund;

(t) \$18.3 million from the certified fund balance available pursuant to section 102(b)(1) and (2) of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1932(b)(1) and (2));

(u) From certified balances in the Community Benefit Fund, \$23.409 million;

(v) From certified balances in the Healthy DC Fund, \$13 million;

(w) From certified fund balances in the Nursing Facility Quality of Care Fund, \$16 million;

(x) From certified fund balances in accounts administered by the Department of Insurance, Securities and Banking, \$820 from the insurance recovery fund; and

(y) From certified fund balances in accounts administered by the District of Columbia Public Library, \$21,778 from the Franklin Restitution payment fund.

Sec. 8003. Fiscal Year 2009 Transfer of special purpose fund to local funds.

Notwithstanding any provision of law limiting the use of the funds listed in paragraphs (1) through (5) of this section ("Special Purpose Funds") for special purposes, the Chief Financial Officer shall transfer to local funds and recognize as fiscal year 2009 revenue \$22,258,000 from the Special Purpose Funds, as follows:

(1) From certified special purpose revenue \$1.4 million from the reversal of the HRSA disallowance;

(2) From certified special purpose revenue \$5.17 million from new legal settlements;

(3) From certified special purpose revenue \$250,000 from the Motor Vehicle Theft Prevention Commission;

(4) From certified special purpose revenue \$2.167 million from the parking tax (originally for PAYGO); and

(5) From certified special purpose revenue \$13.271 million from the Community Benefits Fund.

**SUBTITLE B. RESCISSION AND MODIFICATION OF FISCAL YEAR 2009
CAPITAL PROJECT FUNDING**

Sec. 8010. Short title.

SECOND ENROLLED ORIGINAL

This subtitle may be cited as the "Capital Projects Modification Act of 2009".

Sec. 8011. Rescission of capital projects.

(a) The following capital projects and their associated budget authority are rescinded; provided, that the associated budget authority may thereafter be transferred to pay-go capital projects enumerated in subsection (b) of this section to replace existing budget authority for such pay-go capital projects:

Agency	Project #	Name	Amount (\$)
AM0	MA702C	Underground Storage Tanks	300,000
AM0	RG037C	General Improvements	300,000
BE0	BE501C	Information Technology	279,986
CR0	RPD02C	Real Property Database	207,925
DB0	EB201C	Neighborhood Revitalization - Columbia Heights	177,537
EB0	JA102C	Old Convention Center Study	336,001
ELC	EQ301C	DMV Destiny	291,860
ELC	HC701C	Medicate Management Information System	809,113
ELC	N2401C	Telco Safety and Security	185,000
HA0	RN015C	Takoma Pool (Aquatic Center)	274,490
HC0/HT0	HC501C	Community Clinic Construction	1,994,830
KA0	EQ902C	Master Equipment Lease - DMV	110,475
KA0	FM103C	Heavy Equipment Staging Area and Storage	175,014
KT0	FM603C	Fleet Customer Intake	440,000
KT0	FM604C	Snow Equipment Staging Area	560,000
FB0	LD137C	Engine 28	1,980,022
GA0	NB437C	Birney Elementary School Rehab	421,178
AW0	ANA06C	Anacostia Waterfront Corporation	3,994,843
KA0	CDT14A	Sousa Bridge	1,008,721
KA0	CDT15A	Taft Bridge	1,791,750
KA0	CDT20A	Wisconsin Av Overpass C&O	632,359
FB0	20600C	Fire Apparatus Replacement	354,556

(b) If the capital budget authority associated with a project listed in subsection (a) of this section is transferred to a pay-go capital project listed in this subsection, the pay-go budget authority associated with that pay-go capital project shall be transferred to local funds and recognized as revenue for the fiscal year in which the pay-go funds are budgeted.

Agency	Project #	Name	Amount (\$)
AT0	BF211C	EIS Financial Application	2,000,000

SECOND ENROLLED ORIGINAL

AT0	CSP07C	Computer Systems Project	2,000,000
BJ0	JM102C	Rewriting of Zoning Regulations	357,000
CR0	EB301C	Vacant Property Revitalization	1,514,571
CE0	TPL01C	Temporary Space for DC Public Library	1,614,651
CR0	ISM07C	IT Systems Modernization	275,747
EB0	ASW12C	Southwest Waterfront	813,005
EB0	AW303C	Marvin Gaye Park	772,000
EB0	AW707C	Boathouse Row	800,000
FB0	LI337C	Mobile Field Force Deployment	1,370,000
		Adams Morgan Streetscape/Champlain	
KA0	CK302C	Street	1,288,000
TO0	ZA145C	Information Technology Initiative	15,000
AY0	AWC01C	District Subsidy to AWC	1,703,643
EB0	EB310C	Anacostia Waterfront Corporation	775,483
EB0	JA102C	Old Convention Center Study	336,001
HA0	QH238C	Wilson High School Pool	200,000
HA0	QK538C	New Fort Greble Recreation Center	100,000

Sec. 8012. Modification of capital project funding.

The Chief Financial Officer shall transfer the dedicated tax or special purpose funds associated with the following capital project to local funds and recognize as fiscal year 2009 revenue \$2,167,101 from the following capital projects; provided, that the following capital projects may thereafter be funded with capital funds:

Agency	Project #	Name	Amount (\$)
CE0	TPL01C	Temporary space	1,867,101
HA0	QS6426	Oyster Adams playground	300,000

SUBTITLE C. FISCAL YEAR 2010 TRANSFER OF O-TYPE REVENUE

Sec. 8020. Short title.

This subtitle may be cited as the "Fiscal Year 2010 Transfer of Special Purpose Revenues Act of 2009".

Sec. 8021. Fiscal Year 2010 Transfer of O-type funds.

Notwithstanding any provision of law limiting the use of the funds listed in subsections (a) through (ff) of this section ("Special Purpose Funds") for special purposes, the Chief Financial Officer shall transfer to local funds and recognize as fiscal year 2010 revenue \$82,791,821 from the Special Purpose funds, as follows:

(a) From accounts administered by the Office of Property Management, \$199,990 from the Eastern Market enterprise fund:

(b) From accounts administered by the Office of the Chief Financial Officer, \$715,944, comprised of the following

- (1) \$552,902 from the compliance and real property tax administration Fund;
- (2) \$78,803 from the payroll service fees fund; and

SECOND ENROLLED ORIGINAL

- (3) \$84,238 from the service contracts fund;
- (c) From accounts administered by the Office of the Secretary, \$22,000, from the distribution fees fund;
- (d) From accounts administered by the Office of the Attorney General, \$1,571,413, comprised of the following:
 - (1) \$1,563,000 from the child support Title IVD incentives fee funds; and
 - (2) \$8,413 from the driving under the influence fund;
- (e) From accounts administered by the Office of Contracting and Procurement, \$123,509, comprised of the following:
 - (1) \$15,320 from the surplus personal property sales fund; and
 - (2) \$108,189 from the supply schedule sales discount and operation fund;
- (f) From accounts administered by the Office of the Chief Technology Officer, \$10,000, from the ServUS program fund;
- (g) From accounts administered by the Public Service Commission, \$176,540, from the operating-utility assessment fund;
- (h) From accounts by the Office of People's Counsel, \$56,352 from the advocate for consumers fund.
- (i) From accounts administered by the Office of the Deputy Mayor for Planning and Economic Development, \$54,001 from the economic development special account;
- (j) From accounts administered by the Metropolitan Police Department, \$493,638 from the automated traffic enforcement fund;
- (k) From accounts administered by the Department of Corrections, \$669,640 from the corrections trustee reimbursement account;
- (l) From accounts administered by the Office of Administrative Hearings, \$145 from the adjudication fines fund;
- (m) From accounts administered by the District of Columbia Public Library, \$5,000 from the copies and printing account.
- (n) From accounts administered by the Office of the State Superintendent for Education, \$12,651, comprised of the following:
 - (1) \$5,651 from the State Superintendent of Education fees account; and
 - (2) \$7,000 from the OPLA special account;
- (o) From accounts administered by the Department of Parks and Recreation, \$86,093 from the enterprise fund account;
- (p) From accounts administered by the Department of Health Care Finance, \$153,798 from the bill of rights-grievances and appeals fund
- (q) From accounts administered by the District Department of the Environment, \$1,364,360, comprised of the following:
 - (1) \$20,238 from the oil spill fee fund;
 - (2) \$386,745, from the soil erosion and sediment control fund;
 - (3) \$65,465 from the storm water permit review fund;
 - (4) \$4,818 from the renewable energy development fund;
 - (5) \$2,209 from the air quality adjudication hearings fund;
 - (6) \$23,962 from the water quality adjudication hearings fund;
 - (7) \$971 from the wells fund;
 - (8) \$19,560 from the residential aid discount fund;
 - (9) \$7,607 from the residential essential services fund;

SECOND ENROLLED ORIGINAL

- (10) \$3,391 from the WASA utility discount program;
- (11) \$42,903 from the municipal aggregation account; and
- (12) \$786,493 from the sustainable energy trust fund;
- (r) From accounts administered by the District Department of Transportation, \$15,000 from the restoration of public space projects fund;
- (s) From accounts administered by the Department of Public Works, \$523,109 from the solid waste disposal fee fund; and
- (t) From accounts administered by the Department of Motor Vehicles, \$168,638, comprised of the following:
 - (1) \$21,200 from the out-of-state vehicle registration fund; and
 - (2) \$147,438 from the commercial drivers license fund.
- (u) From accounts administered by the Office of Cable Television, \$942,000 from the cable franchise fees fund;
- (v) From accounts administered by the Office of the Deputy Mayor for Planning and Economic Development, \$7.02 million from the neighborhood investment fund;
- (w) From the community benefit fund, \$13.271 million;
- (x) From the ballpark revenue fund, \$11 million;
- (y) From the Healthy DC Fund, \$3.85 million;
- (z) From accounts administered by the Office of Property Management, \$2.255 million from the parking fees fund;
- (aa) From accounts administered by the District Department of Transportation, \$3.842 million from the unified fund;
- (bb) \$14.84 million from the certified fund balance available pursuant to sections 102(b)(1) and (2) of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1932(b)(1) and (2));
- (cc) From certified fund balances in the Nursing Facility Quality of Care Fund, \$600,000.
- (dd) From accounts administered by the Office of Unified Communications, convert \$6.95 million associated with the E-911 fee to Local;
- (ee) From the dedicated tax TIF revenues, \$9.8 million; and
- (ff) From additional certified funds from parking and moving violation tickets issued by the District Department of Transportation, \$2 million.

SUBTITLE D. FINANCIAL PLAN TRANSFER OF O-TYPE REVENUE

Sec. 8030. Short title.

This subtitle may be cited as the "Financial Plan Transfer of Special Purpose Revenues Act of 2009".

Sec. 8031. Financial plan transfer of O-type funds.

(a) Notwithstanding any provision of law limiting the use of the funds listed in subsections (a) through (c) of this section ("Special Purpose Funds") for special purposes, the Chief Financial Officer shall transfer to local funds and recognize as fiscal year 2011 revenue \$38.338 million from the Special Purpose Funds, as follows:

- (1) From the ballpark revenue fund, \$14 million;
- (2) From the community benefit fund, \$12.883 million;
- (3) From accounts administered by the Office of Property Management, \$2.255 million from the parking fees fund;

SECOND ENROLLED ORIGINAL

(4) From accounts administered by the Office of the Deputy Mayor for Planning and Economic Development, \$3.2 million from the neighborhood investment fund;

(5) \$4 million from the certified fund balance available pursuant to sections 102(b)(1) and (2) of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1932(b)(1) and (2)); and

(6) From additional certified funds from parking and moving violation tickets issued by the District Department of Transportation, \$2 million.

(b) Notwithstanding any provision of law limiting the use of the funds listed in subsections (a) through (c) of this section ("Special Purpose Funds") for special purposes, the Chief Financial Officer shall transfer to local funds and recognize as fiscal year 2012 revenue \$30.456 million from the Special Purpose Funds, as follows:

(1) From the ballpark revenue fund, \$10 million;

(2) From the community benefit fund, \$13.001 million;

(3) From accounts administered by the Office of Property Management, \$2.255 million from the parking fees fund; and

(4) From accounts administered by the Office of the Deputy Mayor for Planning and Economic Development, \$3.2 million, from the neighborhood investment fund; and

(5) From additional certified funds from parking and moving violation tickets issued by the District Department of Transportation, \$2 million.

(c) Notwithstanding any provision of law limiting the use of the funds listed in subsections (a) through (c) of this section ("Special Purpose Funds") for special purposes, the Chief Financial Officer shall transfer to local funds and recognize as fiscal year 2013 revenue \$36.550 million from the Special Purpose Funds, as follows:

(1) From the ballpark revenue fund, \$15 million;

(2) From the community benefit fund, \$14.095 million;

(3) From accounts administered by the Office of Property Management, \$2.255 million from the parking fees fund;

(4) From accounts administered by the Office of the Deputy Mayor for Planning and Economic Development, \$3.2 million from the neighborhood investment fund; and

(5) From additional certified funds from parking and moving violation tickets issued by the District Department of Transportation, \$2 million.

TITLE IX. COMMITTEE REPORTS

Sec. 9001. Short title.

This subtitle may be cited as the "Report Authority Act of 2009".

Sec. 9002. The budget allocations, policy recommendations, and performance measure recommendations set forth in the committee report of the Committee of the Whole for the Fiscal Year 2010 Budget Request Act, passed on 1st reading on May 12, 2009 (Enrolled version of Bill 18-202), which includes the reports of all committees, are incorporated into this act.

TITLE X. FISCAL IMPACT AND EFFECTIVE DATE

Sec. 10001. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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)).

SECOND ENROLLED ORIGINAL

Sec. 10002. 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 602(c)(1) of the District of Columbia Home Rule Act, approved December 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