

A BILL

24-285

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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

TABLE OF CONTENTS

TITLE I. GOVERNMENT DIRECTION AND SUPPORT.....	7
SUBTITLE A. INSPECTOR GENERAL SUPPORT FUND.....	7
SUBTITLE B. COVID-19 PUBLIC HEALTH EMERGENCY PROCUREMENT	
ANALYSIS	9
SUBTITLE C. FAIR ELECTIONS CLARIFICATION.....	11
SUBTITLE D. ATTORNEY GENERAL SUPPORT AND RESTITUTION FUNDS	14
SUBTITLE E. CONSUMER PROTECTION PROCEDURES STAY	16
SUBTITLE F. MEDICAL MARIJUANA PROGRAM PATIENT EMPLOYMENT	
PROTECTION REGULATION CLARIFICATION	17
SUBTITLE G. DISABILITY INSURANCE OVERPAYMENT REMEDY	18
SUBTITLE H. DISTRICT GOVERNMENT EMPLOYEE RESIDENCY RESEARCH	
.....	19
SUBTITLE I. DELINQUENT DEBT	28
SUBTITLE J. TENANT RECEIVERSHIP	30
SUBTITLE K. EARLY CHILDHOOD EDUCATOR COMPENSATION	
TASKFORCE.....	33

30	SUBTITLE L. FALSE CLAIMS CLARIFICATION	36
31	SUBTITLE M. BUILDING PATHWAYS GRANT	37
32	SUBTITLE N. RESIDENTIAL REENTRY DEVELOPMENT PLAN	37
33	TITLE II. ECONOMIC DEVELOPMENT AND REGULATION	37
34	SUBTITLE A. ARTS AND HUMANITIES GRANT FUNDING	37
35	SUBTITLE B. GREAT STREETS PROGRAM.....	42
36	SUBTITLE C. SUPERMARKET TAX INCENTIVES	42
37	SUBTITLE D. REAL PROPERTY TAX APPEALS COMMISSION MEMBERSHIP	
38	46
39	SUBTITLE E. LOCAL RENT SUPPLEMENT PROGRAM	51
40	SUBTITLE F. HOUSING PRODUCTION TRUST FUND CONTRACTS	67
41	SUBTITLE G. PROPERTY TAX RELIEF FOR LOW INCOME HOUSING	68
42	SUBTITLE H. SECTION 108 DEBT RESERVE ACCOUNT	72
43	SUBTITLE I. PARK MORTON REDEVELOPMENT	73
44	SUBTITLE J. REENTRY HOUSING AND SERVICES PROGRAM	73
45	SUBTITLE K. EMORY BEACON OF LIGHT TAX EXEMPTION	76
46	SUBTITLE L. DSLBD GRANTS.....	78
47	SUBTITLE M. REDEVELOPMENT OF THE CENTER LEG FREEWAY	79
48	SUBTITLE N. DMPED GRANTS AND INITIATIVES	80
49	SUBTITLE O. BID CLARIFICATION	93
50	SUBTITLE P. D.C. HOUSING AUTHORITY BOARD OF COMMISSIONERS	
51	REFORM.....	94
52	SUBTITLE Q. CNHED TOPA STUDY	96

53	SUBTITLE R. MCMILLAN SLOW SAND FILTRATION SITE DEVELOPMENT.	97
54	SUBTITLE S. COVID-19 HOTEL RECOVERY.....	97
55	SUBTITLE T. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESSES	100
56	TITLE III. PUBLIC SAFETY AND JUSTICE	104
57	SUBTITLE A. EMERGENCY MEDICAL SERVICE FEES	104
58	SUBTITLE B. OFFICE OF RESILIENCY	106
59	SUBTITLE C. CONCEALED PISTOL LICENSING REVIEW BOARD STIPEND	106
60	SUBTITLE D. GUN VIOLENCE PREVENTION HOUSING SUPPORTAND	
61	INDIVIDUALS AND FAMILIES AT RISK OF GUN VIOLENCE	108
62	SUBTITLE E. HUMAN RIGHTS CASE MANAGEMENT METRICS	109
63	SUBTITLE F. ALTERNATIVE RESPONSES TO CALLS FOR SERVICE PILOT	
64	PROGRAM	111
65	SUBTITLE G. KEEPING YOUTH OUT OF THE JUSTICE SYSTEM REPORT....	115
66	SUBTITLE H. OFFICE OF THE CHIEF MEDICAL EXAMINER AND CHILD	
67	FATALITY REVIEW COMMITTEE	116
68	SUBTITLE I. REDUCING LAW ENFORCEMENT PRESENCE IN SCHOOLS.....	125
69	TITLE IV. PUBLIC EDUCATION SYSTEMS.....	127
70	SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASES..	127
71	SUBTITLE B. DCPS REPROGRAMMING FLEXIBILITY	135
72	SUBTITLE C. PARKS AND RECREATION GRANT-MAKING AUTHORITY	135
73	SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA FUNDRAISING	
74	MATCH	136
75	SUBTITLE E. APPRENTICESHIP FINES.....	137

76	SUBTITLE F. SCHOLARSHIP AND TUITION ASSISTANCE PAYMENTS	137
77	SUBTITLE G. UNIVERSAL PAID LEAVE	138
78	SUBTITLE H. STUDENT ACTIVITY FUND	151
79	SUBTITLE I. UDC HEI QUALIFIED APPLICANTS.....	151
80	SUBTITLE J. IT COMMUNITY TRAINING AND ADVISORY BOARD	
81	ESTABLISHMENT	152
82	SUBTITLE K. NURSE EDUCATION ENHANCEMENT	163
83	SUBTITLE L. SCHOOL YEAR INTERNSHIP PROGRAM	174
84	SUBTITLE M. JOBS FIRST DC PILOT PROGRAM ESTABLISHMENT	175
85	SUBTITLE N. WORKPLACE RIGHTS GRANT PROGRAM.....	180
86	SUBTITLE O. UNEMPLOYMENT COMPENSATION IMPROVEMENTS	187
87	SUBTITLE P. LEARNING LOSS GRANT FUNDS.....	193
88	SUBTITLE Q. OSSE SLDS DATA PLAN.....	195
89	SUBTITLE R. TEACHER PREPARATION PIPELINE.....	197
90	SUBTITLE S. ADULT, EARLY CHILDHOOD, AND RESIDENTIAL CHARTER	
91	STABILIZATION	206
92	SUBTITLE T. OFFICE OF WAGE AND HOUR ENFORCEMENT	
93	TRANSPARENCY ACT.....	209
94	SUBTITLE U. DESAP GRANT	212
95	TITLE V. HUMAN SUPPORT SERVICES	213
96	SUBTITLE A. MEDICAID HOSPITAL OUTPATIENT PAYMENT	213
97	SUBTITLE B. MEDICAL ASSISTANCE AND IMMIGRANT CHILDREN’S	
98	PROGRAM	213

99	SUBTITLE C. MEDICAID RESERVE FUND.....	215
100	SUBTITLE D. UNJUST CONVICTIONS HEALTH CARE	215
101	SUBTITLE E. MATERNAL HEALTH RESOURCES AND ACCESS	216
102	SUBTITLE F. HOWARD UNIVERSITY HOSPITAL CENTERS OF EXCELLENCE	
103	219
104	SUBTITLE G. SNAP REINVESTMENT FUND	220
105	SUBTITLE H. VETERAN TRANSPORTATION PROGRAM EXPANSION	221
106	SUBTITLE I. FIRST TIME MOTHERS HOME VISITING PROGRAM.....	222
107	SUBTITLE J. STEVIE SELLOW’S DIRECT SUPPORT PROFESSIONALS	
108	QUALITY IMPROVEMENTS	222
109	TITLE VI. OPERATIONS AND INFRASTRUCTURE	224
110	SUBTITLE A. HIGHWAY TRUST FUND REPROGRAMMINGS	224
111	SUBTITLE B. UTILITY RELOCATION ON INTERSTATE HIGHWAYS.....	225
112	SUBTITLE C. BUSINESS RECOVERY AND SUSTAINABILITY FEE	
113	REDUCTIONS.....	226
114	SUBTITLE D. SUSTAINABLE ENERGY TRUST FUND.....	230
115	SUBTITLE E. WMATA DEDICATED FUNDING	231
116	SUBTITLE F. URBAN AGRICULTURE FUNDING AND CLARIFICATION.....	231
117	SUBTITLE G. ZERO WASTE FUNDING AND CLARIFICATION AMENDMENT	
118	233
119	SUBTITLE H. DEPARTMENT OF MOTOR VEHICLES KIOSKS FUND.....	235
120	SUBTITLE I. DC CIRCULATOR FARE	236
121	SUBTITLE J. LOW-INCOME WEATHERIZATION ASSISTSANCE	237

122	SUBTITLE K. ATE SYSTEM REVENUE DESIGNATION.....	237
123	SUBTITLE L. ELECTRIC MOBILITY DEVICE AMENDMENT	239
124	SUBTITLE M. GREEN BUILDING FUND SETF DISBURSEMENTS.....	240
125	SUBTITLE N. LEAD PIPE REPLACEMENT ASSISTANCE PROGRAM SUBSIDY	
126	242
127	SUBTITLE O. LEAD SERVICE LINE PLANNING TASK FORCE.....	243
128	SUBTITLE P. PROTECT LOCAL WILDLIFE TAGS AND ANACOSTIA RIVER	
129	CLEAN UP AND PROTECTION FUND ELIGIBLE USES.....	246
130	SUBTITLE Q. RAIL SAFETY AND SECURITY RULEMAKING.....	249
131	SUBTITLE R. DOEE AND DDOT GRANTS	250
132	TITLE VII. FINANCE AND REVENUE.....	251
133	SUBTITLE A. UNCLAIMED PROPERTY.....	251
134	SUBTITLE B. PAYGO CAPITAL FUNDING.....	328
135	SUBTITLE C. MAKING UNEMPLOYMENT COMPENSATION NONTAXABLE	329
136	SUBTITLE D. DCRB EXECUTIVE LEADERSHIP.....	329
137	SUBTITLE E. TAX ABATEMENTS FOR AFFORDABLE HOUSING.....	330
138	SUBTITLE F. EVENTS DC	331
139	SUBTITLE G. EXCLUDED WORKER PAYMENT	332
140	SUBTITLE H. COUNCIL PERIOD 24 RULE 736 AND OTHER REPEALS	333
141	SUBTITLE I. SUBJECT-TO-APPROPRIATIONS REPEALS AND	
142	MODIFICATIONS.....	334
143	TITLE VIII. SPECIAL PURPOSE REVENUE, DEDICATED REVENUE, AND	
144	CAPITAL.....	339

SUBTITLE A. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS 339

SUBTITLE B. CAPITAL BUDGET ADJUSTMENTS 339

TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE 343

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

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. INSPECTOR GENERAL SUPPORT FUND

Sec. 1001. Short title.

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

Sec. 1002. 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.*), is amended by
adding a new section 208a to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SUBTITLE B. COVID-19 PUBLIC HEALTH EMERGENCY PROCUREMENT ANALYSIS

Sec. 1011. Short title.

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

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

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

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

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

“(18) To issue a report to the Mayor and the Council within 90 days after the end of the public health emergency that began on March 11, 2020 (“Public Health Emergency”), that includes:

214 “(A) A review and analysis of emergency procurements conducted under
215 the Public Health Emergency that includes:

216 “(i) A comprehensive listing of each emergency procurement
217 conducted, including the date of contract award, the source selection method, including whether
218 the procurement was competitively sourced, the name and certified business enterprise status of
219 the awardee, the award amount, the category of goods or services procured, and a description of
220 the specific goods or services procured;

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

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

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

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

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

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

234 “(viii) A plan for disposition of any excess supplies and
235 equipment; and

“(ix) A plan for retaining or decommissioning the additional warehouse space acquired during the public health emergency;

“(B) An analysis of emergency procurements with certified local, small, or disadvantaged business enterprises, as defined in section 2302 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02), including:

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

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

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

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

SUBTITLE C. FAIR ELECTIONS CLARIFICATION

Sec. 1021. Short title.

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

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

(a) Section 101(10D) (D.C. Official Code § 1-1161.01(10D)) is amended by striking the phrase “member of the Council, and member of the State Board of Education” and inserting the phrase “member of the Council elected at-large, member of the Council elected by ward, member of the State Board of Education elected at-large, and member of the State Board of Education elected by ward” in its place.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SUBTITLE D. ATTORNEY GENERAL SUPPORT AND RESTITUTION

FUNDS

Sec. 1031. Short title.

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

Sec. 1032. The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.81 *et seq.*), is amended as follows:

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

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

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

“(1) Subject to the limitations of subsection (d)(3) of this section and notwithstanding any other provision of District law, any recoveries from claims or litigation brought by the Office of the Attorney General on behalf of the District shall be deposited into the Fund;

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

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

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

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

(B) Subparagraph (B) is repealed.

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

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

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

“(e) For the purposes of this section, the term “recovery” shall include funds obtained through court determinations or through the settlement of claims in which the Office of the Attorney General represents the District but shall not include funds obtained through an administrative proceeding or funds obligated to another source by federal law. Recoveries shall be deposited into the Fund regardless of whether the amounts payable to satisfy the underlying obligations would otherwise have been required to be deposited into a different District special fund.”.

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

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

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

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

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

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

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

(2) Subsection (h) is repealed.

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

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

“(1) Awards of restitution and costs to individuals imposed under a court order, judgment, or settlement in any action or investigation brought to enforce to section 203a of the Criminal Abuse, Neglect, and Financial Exploitation of Vulnerable Adults and the Elderly Act of 2000, effective November 23, 2016 (D.C. Law 21-166; D.C. Official Code § 22-933.01); and

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

SUBTITLE E. CONSUMER PROTECTION PROCEDURES STAY

Sec. 1041. Short title.

This subtitle may be cited as the “Attorney General Stay of Parallel Private Attorney General Actions Amendment Act of 2021”.

Sec. 1042. Section 28-3905(k) of the District of Columbia Official Code is amended by adding a new paragraph (7) to read as follows:

“(7)(A) Commencement of an action by the Attorney General under § 28-3909, including the maintenance of an action previously commenced and pending as of the effective date of this act, shall serve to stay until the resolution of the Attorney General’s action any civil action that includes any claim that is:

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

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

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

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

Sec. 1051. Short title.

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

Sec. 1052. 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 1503a(h) (D.C. Official Code § 1-615.03a(h)) is amended by striking the word “rules” and inserting the phrase “rules pertaining to Council employees” in its place.

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

SUBTITLE G. DISABILITY INSURANCE OVERPAYMENT REMEDY

Sec. 1061. Short title.

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

Sec. 1062. Definitions.

For the purposes of this subtitle, the term:

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

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

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

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

Sec. 1063. Notification and repayment of premiums.

By September 30, 2022, DCHR shall:

(1) Identify all affected employees;

(2) Individually notify each affected employee about the fact of the overpayment, the date range of the employee’s overpayment, the total dollar amount overpaid by the employee, and the formula DCHR used to arrive at the affected employee’s overpayment amount;

(3) Provide affected employees a process to contest the overpayment calculation provided pursuant to paragraph (2) of this subsection;

(4) Reimburse each affected employee by the amount DCHR determines the affected employee overpaid, after considering any contested calculations pursuant to paragraph (3) of this section; and

(5) Submit to the Council a report containing the:

- (A) Total number of affected employees;
- (B) Date the District collected the first overpayment and the date the District ceased collecting overpayments;
- (C) Total amount of all overpayments paid by all affected employees;
- (D) Average amount by which affected employees overpaid their disability insurance premiums from 2010 through 2019; and
- (E) Total amount of money the District reimbursed to all affected employees.

Sec. 1064. Sunset.

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

SUBTITLE H. DISTRICT GOVERNMENT EMPLOYEE RESIDENCY RESEARCH

Sec. 1071. Short title.

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

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

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

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

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

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

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

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

“(2A) “Employment information” means the agency for which the employee works; the employee’s job title, salary, employment service and grade, occupation, and occupational group; the employee’s status as a full-time, part-time, term, or permanent employee; and the employee’s status as a highly-compensated employee.”.

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

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

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

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

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

“(a)(1) DCHR shall conduct a study on District government employee and applicant residency and residency-related policies (“study”), which it shall submit to the Council no later than October 1, 2022. The study shall utilize the results of each of the components described in subsection (b) of this section to provide a comprehensive analysis on the District government workforce as a whole and on sworn police officers, firefighters, and other groups regarding current patterns related to District government employees’ jurisdictions of residence; barriers to higher rates of District residency; reasons for District residency; effectiveness of current residency-related policies; and factors or policies that, if changed, could increase the rates of District residency for District government employees.

“(2) DCHR shall provide the Council Committee on Labor and Workforce Development a status update on the research, in writing, 3 months, 6 months, 9 months, 10 months, and 12 months following the applicability date of the District Government Employee Residency Research Amendment Act of 2021, approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285).

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

“(1) Results from a data analysis of the jurisdiction of residence of District government employees and applicants, consistent with the requirements of subsection (c) of this section;

“(2) Results of an anonymous survey or confidential focus groups, or both, of District government employees and former employees related to their opinions and experiences regarding their jurisdictions of residence, consistent with the requirements of subsection (d) of this section; and

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

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

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

490 “(i) Employment information;

491 “(ii) Demographics;

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

494 “(iv) Applicable residency-related policies;

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

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

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

503 “(iii) Received an interview;

504 “(iv) Received job offers; and

505 “(v) Accepted job offers; and

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

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

511 “(ii) Residency-related policies, including the end of the 7-year
512 period of required residency for employees who received a hiring preference pursuant to section
513 102;

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

516 “(iv) Employment information; and

517 “(v) Demographics and changes in demographics.

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

521 “(A) The District’s workforce as a whole;

522 “(B) Subordinate agency employees;

523 “(C) Independent agency employees;

524 “(D) Employees in jobs that require District residency;

525 “(E) Employees in jobs that do not require District residency;

526 “(F) Sworn police officers;

527 “(G) Firefighters;

528 “(H) Employees who received residency preference points;

529 “(I) Employees with long tenures with the District government;
530 “(J) Employees with short tenures with the District government; and
531 “(K) Other groups and subgroups that produce findings of interest,
532 relevance, or import, including disaggregation by demographics, employment information,
533 occupation, and other factors, where such disaggregation demonstrates observable patterns of
534 interest or importance.

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

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

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

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

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

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

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

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

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

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

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

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

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

561 “(A) Include findings on:

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

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

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

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

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

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

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

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

584 “(A) A review of District government agencies’ actual recruitment, hiring,
585 retention, and promotion practices, whether and to what extent such practices focus on hiring
586 District residents, success or lack of success of such practices at hiring District residents, how to
587 improve practices to increase hiring of District residents, and the main challenges, as supported
588 by data or reported by hiring directors, in hiring District residents and recruiting to positions that
589 require District residency;

590 “(B) Identification of specific occupations or occupational groups and
591 patterns or correlations related to occupations or occupational groups for which District residents
592 represent less than 40% of new hires, each occupation’s or occupational group’s starting salary,
593 and specific credentials necessary for each occupation or occupational group; and

594 “(C) For agencies that consistently have an annual rate of new hires that is
595 less than 40% District residents, data analysis of, and agency hiring directors’ perspective on, the

reasons for such rates, such as inadequate recruitment, bona fide hard-to-fill positions, lack of qualified District-resident applicants, lack of positions that require residency, or other legitimate reasons.

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

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

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

“(3) DCHR shall:

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

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

“(g) In complying with the provisions of this section, DCHR shall take steps to ensure the privacy and confidentiality of current and former District government employees. DCHR may not

release to the public or to the Council any findings or data that contain personally identifying information.

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

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

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

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

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

SUBTITLE I. DELINQUENT DEBT

Sec. 1081. Short title.

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

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

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

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

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

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

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

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

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

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

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

SUBTITLE J. TENANT RECEIVERSHIP

Sec. 1091. Short title.

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

Sec. 1092. Rehabilitation Funding.

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

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

“(A) The court may issue an order authorizing the Attorney General to supply funding to the receiver, for initial and emergency repairs, from any funds available in the Tenant Receivership Act Abatement Fund, established by section 106e of the Attorney General for the

District of Columbia Clarification and Elected Term Amendment Act of 2010, as approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285); or

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

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

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

“(2)(A) If a court issues an order pursuant to paragraph (1)(A) of this subsection, the owner shall be required to repay the funding supplied by the Attorney General no later than 30 days after the receiver receives those funds. Any funds unpaid as of that 30-day deadline shall incur interest at the rate of 6% per annum until repaid. The Attorney General may petition the court to convert the order into a final judgment, and once the order is so converted, the Attorney General may take actions to collect on any unpaid balance, using all available collection methods authorized under District or other applicable law.

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

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

Sec. 1093. Tenant Receivership Abatement Fund.

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

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

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

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

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

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

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

“Sec. 106e. Tenant Receivership Abatement Fund.

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

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

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

“(B) All funds recovered from owners under section 506(j)(1) of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06(j)(1)); except, that

when the deposit of such funds into the Fund would cause the Fund balance to exceed \$2 million, the excess of such funds instead shall be deposited into the Litigation Support Fund established by section 106b.

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

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

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

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

SUBTITLE K. EARLY CHILDHOOD EDUCATOR COMPENSATION

TASKFORCE

Sec. 1101. Short title.

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

Sec. 1102. Definitions.

For purposes of this subtitle, the term:

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

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

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

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

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

(a) The Council of the District of Columbia shall establish an Early Childhood Educator Equitable Compensation Task Force (“Task Force”) to provide recommendations on how to implement an employee compensation scale for early childhood development providers.

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

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

(B) Community-based organizations;

(C) Early childhood advocacy organizations;

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

(E) Operators of child development facilities who do not currently

779 participate in the childcare subsidy program;

780 (F) Employees of child development facilities; and

781 (G) An individual with an expertise in economics or policy, who has an
782 understanding of the District's early childhood development and education sector.

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

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

787 (c) The Task Force shall:

788 (1) Meet a minimum of 4 times;

789 (2) Review the findings and recommendations of the Early Childhood Educator
790 Compensation in the Washington Region study completed by the Urban Institute and any
791 completed employee compensation scale and other relevant materials provided by the Office of
792 the State Superintendent of Education; and

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

794 (A) Assesses overall readiness for early childhood development providers
795 to implement a competitive employee compensation scale that includes salary, benefits,
796 professional development, and workforce development;

797 (B) Assesses the potential impact of implementing an employee
798 compensation scale on early childhood development providers that:

799 (i) Do not provide childcare services to children eligible for
800 subsidy; or

801 (ii) Serve a minimum number of children who receive subsidy;

(C) Proposes an employee compensation scale for early childhood development providers that accounts for employee role, credentials, and experience; and

(D) Provides recommendations for implementing the employee compensation scale.

SUBTITLE L. FALSE CLAIMS CLARIFICATION

Sec. 1111. Short title.

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

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

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

“(1)(A) The claim, record, or statement was made on or after January 1, 2015; and
“(B) The District taxable income, District sales, or District revenue of the person against whom the action is being brought equals \$1 million for any taxable year subject to any action brought pursuant to this part, and the damages pleaded in the action total \$350,000 or more; or

“(2) The claim, record, or statement was made on or after January 1, 2015, and relates to the classification of real property as vacant or blighted pursuant to 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 *et seq.*)

SUBTITLE M. BUILDING PATHWAYS GRANT

Sec. 1121. Short title.

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

Sec. 1122. Notwithstanding the Grant Administration Act of 2013, effective December

24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), in Fiscal Year 2022, the

Department of General Services shall have grant-making authority to provide a \$1,000,000 grant

to Building Pathways – Charter School Incubator Initiative for the purpose of replacing the

HVAC system at the Patricia R. Harris Educational Center school building.

SUBTITLE N. RESIDENTIAL REENTRY DEVELOPMENT PLAN

Sec. 1131. Short Title.

This subtitle may be cited as the “Residential Reentry Development Plan Amendment

Act of 2021”.

Sec. 1132. During Fiscal Year 2022 the Council will engage an analysis to develop and

submit a plan on how to open at least eight small to mid-sized residential reentry centers across

the District, including one in each ward.

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. ARTS AND HUMANITIES GRANT FUNDING

Sec. 2001. Short title.

This subtitle may be cited as the “Equity in the Arts and Humanities Amendment Act of

2021”.

Sec. 2002. Section 115 of the Consolidated Appropriations Resolution, 2003, approved

February 20, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01), is amended by adding a new

subsection (f) to read as follows:

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

Sec. 2003. Section 1108(c-2) 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 § 1-611.08(c-2)), is amended as follows:

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

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

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

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

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

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

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

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

“(1) The Commission shall consist of 12 members appointed by the Mayor, with the advice and consent of the Council, in accordance with section 2(e)(32) of the Confirmation

870 Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(32)),
871 except:

872 “(A) From June 30, 2022 until June 30, 2023, the Commission shall
873 consist of 16 members.

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

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

877 “(1A) Notwithstanding section (2)(c) of the Confirmation Act of 1978, effective
878 March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(c)), a member with a term that
879 expires June 30, 2023 or June 30, 2024 may not serve in a hold-over capacity unless a resolution
880 confirming the nomination for reappointment of the member has been transmitted by the Mayor
881 to the Council.

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

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

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

888 (b) Section 5(6) (D.C. Official Code § 39-204(6)) is amended by striking the phrase
889 “shall serve without compensation” and inserting the phrase “may be compensated, pursuant to
890 section 1108(c-2)(6) of the District of Columbia Government Comprehensive Merit Personnel
891 Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(6)),

from funds allocated pursuant to section 6(c-1)(1), provided that no District of Columbia government employee or Commissioner of the Commission may be compensated.”.

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

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

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

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

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

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

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

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

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

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

916 “(D) 4% the for the Humanities Grant Program administered by

917 HumanitiesDC.”.

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

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

920 “(b)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,

921 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13 *et seq.*), the Commission shall have

922 grantmaking authority to provide funds to HumanitiesDC; provided, that such funds be included

923 in an approved budget and designated for the HumanitiesDC; provided further, that, except as

924 provided in paragraph (2) of this subsection, such funds shall be used to make subgrants in the

925 humanities for the purpose of promoting cross-cultural understanding and appreciation of local

926 history in all District neighborhoods.

927 “(2) Up to 30% of each disbursement from the Humanities Grant Program budget

928 to HumanitiesDC may be utilized by HumanitiesDC for administrative expenses, capacity

929 building, technical assistance, and evaluation of the Humanities Grant Program.”

930 (2) Subsection (d) is repealed.

931 (3) Subsection (e) is amended by striking the phrase “grant-managing entity”

932 wherever it appears and inserting the phrase “HumanitiesDC” in its place.

933 Sec. 2005. Section 1072(b)(1)(F) of the Cultural Plan for the District Act of 2015,

934 effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 39-231(b)(1)(F)), is amended

935 to read as follows:

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

SUBTITLE B. GREAT STREETS PROGRAM

Sec. 2011. Short title.

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

Sec. 2012. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004

(D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

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

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

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

SUBTITLE C. SUPERMARKET TAX INCENTIVES

Sec. 2021. Short title.

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

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

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

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

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

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

961 “(1D) “Eligible area” means:

962 “(A)(i) Properties within or abutting the boundaries of low-income census
963 tracts where a significant number of residents are more than 1/2 mile from the nearest
964 supermarket, as designated based on the 2019 data from the United States Department of
965 Agriculture Food Access Research Atlas, not including any census tract, as identified by the
966 Mayor, in which a college or university campus is located, or nearby, that has been designated as
967 a low-income census tract due primarily to the incomes of college or university students residing
968 within the census tract; or

969 “(ii) Properties within or abutting proximal neighborhood groups
970 with over 20% participation in the Supplemental Nutrition Assistance Program or other public
971 assistance programs as designated in the 2018 District of Columbia Health Equity Report.

972 “(B) For supermarkets under construction as of January 1, 2021, for which
973 a certificate of occupancy is issued on or before September 30, 2022, and for which an
974 application for certification under this chapter is filed on or before September 30, 2022:

975 “(i) A historically underutilized business zone, as defined by
976 section 3(p)(1) of the Small Business Act, approved July 18, 1958 (72 Stat. 384; 15 U.S.C. §
977 632(p)(1)); and

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

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

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

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

983 “(I) Fresh fruits and vegetables;
984 “(II) Fresh and uncooked meats, poultry, and seafood;
985 “(III) Dairy products;
986 “(IV) Canned foods;
987 “(V) Frozen foods;
988 “(VI) Dry groceries and baked goods; or
989 “(VII) Non-alcoholic beverages;”

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

992 (C) New sub-subparagraphs (iv) and (v) are added to read as follows:

993 “(iv) Dedicates either 50% of the establishment’s total square
994 footage of selling area (defined as the area in the establishment that is open to the public and not
995 including storage areas, preparation areas, or bathrooms), or 6,000 square feet of the
996 establishment’s selling area to the sale of the categories listed in sub-subparagraph (ii) of this
997 subparagraph; and

998 “(v) Dedicates at least 5% of the establishment’s selling area to
999 each of at least 6 of the categories listed in sub-subparagraph (ii) of this subparagraph.”.

1000 (b) A new section 47-3801.01 is added to read as follows:

1001 “§ 47-3801.01. Expansion of supermarket investment areas.

1002 “(a) If the Mayor determines that there is an area that warrants investment pursuant to
1003 this chapter that is not an eligible area, as defined by § 47-3801(1D), the Mayor shall submit a
1004 plan describing the area, geographically and otherwise, along with a detailed rationale for
1005 extending supermarket tax incentives and any other aid the Mayor proposes, a fiscal impact

1006 statement, and an explication of the benefits to be derived for the area and the District as a
1007 whole.

1008 “(b) The Mayor shall transmit the plan to the Council, with a proposed resolution for a
1009 45-day period of review, excluding days of Council recess. If the Council does not approve or
1010 disapprove the plan, in whole or in part, by resolution within this 45-day review period, the plan
1011 shall be deemed approved.”.

1012 (c) Section 47-3802 is amended as follows:

1013 (1) Subsection (c)(1) is amended by adding the following sentence at the end:

1014 “As part of the application, and as a condition of certification, the applicant shall
1015 agree in writing to:

1016 “(A) Become authorized to accept Supplemental Nutrition Assistance
1017 Program (“SNAP”) benefits as payment at the qualified supermarket, and to accept SNAP
1018 benefits for payment after such authorization;

1019 “(B) Apply to the Department of Health (“DOH”) for approval to accept
1020 Special Supplemental Nutrition Program for Women, Infants, and Children (“WIC”) benefits as
1021 payment at the qualified supermarket, and accept WIC benefits as payment at the qualified
1022 supermarket if approved by DOH to accept WIC benefits; and

1023 “(C) Conduct community listening sessions on the store’s product
1024 offerings and operations at least once every 2 years.”.

1025 (2) New subsections (e) and (f) are added to read as follows:

1026 “(e) To remain eligible to continue to receive the tax benefits provided by this chapter, a
1027 qualified supermarket shall:

1028 “(1) Accept SNAP benefits for payment at the qualified supermarket;

1029 “(2) Accept WIC benefits for payment at the qualified supermarket, unless
1030 determined ineligible by the Department of Health to accept payments by WIC benefits; and

1031 “(3) Conduct a community listening session on the store’s product offerings and
1032 operations at least once every 2 years.

1033 “(f) The Mayor shall review the definition of the term “eligible area” at least once every 5
1034 years to determine whether it continues to appropriately reflect the areas of the District where tax
1035 incentives for new supermarkets provide substantial benefits to District residents and
1036 neighborhoods.”.

1037 **SUBTITLE D. REAL PROPERTY TAX APPEALS COMMISSION**
1038 **MEMBERSHIP**

1039 Sec. 2031. Short title.

1040 This subtitle may be cited as the “Real Property Tax Appeals Commission Membership
1041 Amendment Act of 2021”.

1042 Sec. 2032. Section 47-825.01a of the District of Columbia Official Code is amended as
1043 follows:

1044 (a) Subsection (a) is amended as follows:

1045 (1) Paragraph (1) is amended as follows:

1046 (A) Subparagraph (B) is amended as follows:

1047 (i) Sub-subparagraph (ii) is amended by striking the semicolon and
1048 inserting the phrase “; and” in its place.

1049 (ii) Sub-subparagraph (iii) is amended by striking the phrase “;
1050 and” and inserting a period in its place.

1051 (iii) Sub-subparagraph (iv) is repealed.

1052 (B) Subparagraph (C) is amended to read as follows:

1053 “(C) The Commission may non-competitively appoint to temporary
1054 appointments up to 8 hearing examiners, who each shall be appointed for a term not to
1055 exceed 6 months each year, who shall hear cases of single-family residential property or
1056 any noncommercial real property assessed during the administrative review (or under the
1057 notice of assessment if the administrative review is unavailable) at \$3 million or less;
1058 provided, that the Chairperson may assign hearing examiners to hear cases of other real
1059 property assessments.”.

1060 (C) Subparagraph (D) is amended as follows:

1061 (i) Sub-subparagraph (i) is amended to read as follows:

1062 “(i) The Chairperson of the Commission shall:

1063 “(I) Be a District of Columbia certified appraiser with at
1064 least 3 years of professional experience; or

1065 “(II) Have at least 5 years of commercial real estate
1066 property appraisal experience.”.

1067 (ii) Sub-subparagraph (iv) is amended by striking the phrase “All
1068 Commissioners” and inserting the phrase “All Commissioners and hearing examiners” in
1069 its place.

1070 (E) Subparagraph (E) is amended by striking the phrase “The
1071 Commissioners” and inserting the phrase “The Commissioners and hearing examiners” in
1072 its place.

1073 (2) Paragraph (2) is amended as follows:

1074 (A) Subparagraph (A) is amended to read as follows:

1075 “(A) Each Commissioner and hearing examiner shall be prohibited from
1076 representing any client or business interest before the Commission for a period of 2 years
1077 after the separation of the Commissioner or hearing examiner from the Commission.”.

1078 (B) Subparagraph (B) is amended as follows:

1079 (i) Strike the phrase “A Commissioner” and insert the phrase
1080 “Each Commissioner and hearing examiner” in its place; and

1081 (ii) Strike the phrase “the Commissioner” and insert the phrase
1082 “the Commissioner or hearing examiner” in its place.

1083 (C) Subparagraph (C) is amended to read as follows:

1084 “(C) A Commissioner or hearing examiner shall not review an appeal for
1085 which that Commissioner or hearing examiner has a direct or indirect interest.”.

1086 (3) Paragraph (3) is amended by adding a new subparagraph (C) to read as
1087 follows:

1088 “(C)(i) Each part-time Commissioner serving on the day before the
1089 effective date of the Real Property Tax Appeals Commission Membership Amendment
1090 Act of 2021, as approved by the Committee of the Whole on July 20, 2021 (Committee
1091 print of Bill 24-285) (“Act”), shall, with the Commissioner’s consent, be converted to a
1092 hearing examiner on the effective date of the Act.

1093 (ii) The position of part-time Commissioner shall be
1094 abolished as of the effective date of the Act, and no individual shall continue to serve in
1095 the position of part-time Commissioner after that date.”.

1096 (4) Paragraph (5) is amended by striking the phrase “Commissioners shall” and
1097 inserting the phrase “Commissioners and hearing examiners shall” in its place.

1098 (5) Paragraph (6) is amended to read as follows:

1099 “(6) The Commission shall employ staff in addition to the hearing examiners,

1100 including an executive director and a general counsel.”.

1101 (b) Subsection (c) is amended as follows:

1102 (1) Paragraph (1) is amended as follows:

1103 (A) Subparagraph (A) is amended as follows:

1104 (i) The lead-in text is amended by striking the word

1105 “Commissioners” and inserting the phrase “Commissioners and hearing examiners” in its

1106 place.

1107 (ii) Sub-subparagraph (i) is amended as follows:

1108 (I) Strike the phrase “one-Commissioner” and insert the

1109 phrase “one-Commissioner or hearing examiner” in its place; and

1110 (II) Strike the phrase “multi-Commissioner panel” and

1111 insert the phrase “multi-member panel” in its place.

1112 (iii) Sub-subparagraph (ii) is amended to read as follows:

1113 “(ii) In the case of all other real property, a panel consisting of 3

1114 members shall be convened; provided, that a panel consisting of 2 members may be

1115 convened if the appellant and OTR agree.”.

1116 (B) Subparagraph (B) is amended by striking the word

1117 “Commissioner” and inserting the phrase “Commissioner or hearing examiner” in its

1118 place.

1119 (2) Paragraph (2) is amended by striking the word “Commissioners” and inserting

1120 the phrase “members” in its place.

1121 (3) Paragraph (3) is amended as follows:

1122 (A) Strike the phrase “deciding Commissioner” and insert the phrase

1123 “deciding Commissioner or hearing examiner” in its place;

1124 (B) Strike the phrase “multi-Commissioner” and insert the phrase “multi-

1125 member” in its place; and

1126 (C) Strike the phrase “each Commissioner” and insert the phrase “each

1127 member” in its place.

1128 (4) Paragraph (4)(C) is amended to read as follows:

1129 “(C) The names of the member who were on the panel that established the

1130 assessment or classification, or both, indicating whether each participating member

1131 agreed with, or dissented from, the decision of the panel.”.

1132 (c) Subsection (e) is amended as follows:

1133 (1) Paragraph (3) is amended by striking the word “Commission or a

1134 Commissioner” and inserting the phrase “Commission, or a Commissioner or hearing

1135 examiner,” in its place.

1136 (2) Paragraph (6)(C) is amended to read as follows:

1137 “(C) In the case of a rehearing, a panel shall be convened consisting of the

1138 Chairperson, Vice-Chairperson, and a Commissioner or hearing examiner who was a

1139 member of the panel that heard the underlying appeal.”.

1140 (d) A new subsection (j) is added to read as follows:

1141 “(j) For the purposes of this section, the word “member” means a Commissioner or

1142 hearing examiner.”.

1143 Sec. 2033. Section 406(b) of the District of Columbia Government Comprehensive Merit

1144 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §
1145 1-604.06), is amended as follows:

1146 (a) Paragraph (27) is amended by striking the phrase “; and” and inserting a semicolon in
1147 its place.

1148 (b) Paragraph (28) is amended by striking the period at the end and inserting the phrase “;
1149 and” in its place.

1150 (c) A new paragraph (29) is added to read as follows:

1151 “(29) For the Real Property Tax Appeals Commission, the personnel authority is
1152 the Real Property Tax Appeals Commission.”.

1153 Sec. 2034. Section 15 of An Act To provide for the abatement of nuisances in the District
1154 of Columbia by the Commissioners of said District, and for other purposes, approved April 14,
1155 1906 (34 Stat. 114; D.C. Official Code § 42-3131.15), is amended by adding a new subsection
1156 (d) to read as follows:

1157 “(d) The District may appeal a decision of the Real Property Tax Appeals Commission to
1158 the Superior Court of the District of Columbia within 2 months after the date of the written
1159 decision or receipt of the written decision, which is later.”.

1160 **SUBTITLE E. LOCAL RENT SUPPLEMENT PROGRAM**

1161 Sec. 2041. Short title.

1162 This subtitle may be cited as the “Local Rent Supplement Program Enhancement
1163 Amendment Act of 2021”.

1164 Sec. 2042. The District of Columbia Housing Authority Act of 1999, effective May 9,
1165 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

1166 (a) Section 2 (D.C. Official Code § 6-201) is amended as follows:

1167 (1) A new paragraph (7B) is added to read as follows:

1168 “(7B) “Capital-based assistance” means capital gap financing for the construction
1169 or rehabilitation of housing units for which project-based voucher assistance or sponsor-based
1170 voucher assistance was previously awarded as an operating subsidy.”.a

1171 (2) A new paragraph (43C) is added to read as follows:

1172 “(43C) “Tenant-based voucher assistance” means housing subsidy payments
1173 provided for households with extremely low incomes or histories of homelessness to pay all or a
1174 portion of the household’s rent in privately owned housing units in the District.”.

1175 (b) Section 26a (D.C. Official Code § 6-226), is amended as follows:

1176 (1) Subsection (a) is amended to read as follows:

1177 “(a) The Rent Supplement Program is established to provide housing assistance to
1178 extremely low-income District residents, including those who are homeless and those in need of
1179 supportive services, such as elderly individuals or those with disabilities. The funding of this
1180 program is subject to appropriation. The assistance under this section, section 26b, and section
1181 26c shall not constitute an entitlement.”

1182 (2) Subsection (b) is amended to read as follows:

1183 “(b)(1) The Authority shall award the funds appropriated for the program’s sponsor-
1184 based voucher assistance and capital-based assistance.”

1185 “(2) The Department of Housing and Community Development shall award the
1186 funds appropriated for the program’s project-based voucher assistance.

1187 “(3) The Authority shall award the funds appropriated for ongoing tenant-based
1188 voucher assistance.

1189 “(4) The Authority shall award the funds appropriated for new tenant-based
1190 voucher assistance, as described in section 26a-1(c)(5), to the extent that such funds are
1191 transferred to the Housing Authority Rent Supplement Program Fund pursuant to section 26a-
1192 1(c)(4).

1193 “(5) For the purposes of this subsection, the phrase “ongoing tenant-based
1194 voucher assistance” means tenant-based voucher assistance funded by money deposited into the
1195 Housing Authority Rent Supplement Program Fund pursuant to section 26a-1(a)(2)(C).”.

1196 (3) Subsection (c) is amended to read as follows:

1197 “(c)(1) The Authority shall promulgate rules, subject to Council approval, for sponsor-
1198 based voucher assistance as required by section 26b, tenant-based voucher assistance, and
1199 capital-based assistance as required by section 26d, which shall govern the administration of
1200 funds for these types of assistance.

1201 “(2) The Authority shall promulgate rules, subject to Council approval, for
1202 project-based voucher assistance, which shall govern the administration of funds for this type of
1203 assistance; except, that the Department of Housing and Community Development shall
1204 promulgate rules governing the award of project-based voucher assistance, as provided in
1205 paragraph (3) of this subsection.

1206 “(3) The Department of Housing and Community Development shall promulgate
1207 rules, subject to Council approval, governing the award of project-based voucher assistance;
1208 provided, that the rules previously promulgated by the Authority that govern the award of funds
1209 for project-based voucher assistance shall remain in effect unless amended or repealed by the
1210 Department of Housing and Community Development.

1211 “(4) The rules proposed pursuant to this subsection shall:

1212 “(A) Provide for allocating project-based and sponsor-based funds to
1213 maintain or create new affordable housing units, including by combining funds under this
1214 program with other sources of funds for housing production and development and for allocating
1215 tenant-based funds to expand affordable housing choices for households through housing
1216 subsidies; and

1217 “(B) Be submitted to the Council for a 45-day period of review, excluding
1218 Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve
1219 or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review
1220 period, the proposed rules shall be deemed approved.”.

1221 (4) Subsections (d) and (e) are repealed.

1222 (c) A new section 26a-1 is added to read as follows:

1223 “Sec. 26a-1. Rent Supplement Program Funds.

1224 “(a) Housing Authority Rent Supplement Program Fund.

1225 (1) There is established as a special fund the Housing Authority Rent Supplement
1226 Program Fund, which shall be administered by the Authority in accordance with paragraph (3) of
1227 this section.

1228 “(2) There shall be deposited into the Housing Authority Rent Supplement
1229 Program Fund:

1230 “(A) Money appropriated for sponsor-based voucher assistance;

1231 “(B) Money appropriated for capital-based assistance;

1232 “(C) Money appropriated to the Authority for the ongoing provision of
1233 tenant-based voucher assistance;

1234 “(D) Money appropriated to the Authority for the ongoing provision of
1235 project-based voucher assistance previously awarded by the Department of Housing and
1236 Community Development;

1237 “(E) Money for project-based voucher assistance transferred to the
1238 Housing Authority Rent Supplement Program Fund pursuant to subsection 26b(b-1)(3);

1239 “(F) Money for tenant-based voucher assistance transferred to the Housing
1240 Authority Rent Supplement Program Fund pursuant to subsection (c)(4) of this section; and

1241 “(G) Money remaining in the Rent Supplement Fund, established by
1242 section 26a(d)(1), at the end of Fiscal Year 2021.

1243 “(3) Money in the Housing Authority Rent Supplement Program Fund shall be
1244 used solely to:

1245 “(A) Provide sponsor-based voucher assistance and capital-based
1246 assistance;

1247 “(B) Provide project-based voucher assistance to projects awarded such
1248 assistance by the Authority before October 1, 2021;

1249 “(C) Provide project-based voucher assistance to projects awarded such
1250 assistance by the Department of Housing and Community Development after September 30,
1251 2021, including assistance from funds transferred to the Housing Authority Rent Supplement
1252 Program Fund from the Rent Supplement Program Project-Based Allocation Fund established by
1253 subsection (b) of this section;

1254 “(D) Provide ongoing tenant-based voucher assistance; and

1255 “(E) Provide new tenant-based voucher assistance from funds transferred
1256 from the Rent Supplement Program Tenant-Based Allocation Fund established by subsection (c)
1257 of this section.

1258 “(4)(A) The money deposited into the Housing Authority Rent Supplement
1259 Program Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of
1260 the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

1261 “(B) Subject to authorization in an approved budget and financial plan,
1262 any funds in the Housing Authority Rent Supplement Program Fund shall be continually
1263 available without regard to fiscal year limitation.

1264 “(5) For the purposes of this subsection, the term “ongoing tenant-based voucher
1265 assistance” means tenant-based voucher assistance paid for from funds appropriated to the
1266 Housing Authority Rent Supplement Program Fund pursuant to paragraph (2)(C) of this
1267 subsection.

1268 “(b) Rent Supplement Program Project-Based Allocation Fund.

1269 (1) There is established as a special fund the Rent Supplement Program Project-
1270 Based Allocation Fund, which shall be administered by the Department of Housing and
1271 Community Development in accordance with paragraph (3) of this subsection.

1272 “(2) Amounts appropriated for new project-based voucher assistance shall be
1273 deposited into the Rent Supplement Program Project-Based Allocation Fund.

1274 “(3)(A) Money in the Rent Supplement Program Project-Based Allocation Fund
1275 shall be used to fund awards to applicants selected for project-based voucher assistance as
1276 defined in section 2(39A) and shall be transferred to the Housing Authority Rent Supplement
1277 Program Fund as described in section 26b(b-1)(3).

1278 “(B) Money in the Rent Supplement Program Project-Based Allocation
1279 Fund may be used to increase the amount of project-based voucher assistance previously
1280 awarded to an applicant to account for a documented need to increase the proposed rent charged
1281 on a rental unit.

1282 “(4)(A) The money deposited into the Rent Supplement Program Project-Based
1283 Allocation Fund shall not revert to the unrestricted fund balance of the General Fund of the
1284 District of Columbia at the end of a fiscal year, or at any other time.

1285 “(B) Subject to authorization in an approved budget and financial plan,
1286 any funds appropriated in the Rent Supplement Program Project-Based Allocation Fund shall be
1287 continually available without regard to fiscal year limitation.”.

1288 “(c) Rent Supplement Program Tenant-Based Allocation Fund.

1289 (1) There is established as a special fund the Rent Supplement Program Tenant-
1290 Based Allocation Fund, which shall be administered by the Department of Human Services in
1291 accordance with paragraph (3) of this subsection.

1292 “(2) The following funds shall be deposited into the Rent Supplement Program
1293 Tenant-Based Allocation Fund:

1294 “(A) Amounts appropriated for new tenant-based voucher assistance; and

1295 “(B) Any unspent local dollars appropriated for supportive services, as
1296 that term is defined in section 2(39) of the Homeless Services Reform Act, effective October 22,
1297 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(39)), for the Targeted Affordable
1298 Housing Program or a permanent housing program, as that term is defined in section 2(27C) of
1299 the Homeless Services Reform Act, effective October 22, 2005 (D.C. Law 16-35; D.C. Official

1300 Code § 4-751.01(27C)), in the operating budget of the Department of Human Services at the end
1301 of each fiscal year.

1302 “(3) Money in the Rent Supplement Program Tenant-Based Allocation Fund shall
1303 be used in a fiscal year to fund awards to applicants selected for tenant-based voucher assistance,
1304 to the extent that the dollar amount of all new or previously awarded tenant-based voucher
1305 assistance awarded to applicants in that fiscal year or a prior fiscal year, for which the Authority
1306 continues to be obligated to make payments, exceeds the amount of money deposited into the
1307 Housing Authority Rent Supplement Program Fund during the then-current fiscal year for the
1308 ongoing provision of tenant-based voucher assistance pursuant to subsection (a)(2)(C) of this
1309 section.

1310 “(4) Money in the Rent Supplement Program Tenant-Based Allocation Fund
1311 shall, at the direction of the Director of the Department of Human Services, be transferred to the
1312 Housing Authority Rent Supplement Program Fund when such funding is necessary to fund the
1313 award of new tenant-based vouchers because the dollar amount of tenant-based vouchers for
1314 which the Authority would be obligated to make payments would otherwise exceed the amount
1315 of money deposited into the Housing Authority Rent Supplement Program Fund during the
1316 applicable fiscal year for the ongoing provision of tenant-based voucher assistance pursuant to
1317 subsection (a)(2)(C) of this section.

1318 “(5)(A) The money deposited into the Rent Supplement Program Tenant-Based
1319 Allocation Fund shall not revert to the unrestricted fund balance of the General Fund of the
1320 District of Columbia at the end of a fiscal year, or at any other time.

1321 “(B) Subject to authorization in an approved budget and financial plan,
1322 any funds appropriated in the Rent Supplement Program Tenant-Based Allocation Fund shall be
1323 continually available without regard to fiscal year limitation.

1324 “(6) For the purposes of this subsection, the phrase “new tenant-based voucher
1325 assistance” means, with respect to the amount of money to be deposited into the Rent
1326 Supplement Program Tenant-Based Allocation Fund, the amount of money appropriated to the
1327 Department of Human Services in a fiscal year for the provision of tenant-based voucher
1328 assistance”.

1329 (d) Section 26b (D.C. Official Code § 6-227), is amended as follows:

1330 (1) Subsection (a) is amended by striking the phrase “project-based and”.

1331 (2) A new subsection (b-1) is added to read as follows:

1332 “(b-1)(1) The funds allocated under the program for new project-based voucher
1333 assistance shall be awarded by the Department of Housing and Community Development for the
1334 construction of new housing, or rehabilitation or preservation of existing housing, for extremely
1335 low-income District residents.

1336 “(2) The Department of Housing and Community Development shall promulgate
1337 rules to govern the awarding of project-based voucher assistance and the continuing eligibility
1338 for such assistance.

1339 “(3) The funds awarded pursuant to paragraphs (1) and (2) of this subsection shall
1340 be held in the Rent Supplement Program Project-Based Allocation Fund, established by section
1341 26a-1(b), until a certificate of occupancy is issued for the project for which the funds were
1342 awarded. After the certificate of occupancy is issued, the funds shall, at the direction of the

1343 Director of the Department of Housing and Community Development, be transferred to the
1344 Housing Authority Rent Supplement Program Fund established by section 26a-1(a).”.

1345 (3) Subsection (c) is amended to read as follows:

1346 “(c) The Authority shall apply its existing Partnership Program and Housing Choice
1347 Voucher Program rules to govern eligibility, admission, and continuing occupancy by tenants in
1348 units receiving sponsor-based or project-based voucher assistance under this section, section 26a,
1349 and section 26d, except if the rules are inconsistent with this section, section 26a, or section 26d;
1350 provided, that the Authority may modify or waive such rules so as not to exclude households on
1351 the basis of immigration status or prior criminal convictions. The Authority shall promulgate
1352 such additional rules as are necessary to ensure that eligibility for tenancy in the units supported
1353 by grants under this section is limited to households with gross income at or below 30% of the
1354 area median income.”.

1355 (4) Subsection (d) is amended to read as follows:

1356 “(d) To maintain consistency for households receiving rental housing support, the
1357 Authority shall, to the extent possible, given funding resources available in the Housing
1358 Authority Rent Supplement Program Fund, continue to fund project-based and sponsor-based
1359 grantees at the same level, adjusted for inflation on an annual basis, or on such other basis as
1360 may be agreed to with the grantee, unless the Authority determines that a grantee is not meeting
1361 the criteria set forth in the rules governing project-based or sponsor-based voucher assistance.”.

1362 (5) Subsection (e) is repealed.

1363 (e) Section 26c (D.C. Official Code § 6-228), is amended as follows:

1364 (1) Subsection (a) is amended by striking the phrase “procedures for the Housing
1365 Choice Voucher Program.” and inserting the phrase “procedures for the Housing Choice

Voucher Program; provided, that the Authority may waive or modify such rules, regulations, policies, and procedures so as not to exclude households on the basis of immigration status or prior criminal convictions.” in its place.

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

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

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

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

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

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

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

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

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

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

1389 “(2) The amount of money in the fund allocated to project-based voucher
1390 assistance at the beginning of the reporting period, the amount of money expended from the fund
1391 on project-based voucher assistance during the reporting period, and the amount of money in the
1392 fund allocated to project-based voucher assistance at the end of the reporting period;

1393 “(3) The amount of money in the fund allocated to sponsor-based voucher
1394 assistance at the beginning of the reporting period, the amount of money expended from the fund
1395 on sponsor-based voucher assistance during the reporting period, and the amount of money in the
1396 fund allocated to sponsor-based voucher assistance at the end of the reporting period;

1397 “(4) The amount of money in the fund allocated to tenant-based voucher
1398 assistance at the beginning of the reporting period, the amount of money expended from the fund
1399 on tenant-based voucher assistance during the reporting period, and the amount of money in the
1400 fund allocated to tenant-based voucher assistance at the end of the reporting period;

1401 “(5) The amount of money in the fund allocated to capital assistance at the
1402 beginning of the reporting period, the amount of money expended from the fund on capital
1403 assistance during the reporting period, and the amount of money in the fund allocated to capital
1404 assistance at the end of the reporting period; and

1405 “(6) The amount of money expended from the fund during the reporting period on
1406 administrative costs, which shall include a breakdown by category of expense.

1407 “(c) Each report shall include the following information with respect to project-based
1408 voucher assistance:

1409 “(1) For each project that has a contract with the Authority for project-based
1410 voucher assistance, the name of, address of, number of total housing units in, number of units

1411 subsidized by project-based voucher assistance (“project-based units”) in, and contract end date
1412 of the project;

1413 “(2) For each project listed pursuant to paragraph (1) of this subsection:

1414 “(A) The dollar amount of project-based voucher assistance received
1415 during the reporting quarter;

1416 “(B) The occupancy status of each project-based unit;

1417 “(C) The contract rent for each project-based unit, including both the
1418 tenant-paid portion of the rent and project-based subsidy amount associated with the unit; and

1419 “(D) The income level at the most recent income certification of the
1420 household occupying the unit.

1421 “(3) The name of, address of, number of project-based units in, and project-based
1422 voucher assistance contract end date of, each project that has a contract with the Authority for
1423 project-based voucher assistance that is scheduled to expire within 24 months after the last day
1424 of the reporting period;

1425 “(4) The name of, address of, number of project-based units in, and contract end
1426 date of each project whose contract with the Authority for project-based voucher assistance
1427 expired during the reporting period;

1428 “(5) The name of, address of, and number of project-based units to be located in
1429 each project that has been awarded project-based voucher assistance but for which a contract
1430 with the Authority for such assistance has not been entered into, along with the date by which the
1431 Authority expects to enter into such a contract.

1432 “(d) Each report shall include the following information with respect to sponsor-based
1433 voucher assistance:

1434 “(1) The name and address of each non-profit organization or landlord
1435 (“sponsor”) with sponsor-based vouchers, along with the number of vouchers issued to the
1436 sponsor;

1437 “(2) For each sponsor listed pursuant to paragraph (1) of this subsection, the
1438 following information with respect to each sponsor-based unit of the sponsor:

1439 “(A) The address of the sponsor-based unit;

1440 “(B) The occupancy level of each sponsor-based unit, defined as the
1441 number of days in the reporting quarter the unit was leased to a household eligible for Rent
1442 Supplement Program assistance;

1443 “(C) The contract rent of the unit, including the tenant-paid portion of the
1444 rent and the sponsor-based subsidy amount allocated to the unit; and

1445 “(D) The income level at last income certification of the household
1446 occupying the sponsor-based unit.

1447 “(e) Each report shall include the following information with respect to tenant-based
1448 voucher assistance:

1449 “(1) The number of households, categorized separately as individual households
1450 and family households, receiving tenant-based voucher assistance on the first day and last day of
1451 the reporting quarter, listed separately by the program in which the household is participating,
1452 including the Permanent Supportive Housing and Targeted Affordable Housing program;

1453 “(2) The total dollar amount of rental payments made for tenant-based voucher
1454 recipients during the reporting quarter and fiscal year to date, listed separately by the program in
1455 which the household is participating, including the Permanent Supportive Housing and Targeted
1456 Affordable Housing program;

1457 “(3) The average monthly rent of housing units leased by households receiving
1458 tenant-based voucher assistance, listed separately by the program in which the household is
1459 participating, including the Permanent Supportive Housing and Targeted Affordable Housing
1460 program;

1461 “(4) The number of households receiving tenant-based vouchers at the beginning
1462 of the fiscal year that were no longer receiving tenant-based vouchers on the last day of the
1463 reporting quarter, listed separately by the program in which the household is participating,
1464 including the Permanent Supportive Housing and Targeted Affordable Housing program; and

1465 “(5) Tenant-based voucher assistance funding spent on security deposits,
1466 administrative services, and any other non-rental expenses, by expenditure type, during the
1467 reporting quarter and fiscal year to date.

1468 “(f) Each report shall include the following information with respect to capital-based
1469 assistance:

1470 “(1) The name of, address of, and number of project-based and sponsor-based
1471 units in each project that received capital-based assistance during the reporting quarter; and

1472 “(2) The dollar amount of capital assistance provided to each project listed
1473 pursuant to paragraph (1) of this subsection.

1474 “Sec. 26d-2. Rent Supplement Program Project-Based Allocation Fund quarterly
1475 reporting.

1476 “(a) The Department of Housing and Community Development shall submit to the
1477 Council, within 30 days after the end of each fiscal quarter, a Project-Based Rent Supplement
1478 Program report.

1479 “(b) Each report shall include the following information with respect to the Rent
1480 Supplement Program Project-Based Allocation Fund:

1481 “(1) The total amount of money in the fund at the beginning and end of the
1482 reporting period;

1483 “(2) The amount of money in the fund transferred to the Authority for project-
1484 based voucher assistance during the reporting period, listed separately by the project for which
1485 the funds were awarded;

1486 “(3) The amount of money in the fund awarded to projects that do not yet have a
1487 certificate of occupancy, listed separately by project;

1488 “(4) For each project that has been awarded project-based voucher assistance, the
1489 developer, address, planned number of total housing units, planned number of units subsidized
1490 by project-based voucher assistance, planned period of project-based voucher assistance, date of
1491 award, expected completion date, and whether the project is new construction or existing
1492 housing rehabilitation or preservation; and

1493 “(5) The amount of money expended from the fund during the reporting period on
1494 administrative costs, which shall contain a breakdown by category of expense.

1495 “Sec. 26d-3. Rent Supplement Program Tenant-Based Allocation Fund quarterly
1496 reporting.

1497 “(a) The Department of Human Services shall submit to the Council, within 30 days after
1498 the end of each fiscal quarter, a Rent Supplement Program Tenant-Based Allocation Fund report.

1499 “(b) Each report shall include the following information with respect to the Rent
1500 Supplement Program Tenant-Based Allocation Fund:

1501 “(1) The total amount of money in the fund at the beginning and end of the
1502 reporting period;

1503 “(2) The amount of money in the fund transferred to the Authority for each
1504 tenant-based voucher assistance program during the reporting period, listed separately by the
1505 program in which the household is participating, including the Permanent Supportive Housing,
1506 Targeted Affordable Housing program, and the Rapid Rehousing program, and categorized by
1507 individual households and family households;

1508 “(3) The amount of money remaining in the fund at the end of the reporting
1509 period, listed separately by the program in which the household is participating, including the
1510 Permanent Supportive Housing, Targeted Affordable Housing program, and the Rapid
1511 Rehousing program, and categorized by individual households and family households;

1512 “(4) The number of households, categorized separately as individual households
1513 and family households, matched with a tenant-based voucher assistance program during the
1514 reporting quarter, listed separately by the program in which the household is participating,
1515 including the Permanent Supportive Housing and Targeted Affordable Housing program; and

1516 “(5) The amount of money expended from the fund during the reporting period on
1517 administrative costs, which shall contain a breakdown by category of expense.”.

1518 **SUBTITLE F. HOUSING PRODUCTION TRUST FUND CONTRACTS**

1519 Sec. 2051. Short title.

1520 This subtitle may be cited as the “Housing Production Trust Fund Pipeline Advancement
1521 Amendment Act of 2021”.

1522 Sec. 2052. Section 3(f)(2) of the Housing Production Trust Fund Act of 1989, effective
1523 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(f)(2)), is repealed.

1524 **SUBTITLE G. PROPERTY TAX RELIEF FOR LOW INCOME HOUSING**

1525 Sec. 2061. Short title.

1526 This subtitle may be cited as the “Property Tax Relief for Low Income Housing
1527 Harmonization Act of 2021”.

1528 Sec. 2062. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as
1529 follows:

1530 (a) Section 47-1005.02 is amended as follows:

1531 (1) Subsection (a) is amended as follows:

1532 (A) Paragraph (1) is amended to read as follows:

1533 “(1) Real property eligible for the low-income housing tax credit provided by
1534 section 42 of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2189; 26
1535 U.S.C. § 42), (“affordable housing”) that is owned by or leased to an organization that is not
1536 organized or operated for private gain, or that is owned by or leased to an entity controlled,
1537 directly or indirectly, by such an organization, for which a certification has been made as to both
1538 the real property and owner or lessee pursuant to subsection (b)(1) of this section (and that has
1539 not been revoked under subsection (b)(2) of this section) shall be exempt from the taxes imposed
1540 by Chapters 8 and 10 of this title and from a payment in lieu of tax imposed under § 47-1002(20)
1541 during the time that the real property is being developed for or being used as affordable housing
1542 and is subject to restrictive covenants governing the income of residents that occupy the
1543 affordable housing units during the federal low-income housing tax credit compliance period,
1544 including any extended use period; provided, that if the property is eligible for the tax relief
1545 provided by this subsection in part because it is leased to an organization that is not organized or
1546 operated for private gain, or is leased to an entity controlled, directly or indirectly, by such an

1547 organization, the owner and lessee shall certify to the Mayor, and the Mayor shall confirm, that
1548 the value of the tax abatement provided by this subsection will be passed through to the lessee.”.

1549 (B) Paragraph (2) is amended by striking the word “owner” wherever it
1550 appears and inserting the phrase “owner or lessee” in its place.

1551 (2) A new subsection (a-1) is added to read as follows:

1552 “(a-1)(1) Real property shall be exempt from the taxes imposed by Chapters 8 and 10 of
1553 this title and from a payment in lieu of tax imposed under § 47-1002(20), for the time period set
1554 forth in paragraph (2) of this subsection, if:

1555 “(A) The real property is owned by or leased to a nonprofit owner, as
1556 defined by § 47-1005.03(a)(2), or leased to a nonprofit organization that provides rental housing
1557 in buildings that it owns and that satisfies the requirements of § 47-1005.03(a)(2)(B);

1558 “(B) Affordable housing developed or to be developed on the real property
1559 has been awarded financial assistance in the form of a grant or a loan from the Housing
1560 Production Trust Fund or other District government low-income housing financing assistance
1561 program designated by the Mayor to provide housing affordable to households earning not in
1562 excess of 80% of the adjusted median income, as defined by § 47-1005.03(a)(1);

1563 “(C) The financial assistance described in subparagraph (B) of this
1564 paragraph was awarded after the effective date of the Property Tax Relief for Low Income
1565 Housing Harmonization Act of 2021;

1566 “(D) A certification as to both the real property and owner or lessee has
1567 been made pursuant to subsection (b)(1) of this section (and that has not been revoked under
1568 subsection (b)(2) of this section); and

1569 “(E) The real property is subject to, and in compliance with, restrictive
1570 covenants governing the income of residents that occupy or will occupy the affordable housing
1571 units developed or to be developed on the real property.

1572 “(2) Real property described in paragraph (1) of this subsection shall be exempt
1573 from the taxes imposed by Chapters 8 and 10 of this title and from a payment in lieu of tax
1574 imposed under § 47-1002(20) during the time that the real property is being developed for or
1575 being used as affordable housing.”.

1576 (3) Subsection (b) is amended as follows:

1577 (A) Paragraph (1) is amended as follows:

1578 (i) The lead-in text is amended to read as follows:

1579 “The Mayor shall certify to the Office of Tax and Revenue (“OTR”) each property and
1580 owner or lessee eligible for an exemption. The certification shall identify:”.

1581 (ii) Subparagraph (B) is amended by striking the word “owner”
1582 and inserting the phrase “owner or lessee” in its place.

1583 (iii) Subparagraph (E) is amended to read as follows:

1584 “(E) The effective date of the exemption, which shall be:

1585 “(i) In the case of an application by an eligible owner, the date on
1586 which the eligible owner acquired the real property or October 1, 2012, whichever is later; and

1587 “(ii) In the case of an application by an eligible lessee, the date on
1588 which the eligible lessee leased the real property, or October 1, 2021, whichever is later.”.

1589 (B) Paragraph (2) is amended as follows:

1590 (i) The lead-in text is amended as follows:

1591 (I) Strike the phrase “owner or property” and insert the
1592 phrase “property or owner or lessee” in its place.

1593 (II) Strike the phrase “subsection (a)” and insert the phrase
1594 “subsection (a) or (a-1)” in its place.

1595 (ii) Subparagraph (B) is amended by striking the word “owner”
1596 and inserting the phrase “owner or lessee” in its place.

1597 (iii) Subparagraph (E) is amended by striking the phrase “taxpayer
1598 or property” and inserting the phrase “property, owner, or lessee” in its place.

1599 (C) Paragraph (3) is amended as follows:

1600 (i) Strike the phrase “subsection (a)” and insert the phrase
1601 “subsection (a) or (a-1)” in its place.

1602 (ii) Strike the word “owner” and insert the phrase “owner or lessee,
1603 whichever is applicable,” in its place.

1604 (4) Subsection (c) is amended by striking the word “owner” and inserting
1605 the phrase “owner or lessee” in its place.

1606 (b) Section 47-1005.03 is amended as follows:

1607 (1) Subsection(a)(2)(B) is amended as follows:

1608 (A) Sub-subparagraph (i) is amended by striking the word “or”.

1609 (B) Sub-subparagraph (ii) is amended by striking the period and inserting
1610 the phrase “; or” in its place.

1611 (C) A new sub-subparagraph (iii) is added to read as follows:

1612 “(iii) Is a limited-equity cooperative as defined by § 42–2061(2).”.

1613 (2) Subsection (b) is amended as follows:

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

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

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

SUBTITLE H. SECTION 108 DEBT RESERVE ACCOUNT

Sec. 2071. Short title.

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

Sec. 2072. Section 108 debt reserve account.

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

(b) There shall be deposited into the Account such amounts as are appropriated for the Account. The amount of money in the Account at any point during a fiscal year should be at least equal to the amount necessary to pay the principal and interest due during the remainder of that fiscal year to the Department of Housing and Urban Development (“HUD”) on amounts

borrowed by the District under the federal loan guarantee program authorized by section 108 of the Housing and Community Development Act of 1974, approved August 22, 1974 (88 Stat. 647; 42 U.S.C. 5308) (“Section 108 Loan Guarantee Program”).

SUBTITLE I. PARK MORTON REDEVELOPMENT

Sec. 2081. Short title.

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

Sec. 2082. Park Morton Redevelopment.

The use of funds allocated for the redevelopment of public housing at Park Morton shall be limited to furthering the project requirements and shall be subject to the guidelines, conditions, and standards as approved by Zoning Commission Order Nos. 16-11 and 16-12, and any subsequent applicable orders issued by the Zoning Commission.

SUBTITLE J. REENTRY HOUSING AND SERVICES PROGRAM

Sec. 2091. Short title.

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

Sec. 2092. Definitions

For purposes of this subtitle, the term:

(1) “Area median income” means the area median income of the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the U.S. Department of Housing and Urban Development.

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

1659 (3) “Extremely low-income” means having a household income equal to 30% or
1660 less of the area median income.

1661 (4) “Housing production” means the construction, rehabilitation, or preservation
1662 of decent, safe, and affordable housing.

1663 (5) “Low-income” means having a household income that is less than 60% of the
1664 area median income.

1665 (6) “On-site services” means services, provided in connection with housing,
1666 designed primarily to help tenants maintain housing, including coordination or case
1667 management, physical and mental health support, substance use management and recovery
1668 support, job training, literacy and education, youth and children’s programs, and money
1669 management.

1670 (7) “Qualifying housing project” means a development that has an approved
1671 building permit and provides permanent and transitional housing with on-site services for the
1672 target population.

1673 (8) “Returning citizen” means a District resident who was previously
1674 incarcerated.

1675 (9) “Sponsor-based assistance” means funds allocated to a particular Community
1676 Housing Development Organization to subsidize rent and social services in units owned and
1677 operated by the Community Housing Development Organization for a maximum number of
1678 households as established by contract.

1679 (10) “Target population” means low-income, very low-income, and extremely
1680 low-income individuals, families, or returning citizens.

1681 (11) “Very low-income” means a household income equal to or less than 50% of
1682 the area median income.

1683 Sec. 2093. (a)(1) The Department of Housing and Community Development (“DHCD”) shall establish a Reentry Housing and Services Program (“Program”), subject to available
1684 funding, to provide sponsor-based assistance to a Community Housing Development for
1685 qualifying housing projects.

1687 (2) The Program shall allocate sponsor-based funds to produce and maintain new
1688 affordable housing units and subsidize the cost of monthly rent and on-site services for the target
1689 population at a qualifying housing project.

1690 (b) To be eligible, a qualifying housing project shall provide:

1691 (1) No fewer than 60 units of housing, which may include single room occupancy
1692 units;

1693 (2) On-site services for the target population; and

1694 (3) A preference for returning citizens as tenants.

1695 (c) The agency shall issue a request for proposals no later than January 31, 2022, and
1696 issue awards no later than July 1, 2022.

1697 (d)(1) The Mayor, pursuant to Title I of the District of Columbia Administrative
1698 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
1699 shall issue rules to implement the provisions of this act, including rules addressing:

1700 (A) The distribution of funds under this program; and

1701 (B) The allocation of sponsor-based funds pursuant to this section,
1702 including by combining funds under this program with other sources of funds for housing
1703 production and development.

(2) 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, by resolution, within the 45-day review period, the proposed rules shall be deemed approved.”

SUBTITLE K. EMORY BEACON OF LIGHT TAX EXEMPTION

Sec. 2101. Short title.

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

Sec. 2102. 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:

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

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

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

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

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

1727 “(2) If leased, leased to Beacon Center QALICB, LLC, or a nonprofit
1728 organization, including Emory Beacon of Light;
1729 “(3) If subleased, subleased to Beacon Center QALICB, LLC, or a nonprofit
1730 organization, including Emory United Methodist Church or Emory Beacon of Light; and
1731 “(4) Used, or, if vacant, held for use, by Emory United Methodist Church, an
1732 entity controlled directly or indirectly by Emory United Methodist Church, Beacon Center
1733 QALICB, LLC, or a nonprofit organization, including Emory Beacon of Light, for affordable
1734 housing or community-serving purposes, such as a church, gymnasium, classroom, food pantry,
1735 community or incubator kitchen, immigration clinic, small-business services, restaurant staffed
1736 by returning citizens, youth leadership academy, or health clinic.
1737 “(b) Any transfer, assignment, or other disposition of all or any portion of the real
1738 property, including a lease or sublease of the real property between Emory United Methodist
1739 Church or any entity controlled directly or indirectly by Emory United Methodist Church
1740 including Emory Beacon of Light, and Beacon Center QALICB, LLC, and any security interest
1741 instrument in the real property granted by Emory United Methodist Church, an entity controlled
1742 directly or indirectly by Emory United Methodist Church, or Beacon Center QALICB, LLC,
1743 shall be exempt from the tax imposed by § 42-1103 and § 47-903.”.
1744 Sec. 2103. The Council orders that all recordation and transfer taxes, interest, and
1745 penalties assessed or assessable, fees, and other related charges assessed with respect to
1746 documents recorded concerning the real property, for the period beginning with January 1, 2016,
1747 through the end of the month following the effective date of this act shall be forgiven, and any
1748 payments made of such taxes, interest, penalties, fees, or other related charges shall be refunded.
1749 Sec. 2104. This section shall apply as of January 1, 2016.

1750 **SUBTITLE L. DSLBD GRANTS**

1751 Sec. 2111. Short title.

1752 This subtitle may be cited as the “Department of Small and Local Business Development
1753 Grant Act of 2021”.

1754 Sec. 2112. Notwithstanding the Grant Administration Act of 2013, effective December
1755 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), in Fiscal Year 2022, the
1756 Department of Small Business and Local Development shall award:

1757 (a) By November 1, 2021, a grant in the amount of \$175,000 to Columbia Heights Day
1758 Initiative DBA District Bridges to hire two full-time positions to provide direct support,
1759 relationship development, and resource brokering to individuals who spend time in the Columbia
1760 Heights Civic Plaza who face systemic challenges and mental health or substance abuse issues.

1761 (b)(1) A grant in the amount of up to \$250,000 to the DC Community Development
1762 Consortium (“Consortium”) to develop a Ward 8 Community Investment Fund to provide access
1763 to capital to entrepreneurs residing in Ward 8 or to assist in operating a small business in Ward 8.

1764 (2) Grant funds shall be matched with private capital and shall be used to provide
1765 grants or microloans to eligible entrepreneurs.

1766 (3) The Consortium shall give Ward 8 residents control over the deployment of
1767 capital in the Community Investment Fund through an investment committee comprised of Ward
1768 8 residents and supported by technical and administrative staff, as necessary.

1769 (c) A grant of not less than \$300,000 to an organization partnering with property owners
1770 in the Friendship Heights neighborhood for place making, place management, branding, and
1771 economic development.

SUBTITLE M. REDEVELOPMENT OF THE CENTER LEG FREEWAY

Sec. 2121. Short title.

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

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

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

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

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

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

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

1795 “(D) The total amount of real property taxes that may be abated under this
1796 paragraph shall not exceed \$100 million.”.

1797 **SUBTITLE N. DMPED GRANTS AND INITIATIVES**

1798 Sec. 2131. Short title.

1799 This subtitle may be cited as the “Deputy Mayor for Planning and Economic
1800 Development Grants and Initiatives Amendment Act of 2021”.

1801 Sec. 2132. Vibrant places recovery support.

1802 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1803 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1804 Official Code § 1-328.04), is amended by adding new subsections (j) and (k) to read as follows:

1805 “(j)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1806 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make
1807 grants to eligible BID corporations, as defined by section 2(4) of the Business Improvement
1808 Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-
1809 1215.02(4)), and Main Street corridors supported by the Department of Small and Local
1810 Business Development for the purpose of making the area served by the BID corporation or
1811 Main Street organization (“commercial district”) and the surrounding area more people-focused
1812 and engaging to attract more residents and visitors to the commercial district and surrounding
1813 area.

1814 “(2) A grant awarded pursuant to paragraph (1) of this subsection may be used to
1815 pay for the costs of:

1816 “(A) The development of neighborhood brand identities;

1817 “(B) Investments to implement neighborhood brand identities guidelines;

1818 “(C) Marketing campaigns for the commercial district and surrounding
1819 area;

1820 “(D) Wayfinding signage and resources for the commercial district and
1821 surrounding area;

1822 “(E) Training of employees who work in the commercial district;

1823 “(F) Market studies that examine visitor attraction, hotel occupancy,
1824 marketing campaigns in competitive jurisdictions, and other indicators that may inform actions
1825 that may be taken to gain market share; and

1826 “(G) Public space improvements and activation, including pedestrian
1827 priority zones in the commercial district and surrounding area.

1828 “(3) A BID corporation or Main Street organization seeking a grant under
1829 paragraph (1) of this subsection shall submit to the Deputy Mayor an application, in a form
1830 proscribed to the Deputy Mayor. The application shall include:

1831 “(A) A description of how the applicant proposes to spend the grant funds
1832 to attract visitors to its commercial district and surrounding area to shop, eat, and attend or
1833 engage in cultural and entertainment activities.

1834 “(B) A description of how the increased spending by visitors attracted
1835 through the expenditure of the grant funds will directly impact local businesses in the
1836 commercial district and surrounding area; and

1837 “(C) Any additional information requested by the Deputy Mayor.

1838 “(k) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013
1839 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make grants:

1840 “(1) To the Anacostia BID to support an art and culture district;

1841 “(2) To the Southwest Waterfront BID to support autonomous vehicle shuttles;
1842 and

1843 “(3) To the Golden Triangle BID for an innovation district.”.

1844 Sec. 2133. Small Business Rent Relief Program.

1845 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1846 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1847 Official Code § 1-328.04), is amended by adding a new subsection (l) to read as follows:

1848 “(l)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1849 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and subject to the availability of
1850 funds, the Deputy Mayor shall establish the Small Business Rent Relief Program to award grants
1851 to small businesses operating a restaurant, tavern, nightclub, entertainment venue, or retail
1852 establishment on leased property to pay one-third of the applicant’s past-due rent for the period
1853 of April 1, 2020, through March 31, 2021.

1854 “(2)(A) To be eligible for rent relief, a small business operating a restaurant,
1855 tavern, nightclub, entertainment venue, or retail establishment on leased property shall meet the
1856 following criteria:

1857 “(i) The restaurant, tavern, nightclub entertainment venue, or retail
1858 establishment shall be physically located in the District;

1859 “(ii) The small business shall have operated the restaurant, tavern,
1860 nightclub entertainment venue, or retail establishment continuously since at least December 1,
1861 2018, except for any interruptions required by Mayor’s Orders 2020-045 and 2020-046 and
1862 subsequent public health emergency orders;

1863 “(iii) The small business shall be in good standing with the District
1864 of Columbia’s Office of Tax and Revenue;

1865 “(iv) The small business shall have experienced a 50% decrease in
1866 revenue during any three-month period from April through March 2021 when compared to the
1867 same time period in 2019;

1868 “(v) The lease for the restaurant, tavern, nightclub entertainment
1869 venue, or retail establishment shall extend at least until December 31, 2023;

1870 “(vi) If the small business is a franchisee of a franchise with
1871 multiple locations, the business receiving assistance must be independently owned and operated;

1872 “(vii) The small business did not receive funding from the
1873 Restaurant Revitalization Fund established by Section 5003 of the American Rescue Plan Act of
1874 2021, approved March 11, 2021 (Pub. L. 117-2; H.R. 1319); and

1875 “(viii) The small-business owner shall demonstrate that he or she
1876 will pay one-third of the amount of past due rent.

1877 “(B) In addition to the requirements set forth under subparagraph (A) of
1878 this paragraph, as part of the grant application, the landlord of a small-business owner applying
1879 to receive grants shall certify that:

1880 “(i) He or she will forgive one-third of the past due rent; and

1881 “(ii) The grant will make the business current on rent.

1882 “(3) The Mayor shall prioritize grant funding under this subsection for eligible
1883 small businesses that did not receive Paycheck Protection Program loans from the Coronavirus
1884 Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. §

1885 9001 *et seq.*) or section 501 of Division N of the Consolidated Appropriations Act, 2021,
1886 approved December 27, 2020 (134 Stat. 2069; 15 U.S.C. § 9058a).

1887 “(A) The Mayor may issue one or more grants to a third-party grant-
1888 managing entity for the purpose of administering the grant program under subsection (u) of this
1889 section and making subgrants on behalf of the Mayor in accordance with the requirements of this
1890 section.

1891 “(B) The Mayor, and any third-party entity chosen pursuant to
1892 subparagraph (A) of this paragraph, shall, at a minimum, maintain the following information for
1893 each grant award:

1894 “(i) The name, location and business license number of the grant
1895 recipient;

1896 “(ii) Proof of revenue declines as required by subsection
1897 (l)(2)(A)(iv) of this section;

1898 “(iii) The date and amount, if any, of Paycheck Protection Program
1899 loans received by the small business for purposes of compliance with paragraph (3) of this
1900 subsection;

1901 “(iv) The date of the award;

1902 “(v) The intended uses of the award;

1903 “(vi) A certification of rent forgiveness by the landlord as required
1904 by subsection (l)(2)(B)(i) of this section;

1905 “(vii) Proof of the small-business owners’ ability to pay a third of
1906 past due rent as required by subsection (l)(2)(A)(vii) of this section;

1907 “(viii) The award amount; and

1908 “(ix) Any other information deemed necessary to implement the
1909 requirements of this section.

1910 “(C) The Mayor shall issue a report with information required by
1911 paragraph (3)(B) of this subsection to the Council no later than June 1, 2022.

1912 “(4) For purposes of this section, the term “small business” means a brick-and-
1913 mortar, for-profit establishment located in the District that made no more than \$5 million in
1914 revenue in 2020.”.

1915 Sec. 2134. LGBTQ+ Center.

1916 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1917 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1918 Official Code § 1-328.04), is amended by adding a new subsection (m) to read as follows:

1919 “(m) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1920 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), the Deputy Mayor may make
1921 grants to support the buildout of new office and community space for the DC Center for the
1922 LGBT Community, currently located at the Frank D. Reeves Center.”.

1923 Sec. 2135. Employment center vitality and local jobs creation.

1924 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1925 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1926 Official Code § 1-328.04), is amended by adding a new subsection (n) to read as follows:

1927 “(n)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1928 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), the Deputy Mayor may award
1929 grants to attract large companies, in sectors designated by the Deputy Mayor, that have the
1930 ability to attract additional businesses to the District.

1931 “(2) Grants awarded pursuant to this subsection may be used for the following
1932 purposes:

1933 (A) As initial startup capital;

1934 (B) To cover operational costs;

1935 (C) As down-payment assistance or to subsidize rent;

1936 (D) Tenant improvements;

1937 (E) Workforce training or professional development costs not eligible for
1938 support through other workforce programs; and

1939 (F) Recruitment and hiring costs.

1940 “(3) To be eligible to receive a grant under this subsection, a business must:

1941 “(A) Have 25 or more employees;

1942 “(B) Lease or own, or agree to lease or acquire, a physical office or
1943 business location of at least 20,000 square feet in the District’s central business District and enter
1944 into an agreement with the District to remain in the leased or owned space for at least 10 years;

1945 “(C) Be in the field of cloud and computer systems, food technology,
1946 cybersecurity, artificial intelligence, big data, life sciences, education, education technology,
1947 research, consulting services, professional services, marketing, or communications;

1948 “(D) Enter into an agreement with the District to implement a workforce
1949 development program that offers District residents opportunities for training or employment
1950 within the business or the industry in which it operates;

1951 “(E) Commit to spending at least 5% of its total annual contracting with
1952 businesses eligible for certification as local business enterprises, pursuant to section 2331 of the
1953 Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005,

1954 effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31), during the 10-year
1955 period referred to in paragraph (B) of this subsection; and

1956 “(F) Require its employees, in the aggregate, to be on-site at the location
1957 referred to in paragraph (B) of this subsection for at least 50% of their work hours.”.

1958 Sec. 2136. Local food access.

1959 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1960 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1961 Official Code § 1-328.04), is amended by adding a new subsection (o) to read as follows:

1962 “(o)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1963 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*) the Deputy Mayor may make
1964 grants and loans for the purpose of supporting the equitable distribution of food businesses in
1965 Wards 7 and 8 and in eligible areas, including:

1966 “(A) Grants and loans to assist in the startup, growth, and long-term
1967 sustainability of food business in Wards 7 and 8 and in eligible areas; and

1968 “(B) Grants for the provision of technical assistance to food businesses
1969 and individuals seeking to establish food businesses in the District.

1970 “(2) The Deputy Mayor may issue one or more grants to a third-party grant-
1971 managing entity to issue or administer, or both, the grants and loans authorized by this
1972 subsection.

1973 “(3) For the purposes of this subsection, the term “eligible areas” shall have the
1974 same meaning as set forth in D.C. Official Code § 47-3801(1D).”.

1975 Sec. 2137. Guaranteed income pilot.

1976 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1977 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1978 Official Code § 1-328.04), is amended by adding a new subsection (p) to read as follows:
1979 “(p)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
1980 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in fiscal year 2022, the
1981 Deputy Mayor shall have grant-making authority for the purpose of providing funds, on or
1982 before November 1, 2021, and in amount of at least \$1.5 million to support District-based direct
1983 cash assistance programs or pilot programs administered by a nonprofit organization or an
1984 organization that provides unrestricted cash assistance directly to individuals or households.
1985 “(2) By September 30, 2022, a grantee who has received a grant pursuant to
1986 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the
1987 grant funds, including a description of:
1988 “(A) The cash assistance program, including how often cash was
1989 distributed and in what amounts, and for any grant funds not yet distributed, the plan for their
1990 distribution and in what amounts;
1991 “(B) The eligibility requirements for the program or pilot, including the
1992 total number of individuals or households served;
1993 “(C) The funding structure for the program or pilot program; and
1994 “(D) Information on how the program or pilot-program participants used
1995 the cash assistance they received.
1996 “(3) By November 1, 2022, the Deputy Mayor shall provide to the Council a
1997 report based on the information required by paragraph (2) of this subsection, along with a

1998 summary analysis of the efficacy and benefits of the cash assistance issued by the grantee or
1999 grantees.”.

2000 Sec. 2138. CDFI and MDI small business assistance.

2001 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited

2002 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.

2003 Official Code § 1-328.04), is amended by adding a new subsection (q) to read as follows:

2004 “(q)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective

2005 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in fiscal year 2022, the

2006 Deputy Mayor shall make grants to multiple Community Development Financial Institutions or

2007 Minority Depository Institutions located in the District of Columbia in an aggregate amount of

2008 up to \$6 million to assess activities that support equitable economic recovery and increase access

2009 to loans, grants, technical assistance, and financial services to eligible entities.

2010 “(2) An applicant shall submit a grant application in the form and with the

2011 information required by the Deputy Mayor, which may include:

2012 “(A) An explanation of proposed activities to be supported by the grant

2013 funds; and

2014 “(B) A demonstration that the applicant has a record of success in serving

2015 small business based in the District of Columbia.

2016 “(3) Grant funds may be used:

2017 “(A) To provide technical assistance to eligible entities that have

2018 outstanding loans from the CDFI or MDI or to borrow funds from the CDFI or MDI within one

2019 year of the date of the CDFI or MDI’s application for grant funds. Technical assistance shall be

2020 tailored to help ensure the success of borrowers and repayment of loans;

2021 “(B) For loan capital; provided, that the approved loan is for a business
2022 purpose;

2023 “(C) For risk capital, including loan loss reserves, loan guarantees, and
2024 cash collateral support for business loans;

2025 “(D) For administrative support for the CDFI or MDI, including the
2026 provision of technical and financial assistance; except, that the amount of grant proceeds used for
2027 this purpose may not exceed the NICRA between a CDFI and the federal government, or 10% of
2028 the grant proceeds if the CDFI does not have a NICRA in effect.

2029 “(4) By November 1, 2022, a grantee who has received a grant pursuant to
2030 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the
2031 grant funds, including:

2032 “(A) A description of services provided through the grant funds;

2033 “(B) The aggregate number of eligible entities receiving support from the
2034 grantee and the aggregate amount received; and

2035 “(C) Except as may be prohibited by federal law, the business name and
2036 address for each business receiving support from the grantee and the amount received by each
2037 such business.

2038 “(5) By December 1, 2022, the Deputy Mayor shall provide to the Council a
2039 report based on the information required by paragraph (4) of this subsection, along with a
2040 summary analysis of the efficacy and benefits of the use of the grant funds by the grantee.

2041 “(6) For purposes of this subsection, the term:

2042 “(A) “Community Development Financial Institution” or “CDFI” means
2043 an organization operating the District that has been certified as a community development

2044 financial institution by the federal community development institutions fund, pursuant to 12
2045 U.S.C. 4701 *et seq.*

2046 “(B) “Eligible entity” means an equity impact enterprise, as defined in
2047 section 2302(8A) of the Small and Certified Business Enterprise Development and Assistance
2048 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)),
2049 or a business entity that meets the definition of an equity impact enterprise.

2050 “(C) “Minority Depository Institution” or “MDI” means an organization
2051 operating in the District that qualifies as a minority depository institution pursuant to the
2052 Financial Institutions Reform, Recovery, and Enforcement Act of 1989, approved August 9,
2053 1989 (Pub. L. No. 101-73; 103 Stat. 183).

2054 (D) “NICRA” means a Negotiated Indirect Cost Rate Agreement, which is
2055 an agreement that estimates the indirect cost rate negotiated between the federal government and
2056 a grantee organization that reflects indirect costs and fringe benefit expenses incurred by the
2057 organization that the federal government may reimburse.

2058 Sec. 2139. Equity impact enterprise growth.

2059 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2060 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2061 Official Code § 1-328.04), is amended by adding a new subsection (r) to read as follows:

2062 “(r)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
2063 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in fiscal year 2022, the
2064 Deputy Mayor shall award a grant in an amount of up to \$400,000 to an organization based and
2065 located in the District and founded in 2017 that is an affiliate of a national organization and that
2066 promotes and supports the growth of equity impact enterprises, as defined in section 2302(8A) of

the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)), to provide resources for advocacy and education and the facilitation of networking opportunities.

“(2) By November 1, 2022, a grantee who has received a grant pursuant to paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the grant funds, including a description of services it provided through the grant funds.

“(3) By December 1, 2022, the Deputy Mayor shall provide to the Council a report based on the information required by paragraph (2) of this subsection, along with a summary analysis of the efficacy and benefits of services provided by the grantee.”.

Sec. 2140. Great Streets grants.

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

“(s) For fiscal year 2022, the Deputy Mayor may make grants in an aggregate amount of up to \$800,000 to businesses that are located within the geographical boundaries set forth in the Great Streets Neighborhood Retail Priority Amendment Act of 2021, as introduced on March 31, 2021 (Bill 24-179), and that would otherwise qualify for a Great Streets Small Business grant.”.

Sec. 2142. Conforming amendments; rulemaking authority grants authorization from the Economic Development Special Account.

(a) The Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; 59 DCR 8050), is amended by adding a new section 2032a to read as follows:

“Sec. 2032a. Rules.

2090 “The Mayor may, pursuant to Title I of the District of Columbia Administrative
2091 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
2092 issue rules to implement section 2032.”.

2093 (b) Section 301 of the National Capital Revitalization Corporation and Anacostia
2094 Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-
2095 138; D.C. Official Code § 2-1225.21), is amended by adding a new subsection (d-2) to read as
2096 follows:

2097 “(d-2) Monies credited to the Account may be used to provide grants authorized by the
2098 section 2032 (j) and (k) of the Deputy Mayor for Planning and Economic Development Limited
2099 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2100 Official Code § 1-328.04(j) and (k)), as introduced on May 27, 2021 (Bill 24-285).”.

2101
2102

2103 **SUBTITLE O. BID CLARIFICATION**

2104 Sec. 2151. Short title.

2105 This subtitle may be cited as the “Business Improvement Districts Clarification
2106 Amendment Act of 2021”.

2107 Sec. 2152. Section 206 of the Business Improvement Districts Act of 1996, effective
2108 March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56), is amended by adding a new
2109 subsection (a-1) to read as follows:

2110 “(a-1)(1) Notwithstanding any other provision of law or order to the contrary, the initial
2111 term of the Adams Morgan BID began, pursuant to Mayor’s Order 2005-121 dated August 22,
2112 2005, on June 30, 2005, and expired on September 30, 2011.

2113 “(2) This subsection shall apply as of January 1, 2010.”.

2114 **SUBTITLE P. D.C. HOUSING AUTHORITY BOARD OF COMMISSIONERS**

2115 **REFORM**

2116 Sec. 2161. Short title.

2117 This subtitle may be cited as the “District of Columbia Housing Authority Board of
2118 Commissioner Reform Amendment Act of 2021.”

2119 Sec. 2162. Section 12 of the District of Columbia Housing Authority Act of 1999,
2120 effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-211), is amended as follows:

2121 (a) Subsection (a) is amended as follows:

2122 (1) The lead-in language is amended by striking the number “11” and inserting
2123 the number “13”.

2124 (2) Paragraph (4) is amended by striking the word “and”.

2125 (3) Paragraph (5) is amended by striking the period and inserting the phrase “;
2126 and” in its place.

2127 (4) A new paragraph (6) is added to read as follows:

2128 “(6) Two Commissioners, who shall not be employees of the
2129 Authority, appointed by the Council, who shall be representatives with
2130 professional experience designing and developing public and private multi-family
2131 housing and who shall:

2132 “(A) Have demonstrated professional competence in at least
2133 one of the following areas:

2134 “(i) Public housing law and regulations;

2135 “(ii) Public or affordable housing development,
2136 operation, and management;
2137 “(iii) Subsidized or nonprofit housing production and
2138 development;
2139 “(iv) Community-based redevelopment;
2140 “(v) Legal or counseling services provided to public or
2141 affordable housing tenants for the purposes of obtaining or maintaining housing; or
2142 “(vi) Multifamily residential housing construction; and
2143 “(B) Not be an officer or employee of the federal government
2144 or the District government.
2145 (b) Subsection (b) is amended as follows:
2146 (1) The lead-in language is amended by striking the phrase
2147 “nominated by the Mayor pursuant to subsection (a)(1) of this section” and
2148 inserting the phrase “nominated by the Mayor pursuant to subsection (a)(1) of this
2149 section or appointed by the Council pursuant to subsection (a)(6) of this section” in
2150 its place.
2151 (2) Paragraph (1) is amended by striking the word “individual’s” and
2152 inserting the word “Commissioner’s” in its place.
2153 (3) Paragraph (2) is amended by striking the phrase “Each individual
2154 shall be selected by the Mayor from among District residents” and inserting the

2155 phrase “Each Commissioner shall be selected from among District residents” in its
2156 place.

2157 (c) Subsection (j) is amended to read as follows:

2158 “(j)(1) The Commissioners shall serve 3-year terms, which shall be
2159 staggered.

2160 “(2) On the initial Board, the 3 elected Commissioners shall each
2161 serve a term of 3 years, the Chairperson shall serve a term of 3 years, 2 of the
2162 appointed Commissioners shall each serve initial terms of 2 years, and the
2163 remaining Commissioners shall each serve a term of one year.

2164 “(3) The 2 Commissioners appointed by the Council shall serve 3-year
2165 terms. Their initial terms may be less than 3 years and shall end in 2024.”.

2166 **SUBTITLE Q. CNHED TOPA STUDY**

2167 Sec. 2171. Short title.

2168 This subtitle may be cited as the “The Coalition for Non-Profit Housing and Economic
2169 Development TOPA Study and Grant Act of 2021”.

2170 Sec. 2172. Tenant Opportunity to Purchase Act Outcomes Study.

2171 In Fiscal Year 2022, the Department of Housing and Community Development shall
2172 issue a grant in the amount of \$250,000 to the Coalition for Non-Profit Housing and Economic
2173 Development to conduct a study of Tenant Opportunity to Purchase Act outcomes. The study
2174 shall be completed and delivered to the Council by September 30, 2022.

2175 **SUBTITLE R. MCMILLAN SLOW SAND FILTRATION SITE DEVELOPMENT**

2176 Sec. 2181. This subtitle may be cited as the “McMillan Site Development Amendment
2177 Act of 2021.”

2178 Sec. 2182. The Historic Landmark and Historic District Protection Act of 1978, effective
2179 March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1101 *et seq.*), is amended by adding a
2180 new section 5d to read as follows:

2181 “Sec. 5d. Development of the McMillan site.

2182 “(a) Notwithstanding any provision of this act or of any other law, the development of the
2183 McMillan Slow Sand Filtration Site described in subsection (b) of this section, shall proceed
2184 expeditiously and without further delay through all phases of demolition and construction of the
2185 foundation of the community center consistent with the permits already issued by the
2186 Department of Consumer and Regulatory Affairs, including Demolition Permit number
2187 D1600814 and Foundation Permit number FD1800040, and any extensions or reinstatements of,
2188 or amendments to, those permits, and other permits for the project.

2189 “(b) The “McMillan Slow Sand Filtration Site” is the property that is located at 2501
2190 First Street, N.W., and known for tax and assessment purposes as Lot 0800 in Square 3128
2191 (“McMillan Site”).”.

2192 Sec. 2183. Applicability.

2193 This subtitle shall apply as of the effective date of the Fiscal Year 2022 Budget Support
2194 Emergency Act of 2021.

2195 **SUBTITLE S. COVID-19 HOTEL RECOVERY**

2196 Sec. 2191. Short Title.

2197 This subtitle may be cited as the “COVID-19 Hotel Recovery Grant Program Act of
2198 2021”.

2199 Sec. 2192. Hotel Recovery Grant Program.

2200 (a) To be eligible for a grant under this section, a business operating a hotel, motel, inn,
2201 or bed and breakfast shall meet the following criteria:

2202 (1) The business shall be physically located in the District;

2203 (2) The business shall have an active hotel, inn and motel, or bed and breakfast
2204 lodging business license;

2205 (3) The business shall have been in continuous operation since at least December
2206 1, 2018, except for any interruptions required by Mayor’s Orders 2020-045 and 2020-046 and
2207 subsequent public health emergency orders;

2208 (4) The business shall be in good standing with the District of Columbia’s Office
2209 of Tax and Revenue; and

2210 (5) The business shall have experienced at least a 40% reduction in occupancy in
2211 2020 due to the COVID-19 pandemic.

2212 (b)(1) The Mayor shall prioritize grant funding for eligible businesses that did not receive
2213 Paycheck Protection Program loans pursuant to the Coronavirus Aid, Relief, and Economic
2214 Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), or section 501
2215 of Division N of the Consolidated Appropriations Act, 2021, approved December 27, 2020 (134
2216 Stat. 2069; 15 U.S.C. § 9058a).

2217 (2) The Mayor may prioritize grant funding for eligible businesses that
2218 experienced a 70% or greater reduction in occupancy in 2020 due to the COVID-19 pandemic.

2219 (c)(1) The amount of funding awarded to an eligible business shall be calculated on a per
2220 room key basis. There shall be a minimum of \$3,500 per key and a maximum of \$7,000 per key.

2221 (2) Grant funding issued to an eligible business may be used to pay for employee
2222 wages and benefits, rent or other operating costs, taxes, and debt service; except, that grant funds
2223 may not be used to pay debt to close the business or start a new business.

2224 (d) The Mayor may issue one or more grants to a third-party grant-managing entity for
2225 the purpose of administering the grant program and making subgrants on behalf of the Mayor in
2226 accordance with the requirements of this section.

2227 (e)(1) The Mayor, and any third-party entity chosen pursuant to subsection (d) of this
2228 section, shall, at a minimum, maintain the following information for each grant award:

2229 “(A) The name, location and business license number of the grant
2230 recipient;

2231 “(B) Proof of occupancy rate declines as required by subsection (a)(5) of
2232 this section;

2233 “(C) The date and amount of Paycheck Protection Program loans received
2234 by the business for purposes of subsection (b)(1) of this section;

2235 “(D) The date of the award;

2236 “(E) Intended uses of the award;

2237 “(F) The award amount; and

2238 “(G) Any other information deemed necessary to implement the
2239 requirements of this section.

2240 “(2) The Mayor shall issue a report setting forth the information required by
2241 paragraph (1) of this section to the Council no later than June 1, 2022.

2242 “(f) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
2243 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue
2244 rules as necessary to implement the provisions of this section.

2245 “(g) For purposes of this section, the term “hotel, motel, inn, or bed and breakfast” means
2246 a real property:

2247 “(1) Any part of which is classified as Class 2 Property under D.C. Official Code
2248 § 47-813;

2249 “(2) That is commercially improved and occupied;

2250 “(3) That has 10 or more rooms; and

2251 “(4) That is regularly used for the purpose of furnishing rooms, lodgings, or
2252 accommodations to transients.”.

2253 **SUBTITLE T. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESSES**

2254 Sec. 2201. Short title.

2255 This subtitle may be cited as the “Equitable Impact Assistance for Local Businesses
2256 Amendment Act of 2021”.

2257 Sec. 2202. The Equitable Impact Assistance for Local Businesses Act of 2020, effective
2258 December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 2-281.01 *et seq.*), is amended as
2259 follows:

2260 (a) Section 2162 (D.C. Official Code § 2-281.01) is amended as follows:

2261 (1) Paragraph (2)(A) is amended by striking the phrase “equity impact enterprise”
2262 and inserting the phrase “equity impact enterprise or an entity that would qualify as an equity
2263 impact enterprise” in its place.

2264 (2) A new paragraph (5A) is added to read as follows:

2265 “(5A) “Investment” unless the context otherwise requires, means a grant, loan,
2266 credit enhancement, or other financial funding tool approved by the Mayor.”.

2267 (b) Section 2163 (D.C. Official Code § 2-281.02) is amended to read as follows:

2268 “(a)(1) The Mayor shall select one or more Fund Managers to manage a fund outside the
2269 District of Columbia government to be known as the Equity Impact Fund (“Fund”).

2270 “(2) The selected Fund Manager shall have completed at least one round of prior
2271 funding in an amount greater than or equal to the amount of the District’s initial grant.

2272 “(3) The Deputy Mayor for Planning and Economic Development shall provide,
2273 upon selection of the Fund Manager, the District’s initial grant to the Fund Manager for deposit
2274 into the Fund ("District's initial investment").

2275 “(b) The Fund shall be used to:

2276 “(1) Facilitate investment in eligible businesses that lack access to capital; and

2277 “(2) Make investments into eligible businesses based on a strategy determined by
2278 the Fund Manager.”.

2279 (c) Section 2164 (D.C. Official Code § 2-218.03) is amended as follows:

2280 (1) Subsection (a) is amended as follows:

2281 (A) The lead-in text is amended by striking the phrase “contain description
2282 of” and inserting the phrase “contain a description of” in its place.

2283 (B) Paragraph (1) is amended to read as follows:

2284 “(1) The applicant’s qualifications, which shall include 5 or more years of
2285 demonstrable experience investing in:

2286 “(A) Small businesses;

2287 “(B) Businesses owned by economically disadvantaged
2288 individuals;

2289 “(C) Businesses owned by individuals who have been subjected to
2290 racial or ethnic prejudice or cultural bias because of their identity as a member of a group
2291 without regard to their individual qualities;

2292 “(D) Businesses that otherwise meet the definition of, or are
2293 similar to, an equity impact enterprise; or

2294 “(E) District-based businesses.”.

2295 (C) Paragraph (3) is amended by striking the phrase “ability and plans”
2296 and inserting the phrase “evidence, ability, or plans”.

2297 (2) Subsection (b) is amended as follows:

2298 (A) Paragraph (1) is amended to read as follows:

2299 “(1) A preference be given to applicants that:

2300 “(A) Have experience working with entrepreneurs in the District;
2301 and

2302 “(B)(i) Are at least 51% owned, operated, or controlled by
2303 economically disadvantaged individuals or individuals who have been subjected to racial or
2304 ethnic prejudice or cultural bias because of their identity as a member of a group without regard
2305 to their individual qualities; or

2306 (ii) Are an equity impact enterprise; and”.

2307 (B) Paragraph (2) is amended by striking the figure “\$100,000,000” and
2308 inserting the figure “\$50,000,000” in its place.

2309 (d) Section 2165(b)(3) (D.C. Official Code § 2-281.04(b)(3)) is amended to read as
2310 follows:

2311 “(3)(A) The Fund Manager shall establish, for each selected eligible business, a
2312 12-month individualized business plan.

2313 “(B) The individualized business plan shall include technical assistance,
2314 provided at no cost to the eligible business, which shall include education on the management
2315 and scale of a business through live training or guided recorded sessions.

2316 “(C) All eligible businesses that receive an investment from the Fund shall
2317 be required to participate in at least 3 months of technical assistance training prior to receipt of
2318 an investment.

2319 “(D) Investments shall be distributed to the eligible business in
2320 installments based upon completion of specific milestones clearly described in the eligible
2321 business's individualized business plan.”.

2322 (e) Section 2167 (D.C. Official Code § 2-281.06) is amended as follows:

2323 (1) The heading is amended by striking the word “investment” and inserting the
2324 word “grant” in its place.

2325 (2) The text is amended to read as follows:

2326 “The Mayor shall reserve the right to recover the amount of the District’s initial
2327 grant or any subsequent grant of funds to the Fund Manager for deposit into the Fund and may
2328 exercise this right if the Fund Manager does not, within a reasonable period, as determined by
2329 the Mayor, place investments into eligible businesses in an amount equal to the amount of the
2330 District's initial grant or any subsequent grant of funds to the Fund Manager for deposit into the
2331 Fund.”.

2332 **TITLE III. PUBLIC SAFETY AND JUSTICE**

2333 **SUBTITLE A. EMERGENCY MEDICAL SERVICE FEES**

2334 Sec. 3001. Short title.

2335 This subtitle may be cited as the “Emergency Medical Services Fees Amendment Act of
2336 2021”.

2337 Sec. 3002. Section 502 of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law
2338 1-124; D.C. Official Code § 5-416), is amended as follows:

2339 (a) Subsection (a) is amended by striking the phrase “his or her” both times it appears and
2340 insert the phrase “the person’s” in its place.

2341 (b) Subsection (b)(2) is repealed.

2342 (c) Subsection (c)(2) is amended to read as follows:

2343 “(2) Non-Medicaid revenue generated by fees authorized in subsection (a) of this
2344 section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998, effective
2345 September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)), in excess of the
2346 amount of Medicaid and non-Medicaid revenue generated by fees authorized in subsection (a) of
2347 this section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998,
2348 effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)), in Fiscal
2349 Year 2016, shall be deposited in the Fund.”.

2350 (d) New subsections (d) and (e) are added to read as follows:

2351 “(d) Fees charged for pre-hospital medical care and transport services shall be set as
2352 follows:

2353 “(1) For the transportation of each patient in an advanced life support unit or basic
2354 life support unit, when advanced life support or basic life support, respectively, is administered
2355 to the patient being transported, no more than:

- 2356 “(A) \$750, beginning January 1, 2021;
2357 “(B) \$1,000, beginning January 1, 2022;
2358 “(C) \$1,250, beginning January 1, 2023;
2359 “(D) \$1,500, beginning January 1, 2024;
2360 “(E) \$1,750, beginning January 1, 2025; and
2361 “(F) \$2,000, beginning January 1, 2026; and

2362 “(2) For each patient transported as described in paragraph (1) of this subsection,
2363 an additional fee for each mile, or fraction thereof, that the patient is transported by ambulance,
2364 no more than:

- 2365 “(A) \$11.25, beginning January 1, 2021;
2366 “(B) \$15, beginning January 1, 2022;
2367 “(C) \$18.75, beginning January 1, 2023;
2368 “(D) \$22.50, beginning January 1, 2024;
2369 “(E) \$26.25, beginning January 1, 2025; and
2370 “(F) \$30, beginning January 1, 2026.

2371 “(e) For the purposes of this section, the term:

2372 “(1) “Advanced life support unit” means an ambulance staffed by an emergency
2373 medical technician and an emergency medical technician intermediate or paramedic.

2374 “(2) “Ambulance” means any privately or publicly owned vehicle specially
2375 designed, constructed, modified, or equipped for use as a means for transporting patients in a

medical emergency, or any privately or publicly owned vehicle that is advertised, marked, or in any way held out as a vehicle for the transportation of patients in a medical emergency. The term “ambulance” includes vehicles capable of operation over ground, on water, and in air.

“(3) “Basic life support unit” means an ambulance staffed by 2 emergency medical technicians, or an emergency medical technician and an emergency medical technician intermediate or paramedic.

“(4) “Health care facility” shall have the same meaning as provided in section 2(5) of the Nurse Staffing Agency Act of 2003, effective March 10, 2004 (D.C. Law 15-74; D.C. Official Code § 44-1051.02(5)).”.

SUBTITLE B. OFFICE OF RESILIENCY

Sec. 3011. Short title.

This subtitle may be cited as the “Office of Resiliency and Recovery Amendment Act of 2021”.

Sec. 3012. Section 2(a) of the Office of Resilience and Recovery Establishment Act of 2020, effective May 6, 2020 (D.C. Law 23-84; D.C. Official Code § 1-301.201(a)), is amended as follows:

(a) Strike the phrase “Office of the City Administrator” and insert the phrase “Homeland Security and Emergency Management Agency” in its place.

(b) Strike the phrase “man-made challenges” and insert the phrase “human-made challenges” in its place.

SUBTITLE C. CONCEALED PISTOL LICENSING REVIEW BOARD STIPEND

Sec. 3031. Short title.

2398 This subtitle may be cited as the “Concealed Pistol Licensing Review Board Stipend
2399 Amendment Act of 2021”.

2400 Sec. 3032. Section 1108(c-2) of the District of Columbia Government Comprehensive
2401 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
2402 611.08(c-2)), is amended as follows:

2403 (a) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in
2404 its place.

2405 (b) Paragraph (5) is amended by striking the period and inserting the phrase “; and” in its
2406 place.

2407 (c) A new paragraph (6) is added to read as follows:

2408 “(6) Each member of the Concealed Pistol Licensing Review Board, except
2409 members who are District or federal government employees, shall be entitled to a stipend of
2410 \$250 per week for their service on the board.”.

2411 Sec. 3033. Section 908(b) of the Firearms Control Regulations Act of 1975, effective
2412 June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08(b)), is amended as follows:

2413 (a) Paragraph (1) is amended as follows:

2414 (1) Sub-paragraph (A) is amended by striking the phrase “his or her designee” and
2415 inserting the phrase “the USAO’s designee” in its place.

2416 (2) Sub-paragraph (B) is amended by striking the phrase “his or her designee” and
2417 inserting the phrase “the Attorney General’s designee” in its place.

2418 (b) Paragraph (4) is amended to read as follows:

2419 “(4) Members of the Board, except members who are District or federal
2420 government employees, shall be entitled to compensation as provided in section 1108 of the

2421 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March
2422 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08), for their service on the Board.”.

2423 **SUBTITLE D. GUN VIOLENCE PREVENTION HOUSING SUPPORT AND**
2424 **INDIVIDUALS AND FAMILIES AT RISK OF GUN VIOLENCE**

2425 Sec. 3041. Short title.

2426 This subtitle may be cited as the “Gun Violence Prevention Housing Support Amendment
2427 Act of 2021”.

2428 Sec. 3042. Section 26c of the District of Columbia Housing Authority Act of 1999,
2429 effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a
2430 new subsection (f-1) to read as follows:

2431 “(f-1) Agencies within the District government may refer individuals and families who
2432 have been victims of gun violence or are at risk of gun violence to the Authority for eligibility
2433 determination for the Local Rent Supplement Program.”.

2434 Sec. 3043. The Neighborhood Engagement Achieves Results Amendment Act of 2016,
2435 effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended by
2436 adding a new section 103b to read as follows:

2437 “Sec. 103b. Housing assistance for victims and those at risk of gun violence.

2438 “(a) The Mayor may issue housing vouchers and provide other forms of financial
2439 assistance to individuals and families who have been victims of gun violence or are at risk of gun
2440 violence.

2441 “(b) The financial assistance provided pursuant to subsection (a) of this section shall be
2442 used to assist the recipients with relocation from their current housing and provide them with
2443 short- and mid-term housing supports.

2444 “(c) The Mayor may also provide housing counseling and other supportive services to the
2445 individuals and families described in subsection (a) of this section.”.

2446 **SUBTITLE E. HUMAN RIGHTS CASE MANAGEMENT METRICS**

2447 Sec. 3051. Short title.

2448 This subtitle may be cited as the “Human Rights Case Management Metrics Amendment
2449 Act of 2021”.

2450 Sec. 3052. Section 301 of the Human Rights Act of 1977, effective December 13, 1977
2451 (D.C. Law 2-38, D.C. Official Code § 2-1403.01), is amended by adding a new subsection (g-1)
2452 to read as follows:

2453 “(g-1)(1) The Mayor shall report quarterly to the Council as to the volume and age of
2454 cases before the Office and the Commission, including at minimum the following measures:

2455 “(A) The number of initial questionnaires or other inquiries alleging
2456 unlawful discrimination the Office received during the prior quarter, broken down by protected
2457 characteristics and categories of alleged discriminatory action;

2458 “(B) The number of signed formal complaints that were filed during the
2459 prior quarter, broken down by protected characteristics and categories of alleged discriminatory
2460 action;

2461 “(C) The number of intake interviews that took place during the prior
2462 quarter;

2463 “(D) The number of initial inquiries awaiting intake interviews, broken
2464 down by number of weeks since initial questionnaire or other inquiry;

2465 “(E) The number of initial inquiries that were withdrawn or otherwise
2466 closed before a signed formal complaint could be completed;

2467 “(F) The number of mediation sessions that took place during the prior
2468 quarter, broken down by protected characteristics, categories of alleged discriminatory action,
2469 and number of weeks elapsed from complaint to mediation;
2470 “(G) The number of mediation sessions that resulted in conciliation;
2471 “(H) The number of mediation sessions that failed to produce conciliation
2472 and proceeded to the investigation stage;
2473 “(I) The number of signed formal complaints awaiting mediation, broken
2474 down by number of weeks since filing;
2475 “(J) The number of signed formal complaints withdrawn or otherwise
2476 closed before a mediation could be completed;
2477 “(K) The number of determinations of jurisdiction and probable cause or
2478 lack thereof that the Office issued the prior quarter, broken down by protected characteristics,
2479 categories of alleged discriminatory action, determination, and number of weeks between
2480 unsuccessful mediation and determination;
2481 “(L) The number of cases awaiting a determination of jurisdiction and
2482 probable cause following unsuccessful mediation, broken down by number of weeks since
2483 unsuccessful mediation;
2484 “(M) The number of investigations open per Office full-time equivalent
2485 investigator;
2486 “(N) The number of decisions and orders the Commission rendered in the
2487 prior quarter, broken down by protected characteristics and categories of alleged discriminatory
2488 conduct;

2489 “(O) The number of matters withdrawn or otherwise terminated without a
2490 decision of the Commission in the prior quarter; and

2491 “(P) The number of matters pending before the Commission, broken down
2492 by number of weeks since the Office issued a determination of jurisdiction and probable cause,
2493 and whether the Commission has held a hearing.

2494 “(2) In each quarterly report, if the Mayor is unable to calculate one or more of
2495 the metrics specified in paragraph (1) of this subsection,, then for each such omitted measure, the
2496 Mayor shall:

2497 “(A) Briefly explain the obstacle preventing accurate measurement;

2498 “(B) Specify what steps the Office and the Commission are taking to
2499 enable accurate measurement; and

2500 “(C) Estimate the time remaining before the Office will be in a position to
2501 provide consistent quarterly updates on the measure.”.

2502 **SUBTITLE F. ALTERNATIVE RESPONSES TO CALLS FOR SERVICE PILOT**
2503 **PROGRAM**

2504 Sec. 3061. Short title.

2505 This subtitle may be cited as the “Alternative Responses to Calls for Service Amendment
2506 Act of 2021”.

2507 Sec. 3062. The Office of Unified Communications Establishment Act of 2004, effective
2508 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq.*), is amended by
2509 adding a new section 3205c to read as follows:

2510 “Sec. 3205c. Alternative Responses to Calls for Service Pilot Program.

2511 “(a)(1) The Office shall, in coordination with the Deputy Mayor for Public Safety and
2512 Justice (“DMPSJ”) and the Department of Behavioral Health (“DBH”), establish an Alternative
2513 Responses to Calls for Service Pilot Program (“Pilot Program”) to dispatch non-law enforcement
2514 agency personnel and community-based responders to calls for service, including calls for
2515 service related to individuals experiencing:

2516 “(A) Behavioral health emergencies;

2517 “(B) Homelessness; or

2518 “(C) Substance use.

2519 “(2) The Pilot Program shall:

2520 “(A) Center a public health approach to emergency response in its
2521 protocols, training, operations, and public engagement;

2522 “(B) Prioritize the diversion of calls for service away from a law
2523 enforcement response and towards District agencies or community-based organizations that
2524 employ unarmed practitioners or professionals, such as mental health professionals and social
2525 workers; and

2526 “(C) To the extent possible, operate during non-business hours.

2527 “(b) With regard to the Pilot Program, the Office, DMPSJ, and DBH shall:

2528 “(1) Develop protocols for:

2529 “(A) Identifying and dispatching certain categories of calls for service; and

2530 “(B) Cross-training law enforcement personnel, non-law enforcement
2531 agency personnel, and community-based responders, including call center employees;

2532 “(2) Conduct public education to build awareness and trust in the Pilot Program,
2533 including by developing branding, publicly accessible and lay-friendly educational materials, and
2534 strategic messaging about:

2535 “(A) The Pilot Program’s purpose, goals, and operations; and

2536 “(B) Alternatives to calling 9-1-1 or dispatching law enforcement for
2537 certain categories of calls for service;

2538 “(3) By October 1, 2021, convene a working group of community-based experts
2539 and practitioners in alternative responses to calls for service, in addition to directly-impacted
2540 individuals, to advise on the Pilot Program’s development, training, operations, community
2541 engagement, and evaluation, including the District agencies, community-based organizations, or
2542 other entities to which individuals will be diverted pursuant to subsection (a)(2)(B) of this
2543 section; and

2544 “(4) By January 1, 2022, and every 3 months thereafter, publish, at a minimum,
2545 the following information on the Office’s website:

2546 “(A) The members of the working group convened pursuant to paragraph
2547 (3) of this subsection;

2548 “(B) The Pilot Program’s protocols for identifying and dispatching calls
2549 for service;

2550 “(C) The non-law enforcement agencies and community-based responders
2551 to which eligible calls for service are being dispatched; and

2552 “(D) Aggregated for that reporting period:

2553 “(i) The hours during which the Pilot Program operated;

2554 “(ii) A description of the Pilot Program’s staffing internal and
2555 external to the Office and any training provided;

2556 “(iii) The expenditures for the Pilot Program, by purpose for the
2557 expenditure, amount, and source;

2558 “(iv) A list of the public events held, attended, and upcoming
2559 related to the Pilot Program;

2560 “(v) The number of calls for service eligible for diversion, broken
2561 down by day, period of time, and category of call for service;

2562 “(vi) Of those eligible calls for service identified under sub-
2563 subparagraph (v) of this subparagraph, the number of calls for service diverted, broken down by
2564 day, period of time, category of call for service, entity to which the calls for service were
2565 diverted, response time, the reason for any significant delays in response time, and outcome of
2566 the call for service, including whether anyone on the scene was:

2567 “(I) Taken into custody through arrest or other means, such
2568 as involuntary commitment;

2569 “(II) Sustained physical injuries during the response; or
2570 “(III) Connected to or provided supportive services, and the
2571 nature of those supportive services; and

2572 “(vii) Of those eligible calls for service identified under sub-
2573 subparagraph (v) of this subparagraph, if law enforcement was not initially dispatched in
2574 response to the call for service, whether the responding non-law enforcement agency personnel
2575 or community-based responders later requested a law enforcement response, and if so, the
2576 outcome of that request.”.

SUBTITLE G. KEEPING YOUTH OUT OF THE JUSTICE SYSTEM REPORT

Sec. 3071. Short title.

This subtitle may be cited as the “Keeping Youth out of the Justice System Amendment Act of 2021”.

Sec. 3072. Section 1505 of the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4234), is amended as follows:

(a) Subsection (b-2) is amended by striking the phrase “2018, and every 2 years thereafter, the” and inserting the phrase “2018, the” in its place.

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

“(b-3)(1) On October 1, 2020, the CJCC shall submit a report to the Mayor and the Council analyzing the root causes of youth crime and the prevalence of adverse childhood experiences among justice-involved youth, such as housing instability, childhood abuse, family instability, substance abuse, mental illness, family criminal involvement, or other factors deemed relevant by the CJCC that incorporates the results of the survey conducted pursuant to subsection (b-2) of this section.

“(2) No later than October 1, 2022, the CJCC shall submit a report to the Mayor and the Council that includes recommendations on factors, programs, or interventions, informed by best practices in other jurisdictions, the survey conducted pursuant to subsection (b-2) of this section, and the report submitted pursuant to paragraph (1) of this subsection, that effectively prevent District youth from having contact with law enforcement or entering the juvenile and criminal justice systems, such as access to stable housing, nutrition assistance, healthcare assistance, violence intervention, and educational, recreational, and youth programming.

2600 “(3) No later than October 1, 2024, the CJCC shall submit a report to the Mayor
2601 and the Council that analyzes the types of school-based incidents that lead to a law enforcement
2602 referral or arrest, and whether factors such as economic resources, race, Individualized Education
2603 Program eligibility, mental health conditions, school location, and school resource officer
2604 assignment statistically affect the likelihood of referrals or arrests.”.

2605 (c) Subsection (b-4) is amended by striking the phrase “the report required” and inserting
2606 the phrase “the reports required” in its place.

2607 **SUBTITLE H. OFFICE OF THE CHIEF MEDICAL EXAMINER AND CHILD**
2608 **FATALITY REVIEW COMMITTEE**

2609 Sec. 3081. Short title.

2610 This subtitle may be cited as the “Office of the Chief Medical Examiner and Child
2611 Fatality Review Committee Amendment Act of 2021”.

2612 Sec. 3082. The Establishment of the Office of the Chief Medical Examiner Act of 2000,
2613 effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1401 *et seq.*), is amended
2614 as follows:

2615 (a) Section 2902 (D.C. Official Code § 5-1401) is amended as follows:

2616 (1) Paragraph (1) is redesignated as paragraph (1A).

2617 (2) A new paragraph (1) is added to read as follows:

2618 “(1) “CME” means the Chief Medical Examiner within the OCME.”.

2619 (3) A new paragraph (2A) is added to read as follows:

2620 “(2A) “OCME” means the Office of the Chief Medical Examiner.”.

2621 (b) Section 2903 (D.C. Official Code § 5-1402) is amended as follows:

2622 (1) Subsection (a) is amended to read as follows:

2623 “(a) There is established as a subordinate agency in the Executive branch of the District
2624 government, the Office of the Chief Medical Examiner.”.

2625 (2) Subsection (b) is amended by striking the phrase “Examiner (“CME”) within”
2626 and inserting the phrase “Examiner within” in its place.

2627 (3) Subsection (c)(1) is amended by striking the phrase “District of Columbia.”
2628 and inserting the phrase “District.” in its place.

2629 (c) Section 2904(b) (D.C. Official Code § 5-1403(b)) is amended by striking the phrase
2630 “equipment, as” and inserting the phrase “equipment as” in its place.

2631 (d) Section 2905 (D.C. Official Code § 5-1404) is amended as follows:

2632 (1) Subsection (a) is amended by striking the phrase “the District of Columbia”
2633 and inserting the phrase “the District” in its place.

2634 (2) A new subsection (a-1) is added to read as follows:

2635 “(a-1) The CME may provide pathology and toxicology services to other District
2636 government agencies, non-District government agencies, and private entities, and may establish
2637 fees or require the payment of costs for the provision of such services.”.

2638 (3) Subsection (b) is amended to read as follows:

2639 “(b) The CME, and OCME employees authorized by the CME, may teach post-
2640 secondary, medical, and law school classes, conduct special classes for government personnel,
2641 conduct research, and engage in other activities related to their work.”.

2642 (4) Subsection (c) is amended by striking the phrase “in any event within” and
2643 inserting the phrase “in any event, within” in its place.

2644 (5) Subsection (d) is amended to read as follows:

2645 “(d) The CME, or the CME’s designee, shall attend all reviews of deaths by District
2646 government fatality review committees and fatality review boards. The CME shall coordinate
2647 with such committees and boards in their investigations of deaths.”.

2648 (e) Section 2906 (D.C. Official Code § 5-1405) is amended as follows:

2649 (1) Subsection (b) is amended as follows:

2650 (A) The lead-in language is amended by striking the phrase “the District of
2651 Columbia” and inserting the phrase “the District” in its place.

2652 (B) Paragraph (1) is amended by striking the phrase “suicidal or accidental
2653 including” and inserting the phrase “suicidal, or accidental, including” in its place.

2654 (C) Paragraph (7) is amended by striking the phrase “District of Columbia
2655 government” and inserting the phrase “District government” in its place.

2656 (D) Paragraph (9) is amended by striking the phrase “legal custody” and
2657 inserting the phrase “the legal custody” in its place.

2658 (E) Paragraph (10) is amended by striking the phrase “trauma including”
2659 and inserting the phrase “trauma, including” in its place.

2660 (F) Paragraph (11) is amended to read as follows:

2661 “(11) Deaths for which the Metropolitan Police Department, another law
2662 enforcement agency, or the United States Attorney’s Office for the District of Columbia
2663 requests, or a court orders, investigation;”.

2664 (G) Paragraph (12) is amended by striking the phrase “District of
2665 Columbia without” and inserting the phrase “District without” in its place.

2666 (2) The lead-in language of subsection (b-1)(2) is amended by striking the phrase
2667 “a woman’s” and inserting the phrase “a birthing parent’s” in its place.

2668 (3) Subsection (c) is amended by striking the phrase “the District of Columbia”
2669 and inserting the phrase “the District” in its place.

2670 (f) Section 2907(b) (D.C. Official Code § 5-1406(b)) is amended by striking the phrase
2671 “(EMS) personnel,” and inserting the phrase “personnel,” in its place.

2672 (g) Section 2908 (D.C. Official Code § 5-1407) is amended by striking the phrase “in his
2673 or her opinion” and inserting the phrase “in the CME’s opinion” in its place.

2674 (h) Section 2909(a) (D.C. Official Code § 5-1408(a)) is amended by striking the phrase
2675 “in his or her opinion” and inserting the phrase “in the opinion of the medical examiner,
2676 medicolegal investigator, or law enforcement officer” in its place.

2677 (i) Section 2912(b) (D.C. Official Code § 5-1411(b)) is amended by striking the phrase
2678 “the District of Columbia” and inserting the phrase “the District” in its place.

2679 (j) Section 2915 (D.C. Official Code § 5-1414) is amended by striking the phrase “the
2680 United States Attorney, on his or her own motion, or on request of a medical examiner, or the
2681 Metropolitan Police Department, or other law enforcement agency” and inserting the phrase “the
2682 United States Attorney for the District of Columbia, on the United States Attorney’s own motion,
2683 or at the request of a medical examiner, the Metropolitan Police Department, or another law
2684 enforcement agency” in its place.

2685 (k) A new section 2918c is added to read as follows:

2686 “Sec. 2918c. Office of the Chief Medical Examiner Fund.

2687 “(a) There is established as a special fund the Office of the Chief Medical Examiner Fund
2688 (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this
2689 section.

2690 “(b) All funds from fees received by OCME for services provided pursuant to section
2691 2905(a-1) shall be deposited in the Fund.

2692 “(c) Money in the Fund shall be used to support any personnel and non-personnel
2693 expenses associated with District fatality reviews, in addition to other agency expenses.

2694 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
2695 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
2696 of a fiscal year, or at any other time.

2697 “(2) Subject to authorization in an approved budget and financial plan, any funds
2698 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

2699 Sec. 3083. The Child Fatality Review Committee Establishment Act of 2001, effective
2700 October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.01 *et seq.*), is amended as
2701 follows:

2702 (a) Section 4603 (D.C. Official Code § 4-1371.03) is amended to read as follows:

2703 “Sec. 4603. Establishment and purpose.

2704 “(a) There is established a Child Fatality Review Committee. Facilities and other
2705 administrative support shall be provided by the Office of the Chief Medical Examiner.

2706 “(b) The Committee shall:

2707 “(1) Identify and characterize the scope and nature of all child deaths in the
2708 District, particularly those that are violent, accidental, unexpected, or unexplained;

2709 “(2) In an effort to reduce the number of preventable child fatalities, examine past
2710 events and circumstances surrounding child deaths in the District by reviewing the records, files,
2711 and other pertinent documents of public and private agencies responsible for serving families and

2712 children, investigating deaths, or treating children, giving special attention to child deaths that
2713 may have been caused by abuse, negligence, or other forms of maltreatment;

2714 “(3) Develop and revise, as necessary, operating rules and procedures for the
2715 review of child deaths, including identification of cases to be reviewed, coordination among the
2716 agencies and professionals involved, and improvement of the identification, data collection, and
2717 record keeping of the causes of child death;

2718 “(4) Recommend specific and systemic improvements to promote improved and
2719 integrated public and private systems serving families and children;

2720 “(5) Recommend components for prevention and education programs; and

2721 “(6) Recommend training to improve the investigation of child deaths.”.

2722 (b) Section 4604 (D.C. Official Code § 4-1371.04) is amended as follows:

2723 (1) Subsection (a) is amended as follows:

2724 (A) Paragraph (13) is amended by striking the phrase “; and” and inserting
2725 a semicolon in its place.

2726 (B) Paragraph (14) is amended by striking the period and adding the
2727 phrase “; and” in its place.

2728 (C) A new paragraph (15) is added to read as follows:

2729 “(15) Director of Gun Violence Prevention.”.

2730 (2) A new subsection (a-1) is added to read as follows:

2731 “(a-1) The Council Chairpersons with jurisdiction over judiciary and human services
2732 matters, or their designees, shall serve as Committee members.”.

2733 (c) Section 4605 (D.C. Official Code § 4-1371.05) is amended as follows:

2734 (1) The lead-in language of subsection (a) is amended by striking the phrase “the
2735 deaths of children who were residents of the District of Columbia and of such children” and
2736 inserting the phrase “all deaths of children who were residents of the District of Columbia, and
2737 with particular attention, such children” in its place.

2738 (2) Subsection (c) is amended to read as follows:

2739 “(c) The Committee’s manner of review shall be to conduct a multidisciplinary, multi-
2740 agency review of all individual fatalities within 6 months after the final determination of the
2741 cause and manner of death and prioritize fatalities where child abuse, neglect, or another form of
2742 child maltreatment is the cause of death or a contributing factor.”.

2743 (3) Subsection (d) is amended by striking the phrase “establish 2 review teams”
2744 and inserting the phrase “establish at least 2 review teams” in its place.

2745 (4) Subsection (e) is repealed.

2746 (d) Section 4606 (D.C. Official Code § 4-1371.06) is amended as follows:

2747 (1) Subsection (c) is repealed.

2748 (2) Subsection (d) is repealed.

2749 (e) Section 4607(b) (D.C. Official Code § 4-1371.07(b)) is amended by striking the
2750 phrase “or his or her” and inserting the phrase “or the witness’s” in its place.

2751 (f) Section 4608(a) (D.C. Official Code § 4-1371.08(a)) is amended by striking the phrase
2752 “. Committee members” and inserting the phrase “. Unless authorized by a majority vote of the
2753 Committee members appointed pursuant to section 4604(c), Committee members” in its place.

2754 (g) Section 4609 (D.C. Official Code § 4-1371.09) is amended as follows:

2755 (1) Subsection (e) is amended by striking the phrase “any person, other than a
2756 person who has consented to be identified, are” and inserting the phrase “a person identified in
2757 section 4608(c) are” in its place.

2758 (2) Subsection (f) is amended to read as follows:

2759 “(f) The Committee shall compile an Annual Report of Findings and Recommendations
2760 which shall be publicly available and submitted to the Mayor and Council. The annual report
2761 shall include:

2762 “(1) The number of child fatalities in the District annually, with a description of
2763 the causes, and for those fatalities where abuse, neglect, or another form of child maltreatment is
2764 the cause of the fatality or a contributing factor, the number, type, and response of any agency
2765 contact prior to the fatality;

2766 “(2) Statistics on all reviews conducted in the past calendar year, including the
2767 date of each fatality, when the Committee staff learned of the fatality, and when the Committee
2768 began and concluded each review;

2769 “(3) Findings regarding factors, including agency practices, that may have
2770 prevented particular fatalities from occurring;

2771 “(4) Recommendations for preventing fatalities and identifying children most at
2772 risk of fatalities, including agency policies and practices that need improvement to prevent
2773 fatalities;

2774 “(5) A timeline for implementing corrective actions;

2775 “(6) An identification of any necessary funding to implement changes to policies
2776 and practices or corrective actions;

2777 “(7) The responses required by subsection (f-1) of this section; and

2778 “(8) A description of the progress made on the findings and recommendations
2779 made in the prior annual report.”.

2780 (3) A new subsection (f-1) is added to read as follows:

2781 “(f-1) Any agency that has a representative on the Committee pursuant to section 4604(a)
2782 and is implicated by a recommendation included in the Committee’s Annual Report of Findings
2783 and Recommendations shall provide the Committee with a response to the specific
2784 recommendation.”.

2785 (4) Subsection (g) is repealed.

2786 (5) Subsection (j) is amended by striking the phrase “Human Services” and
2787 inserting the phrase “Human Services, Child and Family Services Agency,” in its place.

2788 (h) Section 4610 (D.C. Official Code § 4-1371.10) is amended by striking the phrase
2789 “from liability, administrative, civil, or criminal, that” and inserting the phrase “from
2790 administrative, civil, or criminal liability that” in its place.

2791 (i) Section 4611 (D.C. Official Code § 4-1371.11) is amended by striking the phrase “the
2792 Corporation Counsel or his or her designee” and inserting the phrase “the Attorney General” in
2793 its place.

2794 (j) Section 4613 (D.C. Official Code § 4-1371.13) is amended by striking the phrase
2795 “from liability, administrative, civil, or criminal, that” and inserting the phrase “from
2796 administrative, civil, or criminal liability that” in its place.

2797 (k) Section 4614 (D.C. Official Code § 4-1371.14) is amended by striking the phrase “the
2798 Corporation Counsel of the District of Columbia, or his or her agent, in” and inserting the phrase
2799 “the Attorney General in” in its place.

SUBTITLE I. REDUCING LAW ENFORCEMENT PRESENCE IN SCHOOLS

Sec. 3091. Short title.

This subtitle may be cited as the “Reducing Law Enforcement Presence in Schools
Amendment Act of 2021”.

Sec. 3092. The School Safety and Security Contracting Procedures Act of 2004, effective
April 13, 2005 (D.C. Law 15-350; D.C. Official Code § 5-132.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 5-132.01) is amended as follows:

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

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

“(1B) “Law enforcement officer” shall have the same meaning as provided in
section 802a(b)(1) of An Act To establish a code of law for the District of Columbia, effective
May 23, 1995 (D.C. Law 10-256; D.C. Official Code § 22-2106(b)(1)).”.

(3) Paragraph (2A) is redesignated as paragraph (2B).

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

“(2A) “Non-school-based offense” means conduct punishable as a criminal
offense that is not a school-based offense.”.

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

“(2C) “School-based offense” means conduct punishable as a criminal offense
that:

“(A) Occurred at a DCPS or public charter school or on its grounds; or

“(B) Is directly related to a student’s enrollment or attendance at a DCPS
or public charter school.”.

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

2823 “(3) “School resource officer” means a sworn MPD officer assigned to DCPS or
2824 public charter schools for the purpose of working in collaboration with DCPS, public charter
2825 schools, and community-based organizations to ensure that DCPS schools, public charter
2826 schools, and their grounds are safe environments for students, teachers, and staff through the use
2827 of culturally competent, developmentally-appropriate, and community-oriented policing
2828 strategies and practices.”.

2829 (b) Section 102 (D.C. Official Code § 5-132.02) is amended as follows:

2830 (1) A new subsection (c-1) is added to read as follows:

2831 “(c-1) School resource officers shall not report any information regarding a student’s
2832 suspected crew or gang affiliation, or that of their family members, to a law enforcement agency
2833 for the purpose of including such information in any District government crew or gang database,
2834 nor shall any such information shared by or derived from a school resource officer be otherwise
2835 included in any District government crew or gang database.”.

2836 (2) A new subsection (e) is added to read as follows:

2837 “(e) The School Safety Division’s sworn and civilian staffing shall be as follows:

2838 “(1) By July 1, 2022, a maximum of 60 personnel;

2839 “(2) By July 1, 2023, a maximum of 40 personnel;

2840 “(3) By July 1, 2024, a maximum of 20 personnel; and

2841 “(4) By July 1, 2025, the School Safety Division shall be dissolved, and MPD
2842 shall no longer staff DCPS and public charter schools with school resource officers.”.

2843 (c) A new section 107 is added to read as follows:

2844 “Sec. 107. Limitations on law enforcement actions against students.

2845 “(a) A law enforcement officer shall not detain, serve a warrant on, or arrest a DCPS or
2846 public charter school student at a DCPS or public charter school or on its grounds for a:

2847 “(1) School-based offense unless:

2848 “(A) The school-based offense is alleged to be a crime of violence, as that
2849 term is defined in D.C. Official Code § 23-1331(4); or

2850 “(B) Exigent circumstances exist; or

2851 “(2) Non-school-based offense unless exigent circumstances exist.

2852 “(b) Prior to detaining, serving a warrant on, or conducting an arrest of a DCPS or public
2853 charter school student at a DCPS or public charter school or on its grounds pursuant to
2854 subsection (a)(1)(A) of this section, a law enforcement officer shall:

2855 “(1) In consultation with the administration of the DCPS or public charter school,
2856 MPD Youth and Family Engagement Bureau leadership, and the Office of the Attorney General,
2857 determine if there are reasonable alternatives to detaining, serving a warrant on, or conducting an
2858 arrest of the DCPS or public charter school student at the DCPS or public charter school or on its
2859 grounds; and

2860 “(2) Present a copy of any warrant to the DCPS or public charter school’s
2861 principal or assistant principal.”.

2862 **TITLE IV. PUBLIC EDUCATION SYSTEMS**

2863 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASES**

2864 Sec. 4001. Short title.

2865 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools
2866 Increase Amendment Act of 2021”.

2867 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public
2868 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §
2869 38-2901 *et seq.*), is amended as follows:

2870 (a) Section 102 (D.C. Official Code § 38-2901) is amended as follows:

2871 (1) Redesignate existing paragraph (2B) as paragraph (2C).

2872 (2) Add a new paragraph (2AB) to read as follows:

2873 “(2B) “At-Risk High School Over-age Supplement” means weighting provided in
2874 addition to the at-risk weight for a student who is at-risk because the student is a high school
2875 student that is one year older, or more, than the expected age for the grade in which the student is
2876 enrolled.;

2877 (3) Add a new paragraph (4A) to read as follows:

2878 “(4A) “Elementary ELL” means students who are LEP/NEP and enrolled in
2879 grades pre-kindergarten 3 through 5.”.

2880 (4) Redesignate existing paragraph (10B) as paragraph (10C).

2881 (5) Add a new paragraph (10B) to read as follows:

2882 “(10B) “Secondary ELL” means students who are LEP/NEP and enrolled in:

2883 (A) Grades 6 through 12 at a DCPS or public charter school

2884 (B) An alternative program;

2885 (C) Adult education; or

2886 (D) Grades 6 through 12 at a special education school.

2887 (b) Section 103(b) (D.C. Official Code § 38-2902(b)) is amended by striking the phrase
2888 “Charter Schools” and inserting the phrase “Charter Schools; except, that, for Fiscal Year 2022,
2889 the Formula shall not apply to funding allocated to a DCPS school to meet the requirement of

2890 section 108a(a)(2) that the school be provided with not less than 95% of its prior year allocation
2891 of Formula funds” in its place.

2892 (c) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase
2893 “\$11,310 per student for Fiscal Year 2021” and inserting the phrase “\$11,720 per student for
2894 Fiscal Year 2022” in its place.

2895 (d) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array
2896 and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2022
“Pre-Kindergarten 3	1.34	\$15,705
“Pre-Kindergarten 4	1.30	\$15,236
“Kindergarten	1.30	\$15,236
“Grades 1-5	1.00	\$11,720
“Grades 6-8	1.08	\$12,658
“Grades 9-12	1.22	\$14,298
“Alternative program	1.52	\$17,814
“Special education school	1.17	\$13,712
“Adult	0.89	\$10,431

2897 (e) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

2898 “(c) The supplemental allocations shall be calculated by applying weightings to the
2899 foundation level as follows:

2900 “Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$11,368
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$14,064

“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$23,088
“Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$40,903
“Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.099	\$1,160
“Attorney’s Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney’s fees.	0.089	\$1,043
“Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$19,572

2901 “General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Elementary ELL	Additional funding for English Language Learners in grades PK3-5.	0.50	\$5,860
“Secondary ELL	Additional funding for English Language Learners in grades 6-12, alternative students, adult students, and students in special education schools.	0.75	\$8,790
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level in high school.	0.24	\$2,813
“At-risk High School Over-Age Supplement	Weighting provided in addition to at-risk weight for students who are behind grade level in high school.	0.06	\$703

2902 “Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
-----------------	------------	-----------	---

“Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.37	\$4,336
“Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.34	\$15,705
“Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$33,871
“Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non- English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$33,871
“LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	\$7,829

2903 “Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated

2904 in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$738
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.227	\$2,660
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for	0.491	\$5,755

	students who require extended school year (ESY) services in their IEPs		
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs”.	0.491	\$5,755

2905

2906

(f) Section 106a (D.C. Official Code § 38-2905.01) is amended as follows:

2907

(1) Subsection (b) is amended by striking the phrase “a weighting factor” and

2908

inserting the phrase “weighting factors” in its place.

2909

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

2910

(A) Strike the phrase “weighting for at-risk students” and insert the phrase

2911

“weighting factors for at-risk students” in its place.

2912

(B) Strike the phrase “both as at-risk” and insert the phrase “both at-risk”

2913

in its place.

2914

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

2915

“(c-1) To ensure alignment between the alternative program and at-risk weighting

2916

factors, the alternative program weighting factor should be amended whenever the grades 9-12,

2917

at-risk, or at-risk high school over-age supplement weighting factors are amended.”.

2918

(g) Section 109 (D.C. Official Code § 38-2908) is amended as follows:

2919

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

2920

“(2D) For Fiscal Years 2021, 2022, and 2023, the per pupil facility allowance for

2921

Public Charter Schools will be \$3,408.”.

2922

(2) A new subsection (b-3) is added to read as follows:

2923

“(b-3) Beginning with Fiscal Year 2024, the per pupil facility allowance for

2924

Public Charter Schools shall increase by 3.1% each fiscal year. The facility allowance shall then

2925 be multiplied by the number of students estimated to attend each Public Charter School to
2926 determine the actual facility allowance payments to be received by each Public Charter
2927 School.”.

2928 Sec. 4003. Section 1102(a) of the School Based Budgeting and Accountability Act of
2929 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code 38-2801.01) is amended
2930 as follows:

2931 (a) Inserting new paragraphs (1-1), (1C), and (3A) to read as follows:

2932 “(1-1) “At-Risk High School Over-age Supplement” shall have the same meaning
2933 as provided in § 38-2901(2A-1).”;

2934 “(1C) “Elementary ELL” shall have the same meaning as provided in § 38-
2935 2901(4A).”; and

2936 “(3A) “Secondary ELL” shall have the same meaning as provided in § 38-
2937 2901(10A-1).”.

2938 Sec. 4004. Section 6(b) of the Board of Education Continuity and Transition Amendment
2939 Act of 2004, effective December 7, 2004 (D.C. Law 15-211; D.C. Official Code § 38-2831(b)),
2940 is amended as follows:

2941 (a) Paragraph (3)(B) is amended to read as follows:

2942 “(B) Any funding associated with at-risk students and with the at-risk high
2943 school over-age supplement that has been retained by the Chancellor;”.

2944 (b) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in
2945 its place.

2946 (c) Paragraph (5) is amended to read as follows:

2947 “(5) For each school’s individual budget, a separate budget line item for funding
2948 allocated to the following, as coded in the District’s current official financial system of record:

2949 “(A) At-risk students;

2950 “(B) The at-risk high school over-age supplement;

2951 “(C) Elementary ELL; and

2952 “(D) Secondary ELL; and”.

2953 (d) A new paragraph (6) is added to read as follows:

2954 “(6) The projected enrollment, by school, for the following:

2955 “(A) At-risk students;

2956 “(B) The number of students counted for the at-risk high school over-age
2957 supplement;

2958 “(C) Elementary ELL; and

2959 “(D) Secondary ELL.”.

2960 (e) A new subsection (h) is added to read as follows:

2961 “(h) For the purposes of this section, the following terms shall have the same meaning as
2962 provided in section 102 of the Uniform Per Student Funding Formula for Public Schools and
2963 Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official
2964 Code § 38-2901):

2965 (1) “At-risk”;

2966 (2) “At-risk high school over-age supplement”;

2967 (3) “Elementary ELL”;

2968 (4) “Secondary ELL.”.

2969 **SUBTITLE B. DCPS REPROGRAMMING FLEXIBILITY**

2970 Sec. 4011. Short title.

2971 This subtitle may be cited as the “DCPS Intra-School Reprogramming Flexibility
2972 Amendment Act of 2021”.

2973 Sec. 4012. Section 4012(a) of the DCPS Contracting and Spending Flexibility
2974 Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 38-
2975 2955(a)), is amended by striking the figure “\$10,000” and inserting the figure “\$25,000” in its
2976 place.

2977 **SUBTITLE C. PARKS AND RECREATION GRANT-MAKING AUTHORITY**

2978 Sec. 4021. Short title.

2979 This subtitle may be cited as the “Parks and Recreation Grant-Making Authority
2980 Amendment Act of 2021”.

2981 Sec. 4022. Section 3 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law
2982 10-246; D.C. Official Code § 10-302), is amended by adding a new subsection (f) to read as
2983 follows:

2984 “(f) Beginning in Fiscal Year 2022, and on an annual basis thereafter, and in accordance
2985 with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.
2986 Official Code § 1-328.11 *et seq.*), the Department of Parks and Recreation shall issue:

2987 “(1) A grant of not less than \$150,000 to an organization to plan, promote, and
2988 manage events and programs for the community in the new Eastern Market Metro Park. The
2989 organizer shall obtain permits, book talent, publicize programming, and supervise the site during
2990 events and clean up.

2991 “(2) One or more grants that total no more than \$235,000 to individual program
2992 providers and nonprofit organizations to assist the Department in implementing a comprehensive
2993 program of public recreation as described in section 3 of An Act To create a Recreation Board
2994 for the District of Columbia, to define its duties, and for other purposes, approved April 29, 1942
2995 (56 Stat. 263; D.C. Official Code § 10-213).”.

2996 Sec. 4023. In Fiscal Year 2022, the Department of Parks and Recreation, in accordance
2997 with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.
2998 Official Code § 1-328.11 et seq.), shall award:

2999 (a) A grant of not less than \$7,000 to an organization to conduct a community run or walk
3000 event series. Grant funds shall be used to organize weekly run or walk events in at least 3
3001 locations, and may be spent on outreach, advertising, equipment, or permits associated with the
3002 event series.

3003 (b) One or more grants that total not less than \$50,000 for regular activation of spaces in
3004 Ward 1 at Columbia Heights Plaza, 14th and Girard Park, and Unity Plaza.

3005 (c) A grant of not less than \$500,000 to an organization developing an urban farm and
3006 community wellness space in Oxon Run Park in Ward 8.

3007 **SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA**
3008 **FUNDRAISING MATCH**

3009 Sec. 4031. Short title.

3010 This subtitle may be cited as the “University of the District of Columbia Fundraising
3011 Match Act of 2021”.

3012 Sec. 4032. (a) In Fiscal Year 2022, of the funds allocated to the Non-Departmental
3013 agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the

3014 District of Columbia (“UDC”) for every \$2 that UDC raises from private donations by April 1,
3015 2022.

3016 (b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less
3017 than one-third of the funds shall be deposited into UDC’s endowment fund.

3018 **SUBTITLE E. APPRENTICESHIP FINES**

3019 Sec. 4041. Short title.

3020 This subtitle may be cited as the “Apprenticeship Fines Amendment Act of 2021”.

3021 Sec. 4042. Section 5(c)(3) of the Amendments to An Act To Provide for Voluntary
3022 Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-
3023 156; D.C. Official Code § 32-1431(c)(3)), is amended as follows:

3024 (1) Strike the phrase “District of Columbia Public Schools” and insert the phrase
3025 “Department of Employment Services” in its place.

3026 (2) Strike the phrase “, subject to appropriations by Congress”.

3027 **SUBTITLE F. SCHOLARSHIP AND TUITION ASSISTANCE PAYMENTS**

3028 Sec. 4051. Short title.

3029 This subtitle may be cited as the “Scholarship and Tuition Assistance Payment Method
3030 Amendment Act of 2021”.

3031 Sec. 4052. Section 3(b) of the State Education Office Establishment Act of 2000,
3032 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by
3033 adding a new paragraph (29A) to read as follows:

3034 “(29A) Have the authority to increase access, promote retention, and improve District
3035 resident completion of postsecondary education in the District by:

3036 “(A) Awarding scholarships and financial assistance for tuition, fees, room and
3037 board, books, supplies, and other costs of postsecondary education, including:

3038 “(i) Dual enrollment programs;

3039 “(ii) Costs associated with gaining admission or increasing the chances of
3040 gaining admission to an institution of higher education in the District, including test preparation
3041 programs, standardized test fees, and application fees;

3042 “(iii) Programs designed to support students navigating the college process
3043 through completion;

3044 “(iv) Funding if the cost of education prevents a student or prospective
3045 student from starting, continuing, or completing their postsecondary education.

3046 “(B) Paying for the financial assistance described in subparagraph (A) of this
3047 paragraph through the issuance of direct vouchers or payments to institutions of higher education
3048 in the District;”.

3049 **SUBTITLE G. UNIVERSAL PAID LEAVE**

3050 Sec. 4061. Short title.

3051 This subtitle may be cited as the “Universal Paid Leave Amendment Act of 2021”.

3052 Sec. 4062. The Universal Paid Leave Amendment Act of 2016, effective April 7, 2017
3053 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*), is amended as follows:

3054 (a) Section 101 (D.C. Official Code § 32-541.01) is amended as follows:

3055 (1) Paragraph (1) is amended to read as follows:

3056 “(1) “Average weekly wage” means the total wages subject to contribution under
3057 section 103 earned by an eligible individual during the 4 quarters during which the individual’s
3058 wages were the highest out of the 5 quarters immediately preceding the qualifying leave event,

divided by 52; except that, for claims filed after the applicability date of the Universal Paid Leave Amendment Act of 2021, approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285), and before the 365th day after the end of the public health emergency, the term “average weekly wage” means the total wages subject to contribution under section 103 for the 4 quarters during which the individual’s wages were the highest out of the 10 quarters immediately preceding the qualifying leave event, divided by 52.”.

(2) New paragraphs (6A) and (6B) are added to read as follows:

“(6A) “Employer contribution rate” means the uniform percentage of covered employees’ wages that covered employers must contribute to the Universal Paid Leave Fund, including the percentage of annual self-employment income that a covered employer who is a self-employed individual must contribute, as provided under this act.”

“(6B) “Exigent circumstances” means:

“(A) Physical or mental incapacity that prevents an eligible individual or eligible individual’s authorized representative from filing for paid leave benefits following the occurrence of a qualifying leave event;

“(B) A demonstrable inability to reasonably access the means by which a claim could have been filed by the eligible individual or the eligible individual’s authorized representative following the occurrence of a qualifying leave event; or

“(C) Actual lack of knowledge by an eligible individual of his or her right to apply for paid leave benefits pursuant to this act due to the noncompliance of all of the eligible individual’s covered employers with the notice requirements required by section 106(i)(3) during the period when the individual could have received paid leave benefits pursuant to this act; provided, that such employer noncompliance shall be confirmed by the Department of

3082 Employment Services before the eligible individual shall be eligible for paid leave benefits
3083 pursuant to this act.”.

3084 (3) A new paragraph (9A) is added to read as follows:

3085 “(9A) “Miscarriage” means the loss of a pregnancy prior to 20 weeks’ gestation.”.

3086 (4) New paragraphs (11A) and (11B) are added to read as follows:

3087 “(11A) “Pre-natal medical care” means routine and specialty appointments,
3088 exams, and treatments associated with a pregnancy provided by a health care provider, including,
3089 but not limited to, pre-natal check-ups, ultrasounds, treatment for pregnancy complications,
3090 bedrest that is required or prescribed by a health care provider, and pre-natal physical therapy.

3091 “(11B) “Public health emergency” means the Coronavirus (COVID-19) public
3092 health emergency declared pursuant to Mayor’s Order 2020-045, on March 11, 2020, and all
3093 subsequent extensions.”.

3094 (5) Paragraph (12) is amended to read as follows:

3095 “(12) “Qualifying family leave” means paid leave that an eligible individual may
3096 take in order to provide care or companionship to a family member because of the occurrence of
3097 a qualifying family leave event.”.

3098 (6) A new paragraph (13A) is added to read as follows:

3099 “(13A) “Qualifying leave event” means a qualifying family leave event, a
3100 qualifying medical leave event, a qualifying pre-natal leave event, or a qualifying parental leave
3101 event.”.

3102 (7) Paragraph (14) is amended to read as follows:

3103 “(14) “Qualifying medical leave” means paid leave that an eligible individual may
3104 take following the occurrence of a qualifying medical leave event.”.

3105 (8) Paragraph (15) is amended to read as follows:

3106 “(15) “Qualifying medical leave event” means, for an eligible individual, the
3107 diagnosis or occurrence of a serious health condition, which shall include the occurrence of a
3108 stillbirth and the medical care related to a miscarriage.”.

3109 (9) Paragraph (16) is amended to read as follows:

3110 “(16) “Qualifying parental leave” means paid leave that an eligible individual
3111 may take within one year of the occurrence of a qualifying parental leave event.”.

3112 (10) New paragraphs (17A) and (17B) are added to read as follows:

3113 “(17A) “Qualifying pre-natal leave” means paid leave that an eligible individual
3114 who is pregnant may take for pre-natal medical care following the occurrence of a qualifying
3115 pre-natal leave event and prior to the occurrence of a qualifying parental leave event.

3116 “(17B) “Qualifying pre-natal leave event” means the diagnosis of pregnancy by a
3117 health care provider.”.

3118 (11) New paragraph (20A) is added to read as follows:

3119 “(20A) “Stillbirth” means the loss of a pregnancy at 20 weeks’ gestation or
3120 later.”.

3121 (12) Paragraph (21) is amended to read as follows:

3122 “(21) “Universal Paid Leave Fund” means the fund established pursuant to
3123 section 1153 of the Universal Paid Leave Implementation Fund Act of 2016, effective October 8,
3124 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.02).”.

3125 (b) Section 102 (D.C. Official Code § 32-541.02) is amended by adding a new subsection

3126 (c) to read as follows:

3127 “(c) Within 30 days after the applicability date of the Universal Paid Leave Amendment
3128 Act of 2021, approved by the Committee of the Whole on July 20, 2021 (committee print of Bill
3129 24-285), or of any expansion of benefits or change to the employer contribution rate pursuant to
3130 section 104a(c), the Mayor, pursuant to Title I of the District of Columbia Administrative
3131 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
3132 shall issue rules, which may include the issuance of emergency rules, to implement the
3133 provisions of this act.”.

3134 (c) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

3135 (1) Subsection (a) is amended by striking the phrase “0.62%” and inserting the
3136 phrase “0.62%, or a lower rate computed pursuant to section 104a(c)(2),” in its place.

3137 (2) Subsection (b) is amended by striking the phrase “0.62%” and inserting the
3138 phrase “0.62%, or a lower rate computed pursuant to section 104a(c)(2),” in its place.

3139 (d) Section 104 (D.C. Official Code § 32-541.04) is amended as follows:

3140 (1) Subsection (a) is amended by striking the phrase “qualifying family leave
3141 event, qualifying medical leave event, or qualifying parental leave event” and inserting the
3142 phrase “qualifying leave event” in its place.

3143 (2) Subsection (b) is amended to read as follows:

3144 “(b)(1) Except as provided in paragraph (2) of this subsection, after the
3145 occurrence of a qualifying leave event, an eligible individual shall wait one week during and for
3146 which no benefits are payable before being entitled to receive payment of his or her paid-leave
3147 benefits; provided, that regardless of the number of qualifying events for which an eligible
3148 individual files a claim for paid-leave benefits, he or she shall only have one waiting period
3149 during and for which no benefits are payable within a 52-week period.

3150 “(2) For claims filed after the applicability date of the Universal Paid
3151 Leave Amendment Act of 2021, approved by the Committee of the Whole on July 20, 2021
3152 (Committee print of Bill 24-285), and before the 365th day after the end of the public health
3153 emergency, paragraph (1) of this subsection shall not apply.”.

3154 (3) Subsection (d) is amended to read as follows:

3155 “(d)(1)(A) An eligible individual may submit a claim for payment of his or her
3156 paid-leave benefits for a period during which he or she does not or did not perform his or her
3157 regular and customary work because of the occurrence of a qualifying leave event.

3158 “(B) An eligible individual may receive retroactive paid-leave
3159 benefits pursuant to subparagraph (A) of this paragraph only if he or she submits a claim within
3160 30 calendar days after the qualifying leave event; provided, that the 30-calendar day limitation
3161 may be waived if an individual is unable to apply for his or paid-leave benefits within 30
3162 calendar days after the qualifying leave event due to exigent circumstances.

3163 “(2) Except as provided in paragraph (3), within a 52-workweek period, an
3164 eligible individual shall not receive paid-leave benefits, for any number or combination of
3165 qualifying leave events, for a duration that exceeds the maximum duration of qualifying parental
3166 leave available in the fiscal year during which the individual files a claim for paid-leave benefits,
3167 as provided in subsection (e-1) of this section.

3168 “(3) Within a 52-workweek period, an eligible individual may receive the
3169 maximum duration of qualifying pre-natal leave available in the fiscal year during which the
3170 individual files a claim for paid-leave benefits in addition to the maximum duration of parental
3171 leave available during such fiscal year, as provided in subsection (e-1) of this section; provided,
3172 that an eligible individual shall not receive any combination of qualifying pre-natal leave and

3173 qualifying medical leave for a duration that exceeds the maximum duration of qualifying medical
3174 leave available for the fiscal year during which the individual files a claim for paid-leave
3175 benefits.”.

3176 (4) Subsection (e) is amended to read as follows:

3177 “(e) The International Classification of Diseases, Tenth Revision (ICD-10), or subsequent
3178 revisions by the World Health Organization to the International Classification of Diseases, along
3179 with the health care provider or caretaker assessments, shall be used to determine the appropriate
3180 length of qualifying family leave an eligible individual is entitled to, based on the serious health
3181 condition of the eligible individual’s family member, or the appropriate length of qualifying
3182 medical leave an eligible individual is entitled to, based on the serious health condition of the
3183 eligible individual, subject to the limits set forth in subsection (e-1) of this section.”.

3184 (5) A new subsection (e-1) is added to read as follows:

3185 “(e-1)(1) Before October 1, 2021, the maximum duration of each type of paid-leave
3186 benefits within a 52-workweek period shall be:

3187 “(A) 8 workweeks of qualifying parental leave;

3188 “(B) 6 workweeks of qualifying family leave;

3189 “(C) 2 workweeks of qualifying medical leave; and

3190 “(D) Zero workweeks of qualifying pre-natal leave.

3191 “(2) From October 1, 2021, through September 30, 2022, the maximum duration
3192 of each type of paid-leave benefits within a 52-workweek period shall be:

3193 “(A) 8 workweeks of qualifying parental leave;

3194 “(B) 6 workweeks of qualifying family leave;

3195 “(C) 6 workweeks of qualifying medical leave; and

3196 “(D) 2 workweeks of qualifying pre-natal leave.

3197 “(3) Beginning October 1, 2022, and thereafter, the maximum duration of each
3198 type of paid-leave benefits within a 52-workweek period shall be determined pursuant to section
3199 104a, but shall be no less than the maximum durations for each type of paid-leave benefits set
3200 forth in paragraph (1) of this subsection.”.

3201 (6) Subsection (f) is amended to read as follows:

3202 “(f) An eligible individual may receive payment for intermittent leave; provided, that the
3203 duration of paid-leave benefits an individual receives in a 52-week period shall not exceed the
3204 total maximum duration of paid-leave benefits or the maximum duration of any type of paid-
3205 leave benefits available in the fiscal year during which the individual files a claim to receive
3206 paid-leave benefits, as provided in subsection (d)(2) and (3) and (e-1) of this section.”.

3207 (7) Subsection (g)(4) is amended to read as follows:

3208 “(4) Medical, family, parental, and pre-natal leave benefits for partial weeks of
3209 leave shall be prorated.”.

3210 (e) A new section 104a is added to read as follows:

3211 “Sec. 104a. Expansion of paid-leave benefits and employer contribution rate change.

3212 “(a) By March 1, 2022, and annually thereafter, the Chief Financial Officer (“CFO”) shall
3213 update estimates of the projected cost of the paid-leave program established by this act and any
3214 paid-leave benefit expansions set forth in subsection (c)(1) of this section that have not yet been
3215 implemented.

3216 “(b)(1) On or before March 1 of each year beginning with March 1, 2022, the CFO shall
3217 certify the:

3218 “(A) Fund balance of the Universal Paid Leave Fund;

3219 “(B) Projected annual revenues for the current fiscal year and future fiscal
3220 years, for the duration of the financial plan, to be deposited into the Universal Paid Leave Fund
3221 at the then-existing employer contribution rate;

3222 “(C) Projected annual expenditures from the Universal Paid Leave Fund at
3223 the then-existing maximum paid-leave benefit durations;

3224 “(D) Projected fiscal impact of the paid-leave benefit expansions and
3225 employer contribution rate change set forth in subsection (c) of this section, which shall include
3226 whether, and at what tier of expansion, the paid-leave benefit expansions and employer
3227 contribution rate change would cause the projected fund balance of the Universal Paid Leave
3228 fund to fall below the equivalent of 9 months of paid-leave benefits at the expanded tier; and

3229 “(E) Projected employer contribution rate necessary to maintain the then-
3230 existing level of benefits and continued solvency of the Universal Paid Leave Fund.

3231 “(2) The Mayor shall incorporate the certification required pursuant to paragraph
3232 (1) of this subsection into the Mayor’s annual submission of the District’s multiyear budget and
3233 financial plan to the Council, which shall reflect any paid-leave benefit expansions or employer
3234 contribution rate change required pursuant to subsection (c) of this section, as certified pursuant
3235 to paragraph (1) of this subsection.

3236 “(3) A paid-leave benefit expansion or employer contribution rate change set forth
3237 in subsection (c) of this section shall apply as of July 1 of the year in which the paid-leave
3238 benefit expansion or employer contribution rate change will not cause the projected fund balance
3239 of the Universal Paid Leave Fund to fall below the equivalent of 9 months of benefits at the
3240 expanded tier, as certified pursuant to paragraph (1) of this subsection.

3241 “(c)(1) Paid-leave benefits shall be expanded in the following order:

3242 “(A) Extend the maximum duration of qualifying pre-natal leave by one or
3243 more workweeks, until the maximum duration of qualifying pre-natal leave equals 2 workweeks;

3244 “(B) Extend the maximum duration of qualifying medical leave by one or
3245 more workweeks, until the maximum duration of qualifying medical leave equals 6 workweeks;

3246 “(C) Extend the maximum duration of qualifying parental leave by one or
3247 more workweeks, until the maximum duration of qualifying parental leave equals 10 workweeks;

3248 “(D) Extend the maximum duration of qualifying medical leave by one or
3249 more workweeks, until the maximum duration of qualifying medical leave equals 8 workweeks;

3250 “(E) Extend the maximum duration of qualifying family leave by one or
3251 more workweeks, until the maximum duration of qualifying family leave equals 8 workweeks;

3252 “(F) Extend the maximum duration of qualifying parental leave by one or
3253 more workweeks, until the maximum duration of qualifying parental leave equals 12 workweeks;

3254 “(G) Extend the maximum duration of qualifying medical leave by one or
3255 more workweeks, until the maximum duration of qualifying medical leave equals 10 workweeks;

3256 “(H) Extend the maximum duration of qualifying family leave by one or
3257 more workweeks, until the maximum duration of qualifying family leave equals 10 workweeks;

3258 “(I) Extend the maximum duration of qualifying medical leave by one or
3259 more workweeks, until the maximum duration of qualifying medical leave equals 12 workweeks;

3260 “(J) Extend the maximum duration of qualifying family leave by one or
3261 more workweeks, until the maximum duration of qualifying family leave equals 12 workweeks;

3262 “(2) Beginning with July 1 of the first year in which all paid-leave benefit
3263 expansions set forth in paragraph (1) of this subsection have been implemented, and annually
3264 thereafter, if the projected employer contribution rate calculated by the CFO pursuant to

3265 subsection (b)(1)(E) of this section is below 0.62%, the employer contribution rate shall equal
3266 that projected employer contribution rate. If the projected employer contribution rate calculated
3267 pursuant to subsection (b)(1)(E) is greater than or equal to 0.62%, then the employer contribution
3268 rate shall be 0.62%.

3269 “(d)(1) At least 60 days before implementation of any paid-leave benefit expansion or
3270 employer contribution rate change pursuant to this section, the Mayor shall prescribe and provide
3271 to covered employers an update to the notice required under section 106(i). The Mayor may
3272 conduct a public-education campaign to inform individuals of expanded benefits. Costs of the
3273 notice and campaign authorized under this subsection shall be payable pursuant to section
3274 1153(c)(1) of the Universal Paid Leave Implementation Fund Act of 2016, effective December 3,
3275 2020 (D.C. Law 23-149; D.C. Official Code § 32–551.02(c)(1)), from the Universal Paid Leave
3276 Administration Fund.

3277 “(2) The public education campaign required by paragraph (1) of this subsection
3278 shall include:

3279 “(A) Updated programmatic notices sent electronically to all covered
3280 employers, which shall be distributed to their covered employees;

3281 “(B) At least 3 webinars, of which at least one shall be offered during
3282 evening hours or on the weekend, that are open to the public and that shall be promoted through
3283 multiple methods of communication at least 2 weeks before they occur; and

3284 “(C) Promotional mailers, including postcards, sent to all households with
3285 residents enrolled in the District's Medicaid or Health Care Alliance Program, and other
3286 households as determined by the Mayor.”.

3287 (f) Section 106(j)(1) (D.C. Official Code § 32-541.06(j)(1)) is amended by striking the
3288 final sentence.

3289 Sec. 4063. The Universal Paid Leave Implementation Fund Act of 2016, effective
3290 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01 *et seq.*), is amended as
3291 follows:

3292 (a) Section 1152 (D.C. Official Code § 32-551.01) is amended as follows:

3293 (1) Subsection (l) is amended to read as follows:

3294 “(l) As of December 31, 2021, and as of the last day of each quarter thereafter until full
3295 implementation of the paid-leave benefit expansions and any employer contribution rate change
3296 set forth in section 104a(c) of the Act, the Chief Financial Officer shall compare its estimated
3297 costs of each type of paid-leave benefit with the actual cost of such leave during the most
3298 recently completed calendar quarter. If, on the basis of such comparison, the estimated cost of
3299 any type of paid-leave benefit was 3 or more times greater than the actual cost of such leave,
3300 then the Chief Financial Officer shall promptly deliver a letter to the Council disclosing the
3301 extent to which costs were overestimated, whether funds are sufficient to implement all or any
3302 portion of the paid-leave benefit expansions and the employer contribution rate change in the
3303 order set forth in section 104a(c) of the Act, and the earliest point at which the benefits could be
3304 expanded or the employer contribution rate could be reduced.”.

3305 (2) A new subsection (n) is added to read as follows:

3306 “(n) The cost of the benefits authorized under the Act shall be payable solely from the
3307 Fund. Nothing contained in the Act or this act shall be construed to create an obligation on the
3308 part of the District to pay benefits from any source other than the Fund.”.

3309 (b) Section 1153(c)(1) (D.C. Official Code Sec. § 32-551.02(c)(1)) is amended by
3310 striking the phrase “and of those public education funds, at least \$500,000 shall be used to fund
3311 the Workplace Leave Navigators Program established pursuant to section 2093 of the Workplace
3312 Leave Navigators Program Establishment Amendment Act of 2020, passed on 2nd reading on
3313 July 28, 2020 (Enrolled version of Bill 23-760)”.

3314 Sec. 4064. The District of Columbia Family and Medical Leave Act of 1990, effective
3315 October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501(1)(A)), is amended as follows:

3316 (a) Section 2(1)(A) (D.C. Official Code § 32-501(1)(A)) is amended to read as follows:

3317 “(A) For leave provided under sections 3 or 4, an individual who has:

3318 “(i) Been employed by the same employer for at least 12
3319 consecutive or non-consecutive months, inclusive of holiday, sick, or personal leave granted by
3320 the employer as part of its regular benefits whether such leave was paid or unpaid, in the 7 years
3321 immediately preceding the date on which the period of family or medical leave is to commence;
3322 and

3323 “(ii) Worked at least 1,000 hours for the employer during the 12-
3324 month period referenced in sub-subparagraph (i) of this paragraph preceding the date on which
3325 the period of family or medical leave is to commence.”.

3326 (b) Section 11(b) (D.C. Official Code § 32-510(b)) is amended by striking the period and
3327 inserting the phrase “, except that this limitations period shall toll while a claim is pending
3328 administrative review under section 10(b).” in its place.

3329 Sec. 4065. The Workplace Leave Navigators Program Establishment Amendment Act of
3330 2020, effective Dec. 3, 2020 (D.C. Law 23-149; D.C. Official Code § 32-561.01 *et seq.*), is
3331 repealed.

Sec. 4066. Title I of the Fiscal Year 2017 Budget Support Act of 2016, effective Oct. 8, 2016 (D.C. Law 21-160; 63 DCR 10775), is amended by striking the subtitle heading “SUBTITLE P. UNIVERSAL PAID LEAVE IMPLEMENTATION FUND” and inserting the subtitle heading “SUBTITLE P. UNIVERSAL PAID LEAVE FUND” in its place.

SUBTITLE H. STUDENT ACTIVITY FUND

Sec. 4071. Short title.

This subtitle may be cited as the “Student Activity Fund Theatrical and Music Performance Expenditures Act of 2021”.

Sec. 4072. Use of Student Activity Funds for theatrical and music performances.

(a) Expenditures on school-administered theatrical and music performances, including stipends for non-District of Columbia Public Schools (“DCPS”) employees, but excluding stipends for DCPS employees, shall be an allowable expenditure from a DCPS school’s Student Activity Fund.

(b) For the purposes of this act, the term “theatrical and music performances” means the planning, rehearsal, or presentation of a musical, staged play, choral production, orchestral or band concert, variety show, improvised or sketch comedy performance, or other live performance.

SUBTITLE I. UDC HEI QUALIFIED APPLICANTS

Sec. 4081. Short title.

This subtitle may be cited as the “UDC HEI Qualified Applicants Expansion Amendment Act of 2021”.

3354 Sec. 4082. Section 402(b) of the “Pre-k Enhancement and Expansion Amendment Act of
3355 2008, effective July 18, 2008 (D.C. Law 17-202, D.C. Code § 38-274.02(b)), is amended to read
3356 as follows:

3357 “(b)(1) A qualified applicant shall be a high school graduate enrolled in a post-secondary
3358 institution receiving funding pursuant to Title IV of this Act in an effort to pursue an Associate
3359 degree in education or early childhood education or a Bachelor of Arts degree in education,
3360 human development, or early childhood education.

3361 “(2) A preference shall be given to individuals who:

3362 “(A) Are domiciled in the District;

3363 “(B)(i) Work in a bilingual childhood development facility in the District
3364 that is licensed by the Office of the State Superintendent of Education; and

3365 “(ii) Are required to obtain an Associate degree or Bachelor’s
3366 degree pursuant to sections 164 through 171 of Title 5-A of the District of Columbia Municipal
3367 Regulations (5-A DCMR §§ 164-171);

3368 “(C) Graduated from a District of Columbia Public Schools high school or
3369 District public charter high school; or

3370 “(D) Commit to be domiciled in the District within 180 days of accepting a
3371 scholarship.”.

3372 **SUBTITLE J. IT COMMUNITY TRAINING AND ADVISORY BOARD**
3373 **ESTABLISHMENT**

3374 Sec. 4091. Short title.

3375 This subtitle may be cited as the “IT Community Training and Advisory Board
3376 Establishment Act of 2021”.

3377 Sec. 4092. Definitions.

3378 For the purposes of this subtitle:

3379 (1) “Community training provider” means an entity in the District that has
3380 received an IT training grant awarded pursuant to section 4097.

3381 (2) “Dual-enrollment” means enrollment at both a WIC-approved community-
3382 based IT training program and UDC-CC or WDLL.

3383 (3) “IT” means information technology.

3384 (4) “IT Board” means the Information Technology Occupational Advisory Board.

3385 (5) “IT training” means occupational skills training that leads to an industry-
3386 recognized credential for IT jobs in any sector.

3387 (6) “Program” means the Information Technology Investment Program
3388 established pursuant to section 4093 of this subtitle.

3389 (7) “Program participant” means a District resident who is enrolled in Program
3390 training and receiving Program assistance authorized pursuant to section 4093.

3391 (8) “Program training” means any of the following, collectively or independently,
3392 as determined by context:

3393 (A) Credit-bearing courses at UDC-CC that may be applied toward a
3394 UDC-CC degree;

3395 (B) WDLL courses; or

3396 (C) IT training through a community training provider.

3397 (9) “Program training providers” means UDC-CC and WDLL, to the extent those
3398 entities are engaged in providing Program training, and community training providers.

3399 (10) “Public health emergency” means the Coronavirus (COVID-19) public
3400 health emergency declared pursuant to Mayor’s Order 2020-046, on March 11, 2020, and all
3401 subsequent extensions.

3402 (11) “Satisfactory academic progress” means maintaining an academic standing
3403 consistent with the requirements for program completion, as determined by the Program training
3404 provider.

3405 (12) “UDC” means the University of the District of Columbia.

3406 (13) “UDC-CC” means the UDC Community College.

3407 (14) “UDC-CC degree” means the Associate of Science degree in Computer
3408 Science, Information Technology, or any of the technology academies offered through the UDC-
3409 CC.

3410 (15) “WDLL” means the UDC-CC Division of Workforce Development and
3411 Lifelong Learning.

3412 (16) “WDLL courses” means Information Technology and Office Administration
3413 Career Pathway courses offered through the WDLL.

3414 (17) “WIC” means the Workforce Investment Council, established pursuant to
3415 section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000
3416 (D.C. Law 12-150; D.C. Official Code § 32-1603).

3417 (18) “WIOA” means the Workforce Innovation and Opportunity Act of 2014,
3418 approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

3419 Sec. 4093. Establishment of the Information Technology Investment Program.

3420 (a) The WIC, in collaboration with UDC, the University of the District of Columbia
3421 Foundation, Inc., and community training providers, shall establish the Information Technology

3422 Investment Program to provide financial assistance to District residents who seek to obtain IT
3423 occupational credentials through Program training and to support District residents in obtaining
3424 IT jobs. The WIC shall be responsible for providing funding for the Program consistent with the
3425 memoranda of understanding required pursuant to section 4096 and the IT training grants
3426 authorized pursuant to section 4097.

3427 (b) The Program shall provide industry-informed, up-to-date IT training and certification
3428 at no cost to eligible District residents, who, under the Program, may receive the following
3429 financial assistance to pursue Program training:

3430 (1) Payment of tuition, to the extent charged;

3431 (2) Payment of academic costs, including the costs of books, supplies, and
3432 membership fees; and

3433 (3) A monthly stipend to be used toward living expenses and transportation for
3434 participants pursuing WDLL courses or IT training through community training providers.

3435 (c) Program training shall be offered at the UDC-CC campus and any WDLL satellite
3436 location and at community training provider sites located in the District, as approved by the
3437 WIC.

3438 (d) Program marketing and public education shall be provided by UDC-CC, WDLL, and
3439 community training providers to attract District residents to the Program and for the duration of
3440 the Program.

3441 Sec. 4094. Conditions of Program eligibility.

3442 (a) To be eligible for Program assistance to pursue a UDC-CC degree, an individual
3443 shall:

3444 (1) Meet the relevant enrollment requirements for a UDC-CC degree;

- 3445 (2) Be a resident of the District;
- 3446 (3) Have a stated interest in working in IT occupations;
- 3447 (4) Have not already completed an associate degree in IT or a bachelor's degree at
- 3448 an institution of higher education; and
- 3449 (5)(A) Have experienced unemployment or significant loss of income due to the
- 3450 public health emergency; or
- 3451 (B) Have multiple barriers to employment, as determined by the WIC.
- 3452
- 3453 (b) To be eligible for Program assistance to pursue WDLL courses, an individual shall:
- 3454 (1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4),
- 3455 and (5) of this section; and
- 3456 (2) Meet the enrollment requirements for WDLL courses.
- 3457 (c) To be eligible for Program assistance to pursue IT training through a community
- 3458 training provider, an individual shall:
- 3459 (1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4),
- 3460 and (5) of this section; and
- 3461 (2) Meet the enrollment requirements of the community training provider.
- 3462 (d) Program training providers shall select Program participants according to the terms of
- 3463 the applicable memorandum of understanding or grant agreement with the WIC.
- 3464 Sec. 4095. Program participation.
- 3465 (a) To maintain eligibility for Program assistance, an individual shall:
- 3466 (1) Maintain satisfactory academic progress;
- 3467 (2) Be a resident of the District throughout enrollment in Program training; and

3468 (3) Meet any other requirements determined by the WIC to be necessary or
3469 appropriate for Program participation.

3470 (b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor
3471 to remain a District resident for 6 months for each Program training course the participant
3472 completes.

3473 (2) The WIC shall establish requirements and procedures to administer this
3474 subsection.

3475 Sec. 4096. Memoranda of Understanding.

3476 (a)(1) No later than November 1, 2021, and by November 1 annually thereafter, the WIC
3477 shall execute Memoranda of Understanding (“MOUs”) with UDC and the University of the
3478 District of Columbia Foundation, Inc. (“Foundation”) for the purpose of implementing the
3479 Program through UDC-CC, including WDLL, and authorizing the intradistrict transfer of funds
3480 in accordance with the terms of this subsection.

3481 (2) The MOU with UDC shall, among other things, include funding from the WIC
3482 to support the following purposes in amounts to be determined by the parties:

3483 (A) Tuition, required fees, equipment, supplies, tools, and memberships
3484 for Program participants who are full-time or part-time students enrolled at UDC-CC to obtain a
3485 UDC-CC degree;

3486 (B) Required academic fees, equipment, supplies, tools, and membership
3487 fees for Program participants who are students enrolled in WDLL courses, and the salaries and
3488 fringe benefits of faculty and staff directly engaged in the provision of such courses;

3489 (C) Reasonable costs of facilities and equipment upgrades necessary to
3490 provide Program training offered through UDC-CC, including WDLL;

3491 (D) Marketing and recruitment activities to attract District

3492 residents to the Program; and

3493 (E) Development of dual enrollment guidance and policies for the

3494 expansion of dual-enrollment programs.

3495 (3) The MOU with the University shall, among other things, include funding from

3496 the WIC to provide Program participants enrolled in WDLL courses monthly stipends to defray

3497 living expenses in amounts to be determined by the parties. The University will disperse the

3498 stipends in a timely manner and apply criteria for providing stipends, which may include

3499 amounts for the following:

3500 (A) Fees associated with occupational licensing exams;

3501 (B) Reasonable transportation costs to and from classes; and

3502 (C) Any other expenses deemed appropriate by the WIC.

3503 Sec. 4097. Establishment of IT training grants.

3504 (a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000,

3505 effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than

3506 January 31, 2022, and by November 1 annually thereafter, the WIC shall issue IT training grants

3507 (“grants”) to eligible providers of IT training in the District.

3508 (b) Grant recipients shall use funds received pursuant to this section to support the

3509 salaries and fringe benefits of faculty and staff engaged in the provision of IT training and to

3510 provide Program participants the financial assistance outlined in section 4093(b).

3511 (c) Subject to availability of funds, the WIC shall award grants totaling not less than

3512 \$1,875,000 per year with the option of one additional year based on performance results from

3513 previous years.

3514 (d) To be eligible for a grant, an applicant shall:

3515 (1) Be licensed by the Higher Education Licensure Commission as a

3516 postsecondary institution, degree or non-degree seeking.

3517 (2) Demonstrate that its IT training participants consistently and successfully

3518 attain the following benchmarks:

3519 (A) Completion of IT training;

3520 (B) Attainment of an IT occupational credential;

3521 (C) Obtainment of unsubsidized employment in an IT occupation; and

3522 (D) Retention of employment in an IT occupation for 6 months or longer.

3523 (e) The WIC may give preference to grant applicants utilizing integrated education and

3524 training, as defined by 34 C.F.R. § 463.35.

3525 Sec. 4098. Program performance and reporting.

3526 (a) At the termination of each semester, UDC shall furnish to the WIC a statement of:

3527 (1) The disaggregated number of Program participants by course who, during that

3528 semester, participated in one or more Program training courses;

3529 (2) The total number of Program training course enrollments attributable to the

3530 Program participants identified pursuant to paragraph (1) of this section;

3531 (3) The disaggregated number of Program participants included in the response to

3532 paragraph (1) of this section who successfully completed each Program training course, who

3533 dropped out, or who otherwise did not complete a Program training course in which the Program

3534 participant had enrolled;

3535 (4) The disaggregated number, by occupational credential, of Program

3536 participants who successfully secured an IT occupational credential; and

3537 (5) The total number of Program participants who successfully secured
3538 employment in an IT occupation and the average starting wage.

3539 (b) At the end of each fiscal year, the University shall furnish to the WIC a written
3540 accounting, for the previous year, of monthly stipends dispersed, the number of Program
3541 participants who received monthly stipends, the average amount of stipend per Program
3542 participant, and the approved purposes for the monthly stipends.

3543 (c) At the middle and end of each grant award cycle, a community training provider shall
3544 furnish to the WIC a report on the number of Program participants achieving the targets
3545 identified by the IT Advisory Report outlined in section 4101(a)(4).

3546 (d) The WIC shall:

3547 (1) Use common performance measures outlined in section 116 of WIOA (128
3548 Stat. 1471; 29 U.S.C. § 3142), to track the performance of Program training providers; and

3549 (2) Report on the performance of the Program as required by section 102 of the
3550 Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018
3551 (D.C. Law 22-95; D.C. Official Code § 32-1622).

3552 (e) Beginning no later than September 30, 2022, and by September 30 annually
3553 thereafter, the WIC shall furnish to the Mayor and the Council of the District of Columbia copies
3554 of the IT Advisory Report issued pursuant to section 4101 and a report, which shall include;

3555 (1) Reporting on the attainment of the target performance outcomes established
3556 pursuant to section 4101(d);

3557 (2) A narrative analysis on the effectiveness of the Program at increasing the
3558 number of District residents in IT occupations; and

3559 (3) Recommendations on the expansion or extension of the Program beyond the
3560 terms of this subtitle, including any additional budgetary needs.

3561 Sec. 4099. Program funding.

3562 The WIC shall make best efforts to use federal WIOA Title I Adult and Dislocated
3563 Worker funds to supplement funds appropriated for the purposes of implementing this subtitle.

3564 Sec. 4100. Establishment of the Information Technology Occupational Advisory Board.

3565 (a) The WIC shall establish an Information Technology Occupational Advisory Board,
3566 which shall work to advise UDC-CC, WDLL, and community training providers on their IT
3567 training courses to ensure a high quality of training, to maximize the employability of graduates
3568 of IT training course offerings, and to meet the IT staffing needs of employers in the District.

3569 (b) After researching and analyzing existing IT occupational advisory boards in the
3570 District and the metropolitan region, the WIC shall determine the structure and membership of
3571 its IT Board. The WIC may use a third-party to conduct the research and analysis and to make
3572 recommendations on the structure and membership of the IT Board.

3573 (c) No later than March 1, 2022, the WIC's Executive Director shall provide to the WIC a
3574 recommendation on an IT Board structure, membership composition, membership selection
3575 process, and board duties.

3576 (d) The WIC shall approve, deny, or amend the recommendation described in subsection
3577 (c) of this section by vote.

3578 (e) The first meeting of the WIC-approved IT Board shall occur no later than July 1,
3579 2022.

3580 Sec. 4101. IT Advisory Report.

3581 No later than September 30, 2022, the WIC shall submit to the Mayor, Council, UDC-
3582 CC, WDLL, and community training providers, an IT Advisory Report, which shall contain the
3583 following:

3584 (a) The number of District residents needed to meet hiring demands of District employers
3585 hiring for IT occupation jobs;

3586 (b) The occupational credentials less than a bachelor’s degree needed for District
3587 residents to be eligible for employment in IT occupations;

3588 (c) The necessary hard and soft skills needed to succeed in IT occupations;

3589 (d) Target performance outcomes for Program training providers to achieve pertaining to
3590 recruitment, enrollment, course or degree completion, credential attainment, employment,
3591 average starting wage, and retention of employment at 6 months and one year; and

3592 (e) Recommendations for Program training providers on the following:

3593 (1) New or additional IT courses that Program training providers should offer;

3594 (2) Existing IT course offerings that Program training providers should expand;

3595 (3) IT course content adjustments that could be made to align courses with skills
3596 needed on the job in IT occupations;

3597 (4) Equipment and facilities upgrades necessary for relevant IT education and IT
3598 training to achieve the recommendations in subparagraphs (A), (B), and (C) of this paragraph;
3599 and

3600 (5) Any other information deemed appropriate by the IT Board.

3601 Sec. 4102. Sunset.

3602 This subtitle shall expire on September 30, 2024.

3603 **SUBTITLE K. NURSE EDUCATION ENHANCEMENT**

3604 Sec. 4111. Short title.

3605 This subtitle may be cited as the “DC Nurse Education Enhancement Program
3606 Amendment Act of 2021”.

3607 Sec. 4112. Definitions.

3608 For the purposes of this subtitle:

3609 (1) “BON” means the Board of Nursing established pursuant section 204 of the
3610 District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C.
3611 Law 6-99; D.C. Official Code § 3-1202.04).

3612 (2) “CNA” means a Certified Nursing Aide.

3613 (3) “Community training provider” means an entity that has been approved by the
3614 BON to provide training to individuals to attain certification as a CNA, HHA, or MA-C.

3615 (4) “Direct care worker” means an individual who is certified as a CNA, HHA, or
3616 MA-C.

3617 (5) “Direct care worker training grant” means a grant issued pursuant to section
3618 4117.

3619 (6) “Direct care worker training grantee” means a community training provider
3620 that has received a direct care worker training grant.

3621 (7) “Dual-enrollment” means enrollment in both a BON-approved training
3622 program and the University.

3623 (8) “Healthcare Workforce Partnership” means the entity established pursuant to
3624 section 2075 of the Healthcare Workforce Partnership Act of 2020, effective December 3, 2020
3625 (D.C. Law 23-149; D.C. Official Code § 32-1684).

- 3626 (9) “HHA” means Home Health Aide.
- 3627 (10) “LPN to AASN degree” means a Licensed Practical Nurse to Associate in
3628 Applied Science in Nursing degree.
- 3629 (11) “MA-C” means Medication Aide Certified.
- 3630 (12) “Nursing care occupation” means an occupation that requires a worker to be
3631 certified as a CNA, HHA, MA-C, LPN, or RN.
- 3632 (13) “Program” means the DC Nurse Education Enhancement Program
3633 established pursuant to this subtitle.
- 3634 (14) “Program participant” means a District resident who is enrolled in Program
3635 training and receiving Program assistance authorized pursuant to section 4113.
- 3636 (15) “Program training” means any of the following, collectively or
3637 independently, as determined by context:
- 3638 “(A) Credit-bearing courses at UDC that may be applied toward an RN to
3639 BSN degree;
- 3640 “(B) Credit-bearing courses at UDC-CC that may be applied toward an
3641 LPN to AASN degree;
- 3642 “(C) WDLL courses; or
- 3643 “(D) Training to obtain a certification as a CNA, HHA, or MA-C, or a
3644 CNA to HHA bridge program, through a community training provider.
- 3645 (16) “RN to BSN degree” means a Registered Nurse to Bachelor of Science in
3646 Nursing degree.

3647 (17) “Satisfactory academic progress” means maintaining an academic standing
3648 consistent with the requirements for program completion, as determined by the Program training
3649 provider.

3650 (18) “UDC” means the University of the District of Columbia.

3651 (19) “UDC-CC” means the University of the District of Columbia Community
3652 College.

3653 (20) “University” means, collectively, UDC, UDC-CC, and WDLL.

3654 (21) “WDLL” means the UDC-CC Division of Workforce Development and
3655 Lifelong Learning.

3656 (22) “WDLL courses” means courses offered through WDLL’s Healthcare Direct
3657 Career Pathway Nursing Assistant program.

3658 (23) “WIC” means the Workforce Investment Council, established pursuant to
3659 section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000
3660 (D.C. Law 12-150; D.C. Official Code § 32-1603).

3661 (24) “WIOA” means the Workforce Innovation and Opportunity Act of 2014,
3662 approved July 22, 2014 (128 Stat. 1425; 29 U.S.C § 3101 *et seq.*).

3663 Sec. 4113. Establishment of the Nurse Education Enhancement Program.

3664 (a) The WIC shall establish, in collaboration with the University, the University of the
3665 District of Columbia Foundation, Inc., and direct care worker training grantees, the DC Nurse
3666 Education Enhancement Program for the purpose of training District residents to obtain an
3667 occupational credential and employment in nursing care occupations. The WIC shall be
3668 responsible for providing funding for the Program consistent with the memoranda of

3669 understanding executed pursuant to section 4116 and the direct care worker training grants
3670 authorized pursuant to section 4117.

3671 (b) The Program shall provide industry-informed, BON-approved training that leads to
3672 certifications required for nursing care occupations at no cost to eligible District residents, who,
3673 under the Program, may receive the following financial assistance to pursue Program training:

3674 (1) Payment of tuition, to the extent charged;

3675 (2) Payment of academic costs, including books, supplies, and membership fees;

3676 and

3677 (3) A monthly stipend to be used toward living expenses and transportation for
3678 Program participants pursuing WDLL courses or certification as a CNA, HHA, MA-C, or a CNA
3679 to HHA bridge program, through a direct care worker training grantee.

3680 (c) Program training shall be offered at the University's campuses and satellite locations
3681 and at community training provider sites located in the District.

3682 (d) Program training shall be approved by the BON.

3683 (e) Program marketing and public education shall be provided by the University and
3684 community training providers to attract residents to the Program and for the duration of the
3685 Program.

3686 (f) The University shall review the recommendations and implement relevant sections of
3687 the Healthcare Occupations Report developed by the Healthcare Workforce Partnership pursuant
3688 to section 2175(e) of the Healthcare Workforce Partnership Act of 2020, effective December 3,
3689 2020 (D.C. Law 23-149; D.C. Official Code §32-1684(e)), to maintain and enhance course
3690 offerings to meet the workforce needs of nursing care occupations in the District.

3691 Sec. 4114. Conditions of Program eligibility.

3692 (a) To be eligible for Program assistance while pursuing an RN to BSN degree through
3693 UDC, an individual shall:

- 3694 (1) Have met the enrollment requirements of UDC;
3695 (2) Be a resident of the District;
3696 (3) Have a stated interest in employment in a nursing care occupation;
3697 (4) Have not already completed a bachelor's degree at an institution of higher
3698 education;
3699 (5) Have previously obtained a credential as a CNA, HHA, or LPN; and
3700 (6) Have been employed in the District for a minimum of 2 years as a CNA,
3701 HHA, or LPN with a healthcare employer.

3702 (b) To be eligible for Program assistance while pursuing an AASN degree through UDC-
3703 CC, an individual shall:

- 3704 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;
3705 (2) Meet the enrollment requirements of UDC-CC;
3706 (3) Have previously obtained a credential as a CNA, HHA, or MA-C; and
3707 (4) Have been employed in the District for a minimum of 2 years as a CNA,
3708 HHA, or MA-C with a healthcare employer.

3709 (c) To be eligible for Program assistance while pursuing certification as a CNA through
3710 WDLL, an individual shall:

- 3711 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;
3712 and
3713 (2) Meet the enrollment requirements of WDLL;

3714 (d) To be eligible for Program assistance while pursuing a certification as a CNA, HHA,
3715 MA-C, or while pursuing a CNA to HHA bridge program, through a direct care worker training
3716 grantee, an individual shall:

3717 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

3718 and;

3719 (2) Meet the enrollment requirements of the community training provider.

3720 (e) The University and direct care worker training grantees shall select Program
3721 participants according to the terms of the applicable memorandum of understanding or grant
3722 agreement with the WIC.

3723 Sec. 4115. Program participation.

3724 (a) To maintain eligibility for Program assistance, an individual shall:

3725 (1) Maintain satisfactory academic progress, as determined by the University or
3726 the direct care worker training grantee;

3727 (2) Be a resident of the District throughout participation in Program training; and

3728 (3) Meet any other requirements determined by the WIC to be necessary or
3729 appropriate.

3730 (b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor
3731 to remain a District resident for 6 months for each Program training course the participant
3732 completes.

3733 (2) The WIC shall establish requirements and procedures to implement this
3734 subsection.

3735 Sec. 4116. Memoranda of Understanding.

3736 (a)(1) No later than November 1, 2021, and by November 1 annually thereafter, the WIC
3737 shall execute Memoranda of Understanding ("MOUs") with the University and the University of
3738 the District of Columbia Foundation, Inc. ("Foundation") for the purpose of implementing the
3739 Program at the University and authorizing the intradistrict transfer of funds in accordance with
3740 the terms of this subsection.

3741 (2) The MOU with the University shall, among other things, include funding from
3742 the WIC to support the following purposes in amounts to be determined by the parties:

3743 (A) Tuition, required fees, equipment, supplies, tools, and memberships
3744 for Program participants who are full-time or part-time students at UDC and UDC-CC seeking to
3745 obtain an RN to BSN degree or an LPN to AASN degree; provided, that the BON has approved
3746 such degree paths by the date of execution of the MOU; provided further, that the parties may
3747 modify the MOU to incorporate funding for BON-approved degree paths following BON
3748 approval.

3749 (B) Required academic fees, equipment, supplies, tools, certification exam
3750 preparation fees, and memberships for Program participants who are students enrolled in WDLL
3751 courses, and the salaries and fringe benefits of faculty and staff directly engaged in the provision
3752 of such courses;

3753 (C) Reasonable costs of facilities and equipment upgrades necessary for
3754 providing Program training through UDC-CC, including WDLL;

3755 (D) Marketing and recruitment activities to attract District residents to the
3756 Program; and

3757 (E) Development of dual enrollment guidance and policy for the
3758 expansion of dual-enrollment programs.

3759 (3) The MOU with the Foundation shall, among other things, include funding
3760 from the WIC to provide Program participants enrolled in WDLL courses monthly stipends to
3761 defray living expenses in amounts to be determined by the parties, and may include amounts for
3762 the following:

3763 (A) Fees associated with occupational licensing exams;

3764 (B) Reasonable transportation costs to and from classes; and

3765 (C) Any other expenses deemed appropriate by the WIC.

3766 Sec. 4117. Establishment of direct care worker training grants.

3767 (a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000,
3768 effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than
3769 January 31, 2022, and by November 1 annually thereafter, the WIC shall issue direct care worker
3770 training grants (“grants”) to community training providers according to this section.

3771 (b) Grant recipients shall use funds received pursuant to this section to support the
3772 salaries and fringe benefits of faculty and staff engaged in training Program participants to
3773 become direct care workers and to provide Program participants the financial assistance outlined
3774 in section 4113(b).

3775 (c) Subject to availability of funds, the WIC shall award grants totaling not less than
3776 \$900,000 per year with the option of 2 additional years based on performance results from
3777 previous years.

3778 (d) To be eligible for a grant, an applicant shall:

3779 (1) Be located in the District;

3780 (2) Be a community training provider; and

3781 (3) Demonstrate that its training participants consistently and successfully attain
3782 the following benchmarks:

3783 (A) Completion of direct care worker training;

3784 (B) Direct care worker credential attainment;

3785 (C) Obtainment of unsubsidized employment as a direct care worker in the
3786 occupation of training; and

3787 (D) Retention of employment as a direct care worker in the occupation of
3788 training for 6 months or longer.

3789 (e) The WIC may give preference to grant applicants utilizing integrated education and
3790 training, as defined by 34 C.F.R. § 463.35.

3791 Section 4118. Program performance and reporting.

3792 (a) At the termination of each semester, the University shall furnish to the WIC a
3793 statement of:

3794 (1) The disaggregated number of Program participants by course who, during that
3795 semester, participated in each Program course;

3796 (2) The total number of Program training course enrollments attributable to the
3797 Program participants identified pursuant to paragraph (1) of this subsection;

3798 (3) The disaggregated number of Program participants included in the response to
3799 paragraph (1) of this subsection who successfully completed each Program training course, who
3800 dropped out, or who otherwise did not complete the Program training course in which the
3801 program participant had enrolled;

3802 (4) The disaggregated number, by occupational credential, of Program
3803 participants who successfully secured a nursing care occupation credential; and

3804 (5) The total number of Program participants who successfully secured
3805 employment in a nursing care occupation and average starting wage.

3806 (b) At the end of each fiscal year, the University shall furnish to the WIC a written
3807 accounting, for the previous year, of the monthly stipends dispersed, number of Program
3808 participants who received monthly stipends, average amount of stipend per Program participant,
3809 and the approved purposes for the monthly stipends.

3810 (c) At the middle and end of the grant award cycle, each direct care worker training
3811 grantee shall furnish to the WIC a report on Program participant outcomes pertaining to
3812 recruitment, enrollment, completion, credential attainment, employment average starting wage,
3813 and retention of employment at 6 months and one year.

3814 (d) The WIC shall:

3815 (1) Use common performance measures outlined in section 116 of WIOA (128
3816 Stat. 1471; 29 U.S.C. § 3142), to track the performance of the Program training providers; and

3817 (2) Report on the performance of the Program as required by section 102 of the
3818 Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018
3819 (D.C. Law 22-95; D.C. Official Code § 32-1622).

3820 (3) No later than September 30, 2022 and by September 30 annually thereafter,
3821 furnish a report to the Mayor and the Council of the District of Columbia, which shall include:

3822 (A) The data received pursuant subsections (a), (b), and (c) of this section;

3823 (B) A narrative analysis on the effectiveness of the Program at increasing
3824 the number of District residents in nursing care occupations; and

3825 (C) Recommendations on the expansion or extension of the Program
3826 beyond the terms of this subtitle, including any additional budgetary needs.

3827 Sec. 4119. Program funding.

3828 The WIC shall make best efforts to use federal WIOA Title I Adult and Dislocated
3829 Worker funds to supplement funds appropriated for the purposes of implementing this subtitle.

3830 Sec. 4120. The Healthcare Workforce Partnership Act of 2020, effective December 3,
3831 2020 (D.C. Law 23-149, D.C. Official Code § 32-1681 *et seq.*), is amended as follows:

3832 (a) Section 2172(c) (D.C. Official Code § 32-1682(c)) is amended as follows:

3833 (1) Paragraph (2) is amended by striking the phrase “; and” and inserting a
3834 semicolon in its place.

3835 (2) A new paragraph (2A) is added to read as follows:

3836 “(2A) Submit to the Partnership for feedback the proposed statement of work for
3837 the direct care worker training grant outlined in section 4117 of the DC Nurse Education
3838 Enhancement Program Amendment Act of 2021, approved by the Committee of the Whole on
3839 July 20, 2021 (Committee print of Bill 24-285); and”.

3840 (b) Section 2175(b)(3) (D.C. Official Code § 32-1684) is amended as follows:

3841 (1) Subparagraph (D) is amended by striking the phrase “; and” and inserting a
3842 semicolon in its place.

3843 (2) Subparagraph (E) is amended by striking the period and inserting the phrase “;
3844 and” in its place.

3845 (3) A new subparagraph (F) is added to read as follows:

3846 “(F) At least one representative from an employer of workers who are
3847 certified nursing aides, certified home health aides, or medication aide certified, including
3848 licensed home health agencies, assisted living residences, adult day health programs, nursing
3849 facilities, and long-term direct healthcare providers.”.

3850 Sec. 4121. The Nurses Training Corps Establishment Act of 1987, effective October 9,
3851 1987 (D.C. Law 7-32, D.C. Official Code § 38-1501 *et seq.*), is repealed.

3852 Sec. 4122. Sunset.

3853 Sections 4112 through 4120 shall expire on September 30, 2024.

3854 **SUBTITLE L. SCHOOL YEAR INTERNSHIP PROGRAM**

3855 Sec. 4131. Short title.

3856 This subtitle may be cited as the “School Year Internship Program Amendment Act of
3857 2021”.

3858 Sec. 4132. Section (a)(2A) of the Youth Employment Act of 1979, effective January 5,
3859 1980 (D.C. Law 3-46; D.C. Official Code § 32-242(a)(2A)), is amended as follows:

3860 (a) The lead-in language is amended by striking the word “pilot” and inserting the word
3861 “program” in its place.

3862 (b) Subparagraph (A) is amended to read as follows:

3863 “(A) A program called the School Year Internship Program (“Program”) for
3864 a minimum of 350 District high school students, each year, to provide work-based learning
3865 opportunities during the school year.”.

3866 (c) Subparagraph (C) is amended to read as follows:

3867 “(C) DOES shall notify students of their placement with an internship host
3868 by January 5, 2022, and September 15 of each subsequent year.”.

3869 (d) Subparagraph (D) is amended to read as follows:

3870 “(D) Interns shall remain matched with their internship host between the
3871 first week of October and the last day of May; provided, that for Fiscal Year 2022, internships may
3872 begin as late as the second week in January 2022.”.

(e) Subparagraph (F)(ii) is amended by striking the phrase “December 1, 2020.” and inserting the phrase “December 1, 2021, and July 1 of each subsequent year.” in its place.

SUBTITLE M. JOBS FIRST DC PILOT PROGRAM ESTABLISHMENT

Sec. 4141. Short title.

This subtitle may be cited as the "Jobs First DC Pilot Program Establishment Act of 2021".

Sec. 4142. Definitions.

For the purposes of this subtitle:

(1) “Digital literacy” means fluency in the use and security of interactive digital tools and searchable networks including the ability to use digital tools safely and effectively for learning, collaborating, and producing.

(2) “DOES” means the District Department of Employment Services.

(3) “Employment retention support” means activities delivered to participants after securing employment that are aimed at assisting participants in maintaining employment with the same employer.

(4) “Grant” means the Program funds authorized to be issued pursuant to section 4144.

(5) “Grantee” means an organization in receipt of a grant issued pursuant to section 4144.

(6) “Participant” means an individual selected by a grantee, pursuant to section 4144, to participate in the Program.

(7) “Program” means the Jobs First DC Pilot Program established pursuant to section 4143.

(8) “Supportive services” shall have the same meaning as provided in 20 CFR § 651.10

3895 (9) “WIOA” means the Workforce Innovation and Opportunity Act of 2014, approved
3896 July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

3897 Sec. 4143. Establishment of the Jobs First DC Pilot Program.

3898 (a) There is established a Jobs First DC Pilot Program for the purpose of issuing grants to
3899 assist in the placement of at least 300 District residents in unsubsidized permanent employment
3900 and to fund 12 months of job retention support.

3901 (b) The Program shall provide participants the following assistance:

3902 (1) Assessment and evaluation of their job history, skills, and education;

3903 (2) Information and referral to support services, as defined by 20 CFR § 651.10;

3904 (3) Career services described in section 134(c)(2) of WIOA (128 Stat. 1520; 29
3905 U.S.C. § 3174(c)(2));

3906 (4) Resume development;

3907 (5) Employment-readiness skills development;

3908 (6) Interview preparation;

3909 (7) Job search and application submission;

3910 (8) Job referrals as described in 20 CFR § 651.10, to unsubsidized permanent
3911 employment opportunities;

3912 (9) Job interview follow-up and feedback;

3913 (10) Employment orientation paperwork completion;

3914 (11) Professional networking coaching; and

3915 (12) 12 months of employment retention support.

3916 (c) The Program may provide participants the following assistance:

3917 (1) Digital literacy skills development;

3918 (2) Review of credit scores and creation of a plan to improve a participant’s credit
3919 score; and

3920 (3) Review of criminal history records and creation of a plan to ameliorate the
3921 effects of or correct a participant’s criminal record.

3922 Sec. 4144. Establishment of Jobs First DC grants.

3923 (a) Beginning no later than December 15, 2021, DOES shall award a minimum of 2
3924 grants, each not less than \$250,000 per year for a minimum of 2 years, subject to the availability
3925 of funds, to provide job placement and employment retention support for District residents.

3926 (b) To be eligible for a grant, an applicant shall:

3927 (1) Be located in the District;

3928 (2) Be a nonprofit organization with a 501(c)(3) status, as determined by the
3929 Internal Revenue Service;

3930 (3) Have demonstrated success providing the employment assistance described in
3931 section 4143(b) to individuals with the characteristics described in section 4145(d), as evidenced
3932 by a minimum of a 65% employment placement rate; and

3933 (4) Have demonstrated success providing employment support to individuals for
3934 up to 12 months, as evidenced by a minimum of a 70% employment retention rate.

3935 (c) DOES may give preference to applicants that have partnerships with:

3936 (1) Organizations that provide criminal and credit record review and recovery
3937 support; or

3938 (2) Financial institutions to establish individual development accounts (“IDAs”)
3939 for employed participants, in which the progressive employment retention bonuses outlined in

3940 subsection (d)(3) of this section and other savings may be deposited and matched to help
3941 participants build assets and achieve financial stability.

3942 (d) Grantees shall:

3943 (1) Select Program participants according to the criteria outlined in section 4145.

3944 (2) Provide participants the services outlined in section 4143(b); and

3945 (3) Provide progressive employment retention bonuses totaling up to \$500 for
3946 each participant who meets the following milestones:

3947 (A) At 180 days of employment, a participant shall receive \$250; and

3948 (B) At 365 days of employment, a participant shall receive \$250;

3949 (4) Receive a training outcomes bonus totaling up to \$500 for each participant
3950 who meets the following milestones:

3951 (A) For each participant that remains employed for 180 days, a grantee
3952 shall receive \$250; and

3953 (B) For each participant that remains employed for 365 days, a grantee
3954 shall receive \$250.

3955 (e) Grantees may establish and facilitate a participant alumni group for the purpose of
3956 providing participants access to education and training opportunities and to promote professional
3957 advancement.

3958 Sec. 4145. Participant conditions of eligibility.

3959 To be eligible to participate in the Program, an individual shall:

3960 (a) Be a resident of the District;

3961 (b) Be unemployed at the time of application to the Program;

3962 (c) Be able to engage in regular, full-time employment, as assessed by the
3963 grantee; and

3964 (d) Have one or more of the following barriers to employment:

3965 (1) Lack of consistent work history;

3966 (2) History of a criminal record;

3967 (3) History of substance abuse;

3968 (4) History of mental illness; or

3969 (5) Housing insecurity.

3970 Sec. 4146. Reporting.

3971 (a) Every 6 months, starting from receipt of a grant, a grantee shall furnish to DOES a
3972 report on the following outcomes from the previous 6 months:

3973 (1) The total number of participants placed in employment;

3974 (2) The average starting wage for participants;

3975 (3) The average number of days from official enrollment in the Program to
3976 employment start date;

3977 (4) The total number of participants achieving each progressive employment
3978 milestone outlined in section 4144(d)(3) and the average participant wage at each milestone;

3979 (5) The total sum of progressive employment retention bonuses issued to
3980 participants; and

3981 (6) The total sum of training outcomes bonuses issued to grantees.

3982 (b) Beginning no later than December 15, 2022, and by December 15 annually thereafter,
3983 DOES shall furnish a report to the Mayor and the Council containing the grantee performance
3984 outcomes reported pursuant to subsection (a) of this section.

3985 **SUBTITLE N. WORKPLACE RIGHTS GRANT PROGRAM**

3986 Sec. 4151. This subtitle may be cited as “Workplace Rights Grant Program Amendment
3987 Act of 2021”.

3988 Sec. 4152. Subtitle J of Title II of the Fiscal Year 2020 Budget Support Act of 2019,
3989 effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 32-171.01 *et seq.*), is
3990 amended to read as follows:

3991 “SUBTITLE J. WORKPLACE RIGHTS GRANT PROGRAM

3992 “Sec. 2091. Short title.

3993 “This subtitle may be cited as the “Workplace Rights Grant Program Amendment Act of
3994 2021”.

3995 “Sec. 2092. Definitions.

3996 For the purposes of this subtitle, the term:

3997 “(1) “Activities” means conducting outreach to, providing worker education to, or
3998 providing legal services for eligible individuals related to employment laws.

3999 “(2) “Community-based organization” means a nonprofit organization, including
4000 a legal services provider, headquartered in the District of Columbia whose purpose OAG
4001 determines is aligned with one or more purposes of the Program.

4002 “(3) “Eligible individual” means an individual who works in the District.

4003 “(4) “Employment laws” means workplace leave laws and:

4004 “(A) The Minimum Wage Act Revision Act of 1992, effective March 25,
4005 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*);

4006 “(B) An Act To provide for the payment and collection of wages in the
4007 District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et*
4008 *seq.*);

4009 “(C) The District of Columbia Unemployment Compensation Act,
4010 approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*); and

4011 “(D) Federal laws that relate to or provide similar rights as the laws
4012 identified in subparagraphs (A) through (C) of this paragraph, including the Fair Labor Standards
4013 Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*), and the Family
4014 and Medical Leave Act of 1993, approved February 5, 1993 (107 Stat. 6; 29 U.S.C. § 2611 *et*
4015 *seq.*).

4016 “(5) “Grantee” means a community-based organization in receipt of a Program
4017 grant issued pursuant to section 2093.

4018 “(6) “Legal services” means the provision of legal advice, assistance, or
4019 representation regarding an individual's rights or responsibilities related to a particular matter or
4020 more general matters.

4021 “(7) “Legal services provider” means a nonprofit organization or clinical program
4022 headquartered in the District that provides legal services.

4023 “(8) “Low- or moderate-income eligible individual” means an individual who
4024 works in the District and who earns an hourly wage or salary equivalent to less than 3 times the
4025 District minimum wage or who has a household income that falls at or below 400% of the
4026 federal poverty guidelines issued by the United States Department of Health and Human
4027 Services.

4028 “(9) “OAG” means the Office of the Attorney General for the District of
4029 Columbia.

4030 “(10) “Program” means the Workplace Rights Grant Program established
4031 pursuant to section 2093.

4032 “(11) “Workplace leave laws” means laws that provide for eligible individuals to
4033 take leave from their employment and protect the right to do so, and include the:

4034 “(A) Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008
4035 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*);

4036 “(B) Universal Paid Leave Amendment Act of 2016, effective April 7,
4037 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*);

4038 “(C) District of Columbia Family and Medical Leave Act of 1990,
4039 effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*); and

4040 “(D) Protecting Pregnant Workers Fairness Act of 2014, effective March
4041 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*).

4042 “Sec. 2093. Establishment of Program and issuance of grants.

4043 “(a) There is established the Workplace Rights Grant Program for the purpose of
4044 authorizing OAG to provide grants to community-based organizations to conduct activities with
4045 eligible individuals related to employment laws and to inform the OAG’s work related to
4046 employment laws.

4047 “(b) OAG shall administer the Program by:

4048 “(1) Issuing Program grants to community-based organizations to provide
4049 outreach and worker education; outreach and legal services; or a combination of outreach,
4050 worker education, and legal services.

4051 “(2) Awarding Program grants at least annually, which may include the
4052 continuation or renewal of multi-year grants, to at least 2 qualified community-based
4053 organizations;

4054 “(3) Adopting policies, procedures, guidelines, and requirements for the grants,
4055 including performance measures and target outcomes; and

4056 “(4) Issuing all grants pursuant to the requirements set forth in the Grant
4057 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code
4058 § 1-328.11 *et seq.*).

4059 “(c) OAG may:

4060 “(1) Require that at least 95% of the individuals served by a Program grant in a
4061 grant year be low- or moderate-income eligible individuals or reasonably believed to be low- or
4062 moderate-income eligible individuals; and

4063 “(2) Pay grants on a performance basis or a reimbursable basis.

4064 “(d) Program grants shall:

4065 “(1) Have a duration of at least one year and up to 3 years, subject to the
4066 availability of appropriations and contingent on satisfactory performance by a grantee during the
4067 grant’s first year or, if applicable, the grant’s second year; and

4068 “(2) Be for not less than \$100,000 per year per grant.

4069 Sec. 2094. Grantee eligibility requirements.

4070 “(a)(1) To be eligible for a grant authorized under this subtitle, a community-based
4071 organization shall:

4072 “(A) Demonstrate in its application that it is well qualified to engage in the
4073 types of activities which will be funded, in whole or in part, by the grant;

4074 “(B) Specify in its grant application the planned staff, schedule, format,
4075 and intended audience of the activities it plans to provide and provide a summary of the content
4076 of any worker education that will be carried out during the grant period; and

4077 “(C) Have the capacity to provide free legal services if applying to be a
4078 legal services provider; and

4079 “(D) Include other information as required by OAG.

4080 “(2)(A) In addition to the criteria specified in paragraph (1) of this subsection, to
4081 be eligible for Program grant funds, a community-based organization that is not a legal services
4082 provider shall demonstrate that it possesses at least 3 years’ experience:

4083 “(i) Conducting outreach to and establishing working relationships
4084 with significant numbers of eligible individuals; and

4085 “(ii) Working on or assisting workers to secure rights under
4086 employment laws.

4087 “(B) A community-based organization that does not satisfy the criteria in
4088 subparagraph (A)(i) of this paragraph may receive a Program grant if it applies in partnership
4089 with a community-based organization that meets the requirements of both subparagraph (A)(i)
4090 and (ii) of this paragraph.

4091 “Sec. 2095. Grant uses.

4092 “(a) Grantees may conduct activities:

4093 “(1) Regarding a subset of employment laws; and

4094 “(2) With workers in a single occupational group; provided, that the grant
4095 application demonstrates that such occupational group experiences significant,

4096 disproportionately high, or persistent violations of employment laws or that the occupational
4097 group requires targeted assistance in order to access programs under employment laws.

4098 “(b) Grantees that provide worker education shall provide, to an eligible individual or
4099 group of eligible individuals, information on the rights and responsibilities of accessing benefits
4100 under, recognizing violations of and learning how to prevent or rectify violations of, or learning
4101 how to assist others to take steps to prevent or rectify violations of employment laws.

4102 “Sec. 2096. Transparency and reporting.

4103 “(a) OAG shall annually collect the following information from grantees:

4104 “(1) The number of eligible individuals served by gender, race, ethnicity, primary
4105 language, and age;

4106 “(2) The number of eligible individuals served by state of residence, and for
4107 District residents, by election ward;

4108 “(3) The occupational groups of eligible individuals served and the number of
4109 individuals served in each occupational group;

4110 “(4) A list of the activities provided, with a descriptive summary of each activity;

4111 “(5) The number of eligible individuals served in relation to each employment law
4112 or set of employment laws;

4113 “(6) Performance outcomes; and

4114 “(7) An evaluation of implementation challenges and recommendations for future
4115 improvements.

4116 “(b) OAG shall annually provide to the Council a report that includes:

4117 “(1) A list of grantees and the amount of grant funding provided to each;

4118 “(2) For each grantee, the information provided to OAG pursuant to subsection
4119 (a) of this section; and

4120 “(3) An overall evaluation of the Program, including implementation challenges
4121 and recommendations for future improvements.

4122 “(c) OAG may not require grantees to release to OAG any personally identifying
4123 information in connection with the preparation or provision of the reports described in this
4124 section.”.

4125 Sec. 4153. The Attorney General for the District of Columbia Clarification and Elected
4126 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code §
4127 1-301.81 *et seq.*), is amended as follows:

4128 (a) Section 106b(c)(1)(B) (D.C. Official Code § 1–301.86b(c)(1)(B)) is amended by
4129 striking the phrase “provided in section 108c(a)” and inserting the phrase “provided in sections
4130 108c(a) and 108d(a)” in its place.

4131 (b) A new section 108d is added to read as follows:

4132 “Sec. 108d. Authority to issue grants for workplace rights.

4133 “(a) The Attorney General may issue grants for the purposes authorized pursuant to the
4134 Workplace Rights Grant Program Amendment Act of 2021, approved by the Committee of the
4135 Whole on July 20, 2021 (Committee print of Bill 24-285).

4136 “(b) Personnel and non-personnel costs related to administering any grants issued
4137 pursuant to the authority provided in subsection (a) of this section may be paid from funds
4138 deposited into the Litigation Support Fund established in section 106b.

4139 “(c) The Attorney General may issue rules to implement this section.”.

SUBTITLE O. UNEMPLOYMENT COMPENSATION IMPROVEMENTS

Sec. 4161. This subtitle may be cited as the “Unemployment Compensation Improvements Amendment Act of 2021”.

Sec. 4162. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

(a) Section 3(c)(2) (D.C. Official Code § 51-103(c)(2)) is amended by adding a new subparagraph (H) to read as follows:

“(H)(i) The following benefits paid to an individual who became unemployed or partially unemployed as a result of the circumstances giving rise to the public health emergency shall not be charged to an employer’s experience rating:

“(I) Benefits paid to an affected employee pursuant to section 101(a), (b), (d), (e), and (g) of the Coronavirus Support Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824) (“section 101”), or any preceding act of the Council of the District of Columbia authorizing payment of benefits on substantially similar terms as those described in section 101;

“(II) Benefits paid to an affected employee after the expiration of the Coronavirus Support Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824), because the employee continues to otherwise qualify for benefits; and

“(III) Benefits paid under other local or federal law, including the federal Pandemic Emergency Unemployment Compensation program and extended benefits authorized under section 107(g).

“(ii) For the purposes of this subparagraph, the term:

4163 (I) “Affected employee” shall have the same meaning as
4164 provided in section 101(d) of the Coronavirus Support Temporary Amendment Act of 2021,
4165 enacted June 24, 2021 (D.C. Act 24-9; 68 DCR 4824).

4166 (II) “Public health emergency” means the Coronavirus
4167 (COVID-19) public health emergency declared pursuant to Mayor’s Order 2020-046, on March
4168 11, 2020, and all subsequent extensions.”.

4169 (b) Section 10(a) (D.C. Official Code § 51-110(a)) is amended as follows:

4170 (1) Designate the existing text as paragraph (1).

4171 (2) A new paragraph (2) is added to read as follows:

4172 “(2) For the purposes of paragraph (1) of this subsection, the term “good cause”
4173 includes working in unsafe locations or under unsafe conditions where such unsafe working
4174 condition or location would cause a reasonable and prudent person in the labor market to leave
4175 the work, as determined by the Director based on the facts in each case.”

4176 (c) Section 19(d) (D.C. Official Code § 51-119(d)) is amended as follows:

4177 (1) Paragraph (1) is amended by striking the phrase “or by the collection remedy
4178 set forth in D.C. Official Code § 47-1812.11(a)” and inserting the phrase “no more than 3 years
4179 from the date that such sum was paid to the claimant” in its place.

4180 (2) A new paragraph (3) is added to read as follows:

4181 “(3)(A) Notwithstanding paragraph (1) of this subsection, during a covered
4182 period:

4183 “(i) The Director, except as provided in subparagraphs (B) and (C)
4184 of this paragraph, shall not:

4185 “(I) Initiate, file, or threaten to file a civil action for the
4186 collection of sums received as benefits to which a person was not entitled (“overpayment debt”);
4187 or

4188 “(II) Engage in communications related to such civil
4189 actions with persons alleged to owe an overpayment debt or their legal representatives, except as
4190 Directed by a court of competent jurisdiction or as necessary to comply with this subparagraph.

4191 “(ii) All activity in pending civil actions that the Director has
4192 brought against persons for the collection of an overpayment debt shall be stayed, and the
4193 Director shall not engage in any activity in violation of such stay.

4194 “(B) During a covered period, the Director shall continue to notify persons
4195 of their right to request overpayment waivers, to receive and process overpayment waiver
4196 requests, to provide information about an overpayment to a person or a person’s legal
4197 representative, and to engage in negotiations for the settlement of an existing overpayment debt.

4198 “(C)(i) In addition to any requirement under federal law, within 30 days
4199 after the applicability date of the Unemployment Compensation Improvements Amendment Act
4200 of 2021, approved by the Committee on the Whole on July 20, 2021 (Committee print of Bill 24-
4201 285), and, thereafter, within 30 days after a declaration of a public emergency, the Director shall
4202 individually notify each person against whom the Director has initiated a civil action for the
4203 collection of an overpayment debt, in writing, that:

4204 “(I) Any previously instituted civil action for the collection
4205 of an overpayment debt has been stayed until December 29, 2022, or during a public emergency,
4206 until 90 days after the public emergency terminates; and

4207 “(II) The Director is barred from engaging in
4208 communications with the person related to a civil action for the collection of an overpayment
4209 debt according to the terms of subparagraph (A)(i)(II) of this paragraph.

4210 “(ii) The Director shall retain proof that the notice required
4211 pursuant to sub-subparagraph (i) of this subparagraph was sent by a method reasonably
4212 calculated to reach the person alleged to owe the overpayment debt.

4213 “(D) Beginning on the later of the public emergency, or the date the
4214 Mayor issues the declaration of the public emergency, the statute of limitations period prescribed
4215 in paragraph (1) of this subsection shall toll until 90 days after the termination of the public
4216 emergency.

4217 “(E) After the conclusion of a covered period, the Director shall make
4218 reasonable efforts to resolve a dispute related to an overpayment debt for which a civil action
4219 was filed through settlement, including by making a reasonable offer to settle for less than the
4220 amount of the alleged overpayment.

4221 “(F)(i) Any settlement agreement to which the Director, or his or her
4222 designee, is a party for repayment of an alleged overpayment debt entered into during a covered
4223 period shall not be valid or enforceable unless the Director can demonstrate compliance with this
4224 paragraph.

4225 “(ii) A court of competent jurisdiction may void a
4226 settlement agreement described in sub-subparagraph (i) of this subparagraph if a person who is a
4227 party to the agreement demonstrates that the Director has not complied with the requirements of
4228 this paragraph.

4229 “(G) For the purposes of this paragraph the term:

4230 “(i) “Covered period” means:
4231 “(I) Fiscal Year 2022 and 90 days thereafter; or
4232 “(II) A public emergency and 90 days after the termination
4233 of the public emergency.

4234 “(ii) “Public emergency” means a period of time for which the
4235 Mayor has declared a public emergency pursuant to section 5 of the District of Columbia Public
4236 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code §
4237 7-2304).”.

4238 Sec. 4163. Requirement to produce educational videos for common questions about
4239 unemployment insurance.

4240 (a) In Fiscal Year 2022, the Mayor shall produce 2 informational videos consistent with
4241 the requirements of this subtitle related to the administration and payment of benefits under the
4242 District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat.
4243 946; D.C. Official Code § 51-101 *et seq.*) (“UI program”).

4244 (b) The first video shall explain the UI program’s rules regarding the requirement that
4245 claimants report weekly to the Department of Employment Services any earnings they receive
4246 during their benefit year, including earnings from employment and self-employment, (“benefit
4247 year earnings”), and shall specifically address:

4248 (1) What income is considered benefit year earnings for the purpose of the weekly
4249 unemployment claim;

4250 (2) When and how a claimant must report benefit year earnings;

4251 (3) Examples of how to report benefit year earnings for hourly workers and for
4252 tipped workers; and

4253 (4) Common errors claimants make when reporting benefit year earnings and how
4254 to avoid them.

4255 (c) The second video shall explain the UI program’s requirement that the claimant has
4256 inquired about available work in accordance with sections 9 and 10 of the District of Columbia
4257 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code
4258 §§ 51-109, -110), and shall specifically address:

4259 (1) What the work search requirement is;

4260 (2) How a claimant can satisfy the work search requirement; and

4261 (3) Common errors claimants make when trying to comply with the work search
4262 requirement and how to avoid them.

4263 (d) Each video shall:

4264 (1) Explain its content in simple, clear, and concise language that has a high
4265 likelihood of comprehension by a general audience;

4266 (2) Provide audio in English, Spanish, Amharic, Chinese, French, and other
4267 languages commonly spoken in the District;

4268 (3) Provide closed captions in English; and

4269 (4) Be viewable online from both personal computers and mobile devices.

4270 (e) For as long as the content of each video is current and substantially accurate, as
4271 determined by the Mayor, the Mayor shall display each video or a link leading to a website
4272 where the video can be viewed:

4273 (1) On the UI program’s website;

4274 (2) On the Department of Employment Services’ website;

4275 (3) At American Job Centers;

4276 (4) Through social media posts; and

4277 (5) In emails to UI program claimants.

4278 (f)(1) The Mayor shall procure the informational videos required pursuant to this section
4279 through grant or contract.

4280 (2) The person selected to produce the videos shall prepare a script for each video
4281 prior to the video’s production and submit it to the Mayor for review. Within 30 days after
4282 receiving each script, the Mayor shall review and provide feedback on the script in order to:

4283 (A) Correct any misstatements related to federal or District law or
4284 procedures claimants must follow; and

4285 (B) Optimize the videos’ accessibility to claimants.

4286 **SUBTITLE P. LEARNING LOSS GRANT FUNDS**

4287 Sec. 4171. Short title.

4288 This subtitle may be cited at the “Learning Loss Grant Program Act of 2021”.

4289 Sec. 4172. (a) In Fiscal Year 2022, the Office of the State Superintendent of Education
4290 (“OSSE”) shall use federal American Rescue Plan funds to establish a multi-year learning loss
4291 grant program to support evidence-based approaches to learning acceleration or high impact
4292 tutoring. OSSE shall allocate at least \$10,050,000 in Fiscal Year 2022, \$10,250,000 in Fiscal
4293 Year 2023, and \$7,000,000 in Fiscal Year 2024 for the following purposes:

4294 (1) Award grants, on either a formula or competitive basis, to District of
4295 Columbia Public Schools (“DCPS”) schools, public charter schools, or community-based
4296 organizations to support evidence-based approaches to learning acceleration or high impact
4297 tutoring;

4298 (2) Distribute funds to District government agencies for the purposes of starting or
4299 expanding new programs;

4300 (3) Provide technical assistance, professional development, and other supports to
4301 DCPS schools, public charter schools, District government agencies, and community-based
4302 organizations;

4303 (4) Conduct evaluations on the effectiveness of the learning loss grant program; or

4304 (5) Indirect and direct administrative costs associated with administering this
4305 subtitle; provided, that no more than 10% of the funds shall be used for this purpose.

4306 (b) OSSE shall require, at a minimum, that each school or organization indicate, in the
4307 entity's grant application, the specific evidence-based approaches that the school or organization
4308 intends to use to effectuate learning acceleration or high impact tutoring.

4309 (c) As part of the grant conditions, OSSE shall require, at a minimum, that each grantee
4310 that receives grants pursuant to subsection (a)(1) of this section:

4311 (1) Measure the impact of the evidence-based approach stated in the grantee's
4312 application on student educational development; and

4313 (2) Share the de-identified data or results regarding student educational
4314 development with OSSE on a cycle specified by OSSE; provided that, the grantee shall share
4315 annual de-identified data or results with OSSE at least 30 days prior to receiving funding for
4316 additional grant years.

4317 (d) By July 15, 2022, July 15, 2023, and July 15, 2024, OSSE shall submit to the
4318 Council, and make publicly available, a report detailing the following:

4319 (1) Award criteria used by OSSE to determine the grant recipients;

4320 (2) A list of the grantees and the amount of funding received by each grantee;

4321 and

4322 (3) The de-identified results on student progress submitted to OSSE by the
4323 grantees pursuant to subsection (c)(2) of this section.

4324 (e) For purposes of this section, the term

4325 (1) “De-identified data or results” means data or results in which identifying
4326 information about a student is removed.

4327 (2) “Evidence-based approaches” means an activity, strategy, or intervention that:

4328 (A) Demonstrates a statistically significant effect on improving
4329 student outcomes or other relevant outcomes based on:

4330 (i) Strong evidence from at least one well-designed and well-
4331 implemented experimental study;

4332 (ii) Moderate evidence from at least one well-designed and well-
4333 implemented quasi-experimental study; or

4334 (iii) Promising evidence from at least one well-designed and well-
4335 implemented correlational study with statistical controls for selection bias; or

4336 (B)(i) Demonstrates a rationale, based on high-quality research findings or
4337 positive evaluation, that such activity, strategy, or intervention is likely to improve student
4338 outcomes or other relevant outcomes; and

4339 (ii) Includes ongoing efforts to examine the effects of such activity,
4340 strategy, or intervention.”.

4341 **SUBTITLE Q. OSSE SLDS DATA PLAN**

4342 Sec. 4181. This subtitle may be cited as the “OSSE Data Planning for the Future
4343 Amendment Act of 2021”.

4344 Sec. 4182. Section 7c of the State Education Office Establishment Act of 2000, effective
4345 October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2609), is amended by adding a
4346 new subsection (f) to read as follows:

4347 “(f) By March 31, 2022, the OSSE, in coordination with the Office of the Chief
4348 Technology Officer, shall develop and submit to the Council, a plan for:

4349 “(1) Creating a system to identify, code, and track courses offered by the
4350 District’s local education agencies (“LEAs”) and to delineate which of the offered courses are
4351 substantially similar for research, reporting, and other purposes as determined by OSSE;

4352 “(2) Developing and implementing an early warning system for use by the LEAs
4353 to identify individual students at risk of high school disengagement or dropping out of school,
4354 which shall use at least the following statewide data:

4355 “(A) Student test scores on prior English language arts and math statewide
4356 assessments;

4357 “(B) Chronic absenteeism and truancy rates in the 8th grade;

4358 “(C) Out-of-school suspension rates;

4359 “(D) Mid-year school transfer rates; and

4360 “(E) Designation of students as special education, English language
4361 learner, or at-risk.

4362 “(3) Making improvements to the District’s EDW that align with the National
4363 Forum of Education Statistics guidance for statewide data system capacities and the collection,
4364 maintenance of, and longitudinal linkage of standard statewide data system data elements.”.

4365 Sec. 4183. The Early Warning and Support System Act of 2012, effective June 19, 2012
4366 (D.C. Law 19-142; D.C. Official Code § 38-751.01 *et seq.*), is repealed.

4367 **SUBTITLE R. TEACHER PREPARATION PIPELINE**

4368 Sec. 4191. Short title.

4369 This subtitle may be cited as the “Teacher Preparation Amendment Act of 2021”.

4370 Sec. 4192. Definitions.

4371 For the purposes of this subtitle:

4372 (1) “DCPS” means the District of Columbia Public Schools.

4373 (2) “District university grantees” means an accredited university or college, other
4374 than UDC, that operates in the District and has received a teacher preparation grant from OSSE.

4375 (3) “Dual enrollment student” means a student who is enrolled in:

4376 (A) A DCPS or public charter school high school; and

4377 (B) UDC or an accredited college or university, other than UDC, that
4378 operates in the District of Columbia.

4379 (3) “Local education agency” or “LEA” means the District of Columbia Public
4380 Schools system, any individual District public charter school, or any group of public charter
4381 schools operating under a single charter.

4382 (4) “OSSE” means the Office of the State Superintendent of Education.

4383 (5) “Paraprofessional” means an individual employed by an LEA to provide
4384 instructional, behavioral, or other support, under the supervision of a licensed or certified
4385 teacher, to students in or outside of the classroom. This term includes instructional aides or
4386 assistants, teacher aides, and paraeducators.

4387 (6) “Program” means the “Grow Your Own” Teacher Preparation Support
4388 Program established pursuant to this subtitle.

4389 (7) “Program participant” means a public high school dual enrollment student, a

4390 public high school graduate, or a paraprofessional employed by an LEA that is receiving
4391 financial assistance or professional support through the Program.

4392 (8) “Public high school” means a high school in the DCPS system or a District
4393 public charter high school.

4394 (9) “UDC” means the University of the District of Columbia.

4395 Sec. 4193. “Grow Your Own” Teacher Preparation Support Program establishment.

4396 (a)(1) OSSE shall establish, in collaboration with UDC, District university grantees, and
4397 the District’s LEAs, a dual pathway “Grow Your Own” Teacher Preparation Support Program
4398 for the purpose of educating, training, and providing financial support to public high school dual
4399 enrollment students, public high school graduates, and paraprofessionals to become licensed
4400 teachers at DCPS schools or certified teachers at District public charter schools.

4401 (b) Through UDC and District university grantees, the Program shall provide:

4402 (1) Education and training to District residents that will lead to:

4403 (A) The successful completion of coursework for a baccalaureate or a
4404 Master’s degree in education or teaching needed to become a teacher licensed by OSSE or a
4405 certified teacher at a District public charter school;

4406 (B) Passage of examinations required by OSSE or an LEA to become a
4407 teacher licensed by OSSE or a certified teacher at a District public charter school; and

4408 (C) Hiring by an LEA as a licensed or certified teacher.

4409 (2) Two pathways to teacher licensure or certification, which shall be:

4410 (A) The baccalaureate degree pathway, which shall be available to District
4411 residents who:

4412 (i) Enroll as or are public high school dual enrollment students that

4413 intend to continue to pursue a baccalaureate or Master’s degree in education or teaching to
4414 become a teacher licensed by OSSE or a certified teacher at a District public charter school; or

4415 (ii) Are public high school graduates who are pursuing a
4416 baccalaureate or Master’s degree in education or teaching to become a teacher licensed by OSSE
4417 or a certified teacher at a District public charter school; and

4418 (B) The paraprofessional pathway, which shall be available to District
4419 residents who are paraprofessionals currently employed by an LEA and who need to complete
4420 additional coursework or obtain a baccalaureate or Master’s degree in education or teaching to
4421 become a teacher licensed by OSSE or a certified teacher at a District public charter school; and

4422 (3) Financial assistance to Program participants for payment of:

4423 (A) Tuition and fees at UDC or a District university grantee, to the extent
4424 charged;

4425 (B) Academic costs, including books and supplies; and

4426 (C) Testing fees associated with examinations required by OSSE or an
4427 LEA to become a licensed or certified teacher.

4428 (c)(1) UDC shall select individuals to enroll or who are enrolled in UDC to participate in
4429 the Program, consistent with the eligibility criteria established pursuant to section 4196.

4430 (2) District university grantees shall select individuals to enroll or who are
4431 enrolled in their institutions to participate in the Program consistent with the eligibility criteria
4432 established pursuant to section 4196 and their grant agreements with OSSE.

4433 (3) OSSE and UDC shall coordinate to ensure that Program participants do not
4434 receive Program financial assistance from more than one post-secondary institution at the same
4435 time.

4436 Sec. 4194. The Program at UDC.

4437 (a) Beginning with School Year 2022-2023, UDC shall begin using at least \$200,000 of
4438 the subsidy it receives from the District government for the Program to pay for the tuition,
4439 required academic fees, bootcamp preparation or training academies, required examination fees,
4440 and book and supply costs for District residents it selects to participate in the Program. UDC
4441 shall select individuals to participate in both Program pathways, provide extensive mentorship to
4442 each Program participant, including continued mentorship during the first 2 years after a
4443 Program participant is hired by an LEA as a teacher, and assist Program participants in obtaining
4444 employment at an LEA if the Program participant meets all of the employment criteria set by the
4445 LEA

4446 (b) UDC may also use the subsidy it receives from the District government to pay:

4447 (1) The salaries and fringe benefits of faculty, staff, and peer mentors directly
4448 engaged in the provision of courses necessary to obtain a baccalaureate or Master's degree in
4449 education or teaching at UDC;

4450 (2) For instructional materials used in courses necessary to obtain a baccalaureate
4451 or Master's degree in education or teaching at UDC; and

4452 (3) For marketing and recruitment activities to attract District residents to the
4453 Program at UDC.

4454 Sec. 4195. The Program at District university grantees.

4455 (a)(1) OSSE shall establish and administer a competitive grant program to provide “grow
4456 your own” teacher preparation support grants (“grants”) to eligible universities or colleges
4457 located in the District for the purposes of educating, training, and providing financial support to
4458 District residents pursuing a pathway to teacher licensure or certification described in section

4459 4193(b)(2) at the university or college.

4460 (2) No later than April 30, 2022 and annually thereafter, subject to the availability
4461 of funds, OSSE shall award at least 2 grants totaling not less than \$550,000 per year for the
4462 purposes described in subsection (a) of this section. At least one grant shall be for the
4463 baccalaureate degree pathway described in section 4193(b)(2)(A), and at least one grant shall be
4464 for the paraprofessional degree pathway described in section 4193(b)(2)(B). OSSE may award a
4465 baccalaureate degree pathway grant and a paraprofessional pathway grant to the same university
4466 or college.

4467 (3) OSSE may award the grants on a multi-year basis; provided, that no grant
4468 shall be for longer than 5 years.

4469 (4) OSSE may consider the cost of attendance at a particular university or college
4470 in determining how much funding to award to each grantee.

4471 (b) To be eligible for a grant, an applicant shall:

4472 (1) Be an accredited university or college that has a physical campus in the
4473 District;

4474 (2) Offer a baccalaureate or Master's degree in education or teaching;

4475 (3) Have an education program that includes at least one year of residency or
4476 student teaching for all participants; and

4477 (4) Demonstrate that its students pursuing degrees in education or teaching
4478 consistently and successfully attain the following benchmarks:

4479 (A) Graduate within 5 years with a baccalaureate or Master's degree in
4480 education or teaching;

4481 (B) Pass the PRAXIS examination;

- 4482 (C) Obtain licensure by OSSE, if hired as a DCPS teacher;
4483 (D) Be hired by an LEA within one-year of graduating; and
4484 (E) Remain employed as a licensed or certified teacher at an LEA for at
4485 least 3 years.

4486 (c) Each District university grantee shall:

4487 (1) Use the grant to pay for Program participants' tuition, required academic fees,
4488 bootcamp preparation or training academies, required examination fees, and book and supply
4489 costs;

4490 (2) Commit to paying, on behalf of Program participants, 100% of any remaining
4491 tuition, required academic fees, required examination fees, and book and supply costs not
4492 covered by the grant;

4493 (3) Ensure the design and use of a teacher development plan for each Program
4494 participant, consistent with the requirements of subsection (d) of this section;

4495 (4) Provide extensive mentorship and academic support to Program participants
4496 enrolled in its institution, including continued mentorship during the first 2 years after a Program
4497 participant is hired by a LEA as a teacher;

4498 (5) Provide licensure examination support to all Program participants enrolled in
4499 its university or college;

4500 (6) Execute a memorandum of understanding ("MOU") with an LEA or LEAs,
4501 consistent with the requirements of subsection (e) of this section, to facilitate participation in the
4502 Program and the hiring of Program participants;

4503 (7) Assist Program participants in obtaining employment at an LEA if the
4504 Program participant meets all of the employment criteria set by the LEA; and

4505 (8) Submit proof of each Program participant’s progress to OSSE on a cycle, and
4506 in a manner, prescribed by OSSE.

4507 (d)(1) The teacher development plan required pursuant to subsection (c)(2) of this section
4508 shall:

4509 (A) Specify how the Program participant will attain the credentials or
4510 degree necessary to meet OSSE teacher licensure requirements or the certification requirements
4511 set forth by a public charter school LEA if the Program participant anticipates teaching at a
4512 District public charter school; and

4513 (B) Identify one or more tools to be used to assess a Program participant’s
4514 performance once the Program participant is halfway through the participant’s teacher residency
4515 or student teaching.

4516 (2) If a Program participant is pursuing licensure or credentials through the
4517 paraprofessional pathway, the teacher development plan shall be developed by comparing the
4518 participant’s prior experience and coursework with the District’s teacher licensure requirements
4519 or LEA’s certification requirements.

4520 (e) The MOU between a District university grantee and LEA or LEAs required pursuant
4521 to subsection (c)(6) of this section shall:

4522 (1) Identify, indicate the commitment of, and describe the role of the District
4523 university grantee and the LEA, including specific duties of each partner, in supporting the goals
4524 of the Program; and

4525 (2) Specify the:

4526 (A) Responsibilities of each party in the recruitment, screening, selection,
4527 and oversight of Program participants;

4528 (B) Role of each party in field placement and student teaching and a
4529 description of the time frame during each pathway described in section 4193 (b)(2) each begins;
4530 and

4531 (C) Role of each party in selecting, training, and supporting mentors for
4532 Program participants.

4533 (f)(1) Prior to April 30, 2022, and every 4 years thereafter, OSSE shall conduct an
4534 assessment to identify the areas of high need in the District's elementary and secondary teaching
4535 workforce, which shall include an assessment of the District's progress toward achieving
4536 diversity in its elementary and secondary public school teachers that matches the demographics
4537 of the District's corresponding student population.

4538 (2) In issuing the grants authorized pursuant to this section, OSSE may give a
4539 preference to applicants that offer a high-quality education or teaching degree program in one or
4540 more high-need categories identified pursuant to paragraph (1) of this subsection.

4541 Sec. 4196. Conditions of Program eligibility and participation.

4542 (a) To be eligible for Program participation through the baccalaureate degree pathway
4543 described in section 4193(b)(2)(A), an individual shall:

4544 (1) Meet the relevant enrollment requirements for UDC or the District university
4545 grantee in which the individual enrolls;

4546 (2) Be a resident of the District;

4547 (3)(A)(i) Become or be a dual enrollment student; or

4548 (ii) Be a graduate of a public high school; and

4549 (B) Be enrolled in UDC or a District university grantee with an intent to
4550 pursue a baccalaureate or Master's degree in education or teaching; and

4551 (4) In exchange for Program financial assistance and professional support,
4552 commit to teaching at an LEA for a minimum of 3 years after receiving a baccalaureate or
4553 Master’s degree in education or teaching and earning the appropriate licensure or certification
4554 needed to teach at an LEA.

4555 (b) To be eligible for Program participation through the paraprofessional degree pathway
4556 described in section 4193(b)(2)(B), an individual shall:

4557 (1) Meet the relevant enrollment requirements for UDC or District university
4558 grantee in which the individual enrolls;

4559 (2) Be a resident of the District;

4560 (3) Be currently employed by an LEA as a paraprofessional;

4561 (4) Enroll in a UDC or District university grantee to complete coursework or with
4562 the intent to pursue a baccalaureate or Master’s degree in education or teaching necessary to be a
4563 teacher licensed by OSSE or a certified teacher at a public charter school ; and

4564 (5) In exchange for Program financial assistance and support, commit to teaching
4565 at an LEA for a minimum of 3 years after completing the necessary coursework or receiving a
4566 baccalaureate or Master’s degree in education or teaching and earning the appropriate licensure
4567 or certification needed to teach at an LEA.

4568 (c) To maintain eligibility for Program assistance, a Program participant shall:

4569 (1)(A) Maintain the requisite cumulative grade point average to maintain
4570 satisfactory academic progress, as determined by UDC or the District university grantee; and

4571 (B) If participating in the Program through the baccalaureate degree
4572 pathway described in section 4193(b)(2)(A), be consecutively enrolled as a full-time student in

4573 the Program at UDC or a District university grantee to pursue a baccalaureate or Master’s degree
4574 in education or teaching;

4575 (2) Remain a District resident throughout participation in the Program;

4576 (3) If pursuing teacher licensure or certification through the Paraprofessional
4577 pathway described in section 4193(b)(2)(B), remain employed by an LEA as a paraprofessional
4578 while participating in the Program; and

4579 (4) Meet any other requirement determined by UDC or OSSE to be necessary or
4580 appropriate for Program participation.

4581 **SUBTITLE S. ADULT, EARLY CHILDHOOD, AND RESIDENTIAL CHARTER**
4582 **STABILIZATION**

4583 Sec. 4201. Short title.

4584 This subtitle may be cited as the “Public Charter Schools Equity in Stabilization Funding
4585 Amendment Act of 2021”.

4586 Sec. 4202. The Uniform Per Student Funding Formula for Public Schools and Public
4587 Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C. Official Code §
4588 38-2901 *et seq.*) is amended by adding a new section 107c to read as follows:

4589 “Sec. 107c. Public charter school stabilization funding.

4590 “(a) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Agency, up to
4591 \$10,208,530 shall be transferred to the Office of the State Superintendent of Education (“OSSE”)
4592 to award formula-based payments to each eligible charter school described in subsection (b) of
4593 this section.

4594 “(b) A public charter school shall be eligible to receive funds pursuant to this section if it
4595 operates:

4596 “(1) An adult public charter school, an early childhood education public charter
4597 school, or a residential public charter school; and

4598 “(2) The total annual payment the adult public charter, early childhood education
4599 public charter, or residential public charter school is projected to receive for School Year 2021-
4600 2022, based on the school’s unverified October 15, 2021 enrollment count, is less than 95% of
4601 the total annual payment the school actually received for School Year 2019-2020.

4602 “(c)(1) No later than December 31, 2021, OSSE shall award each eligible school its
4603 stabilization funding amount.

4604 “(2) Notwithstanding paragraph (1) of this subsection, if the total amount of funds
4605 required to provide each eligible school its stabilization funding amount is more than
4606 \$10,208,530, OSSE shall pay to each eligible school a proportional share of available funds
4607 equal to the product of the school’s stabilization funding amount multiplied by the stabilization
4608 factor.

4609 “(d) Payments allocated pursuant to this section shall be supplemental to other funds a
4610 school may receive from the District and shall not supplant other funds to which a school or local
4611 education agency is entitled, including pursuant to this act or federal law.

4612 “(e) For the purposes of this section, the term:

4613 “(1) “Adult public charter school” means a public charter school or a program in a
4614 public charter school that, during School Year 2021-2022, was identified as an adult education
4615 performance management framework school by the District of Columbia Public Charter School
4616 Board; provided that, all students enrolled in a public charter school or program serving both
4617 adult and alternative students shall be considered enrolled in an adult education program for the
4618 purposes of this section.

4619 “(2) “Annual payment” means the sum of the quarterly payments described in
4620 section 107b, including all applicable weightings provided pursuant to sections 105, 106, and
4621 106a.

4622 “(3) “Early childhood education public charter school" means a public charter
4623 school LEA whose prekindergarten 3 and prekindergarten 4 student enrollment comprised at
4624 least 33% of the public charter school LEA’s total enrollment during School Year 2019-2020 and
4625 whose LEA will serve only grades pre-kindergarten 3 up to third grade for School Year 2021-
4626 2022 or a public charter school that is an adult public charter school that also serves grades
4627 prekindergarten 3 and grades prekindergarten 4; provided, that if a public charter school LEA
4628 served more grades in School Year 2019-2020 than it serves during School Year 2021-2022, the
4629 percentage of the public charter school LEA’s prekindergarten 3 and prekindergarten 4 student
4630 enrollment shall be calculated using only the grade bands that the public charter school serves in
4631 School Year 2021-2022.

4632 “(4) “Eligible school” means an adult public charter school, early childhood
4633 education public charter school, or residential public charter school that meets the criteria for
4634 funding described in subsection (b)(2) of this section.

4635 “(5) “LEA” means any individual District public charter school, or any group of
4636 public charter schools operating under a single charter.”

4637 “(6) “Residential public charter school" means:

4638 “(A) A public charter school that, during School Year 2021-2022,
4639 provides students with room and board in a residential setting, in addition to their instructional
4640 program; or

4641 “(B) A public charter school that operates a residential program that
4642 provides support services to its students, in addition to an instructional program, but is unable to
4643 provide its students with overnight room and board in a residential setting in order to comply
4644 with health guidance provided by the D.C. Department of Health during the COVID-19 public
4645 health emergency.

4646 “(7) Stabilization funding amount” means the amount of money equal to 95% of
4647 an eligible school’s actual School Year 2019-2020 total annual payment, less the amount of the
4648 total annual payment the school is projected to receive for School Year 2021-2022 based on its
4649 unverified October 15, 2021 enrollment count.

4650 “(8) “Stabilization factor” means the quotient of \$10,208,530 divided by the sum
4651 of all eligible schools’ stabilization funding amounts.”.

4652 Sec. 4203. Any funds that are not expended by December 31, 2021 pursuant to section
4653 4202 shall be transferred to the Office of Victim Services and Justice Grants for the Access to
4654 Justice program.

4655 **SUBTITLE T. OFFICE OF WAGE AND HOUR ENFORCEMENT**
4656 **TRANSPARENCY ACT**

4657 Sec. 4211. Short title.

4658 This subtitle may be cited as the “Office of Wage and Hour Enforcement Transparency
4659 Amendment Act of 2021”.

4660 Sec. 4212. Wage and Hour Enforcement Report.

4661 (a) No more than 90 days after the end of the first quarter of fiscal year 2022, and no later
4662 than 90 days after the end of each subsequent quarter, the Department of Employment Services
4663 (“DOES”) shall post online the following information for the most-recently completed quarter, in

4664 the following order:

4665 (1) Total number of all complaints DOES received;

4666 (2) Total number of complaints DOES received for each of the covered laws;

4667 (3) Total new agency-initiated investigations into the covered laws in the quarter;

4668 (4) Total new audits of compliance with the covered laws in the quarter;

4669 (5) Number of complaints DOES received alleging that an employer violated:

4670 (A) The Accrued Sick and Safe Leave Act of 2008, effective May 13,

4671 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*), by:

4672 (i) Failing to provide an employee with covered leave;

4673 (ii) Failing to pay an employee for covered leave taken; or

4674 (iii) Denying a request for covered leave;

4675 (B) The Minimum Wage Revision Act of 1992, effective March 25, 1993

4676 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*) (“Minimum Wage Act”), by:

4677 (i) Failing to pay the District minimum wage;

4678 (ii) Failing to pay overtime; or

4679 (iii) Failing to provide an employee with the written notice

4680 required to be furnished pursuant to section 9(c) of the Minimum Wage Act (D.C. Law 9-248;

4681 D.C. Official Code § 32-1008(c)), at the time of hire;

4682 (C) An Act To provide for the payment and collection of wages in the

4683 District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et*

4684 *seq.*), by:

4685 (i) Failing to pay full wages; or

4686 (ii) Failing to pay wages on time.

4687 (6) For each of the covered laws, a separate downloadable, data-unlocked
4688 spreadsheet that provides the following information for complaint-based investigations in the
4689 most recently completed quarter:

4690 (A) Total number of complaints DOES received;
4691 (B) Total number of investigations opened;
4692 (C) Number of notices of complaint sent to employers, disaggregated by
4693 the quarter in which the complaint that generated the notice was received;
4694 (D) Number of complaints closed without the agency notifying the
4695 employer about the complaint, disaggregated by common reasons for closure;
4696 (E) Number of employers investigated, disaggregated by the quarter in
4697 which the complaint generating the investigation was received;
4698 (F) Number of final determinations reached, disaggregated by the quarter
4699 in which the complaint that resulted in the determination was received;
4700 (G) Number of final determinations that included a finding of at least one
4701 violation of the covered law, disaggregated by the quarter in which the complaint that resulted in
4702 the determination was received;
4703 (H) Total dollar amount of damages determined by DOES to be owed to
4704 employees and, of this amount, the amount paid to employees;
4705 (I) All-time cumulative total dollar amount of damages remaining unpaid
4706 to employees at the end of the quarter;
4707 (J) Total dollar amount of penalties assessed against employers and, of this
4708 amount, the amount DOES collected from employers;
4709 (K) All-time cumulative total dollar amount of penalties remaining

4710 uncollected at the end of the quarter;

4711 (L) Number of settlement agreements entered into by complainants and
4712 employers, disaggregated by the quarter or quarters in which the underlying complaint or
4713 complaints were received;

4714 (M) Number of settlement agreements entered into by DOES and
4715 employers, disaggregated by the quarter in which the underlying complaint was received; and

4716 (N) The 10 industries about which the most complaints were received and
4717 the number of complaints for each industry; and

4718 (7) All final orders issued by the Office of Administrative Hearings regarding
4719 adjudications of the covered laws with the basis for any redactions clearly stated.

4720 (b) For the purposes of this section, the term “covered laws” means:

4721 (1) The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C.
4722 Law 17-152; D.C. Official Code § 32-531.01 *et seq.*);

4723 (2) The Minimum Wage Act Revision Act of 1992, effective March 25, 1993
4724 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*); and

4725 (3) An Act To provide for the payment and collection of wages in the District of
4726 Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*).

4727 Sec. 4213. Section 8a of Minimum Wage Act Revision Act of 2009, effective August 19,
4728 2016 (D.C. Law 21-144; D.C. Official Code § 32-1007.01), is repealed.

4729 **SUBTITLE U. DESAP GRANT**

4730 Sec. 4221. Short title.

4731 This subtitle may be cited as the “Duke Ellington School of the Arts Project Grant Act of
4732 2021”.

Sec. 4222. Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), in Fiscal Year 2022, the Office of the State Superintendent of Education shall provide a \$1,000,000 grant to Duke Ellington School of the Arts Project to support personnel costs at the Duke Ellington School of the Arts.

TITLE V. HUMAN SUPPORT SERVICES

SUBTITLE A. MEDICAID HOSPITAL OUTPATIENT PAYMENT

Sec. 5001. Short title.

This subtitle may be cited as the “Medicaid Hospital Outpatient Payment Amendment Act of 2021”.

Sec. 5002. Section 5066 of the Medicaid Hospital Outpatient Supplemental Payment Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.05), is amended by adding a new subsection (b-1) to read as follows:

“(b-1) For visits and services beginning October 1, 2021, the District shall make fee-for-service outpatient rate payments to hospitals at a rate that is an aggregate of Medicaid allowable costs for the fiscal year in which payments are being made.”.

SUBTITLE B. MEDICAL ASSISTANCE AND IMMIGRANT CHILDREN’S PROGRAM

Sec. 5011. Short title.

This subtitle may be cited as the “Medical Assistance and Immigrant Children’s Program Amendment Act of 2021”.

4754 Sec. 5012. Section 2202 of the Medical Assistance Expansion Program Act of 1999,
4755 effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 1-307.03), is amended as
4756 follows:

4757 (a) Subsection (a) is amended as follows:

4758 (1) The lead-in language is amended by striking the phrase “family income” and
4759 inserting the phrase “household income” in its place.

4760 (2) Paragraph (5) is amended by striking the phrase “family income” and inserting
4761 the phrase “household income” in its place.

4762 (b) Subsection (b) is amended as follows:

4763 (1) The lead-in language is amended to read as follows:

4764 “(b) The Mayor shall establish a program to provide medical assistance to undocumented
4765 children not eligible for coverage under Medicaid who reside in the District and have an annual
4766 household income up to 319% of the federal poverty level for children age 18 or younger, and up
4767 to 216% of the federal poverty level for children ages 19 and 20. In determining a household
4768 income under this subsection, the Mayor may implement an income disregard amount, based on
4769 family size, of up to 5% of the federal poverty level or such higher percentage as may be
4770 authorized by the federal government as an income disregard for the determination of eligibility
4771 for Medicaid.”.

4772 (2) Paragraph (2) is amended to read as follows:

4773 “(2) Upon the Mayor’s determination of a resident’s eligibility for the program,
4774 the Mayor shall enroll the resident in the program and assign the enrollee to a health maintenance
4775 organization with a current contract with the District to provide health care services for program
4776 enrollees.”.

4777 (3) Paragraph (3) is amended to read as follows:

4778 “(3) For a period of time of at least 30 days after the Mayor’s assignment of an
4779 enrollee under paragraph (2) of this subsection, the enrollee may choose to enroll in a different
4780 health maintenance organization with a current contract with the District to provide health care
4781 services for program enrollees.”.

4782 (c) Subsection (c) is amended to read as follows:

4783 “(c) Beginning on October 1, 2021, the Mayor may modify the standards for eligibility to
4784 enroll in a program established by subsections (a) and (b) of this section, to increase the number
4785 of District residents who would be eligible to enroll in the program, to the extent such expansion
4786 is consistent with the District’s budget and financial plan.”.

4787 **SUBTITLE C. MEDICAID RESERVE FUND**

4788 Sec. 5021. Short title.

4789 This subtitle may be cited as the “Medicaid Reserve Fund Amendment Act of 2021”.

4790 Sec. 5022. The Department of Health Care Finance Establishment Act of 2007, effective
4791 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 et seq.), is amended as
4792 follows:

4793 (a) Section 8b (D.C. Official Code § 7-771.07b) is repealed.

4794 (b) Section 11a (D.C. Official Code § 7-771.10a) is repealed.

4795 **SUBTITLE D. UNJUST CONVICTIONS HEALTH CARE**

4796 Sec. 5031. Short title.

4797 This subtitle may be cited as the “Unjust Convictions Amendment Act of 2021”.

Sec. 5032. Section 4b(a)(3)(A) of the District of Columbia Unjust Imprisonment Act of 1980, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 2-423.02(a)(3)(A)), is amended to read as follows:

“(A) Physical and behavioral health care for the duration of the petitioner’s life through participation in the D.C. Healthcare Alliance or any successor comprehensive community-centered health care and medical services system established pursuant to section 7 of the Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405), or through another locally funded comprehensive health care and medical services program offered by the District;”.

SUBTITLE E. MATERNAL HEALTH RESOURCES AND ACCESS

Sec. 5041. Short title.

This subtitle may be cited as the “Maternal Health Resources and Access Act of 2021”.

Sec. 5042. Definitions.

For the purposes of this subtitle, the term:

(1) “Doula” means an individual approved by the Department of Health to provide culturally competent and continuous physical, emotional, and informational support to the birthing parent during pregnancy, labor, birth, and postpartum, including:

(A) Providing continuous and culturally competent support to pregnant individuals and their families, including surrogates and adoptive parents;

(B) Conducting prenatal and postpartum visits;

(C) Accompanying pregnant individuals to health care and social service appointments;

4820 (D) Connecting individuals to medical, community-based, or government
4821 funded resources, including those addressing social determinants of health; and

4822 (E) Providing support to individuals following either the loss of pregnancy
4823 or birth of a child up to one year.

4824 (2) “Medicaid” means the medical assistance programs authorized by title XIX of
4825 the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), and by
4826 section 1 of An Act To enable the District of Columbia to receive Federal financial assistance
4827 under title XIX of the Social Security Act for a medical assistance program, and for other
4828 purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and
4829 administered by the Department of Health Care Finance.

4830 (3) “Postpartum” means the time after delivery when maternal physiological
4831 changes related to pregnancy return to the nonpregnant state, which may last for as long as 12
4832 months after delivery.

4833 (4) “Transportation costs” means expenses incurred for travel using public
4834 transportation or a public or private vehicle-for-hire service regulated by the Department of For-
4835 Hire Vehicles, but does not include the cost of travel by private vehicle or parking fees.

4836 Sec 5043. Doula guidelines for training.

4837 (a) An individual applying to be approved as a doula under this subtitle shall establish to
4838 the Department of Health’s (“Department”) satisfaction that the individual:

4839 (1) Completed a training program by an organization approved in doula training
4840 by the Department; and

4841 (2) Successfully completed any other requirements as determined by the
4842 Department.

4843 Sec. 5044. Coverage of doula services.

4844 (a) By October 1, 2022, health insurance coverage through Medicaid or the DC
4845 HealthCare Alliance and the Immigrant Children’s Program shall cover and reimburse eligible
4846 services provided by doulas; except, that no Medicaid payment shall be made until such time that
4847 the Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment
4848 described in subsection (b) of this section.

4849 (b)(1) By September 30, 2022, the Department of Health Care Finance (“DHCF”) shall
4850 submit for approval from the Centers for Medicare and Medicaid Services an amendment to the
4851 Medicaid State Plan to authorize the Medicaid payments described in this section.

4852 (2) While preparing the Medicaid State Plan amendment application, DHCF shall:

4853 (A) In consultation with organizations providing doula services and other
4854 relevant entities, establish processes for billing and reimbursement of doula services, including:

4855 (i) Setting competitive reimbursement rates;

4856 (ii) Setting a reasonable number of doula visits to be reimbursed
4857 during the course of the pregnancy and postpartum period;

4858 (iii) Developing program support and training for doula service
4859 providers to facilitate billing; and

4860 (iv) Assessing the viability of incentive payments to doulas whose
4861 clients attend postpartum appointments with a medical provider.

4862 (B) In consultation with the Department of Health and other relevant
4863 entities, issue rules to determine eligibility for reimbursement by Medicaid, the DC HealthCare
4864 Alliance, and the Immigrant Children’s Program.

4865 Sec. 5045. Coverage of transportation costs.

4866 By October 1, 2021, health insurance coverage through the DC HealthCare Alliance shall
4867 cover and reimburse transportation costs for travel to and from nonemergency prenatal and
4868 postpartum health care appointments.

4869 **SUBTITLE F. HOWARD UNIVERSITY HOSPITAL CENTERS OF**
4870 **EXCELLENCE**

4871 Sec. 5051. Short title.

4872 This subtitle may be cited as the “Howard University Hospital Centers of Excellence
4873 Fund Amendment Act of 2021”.

4874 Sec. 5052. Section 47-4673 of the District of Columbia Official Code is amended by
4875 adding a new subsection (j) to read as follows:

4876 “(j)(1) There is established as a special fund the Howard University Hospital Centers of
4877 Excellence Fund (“Fund”), which shall be administered by the Department of Health in
4878 accordance with paragraph (3) of this subsection.

4879 “(2) The following funds shall be deposited into the Fund:

4880 “(A) Funds appropriated in Fiscal Year 2022 or later for the purpose of
4881 providing operational and start-up support to the centers of excellence described in subsection (f)
4882 of this section; and

4883 “(B) Funds appropriated in Fiscal Year 2021 for the purposes of providing
4884 operational and start-up support to the centers of excellence described in subsection (f) of this
4885 section that remain unspent at the end of Fiscal Year 2021.

4886 “(3) Money in the Fund shall be used to provide operational and start-up support
4887 to the centers of excellence described in subsection (f) of this section. Such support may be
4888 provided through non-competitive grants or other means.

4889 “(4)(A) The money deposited into the Fund, but not expended in a fiscal year
4890 shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at
4891 the end of a fiscal year, or at any other time.

4892 “(B) Subject to authorization in an approved budget and financial plan,
4893 money in the Fund shall be continually available without regard to fiscal year limitation.”.

4894 Sec. 5053. Applicability.

4895 This subtitle shall apply as of September 30, 2021.

4896 **SUBTITLE G. SNAP REINVESTMENT FUND**

4897 Sec. 5061. Short title.

4898 This subtitle may be cited as the “SNAP Reinvestment Fund Establishment Amendment
4899 Act of 2021”.

4900 Sec. 5062. The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law
4901 18-111; D.C. Official Code § 4-261.01 *et seq.*), is amended by adding a new section 5085 to read
4902 as follows:

4903 “Sec. 5085. SNAP Reinvestment Fund.

4904 “(a) There is established as a special fund the SNAP Reinvestment Fund (“Fund”), which
4905 shall be administered by the Mayor in accordance with subsection (c) of this section.

4906 “(b) The unspent local fund dollars remaining in the operating budget of the Department
4907 of Human Services at the end of each fiscal year shall be deposited into the Fund; provided, that
4908 the amount of unspent local fund dollars deposited into the Fund at the end of a fiscal year shall
4909 not exceed the difference between the total of all amounts that remain to be invested by the
4910 Department of Human Services pursuant to active Supplemental Nutrition Assistance Program
4911 excessive payment error rate liability settlement agreements (“Settlement Agreements”) between

4912 the Department of Human Services and the United States Department of Agriculture minus the
4913 amount in the Fund at the end of the fiscal year.

4914 “(c) Money in the Fund shall be used to implement the Settlement Agreements.

4915 “(d)(1) The money deposited into the Fund but not expended during a fiscal year shall not
4916 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
4917 of a fiscal year, or at any other time.

4918 “(2) Subject to authorization in an approved budget and financial plan, any funds
4919 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

4920 Sec. 5063. Applicability.

4921 This subtitle shall apply as of September 30, 2021.

4922 **SUBTITLE H. VETERAN TRANSPORTATION PROGRAM EXPANSION**

4923 Sec. 5071. Short title.

4924 (a) This subtitle may be cited as the “Veteran Transportation Program Expansion
4925 Amendment Act of 2021”.

4926 Sec. 5072. Section 704 of the Office of Veterans Affairs Establishment Act of 2001,
4927 effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 49-1003), is amended as
4928 follows:

4929 (a) Paragraph (24) is amended by striking the phrase “; and” and inserting a semicolon in
4930 its place.

4931 (b) Paragraph (25) is amended by striking the period and inserting the phrase “; and” in
4932 its place.

4933 (c) A new paragraph (26) is added to read as follows:

4934 “(26) Subject to the availability of funding, provide a free on-demand
4935 transportation or public transportation option to veterans who reside in a household with an
4936 annual household income of less than or equal to 80% of area median income as defined in D.C.
4937 Official Code § 47-1806.09(1)(A), which, at a minimum:

4938 “(A) Offers 15 one-way trips per month for each eligible veteran in the
4939 program;

4940 “(B) Operates 6 days a week; and

4941 “(C) Does not restrict the point of origin or destination of each trip, except
4942 that trips must begin and end within the District.”.

4943 **SUBTITLE I. FIRST TIME MOTHERS HOME VISITING PROGRAM**

4944 Sec. 5081. Short title.

4945 This subtitle may be cited as the “Still Leverage for Our Future Amendment Act of
4946 2021”.

4947 Sec. 5082. Section 105a(a) of the Birth-to-Three for All DC Amendment Act of 2018,
4948 effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 4-651.05a(a)), is amended
4949 by adding a new paragraph (3) to read as follows:

4950 “(3) In Fiscal Year 2022, DOH shall provide an amount not to exceed \$150,000 to
4951 the home visiting provider who was awarded the competitive grant pursuant to paragraph (1) of
4952 this subsection.”.

4953 **SUBTITLE J. STEVIE SELLOW’S DIRECT SUPPORT PROFESSIONALS**
4954 **QUALITY IMPROVEMENTS**

4955 Sec. 5091. Short title.

4956 This subtitle may be cited as the “Stevie Sellow’s Direct Support Professionals Quality
4957 Improvements Amendment Act of 2021”.

4958 Sec. 5092. Title 47 of the District of Columbia Official Code is amended as follows:

4959 (a) The table of contents is amended by striking the phrase “12D. Stevie Sellows” and
4960 inserting the phrase “12D. Stevie Sellow’s” in its place.

4961 (b) Chapter 12D is amended as follows:

4962 (1) The heading is amended by striking the phrase “Stevie Sellows” and inserting
4963 the phrase “Stevie Sellow’s” in its place.

4964 (2) Section 47-1270 is amended as follows:

4965 (A) Strike the phrase “Stevie Sellows” both times it appears and insert the
4966 phrase “Stevie Sellow’s” in its place.

4967 (B) The existing paragraph (1A) is redesignated as paragraph (1B).

4968 (C) The existing paragraph (1B) is redesignated as paragraph (1C).

4969 (D) A new paragraph (1A) is added to read as follows:

4970 “(1A) “DD waiver provider” means an entity that provides residential, in-home,
4971 day, or support services, including employment and community development services under the
4972 District’s Medicaid Home and Community-Based Services Waiver for Persons with Intellectual
4973 and Developmental Disabilities program as authorized by section 1915(c) of the Social Security
4974 Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1396n(c)).”.

4975 (2) Section 47-1271 is amended as follows:

4976 (A) Strike the phrase “Stevie Sellows” both times it appears and insert the
4977 phrase “Stevie Sellow’s” in its place.

4978 (B) Subsection (b)(1) is amended by striking the phrase “reimbursement of
4979 ICF/IID.” and inserting the phrase “reimbursement of ICF/IID; provided that if the quality-of-
4980 care improvement is for an increase in salaries, the salary increase for each qualifying employee
4981 shall at least equal the greater of either 117.6% of the District minimum wage pursuant to section
4982 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248;
4983 D.C. Official Code § 32-1003) or 117.6% of the District living wage pursuant to the Living
4984 Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.01 *et*
4985 *seq.*)” in its place.

4986 (C) A new subsection (c-1) is added to read as follows:
4987 “(c-1) Notwithstanding subsection (b) of this section, revenues deposited in the Fund
4988 beginning in fiscal year 2022 may be used to support quality of care improvements for DD
4989 waiver providers.”.

4990 (3) Section 47-1272 is amended by striking the phrase “an ICF-IDD” both times it
4991 appears and inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

4992 (4) Section 47-1275 is amended by striking the phrase “ICF-IDD” both times it
4993 appears and inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

4994

4995 **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

4996 **SUBTITLE A. HIGHWAY TRUST FUND REPROGRAMMINGS**

4997 Sec. 6001. Short title.

4998 This subtitle may be cited as the “Highway Trust Fund Reprogramming Amendment Act
4999 of 2021”.

5000 Sec. 6002. Section 47-363 of the District of Columbia Official Code is amended by
5001 adding a new subsection (h) to read as follows:

5002 “(h)(1) This subchapter shall not apply to a reprogramming from a master capital project
5003 in the Highway Trust Fund portion of the District’s capital improvements plan to another master
5004 capital project in the Highway Trust Fund portion of the District’s capital improvements plan,
5005 other than as provided in this subsection.

5006 “(2) At the request of the Mayor, the Chief Financial Officer of the District of
5007 Columbia (“CFO”) shall reprogram funds between master capital projects in the Highway Trust
5008 Fund portion of the District’s capital improvements plan; provided, that the reprogramming of
5009 funds is consistent with the State Transportation Improvement Plan included in the
5010 Transportation Improvement Plan prepared and approved by the Metropolitan Washington
5011 Council of Governments National Capital Region Transportation Planning Board; provided
5012 further, that the CFO determines that the funds are available for reprogramming.

5013 “(3) After funds are reprogrammed pursuant to paragraph (2) of this subsection,
5014 the director of the implementing agency for the project may obligate and expend the
5015 reprogrammed funds.”.

5016 Sec. 6003. Applicability.

5017 This subtitle shall apply as of July 1, 2021.

5018 **SUBTITLE B. UTILITY RELOCATION ON INTERSTATE HIGHWAYS**

5019 Sec. 6011. Short title.

5020 This subtitle may be cited as the “Utility Relocation Reimbursement Amendment Act of
5021 2021”.

5022 Sec. 6012. Section 4(a) of the District of Columbia Public Utilities Reimbursement Act
5023 of 1972, approved October 14, 1972 (86 Stat. 812; D.C. Official Code § 9-107.02(a)), is
5024 amended by striking the phrase “The cost of relocation, adjustment, replacement, or removal,
5025 and the cost of abandonment of such facilities, shall be paid to the utility by the District of
5026 Columbia, as a part of the cost of such project.” and inserting the phrase “50% of the cost of
5027 relocation, adjustment, replacement, or removal, and 50% of the cost of abandonment of such
5028 facilities, shall be paid by the District of Columbia, as a part of the cost of such project. The
5029 remainder of such cost shall be paid by the utility.” in its place.

5030 **SUBTITLE C. BUSINESS RECOVERY AND SUSTAINABILITY FEE**
5031 **REDUCTIONS**

5032 Sec. 6021. Short title.

5033 This subtitle may be cited as the “Business Recovery and Sustainability Fee
5034 Reductions Amendment Act of 2021”.

5035 Sec. 6022. Business recovery and sustainability fee reductions.

5036 Title 17 of the District of Columbia Municipal Regulations is amended as follows:
5037 (a) Chapter 5 is amended as follows:

5038 (1) Section 500.2 (17 DCMR § 500.2) is amended to read as follows:

5039 “500.2 The Director shall charge a fee of seventy dollars (\$70) for
5040 each basic business license, plus a fee of twenty-five dollars (\$25) for each endorsement
5041 added to the basic business license, except for a General Business license and
5042 endorsement under 17 DCMR 516.1(c), for which no fee shall be charged. Each basic
5043 business license and endorsement shall be valid for two (2) years from the date of
5044 issuance, unless earlier revoked or voluntarily relinquished.”.

5045 (2) Section 500.3 (17 DCMR § 500.3) is amended to read as follows:

5046 “500.3 The Director shall charge a fee of seventy dollars (\$70) for the
5047 renewal of each basic business license, plus a fee of twenty-five dollars (\$25) for each
5048 renewal endorsement added to a basic business license, except for a General Business
5049 license and endorsement under 17 DCMR 516.1(c), for which no fee shall be charged.”.

5050 (3) Section 513.1 (17 DCMR § 513.1) is amended as follows:

5051 (A) Paragraph (a) is amended by striking the figure “\$1,300” and
5052 inserting the figure “\$90” in its place.

5053 (B) Paragraph (b) is amended by striking the figure “\$1,300” and
5054 inserting the figure “\$90” in its place.

5055 (C) Paragraph (c) is amended by striking the figure “\$1,300” and
5056 inserting the figure “\$90” in its place.

5057 (4) Section 516.1(c) (17 DCMR § 516.1(c)) is amended by striking the
5058 figure “\$200” and inserting the figure “\$90” in its place.

5059 (b) Chapter 6 is amended as follows:

5060 (1) Section 602.1(a)(1) (17 DCMR § 602(a)(1)) is amended by striking the
5061 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars
5062 (\$99)” in its place.

5063 (2) Section 606.1(a) (17 DCMR § 606.1(a)) is amended by striking the
5064 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars
5065 (\$99)” in its place.

5066 (3) Section 607.1(a) (17 DCMR § 607.1(a)) is amended by striking the
5067 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars

5068 (\$99)” in its place.

5069 (4) Section 608.1(a) (17 DCMR § 608.1(a)) is amended by striking the
5070 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars
5071 (\$99)” in its place.

5072 (5) Section 611.1(a) (17 DCMR § 611.1(a)) is amended by striking the
5073 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars
5074 (\$99)” in its place.

5075 (c) Section 1607.1 (17 DCMR § 1607.1) is amended by striking the phrase “five hundred
5076 dollars (\$500)” and inserting the phrase “zero dollars (\$0)” in its place.

5077 (d) Chapter 35 is amended as follows:

5078 (1) A new section 3500.6 (17 DCMR § 3500.6) is added to read as
5079 follows:

5080 “3500.6. From October 1, 2021, through September 30, 2022, the
5081 following fees shall be charged for each class of non-health occupation license issued by
5082 the Department of Consumer and Regulatory Affairs (DCRA) in lieu of the fees listed in
5083 3500.2:

5084 “(a) The application fee and examination fee shall be zero dollars
5085 (\$0).

5086 “(b) The license fee and the renewal fee shall be ninety-nine
5087 dollars (\$99).”.

5088 Sec. 6023. Taxi industry recovery support.

5089 During Fiscal Year 2022, the following fees shall not be charged:

- 5090 (a) The Department of For-Hire Vehicles’ fee for the renewal of an annual operator ID
5091 license, imposed by 31 DCMR § 827, for operators of public vehicles-for-hire;
- 5092 (b) The Department of For-Hire Vehicles’ per vehicle registration fee, imposed by 31
5093 DCMR § 1104, for public vehicles-for-hire;
- 5094 (c) The Department of For-Hire Vehicles’ independent taxicab owner certificate of
5095 operating authority application fee, imposed by 31 DCMR § 505.2;
- 5096 (d) The Department of For-Hire Vehicles’ taxicab company, association, and fleet
5097 certificate of operating authority fee, imposed pursuant to 31 DCMR § 501.8;
- 5098 (e) The Department of For-Hire Vehicles’ application fee for a certificate of operating
5099 authority to operate an independent luxury vehicle business, imposed by 31 DCMR § 1221.6(e);
- 5100 (f) The Department of Motor Vehicles’ fee for certified and uncertified abstracts of
5101 operating records, imposed by 18 DCMR §§ 801.3 and 801.5), for operators of public vehicles-
5102 for-hire;
- 5103 (g) The Department of Motor Vehicles’ motor vehicle inspection fee, imposed by section
5104 1 of An Act To provide for annual inspection of all motor vehicles in the District of Columbia,
5105 approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50–1101), and 18 DCMR §
5106 601.8(i)), for public vehicles-for-hire; and
- 5107 (h) The Department of Motor Vehicles’ motor vehicle registration fee, imposed by
5108 section 3 of title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937
5109 (50 Stat. 679; D.C. Official Code § 50-1501.03), for public vehicles-for-hire.
- 5110 Sec. 6024. Biennial corporate report fee forgiveness authority.
- 5111 Section 29-102.12 of the District of Columbia Official Code is amended by
5112 adding a new subsection (e) to read as follows:

5113 “(e) The Mayor may implement fee forgiveness programs by rulemaking to encourage
5114 entities to come into compliance with the entity filing requirements of this subchapter.”.

5115 **SUBTITLE D. SUSTAINABLE ENERGY TRUST FUND**

5116 Sec. 6031. Short title.

5117 This subtitle may be cited as the “Sustainable Energy Trust Fund Amendment Act of
5118 2021”.

5119 Sec. 6032. Section 210(c)(16) of the Clean and Affordable Energy Act of 2008, effective
5120 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)(16)), is amended to read
5121 as follows:

5122 “(16) In Fiscal Years 2022, 2023, 2024, and 2025, transferring at least \$10
5123 million, but no more than \$15 million, to the Green Finance Authority to support sustainable
5124 projects and programs; provided, that funding for such transfers is included in an approved
5125 budget and financial plan; provided further, that the total amount of money transferred to the
5126 Green Finance Authority from the Sustainable Energy Trust Fund in fiscal years 2020 through
5127 2025 shall not exceed \$70 million; and”.

5128 Sec. 6033. Section 4(b) of the Energy Efficiency Standards Act of 2007, effective
5129 December 11, 2007 (D.C. Law 17-64; D.C. Official Code § 8-1771.03(b)), is amended as
5130 follows:

5131 (a) Paragraph (3B) is redesignated as paragraph (2D).

5132 (b) Paragraph (3C) is redesignated as paragraph (3B).

5133 (c) Paragraph (3D) is redesignated as paragraph (3C).

5134 (d) Paragraph (3E) is redesignated as paragraph (3D).

5135 (e) The newly redesignated paragraph (2D) is amended by striking the phrase
5136 “Residential ventilating fans shall have a fan motor efficacy of no less than 2.8 cubic feet” and
5137 inserting the phrase “In-line residential ventilating fans shall have a fan motor efficacy of no less
5138 than 2.8 cubic feet” in its place.

5139 **SUBTITLE E. WMATA DEDICATED FUNDING**

5140 Sec. 6041. Short title.

5141 This subtitle may be cited as the “WMATA Dedicated Funding Amendment Act of
5142 2021”.

5143 Sec. 6042. Section 6002 of the Dedicated WMATA Funding and Tax Changes Affecting
5144 Real Property and Sales Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168;
5145 D.C. Official Code § 1-325.401), is amended as follows:

5146 (a) Subsection (b)(3) is amended to read as follows:

5147 “(3) In Fiscal Year 2021, and each successive year, \$178.5 million.”.

5148 (b) A new subsection (b-1) is added to read as follows:

5149 “(b-1) Notwithstanding paragraph (3) of this subsection, the District may reduce its
5150 dedicated funding payment to WMATA if Maryland or Virginia reduces its dedicated funding
5151 payment below the amount required in its dedicated funding agreement with WMATA;
5152 provided, that the District’s reduction shall be not be greater in proportion than the proportion by
5153 which Maryland or the proportion by which Virginia, whichever is greater, reduces its
5154 payment.”.

5155 **SUBTITLE F. URBAN AGRICULTURE FUNDING AND CLARIFICATION**

5156 Sec. 6051. Short title.

5157 This subtitle may be cited as the “Urban Agriculture Funding Amendment Act of 2021”.

5158 Sec. 6052. The Food Production and Urban Gardens Program Act of 1986, effective
5159 February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as
5160 follows:

5161 (a) Section 2(4) (D.C. Official Code § 48-401(4)) is amended as follows:

5162 (1) Strike the word “produce” and insert the word “crops” in its place.

5163 (2) Strike the phrase “purposes.” and insert the phrase “purposes. The term “urban
5164 farm” shall not include backyard or community gardens.” in its place.

5165 (b) Section 3b (D.C. Official Code § 48-402.02) is amended by striking the figure
5166 “\$150,000” and inserting the figure “\$90,000” in its place.

5167 Sec. 6053. Section 47-868(d) of the District of Columbia Official Code is amended as
5168 follows:

5169 (a) Paragraph (1) is amended by striking the phrase “shall, before the property is put to
5170 use as an urban farm,” and inserting the word “shall” in its place.

5171 (b) Paragraph (2) is amended by striking the phrase “to object to the proposed annual
5172 planting plan and request modifications to the annual planting plan” and inserting the phrase “to
5173 determine eligibility for an abatement under this section” in its place.

5174 (c) Paragraph (3) is amended by striking the phrase “retain the annual planting plan for at
5175 least 3 years” and insert the phrase “submit an annual planting plan for approval pursuant to this
5176 subsection at the beginning of each fiscal year” in its place.

5177 (d) A new paragraph (4) is inserted to read as follows:

5178 “(4) The Department may establish additional requirements for eligibility by
5179 rulemaking or by publication on its website.”.

5180 **SUBTITLE G. ZERO WASTE FUNDING AND CLARIFICATION**

5181 **AMENDMENT**

5182 Sec. 6061. Short title.

5183 This subtitle may be cited as the “Zero Waste Funding and Clarification Amendment Act
5184 of 2021”.

5185 Sec. 6062. Title I of the Sustainable Solid Waste Management Amendment Act of 2014,
5186 effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01 *et seq.*), is
5187 amended as follows:

5188 (a) Section 103a (D.C. Official Code § 8-1031.03a) is amended as follows:

5189 (1) Subsection (a) is amended as follows:

5190 (i) Paragraph (1) is amended by striking the word “food” and inserting the
5191 phrase “food to the extent practicable” in its place.

5192 (ii) Paragraph (3) is amended by striking the word “employee work area”
5193 and inserting the phrase “work area where employees are handling back-of-house commercial
5194 food waste” in its place.

5195 (2) Subsection (e)(1) is repealed.

5196 (b) Section 111(a) (D.C. Official Code § 8–1031.11(a)) is amended as follows:

5197 (1) Paragraph (1) is amended by striking the phrase “facilities.” and inserting the
5198 phrase “facilities. Beginning January 1, 2023, the minimum fee for transfer at District-owned
5199 solid waste facilities shall be \$13.38 per ton.” in its place.

5200 (2) Paragraph (2) is amended by striking the figure “\$1” and inserting the figure
5201 “\$2” in its place.

5202 (c) Section 112b (D.C. Official Code § 8-1031.12b) is amended to read as follows:

5203 “112b. On-Site Composting.

5204 “Owners of commercial and residential properties in the District may engage in
5205 composting on the property; provided, that the composting is conducted in a manner that does
5206 not:

5207 “(1) Promote the development, attraction, or harborage of vectors; or

5208 “(2) Create a public nuisance.”.

5209 (d) Section 128(2)(B) (D.C. Official Code § 8-771.01(2)(B)) is amended to read as
5210 follows:

5211 “(B) A product in which the only batteries used are supplied by a producer
5212 that:

5213 “(i) Is a member of a battery stewardship organization that has an
5214 approved battery stewardship plan pursuant to section 130(b) and is registered in accordance
5215 with section 131(b); and

5216 “(ii) Has provided written certification of that membership to both
5217 the producer of the covered battery-containing product and the battery stewardship organization
5218 of which the battery producer is a member;”.

5219 (e) Section 130(a)(5) is amended to read as follows:

5220 “(5) A description of how the battery stewardship organization will arrange for
5221 components of the discarded batteries to be recycled to the maximum extent economically and
5222 technically feasible, in a manner that is environmentally sound and safe for waste management
5223 workers;”.

5224 (f) Section 132(a) (D.C. Official Code § 8-771.05(a)) is amended by striking the phrase
5225 “April 1” and inserting the phrase “June 1” in its place.

5226 Sec. 6063. Section 3(e) of the Human and Environmental Health Protection Act of 2010,
5227 effective March 31, 2011 (D.C. Law 18-336; D.C. Official Code § 8-108.02(e)), is amended as
5228 follows:

5229 (a) The existing text is designated as paragraph (1).

5230 (b) A new paragraph (2) is added to read as follows:

5231 “(2) There shall be a de minimis exemption for the sale of products containing
5232 0.1% or less by mass of penta mixtures of polybrominated diphenyl ethers due to the presence of
5233 recycled raw materials.”.

5234 Sec. 6064. Section 720.7 of Title 21 of the District of Columbia Municipal Regulations
5235 (21 DCMR § 720.7), is amended to read as follows:

5236 “720.7 The applicable fees for the disposal of commodities included in the District's solid
5237 waste reduction and recycling program at the waste-handling facilities shall be fifty-one dollars
5238 and fifty-nine cents (\$51.59) for each ton disposed; Provided, that a minimum fee of twelve
5239 dollars and eighty-nine cents (\$12.89) shall be imposed on each load weighing five hundred
5240 pounds (500 lbs.) or less.”.

5241 **SUBTITLE H. DEPARTMENT OF MOTOR VEHICLES KIOSKS FUND**

5242 Sec. 6071. Short title.

5243 This subtitle may be cited as the “Department of Motor Vehicles Kiosk Fund
5244 Amendment Act of 2021”.

5245 Sec. 6072. The Department of Motor Vehicles Establishment Act of 1998, effective
5246 March 26, 1999 (D.C. Law 12–175; D.C. Official Code § 50-901 *et seq.*), is amended by adding
5247 a new section 1825a to read as follows:

5248 “Sec. 1825a. Department of Motor Vehicles Kiosk Fund.

5249 “(a) There is established as a special fund the Department of Motor Vehicles Kiosk Fund
5250 (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this
5251 section.

5252 “(b) All convenience fees collected from the operation of the Department of Motor
5253 Vehicles’ self-service kiosks shall be deposited in the Fund.

5254 “(c) Money in the Fund shall be used to pay the costs of installing, renting, operating,
5255 maintaining, and providing supplies for the Department of Motor Vehicles’ self-service kiosks.

5256 “(d)(1) The money deposited in the Fund but not expended in a fiscal year shall not revert
5257 to the unassigned fund balance of the General Fund of the District of Columbia at the end of a
5258 fiscal year, or at any other time.

5259 “(2) Subject to authorization in an approved budget and financial plan, any funds
5260 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

5261 “(e) For the purposes of this section, the term “self-service kiosk” means a hardware
5262 device with specialized integrated software that enables users to conduct transactions related to
5263 the Department of Motor Vehicles’ services without the need for assistance from Department of
5264 Motor Vehicles staff.”.

5265 **SUBTITLE I. DC CIRCULATOR FARE**

5266 Sec. 6081. Short title.

5267 This subtitle may be cited as the “DC Circulator Amendment Act of 2021”.

5268 Sec. 6082. Section 11d(b) of the Department of Transportation Establishment Act of 2002,
5269 effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-921.34(b)), is amended to
5270 read as follows:

5271 “(b) The base fare to ride the DC Circulator shall be at least \$1; except, that the Department
5272 may provide discounts for:

5273 “(1) Seniors, veterans, students, children, and disabled persons;

5274 “(2) All riders during a public health emergency declared by the Mayor;

5275 “(3) All riders during promotional periods; provided, that promotional periods may
5276 not cumulatively total more than 2 months in a calendar year;

5277 “(4) Transfers.”.

5278 **SUBTITLE J. LOW-INCOME WEATHERIZATION ASSISTSANCE**

5279 Sec. 6091. Short title.

5280 This subtitle may be cited as the “Low-Income Weatherization Assistance Amendment
5281 Act of 2021”.

5282 Sec. 6092. Section 211(c) of the Clean and Affordable Energy Act of 2008, effective
5283 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.11(c)), is amended to read as
5284 follows:

5285 “(c)(1) Except as described in paragraph (2) of this subsection, the Energy Assistance
5286 Trust Fund shall be used solely to fund the existing low-income program, and the Mayor shall
5287 have the fund audited every 2 years to ensure that the assessment imposed pursuant to subsection
5288 (b)(1) of this section is appropriately set to fund the low-income program funded by the EATF.

5289 “(2) In Fiscal Year 2022, the Energy Assistance Trust Fund may also be used to
5290 fund weatherization assistance for low-income District residents.”.

5291 **SUBTITLE K. ATE SYSTEM REVENUE DESIGNATION**

5292 Sec. 6101. Short title.

5293 This subtitle may be cited as the “ATE System Revenue Designation Amendment Act of
5294 2021”.

5295 Sec. 6102. The Department of Transportation Establishment Act of 2002, effective May
5296 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a
5297 new section 9r to read as follows:

5298 “Sec. 9r. ATE system revenue designation.

5299 “(a) There is established as a special fund, the Vision Zero Enhancement Omnibus
5300 Amendment Act Implementation Fund (“Fund”), which shall be administered by the Director of
5301 the District Department of Transportation (“Director”) in accordance with subsections (c) and (d)
5302 of this section.

5303 “(b) There shall be deposited in the Fund the amount by which the projected local funds
5304 revenue from fines generated from the automated traffic enforcement system, authorized by
5305 section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C.
5306 Law 11-198; D.C. Official Code § 50-2209.01), for that fiscal year exceeds \$98,757,000; and

5307 “(c)(1) Money in the Fund shall be used according to the following order of priority:

5308 “(A) To implement the Vision Zero Enhancement Omnibus Amendment
5309 Act of 2020, effective December 23, 2020 (D.C. Law 23-158; 67 DCR 13057), including to pay
5310 recurring costs;

5311 “(B) To enhance the safety and quality of pedestrian and bicycle
5312 transportation, including education, engineering, and enforcement efforts designed to calm traffic
5313 and provide safe routes.

5314 “(2) The Director is authorized to enter into intra-District transfers from the Fund
5315 and other agreements with the Department of Health, Department of Motor Vehicles,

5316 Department of Public Works, and Metropolitan Police Department as necessary to implement
5317 provisions of the Vision Zero Enhancement Omnibus Amendment Act of 2020, effective
5318 December 23, 2020 (D.C. Law 23-158; 67 DCR 13057).

5319 “(d)(1) The money deposited into the Fund shall not revert to the unassigned fund
5320 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any
5321 other time.

5322 “(2) Subject to authorization in an approved budget and financial plan, any funds
5323 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”

5324 **SUBTITLE L. ELECTRIC MOBILITY DEVICE AMENDMENT**

5325 Sec. 6111. Short title.

5326 This subtitle may be cited as the “Electric Mobility Device Amendment Act of 2021”.

5327 Sec. 6112. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
5328 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

5329 (a) Section 2(6A)(A) (D.C. Official Code § 50-2201.02(6A)(A)) is amended as follows:

5330 (1) The lead-in language is amended by striking the number “60” and inserting the
5331 number “75” in its place.

5332 (2) Sub-subparagraph (iv) is amended striking the number “48” and inserting the
5333 number “55” in its place.

5334 (b) Section 6c(b) (D.C. Official Code § 50-2201.03c(b)) is amended by adding a new
5335 paragraph (5) to read as follows:

5336 “(5) The Director shall fine a permitted operator \$100 per device that the permitted
5337 operator represented to DDOT as an electronic mobility device and deployed that, when inspected
5338 by DDOT, weighs greater than 75 pounds or is longer than 55 inches.”.

5339 **SUBTITLE M. GREEN BUILDING FUND SETF DISBURSEMENTS**

5340 Sec. 6121. Short title.

5341 This subtitle may be cited as the “Green Building Fund SETF Disbursement Amendment
5342 Act of 2021”.

5343 Sec. 6122. Section 8 of the Green Building Act of 2006, effective March 8, 2007 (D.C.
5344 Law 16-234; D.C. Official Code § 6-1451.07), is amended to read as follows:

5345 “Sec. 8. Green Building Fund.

5346 “(a) There is established as a special fund the Green Building Fund (“Fund”), which shall
5347 be administered by the Mayor in accordance with subsection (c) of this section. The purpose of
5348 the Fund is to streamline administrative green building processes, improve sustainability
5349 performance outcomes, build capacity of development and administrative oversight professionals
5350 in green building skills and knowledge, institutionalize innovation, overcome barriers to
5351 achieving high-performance buildings, and continuously promote the sustainability of green
5352 building practices in the District.

5353 “(b) Monies obtained pursuant to sections 6 and 9 shall be deposited into the Fund.

5354 “(c) Money in the Fund shall be used for the following:

5355 “(1) The following amounts shall be transferred to the Sustainable Energy Trust
5356 Fund (“SETF”) established by section 210 of the Clean and Affordable Energy Act of 2008,
5357 effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10):

5358 “(A) For each of Fiscal Years 2022, 2023, 2024, and 2025, a minimum of
5359 \$900,000; and

5360 “(B) For each fiscal year thereafter, 50% of monies in the Fund; and

5361 “(2) Costs for at least 3 full-time employees at DCRA, or elsewhere as assigned
5362 by the Mayor, whose primary job duties are devoted to technical assistance, plan review, and
5363 inspections and monitoring of green buildings;

5364 “(3) Additional staff and operating costs to provide training, technical assistance,
5365 plan review, inspections and monitoring of green buildings, and green codes development;

5366 “(4) Research and development of green building practices;

5367 “(5) Education, training, outreach, and other market transformation initiatives;

5368 “(6) Seed support for demonstration projects, their evaluation, and when
5369 successful, their institutionalization; and

5370 “(7) Costs incurred to make green building materials accessible to low-income
5371 residents.

5372 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
5373 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of
5374 a fiscal year, or at any other time.

5375 “(2) Subject to authorization in an approved budget and financial plan, any funds
5376 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

5377 “(e) The Mayor may receive and administer grants for the purpose of carrying out the
5378 goals of this act.”.

5379 Sec. 6123. Section 210 of the Clean and Affordable Energy Act of 2008, effective
5380 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10), is amended as follows:

5381 (a) Subsection (a) is amended by striking the phrase “Fiscal Agent.” and inserting the
5382 phrase “Fiscal Agent. In addition, money transferred from the Green Building Fund, pursuant to
5383 section 8(c)(1) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234;

5384 D.C. Official Code § 6-1451.07(c)(1)), shall be deposited into the SETF; provided, that any such
5385 money shall be used solely for the purpose described in subsection (c)(18) of this section.” in its
5386 place.

5387 (b) Subsection (c) is amended as follows:

5388 (1) Paragraph (16) is amended by striking the phrase “; and” and inserting a semi-
5389 colon in its place.

5390 (2) Paragraph (17) is amended by striking the period and inserting the phrase “;
5391 and” in its place.

5392 (3) A new paragraph (18) is added to read as follows:

5393 “(18) Activities permitted under section 8(c)(2) through (7) of the Green Building
5394 Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)-
5395 (7)).”.

5396 **SUBTITLE N. LEAD PIPE REPLACEMENT ASSISTANCE PROGRAM**

5397 **SUBSIDY**

5398 Sec. 6131. Short title.

5399 This subtitle may be cited as the “Lead Pipe Replacement Assistance Program Subsidy
5400 Amendment Act of 2021”.

5401 Sec. 6132. Section 6019b(b)(1) of the Lead Service Line Priority Replacement Assistance
5402 Act of 2004, effective March 13, 2019 (D.C. Law 22-241; D.C. Official Code § 34-2159(b)(1)),
5403 is amended as follows:

5404 (a) Subparagraph (A) is amended as follows:

5405 (1) Sub-subparagraph (i) is amended by striking the phrase “80% or” and
5406 inserting the phrase “100% or” in its place.

5407 (2) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the
5408 phrase “; and” in its place.

5409 (b) Subparagraph (B) is repealed.

5410 **SUBTITLE O. LEAD SERVICE LINE PLANNING TASK FORCE**

5411 Sec. 6141. Short title.

5412 This subtitle may be cited as the “Lead Service Line Planning Task Force Establishment
5413 Act of 2021”.

5414 Sec. 6142. The Lead Service Line Priority Replacement Assistance Act of 2004, effective
5415 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 *et seq.*), is amended by
5416 adding new sections 6019d and 6019e to read as follows:

5417 “Sec. 6019d. Lead Service Line Planning Task Force establishment.

5418 “(a) There is established a Lead Service Line Planning Task Force (“Task Force”), to be
5419 administered by the Department of Energy and Environment (“DOEE”), to develop an
5420 interagency plan for the removal and replacement of all lead water service lines by 2030
5421 (“Plan”).

5422 “(b) The Task Force shall consist of 6 members as follows:

5423 “(1) The Director of DOEE, or the Director’s designee;

5424 “(2) The General Manager of the District of Columbia Water and Sewer Authority
5425 (“DC Water”); or the General manager’s designee;

5426 “(3) The Director of the District Department of Transportation, or the Director’s
5427 designee;

5428 “(4) The Director of the Department of Consumer and Regulatory Affairs, or the
5429 Director’s designee;

5430 “(5) One representative appointed by the Chairperson of the Council committee
5431 with oversight of DC Water; and

5432 “(6) One representative appointed by the Chairperson of the Council committee
5433 with oversight of DOEE.

5434 “(c)(1) Within 2 months after the effective date of the Lead Free DC Planning Task Force
5435 Establishment Act of 2021, as approved by the Committee of the Whole on July 20, 2021
5436 (Committee print of Bill 24-185), the Task Force shall hold its first meeting. The Task Force
5437 shall meet at least monthly.

5438 “(2) The Task Force shall dissolve after submitting the report required by
5439 subsection (d) of this section.

5440 “(d)(1) Within 10 months after the effective date of this Act, the Task Force shall transit
5441 the Plan to the Mayor, Council, and Chairperson of the DC Water Board of Directors.

5442 “(2) The Plan shall include:

5443 “(A) An account of the role of each District agency, including agencies
5444 not part of the Task Force, in the removal and replacement of all lead water service lines by
5445 2030;

5446 “(B) An account of identified barriers to the District removing and
5447 replacing all lead water services lines by 2030, and proposed solutions to reduce or eliminate
5448 those barriers;

5449 “(C) An account of opportunities for interagency coordination or
5450 cooperation to accelerate or improve the efficiency and cost-effectiveness of lead water service
5451 line replacements;

5452 “(D) An interagency spending proposal;

5453 “(E) Recommended changes or clarifications to DC Water’s Lead Service
5454 Line Replacement Plan, released on June 14, 2021;

5455 “(F) A list of potential funding sources to support lead water service line
5456 replacements; and

5457 “(G) A list of legislative, regulatory, and policy changes to effectively and
5458 efficiently complete and fund lead line replacement work by 2030, including draft language,
5459 where appropriate.

5460 “(3)(A) The interagency spending proposal required by paragraph (2)(D) of this
5461 subsection shall include an account of estimated spending, broken down by:

5462 “(i) Fiscal year;

5463 “(ii) Spending agency;

5464 “(iii) How the funds are intended to be used; and

5465 “(iv) Whether a funding source has been identified for the
5466 expenditure.

5467 “(B) The spending proposal required by paragraph (2)(D) of this
5468 subsection shall also include:

5469 “(i) Costs for recommendations identified pursuant to paragraph
5470 (2)(B) and (C) of this subsection; and

5471 “(ii) A separate list of unfunded agency costs identified in the
5472 spending proposal, including the number of unfunded FTEs, by agency and the FTEs anticipated
5473 responsibilities.

5474 “(4) At least 2 months before transmitting the Plan to the Council, the Task Force
5475 shall make a draft version of the Plan available to the Mayor, the Council, and the public. The

5476 Task Force shall accept public comments on the report for at least 4 weeks following the Plan
5477 being made public.

5478 “(e) Nothing in this section shall be construed to limit the authority of DC Water or
5479 DOEE to undertake lead water service line removal or replacements before the submission of the
5480 Plan.

5481 “Sec. 6019e. Reporting on lead water service line replacement spending.

5482 “(a) The District of Columbia Water and Sewer Authority (“DC Water”) and the
5483 Department of Energy and Environment (“DOEE”) shall separately provide the Council with a
5484 report on agency spending of federal and local funds on lead water service line replacements,
5485 broken down by spending of federal and local funds and by program. DC Water’s report shall
5486 also include a breakdown of spending on lead line replacements, program management costs,
5487 street restoration, water main replacements, and other costs.

5488 “(b) DC Water and DOEE shall transmit the reports required by subsection (a) of this
5489 section twice a year, on:

5490 “(1) February 1st, for the period beginning July 1st and ending December 31st of
5491 the immediately preceding year; and

5492 “(2) August 1st, for the period beginning January 1st and ending June 30th of the
5493 same year.”.

5494 **SUBTITLE P. PROTECT LOCAL WILDLIFE TAGS AND ANACOSTIA RIVER**

5495 **CLEAN UP AND PROTECTION FUND ELIGIBLE USES**

5496 Sec. 6151. Short title.

5497 This subtitle may be cited as the “Protect Local Wildlife Specialty License Plate and Anacostia
5498 River Clean Up and Protection Fund Eligible Use Amendment Act of 2021”.

5499 Sec. 6152. Title IV of the District of Columbia Revenue Act of 1937, approved August
5500 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01 *et seq.*), is amended as follows:

5501 (a) A new section 21 is added to read as follows:

5502 “Sec. 21. Issuance of Protect Local Wildlife motor vehicle identification tags.

5503 “(a) The Mayor shall design and make available for issue one or more Protect Local Wildlife
5504 vehicle identification tags to demonstrate support for the protection, rescue, and rehabilitation of native
5505 wildlife placed at risk due to the encroaching urban environment.

5506 “(b)(1) A resident ordering a Protect Local Wildlife tag shall pay a one-time application fee and
5507 a display fee each year thereafter. The application fee shall be \$25, and the display fee shall be \$20, or
5508 such other amount as may be established by the Mayor by rule.

5509 “(2) The application fee and annual display fee shall be deposited into the Anacostia
5510 River Clean Up and Protection Fund established by section 6 of the Anacostia River Clean Up and
5511 Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-
5512 102.05).”.

5513 (b) Section 3 (D.C. Official Code § 50-1501.03) is amended as follows:

5514 (1) Subsection (a)(1) is amended by adding a new subparagraph (P) to read as
5515 follows:

5516 “(P) Any person ordering a Protect Local Wildlife identification tag shall
5517 pay the fees set forth in section 21(b)(1).”.

5518 (2) Subsection (d) is amended as follows:

5519 (A) Paragraph (12) is amended by striking the phrase “; and” and inserting
5520 a semicolon in its place.

5521 (B) Paragraph (13) is amended by striking the period and inserting the
5522 phrase “; and” in its place.

5523 (C) A new paragraph (14) to read as follows:

5524 “(14) The fees collected for the Protect Local Wildlife identification tags under
5525 section 21 shall be deposited into Anacostia River Clean Up and Protection Fund, established by
5526 section 6 of the Anacostia River Clean Up and Protection Act of 2009, effective September 23,
5527 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05).”.

5528 Sec. 6153. Section 6 of the Anacostia River Clean Up and Protection Act of 2009,
5529 effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05), is amended as
5530 follows:

5531 (a) Subsection (a) is amended as follows:

5532 (1) Strike the phrase “Plates,” and insert the phrase “Plates, all fees collected
5533 pursuant to section 21(b)(1) of Title IV of the District of Columbia Revenue Act of 1937, as
5534 approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285),” in
5535 its place.

5536 (2) Strike the phrase “District Department of the Environment” and insert the
5537 phrase “Department of Energy and Environment (“DOEE”)” in its place.

5538 (b) Subsection (b) is amended as follows:

5539 (1) Paragraph (1A) is amended by striking the phrase “District Department of the
5540 Environment” and inserting the phrase “DOEE” in its place.

5541 (2) Paragraph (3) is amended by striking the phrase “District Department of the
5542 Environment” and inserting the phrase “DOEE” in its place.

5543 (3) New paragraphs (7A) and (7B) are added to read as follows:

5544 “(7A) Awarding an annual grant, on a competitive basis, in an amount not to
5545 exceed \$200,000, to provide wildlife rehabilitation services;

5546 “(7B) In Fiscal Year 2022, at least \$50,000 to produce a report, which, upon its
5547 completion, shall be published on DOEE’s website, analyzing the projected effects of banning
5548 the sale of beverages packaged in single-use plastic containers in the District, including effects
5549 on waterways, equity, and the local economy;”.

5550 **SUBTITLE Q. RAIL SAFETY AND SECURITY RULEMAKING**

5551 Sec. 6161. Short title.

5552 This subtitle may be cited as the “Rail Safety and Security Rulemaking Amendment Act
5553 of 2021”.

5554 Sec. 6162. Section 110(c) of the District Department of the Environment Establishment
5555 Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.10(c)), is
5556 amended as follows:

5557 (a) Paragraph (1) is amended by striking the phrase “carriers.” and inserting the phrase
5558 “carriers to cover the costs of administering and managing the expenses of the emergency
5559 response, rail safety, and rail security programs for railroad operations in the District.” in its
5560 place.

5561 (b) Paragraph (2) is amended to read as follows:

5562 “(2) In issuing rules pursuant to this subsection, the Mayor shall consider any
5563 recommendations submitted pursuant to section 203(b)(4) of the Rail Safety and Security
5564 Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-
5565 333(b)(4)).”.

5566 (c) Paragraph (3) is amended as follows:

5567 (1) Strike the phrase “the Rail Advisory Board’s” and insert the word “any” in its
5568 place.

5569 (2) Strike the phrase “provide the Rail” and insert the phrase “provide the
5570 Railroad” in its place.

5571 Sec. 6163. Section 203(b)(4) of the Rail Safety and Security Amendment Act of 2016,
5572 effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-333(b)(4)) is amended to
5573 read as follows:

5574 “(4) At least once per year, submit recommendations to the Mayor regarding rules
5575 that have or should be adopted pursuant to pursuant to section 110(c) of the District Department
5576 of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51;
5577 D.C. Official Code § 8-151.10(c)).”.

5578 **SUBTITLE R. DOEE AND DDOT GRANTS**

5579 Sec. 6171. Short title.

5580 This subtitle may be cited as the “Grants Act of 2021”.

5581 Sec. 6172. In Fiscal Year 2022, the Department of Energy and the Environment shall
5582 award grants, on a competitive basis, in an amount not to exceed \$50,000 for each grant and
5583 \$150,000 for all grants awarded under this section, to community-based groups working to
5584 remove trash and invasive species, maintain trails, and engage residents in the District’s
5585 parklands.

5586 Sec. 6173. In Fiscal Year 2022, the District Department of Transportation shall award a
5587 grant in an amount not to exceed \$200,000 for a local airport authority to study aircraft
5588 operations and noise at Ronald Reagan Washington National Airport, and its impact on the
5589 quality of life of residents along the Potomac River.

5590

5591 **TITLE VII. FINANCE AND REVENUE**

5592 **SUBTITLE A. UNCLAIMED PROPERTY**

5593 Part 1. Short Title; Definitions; Rules

5594 Sec. 7001. Short title.

5595 This subtitle may be cited as the “Revised Uniform Unclaimed Property Act of 2021”.

5596 Sec. 7002. Definitions.

5597 For the purposes of this subtitle, the term:

5598 (1) “Administrator” means the authorized representative of the Mayor.

5599 (2) “Administrator’s agent” means a person with which the Administrator
5600 contracts to conduct an examination under Part 10 on behalf of the Administrator. The term
5601 includes an independent contractor of the person and each individual participating in the
5602 examination on behalf of the person or contractor.

5603 (3) “Apparent owner” means a person whose name appears on the records of a
5604 holder as the owner of property held, issued, or owing by the holder.

5605 (4) “Attorney General” means the Attorney General for the District of Columbia.

5606 (5) “Business association” means a corporation, joint stock company, investment
5607 company other than an investment company registered under the Investment Company Act of
5608 1940, approved August 22, 1940 (54 Stat. 789;15 U.S.C. §§ 80a-1 *et seq.*), partnership,
5609 unincorporated association, joint venture, limited liability company, business trust, trust
5610 company, land bank, safe deposit company, safekeeping depository, financial organization,
5611 insurance company, federally chartered entity, utility, sole proprietorship, or other business
5612 entity, whether or not for profit.

5613 (6) “Confidential information” means records, reports, and information that are
5614 confidential under section 7083.

5615 (7) “District” means the District of Columbia.

5616 (8) “Domicile” means:

5617 (A) For a corporation, the state of its incorporation;

5618 (B) For a business association whose formation requires a filing with a
5619 state, other than a corporation, the state of its filing;

5620 (C) For a federally chartered entity or an investment company registered
5621 under the Investment Company Act of 1940, approved August 22, 1940 (54 Stat. 789; 15 U.S.C.
5622 §§ 80a-1 *et seq.*), the state of its home office; and

5623 (D) For any other holder, the state of its principal place of business.

5624 (9) “Electronic” means relating to technology having electrical, digital, magnetic,
5625 wireless, optical, electromagnetic, or similar capabilities.

5626 (10) “Electronic mail” means a communication by electronic means which is
5627 automatically retained and stored and may be readily accessed or retrieved.

5628 (11) “Financial organization” means a savings and loan association, building and
5629 loan association, savings bank, industrial bank, bank, banking organization, or credit union.

5630 (12)(A) “Game-related digital content” means digital content that exists only in an
5631 electronic game or electronic-game platform.

5632 (B) The term “game-related digital content” includes:

5633 (i) Game-play currency such as a virtual wallet, even if
5634 denominated in United States currency; and

5635 (ii) The following if for use or redemption only within the game or
5636 platform or another electronic game or electronic-game platform:

5637 (I) Points, sometimes referred to as gems, tokens, gold, and
5638 similar names; and

5639 (II) Digital codes; and

5640 (C) The term “game-related digital content” does not include an item that
5641 the issuer:

5642 (i) Permits to be redeemed for use outside a game or platform for:

5643 (I) Money; or

5644 (II) Goods or services that have more than minimal value;

5645 or

5646 (ii) Otherwise monetizes for use outside a game or platform.

5647 (13)(A) “Gift card” means a stored-value card:

5648 (i) The value of which does not expire;

5649 (ii) That may be decreased in value only by redemption for
5650 merchandise, goods, or services; and

5651 (iii) That, unless required by law, may not be redeemed for or
5652 converted into money or otherwise monetized by the issuer; and

5653 (B) The term “gift card” includes a prepaid commercial mobile radio
5654 service, as defined in 47 C.F.R. 20.3.

5655 (14) “Holder” means a person obligated to hold for the account of, or to deliver or
5656 pay to, the owner, property subject to this subtitle.

5657 (15) “Insurance company” means an association, corporation, or fraternal or
5658 mutual-benefit organization, whether or not for profit, engaged in the business of providing life
5659 endowments, annuities, or insurance, including accident, burial, casualty, credit-life, contract-
5660 performance, dental, disability, fidelity, fire, health, hospitalization, illness, life, malpractice,
5661 marine, mortgage, surety, wage-protection, and worker-compensation insurance.

5662 (16) “Loyalty card” means a record given without direct monetary consideration
5663 under an award, reward, benefit, loyalty, incentive, rebate, or promotional program which may
5664 be used or redeemed only to obtain goods or services or a discount on goods or services. The
5665 term does not include a record that may be redeemed for money or otherwise monetized by the
5666 issuer.

5667 (17) “Mineral” means gas, oil, coal, oil shale, other gaseous liquid or solid
5668 hydrocarbon, cement material, sand and gravel, road material, building stone, chemical raw
5669 material, gemstone, fissionable and nonfissionable ores, colloidal and other clay, steam and other
5670 geothermal resources, and any other substance defined as a mineral by law of the District other
5671 than this subtitle.

5672 (18)(A) “Mineral proceeds” means an amount payable for extraction, production,
5673 or sale of minerals, or, on the abandonment of the amount, an amount that becomes payable after
5674 abandonment.

5675 (B) The term “mineral proceeds” includes an amount payable:

5676 (i) For the acquisition and retention of a mineral lease, including a
5677 bonus, royalty, compensatory royalty, shut-in royalty, minimum royalty, and delay rental;

5678 (ii) For the extraction, production, or sale of minerals, including a
5679 net revenue interest, royalty, overriding royalty, extraction payment, and production payment;
5680 and

5681 (iii) Under an agreement or option, including a joint-operating
5682 agreement, unit agreement, pooling agreement, and farm-out agreement.

5683 (19) “Money order” means a payment order for a specified amount of money,
5684 including an express money order and a personal money order on which the remitter is the
5685 purchaser.

5686 (20) “Municipal bond” means a bond or evidence of indebtedness issued by a
5687 municipality or other political subdivision of a state.

5688 (21) “Net card value” means the original purchase price or original issued value
5689 of a stored-value card, plus amounts added to the original price or value, minus amounts used
5690 and any service charge, fee, or dormancy charge permitted by law.

5691 (22) “Non-freely transferable security” means a security that cannot be delivered
5692 to the Administrator by the Depository Trust Clearing Corporation or similar custodian of
5693 securities providing post-trade clearing and settlement services to financial markets or cannot be
5694 delivered because there is no agent to effect transfer. The term includes a worthless security.

5695 (23) “Owner” means a person that has a legal, beneficial, or equitable interest in
5696 property subject to this subtitle or the person’s legal representative when acting on behalf of the
5697 owner, including:

5698 (A) A depositor, for a deposit;

5699 (B) A beneficiary, for a trust other than a deposit in trust;

5700 (C) A creditor, claimant, or payee, for other property; and

5701 (D) The lawful bearer of a record that may be used to obtain money, a
5702 reward, or a thing of value.

5703 (24) “Payroll card” means a record that evidences a payroll-card account as
5704 defined in Regulation E, 12 C.F.R. Part 1005.

5705 (25) “Person” means an individual, estate, business or nonprofit entity, public
5706 corporation, government or governmental subdivision, agency, or instrumentality, or other legal
5707 entity.

5708 (26)(A) “Property” means tangible property described in section 7009 or a fixed
5709 and certain interest in intangible property held, issued, or owed in the course of a holder’s
5710 business or by a government, governmental subdivision, agency, or instrumentality.

5711 (B) The term “property” includes all income from or increments to the
5712 property and includes property referred to as or evidenced by:

5713 (i) Money, virtual currency, interest, or a dividend, check, draft,
5714 deposit, or payroll card;

5715 (ii) A credit balance, customer’s overpayment, stored-value card,
5716 security deposit, refund, credit memorandum, unpaid wage, unused ticket for which the issuer
5717 has an obligation to provide a refund, mineral proceeds, or unidentified remittance;

5718 (iii) A security except for:

5719 (I) A worthless security; or

5720 (II) A security that is subject to a lien, legal hold, or
5721 restriction evidenced on the records of the holder or imposed by operation of law, if the lien,
5722 legal hold, or restriction restricts the holder’s or owner’s ability to receive, transfer, sell, or
5723 otherwise negotiate the security;

- 5724 (iv) A bond, debenture, note, or other evidence of indebtedness;
5725 (v) Money deposited to redeem a security, make a distribution, or
5726 pay a dividend;
5727 (vi) An amount due and payable under an annuity contract or
5728 insurance policy; and
5729 (vii) An amount distributable from a trust or custodial fund
5730 established under a plan to provide health, welfare, pension, vacation, severance, retirement,
5731 death, stock purchase, profit-sharing, employee-savings, supplemental-unemployment insurance,
5732 or a similar benefit; and
5733 (C) The term “property” does not include:
5734 (i) Property held in a plan described in section 529A of the Internal
5735 Revenue Code of 1986, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A);
5736 (ii) Game-related digital content; or
5737 (iii) A loyalty card.
5738 (27) “Putative holder” means a person believed by the Administrator to be a
5739 holder, until the person pays or delivers to the Administrator property subject to this subtitle or
5740 the Administrator or a court makes a final determination that the person is or is not a holder.
5741 (28) “Record” means information that is inscribed on a tangible medium or that is
5742 stored in an electronic or other medium and is retrievable in perceivable form.
5743 (29) “Security” means:
5744 (A) A security as defined in D.C. Official Code § 28:8-102(15);

5745 (B) A security entitlement as defined in D.C. Official Code § 28:8-

5746 102(17), including a customer security account held by a registered broker-dealer, to the extent

5747 the financial assets held in the security account are not:

5748 (i) Registered on the books of the issuer in the name of the person

5749 for which the broker-dealer holds the assets;

5750 (ii) Payable to the order of the person; or

5751 (iii) Specifically indorsed to the person; and

5752 (C) An equity interest in a business association not included in

5753 subparagraph (A) or (B) of this paragraph.

5754 (30) “Sign” means, with present intent to authenticate or adopt a record:

5755 (A) To execute or adopt a tangible symbol; or

5756 (B) To attach to or logically associate with the record an electronic

5757 symbol, sound, or process.

5758 (31) “State” means a state of the United States, the District of Columbia, the

5759 Commonwealth of Puerto Rico, the United States Virgin Islands, or any territory or insular

5760 possession subject to the jurisdiction of the United States.

5761 (32)(A) “Stored-value card” means a record evidencing a promise made for

5762 consideration by the seller or issuer of the record that goods, services, or money will be provided

5763 to the owner of the record to the value or amount shown in the record.

5764 (B) The term “stored-value card” includes

5765 (i) A record that contains or consists of a microprocessor chip,

5766 magnetic strip, or other means for the storage of information, which is prefunded and whose

5767 value or amount is decreased on each use and increased by payment of additional consideration;
5768 and

5769 (ii) A gift card and payroll card; and

5770 (C) The term “stored-value card” does not include a loyalty card or game-
5771 related digital content.

5772 (33) “Superior Court” means the Superior Court of the District of Columbia.

5773 (34) “Utility” means a person that owns or operates for public use a plant,
5774 equipment, real property, franchise, or license for the following public services:

5775 (A) Transmission of communications or information;

5776 (B) Production, storage, transmission, sale, delivery, or furnishing of
5777 electricity, water, steam, or gas; or

5778 (C) Provision of sewage or septic services, or trash, garbage, or recycling
5779 disposal.

5780 (35) “Virtual currency” means a digital representation of value used as a medium
5781 of exchange, unit of account, or store of value, which does not have legal tender status
5782 recognized by the United States. The term “virtual currency” does not include:

5783 (A) The software or protocols governing the transfer of the digital
5784 representation of value;

5785 (B) Game-related digital content; or

5786 (C) A loyalty card or gift card.

5787 (36) “Worthless security” means a security whose cost of liquidation and delivery
5788 to the Administrator would exceed the value of the security on the date a report is due under this
5789 subtitle.

5790 Sec. 7003. Inapplicability to foreign transaction.

5791 This subtitle does not apply to property held, due, and owing in a foreign country if the
5792 transaction out of which the property arose was a foreign transaction.

5793 Sec. 7004. Rules.

5794 (a) The Mayor may, pursuant to Title I of the District of Columbia Administrative
5795 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
5796 issue rules to implement this subtitle.

5797 (b) The rules issued pursuant to section 138 of the Uniform Disposition of Unclaimed
5798 Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-138),
5799 shall remain in effect, unless inconsistent with this subtitle, until repealed or amended pursuant
5800 to this section.

5801 Part 2. Presumption of Abandonment.

5802 Sec. 7005. When property is presumed abandoned.

5803 Subject to section 7014, the following property is presumed abandoned if it is unclaimed
5804 by the apparent owner during the period specified below:

5805 (1) A traveler's check, 15 years after issuance;

5806 (2) A money order, 7 years after issuance;

5807 (3) A state or municipal bond, bearer bond, or original-issue-discount bond, 3
5808 years after the earliest of the date the bond matures or is called or the obligation to pay the
5809 principal of the bond arises;

5810 (4) A debt of a business association, 3 years after the obligation to pay arises;

5811 (5) A payroll card or demand, savings, or time deposit, including a deposit that is
5812 automatically renewable, 3 years after the maturity of the deposit, except a deposit that is

5813 automatically renewable is deemed matured on its initial date of maturity unless the apparent
5814 owner consented in a record on file with the holder to renewal at or about the time of the
5815 renewal;

5816 (6) Money or a credit owed to a customer as a result of a retail business
5817 transaction, 3 years after the obligation arose;

5818 (7) An amount owed by an insurance company on a life or endowment insurance
5819 policy or an annuity contract that has matured or terminated, 3 years after the obligation to pay
5820 arose under the terms of the policy or contract or, if a policy or contract for which an amount is
5821 owed on proof of death has not matured by proof of the death of the insured or annuitant, as
5822 follows:

5823 (A) With respect to an amount owed on a life or endowment insurance
5824 policy, 3 years after the earlier of the date:

5825 (i) The insurance company has knowledge of the death of the
5826 insured; or

5827 (ii) The insured has attained, or would have attained if living, the
5828 limiting age under the mortality table on which the reserve for the policy is based; and

5829 (B) With respect to an amount owed on an annuity contract, 3 years after
5830 the date the insurance company has knowledge of the death of the annuitant.

5831 (8) Property distributable by a business association in the course of dissolution,
5832 one year after the property becomes distributable;

5833 (9) Property held by a court, including property received as proceeds of a class
5834 action, one year after the property becomes distributable;

5835 (10) Property held by a government or governmental subdivision, agency, or
5836 instrumentality, including municipal bond interest and unredeemed principal under the
5837 administration of a paying agent or indenture trustee, one year after the property becomes
5838 distributable;

5839 (11) Wages, commissions, bonuses, or reimbursements to which an employee is
5840 entitled, or other compensation for personal services, other than amounts held in a payroll card,
5841 one year after the amount becomes payable;

5842 (12) A deposit or refund owed to a subscriber by a utility, one year after the
5843 deposit or refund becomes payable; and

5844 (13) Property not specified in this section or sections 7006 through 7012, the
5845 earlier of 3 years after the owner first has a right to demand the property and 3 years after the
5846 obligation to pay or distribute the property arises.

5847 Sec. 7006. When tax-deferred retirement account presumed abandoned.

5848 (a) Subject to section 7014, property held in a pension account or retirement account that
5849 qualifies for tax deferral under the income-tax laws of the United States is presumed abandoned
5850 if it is unclaimed by the apparent owner 3 years after the later of:

5851 (1) The following date:

5852 (A) Except as otherwise provided in subparagraph (B) of this paragraph,
5853 the date a second consecutive communication sent by the holder by first-class United States mail
5854 to the apparent owner is returned to the holder undelivered by the United States Postal Service;
5855 or

5856 (B) If the second communication is sent later than 30 days after the date
5857 the first communication is returned undelivered, the date the first communication was returned
5858 undelivered by the United States Postal Service; and

5859 (2) The earlier of the following dates:

5860 (A) The date the apparent owner becomes 70.5 years of age, if
5861 determinable by the holder; or

5862 (B) If the Internal Revenue Code of 1986, approved August 16, 1954 (68A
5863 Stat. 3; 26 U.S.C. § 1 *et seq.*) requires distribution to avoid a tax penalty, 2 years after the date
5864 the holder:

5865 (i) Receives confirmation of the death of the apparent owner in the
5866 ordinary course of its business; or

5867 (ii) Confirms the death of the apparent owner under subsection (b)
5868 of this section.

5869 (b) If a holder in the ordinary course of its business receives notice or an indication of the
5870 death of an apparent owner and subsection (a)(2) of this section applies, the holder shall attempt
5871 not later than 90 days after receipt of the notice or indication to confirm whether the apparent
5872 owner is deceased.

5873 (c) If the holder does not send communications to the apparent owner of an account
5874 described in subsection (a) of this section by first-class United States mail, the holder shall
5875 attempt to confirm the apparent owner's interest in the property by sending the apparent owner
5876 an electronic-mail communication not later than 2 years after the apparent owner's last indication
5877 of interest in the property. However, the holder promptly shall attempt to contact the apparent
5878 owner by first-class United States mail if:

5879 (1) The holder does not have information needed to send the apparent owner an
5880 electronic mail communication or the holder believes that the apparent owner’s electronic mail
5881 address in the holder’s records is not valid;

5882 (2) The holder receives notification that the electronic-mail communication was
5883 not received; or

5884 (3) The apparent owner does not respond to the electronic-mail communication
5885 not later than 30 days after the communication was sent.

5886 (d) If first-class United States mail sent under subsection (c) of this section is returned to
5887 the holder undelivered by the United States Postal Service, the property is presumed abandoned
5888 three 3 years after the later of:

5889 (1) Except as in paragraph (2) of this subsection, the date a second consecutive
5890 communication to contact the apparent owner sent by first-class United States mail is returned to
5891 the holder undelivered;

5892 (2) If the second communication is sent later than 30 days after the date the first
5893 communication is returned undelivered, the date the first communication was returned
5894 undelivered; or

5895 (3) The date established by subsection (a)(2) of this section.

5896 Sec. 7007. When other tax-deferred account presumed abandoned.

5897 Subject to section 7014 and except for property described in section 7006 and property
5898 held in a plan described in section 529A of the Internal Revenue Code of 1986, approved
5899 December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A) property held in an account or plan,
5900 including a health savings account, that qualifies for tax deferral under the income-tax laws of

5901 the United States is presumed abandoned if it is unclaimed by the apparent owner 3 years after
5902 the earlier of:

5903 (1) The date, if determinable by the holder, specified in the income-tax laws and
5904 regulations of the United States by which distribution of the property must begin to avoid a tax
5905 penalty, with no distribution having been made; or

5906 (2) 30 years after the date the account was opened.

5907 Sec. 7008. When custodial account for minor presumed abandoned.

5908 (a) Subject to section 7014, property held in an account established under D.C. Official
5909 Code §§ 21-301 to 21-324, or another state's Uniform Gifts to Minors Act or Uniform Transfers
5910 to Minors Act, is presumed abandoned if it is unclaimed by or on behalf of the minor on whose
5911 behalf the account was opened 3 years after the later of:

5912 (1) Except as otherwise provided in subparagraph (2) of this paragraph, the date a
5913 second consecutive communication sent by the holder by first-class United States mail to the
5914 custodian of the minor on whose behalf the account was opened is returned undelivered to the
5915 holder by the United States Postal Service;

5916 (2) If the second communication is sent later than 30 days after the date the first
5917 communication is returned undelivered, the date the first communication was returned
5918 undelivered; or

5919 (3) The date on which the custodian is required to transfer the property to the
5920 minor or the minor's estate in accordance with the Uniform Gifts to Minors Act or Uniform
5921 Transfers to Minors Act of the state in which the account was opened.

5922 (b) If the holder does not send communications to the custodian of the minor on whose
5923 behalf an account described in subsection (a) of this section was opened by first-class United

5924 States mail, the holder shall attempt to confirm the custodian's interest in the property by sending
5925 the custodian an electronic-mail communication not later than 2 years after the custodian's last
5926 indication of interest in the property. However, the holder promptly shall attempt to contact the
5927 custodian by first-class United States mail if:

5928 (1) The holder does not have information needed to send the custodian an
5929 electronic mail communication or the holder believes that the custodian's electronic-mail-mail
5930 address in the holder's records is not valid;

5931 (2) The holder receives notification that the electronic-mail communication was
5932 not received; or

5933 (3) The custodian does not respond to the electronic-mail communication not later
5934 than 30 days after the communication was sent.

5935 (c) If first-class United States mail sent under subsection (b) of this section is returned
5936 undelivered to the holder by the United States Postal Service, the property is presumed
5937 abandoned 3 years after the later of:

5938 (1) The date a second consecutive communication to contact the custodian by
5939 first-class United States mail is returned to the holder undelivered by the United States Postal
5940 Service; or

5941 (2) The date established by subsection (a)(3) of this section.

5942 (d) When the property in the account described in subsection (a) of this section is
5943 transferred to the minor on whose behalf an account was opened or to the minor's estate, the
5944 property in the account is no longer subject to this section.

5945 Sec. 7009. When contents of safe-deposit box presumed abandoned.

5946 Tangible property held in a safe-deposit box and proceeds from a sale of the property by
5947 the holder permitted by law of the District other than this subtitle are presumed abandoned if the
5948 property remains unclaimed by the apparent owner 3 years after the earlier of the:

5949 (1) Expiration of the lease or rental period for the box; or

5950 (2) Earliest date when the lessor of the box is authorized by law of the District
5951 other than this subtitle to enter the box and remove or dispose of the contents without consent or
5952 authorization of the lessee.

5953 Sec. 7010. When stored-value card presumed abandoned.

5954 (a) Subject to section 7014, the net card value of a stored-value card, other than a payroll
5955 card or a gift card, is presumed abandoned on the latest of 3 years after:

5956 (1) December 31 of the year in which the card is issued or additional funds are
5957 deposited into it;

5958 (2) The most recent indication of interest in the card by the apparent owner; or

5959 (3) A verification or review of the balance by or on behalf of the apparent owner.

5960 (b) The amount presumed abandoned in a stored-value card is the net card value at the
5961 time it is presumed abandoned.

5962 Sec. 7011. When gift card presumed abandoned.

5963 Subject to section 7014, a gift card is presumed abandoned if it is unclaimed by the
5964 apparent owner 5 years after the later of the date of purchase or its most recent use.

5965 Sec. 7012. When security presumed abandoned.

5966 (a) Subject to section 7014, a security is presumed abandoned 3 years after:

5967 (1) The date a second consecutive communication sent by the holder by first-class
5968 United States mail to the apparent owner is returned to the holder undelivered by the United
5969 States Postal Service; or

5970 (2) If the second communication is made later than 30 days after the first
5971 communication is returned, the date the first communication is returned undelivered to the holder
5972 by the United States Postal Service.

5973 (b) If the holder does not send communications to the apparent owner of a security by
5974 first-class United States mail, the holder shall attempt to confirm the apparent owner's interest in
5975 the security by sending the apparent owner an electronic-mail communication not later than 2
5976 years after the apparent owner's last indication of interest in the security. However, the holder
5977 promptly shall attempt to contact the apparent owner by first-class United States mail if:

5978 (1) The holder does not have information needed to send the apparent owner an
5979 electronic-mail communication or the holder believes that the apparent owner's electronic-mail
5980 address in the holder's records is not valid;

5981 (2) The holder receives notification that the electronic-mail communication was
5982 not received; or

5983 (3) The apparent owner does not respond to the electronic-mail communication
5984 not later 30 days after the communication was sent.

5985 (c) If first-class United States mail sent under subsection (b) of this section is returned to
5986 the holder undelivered by the United States Postal Service, the security is presumed abandoned 3
5987 years after the date the mail is returned.

5988 Sec. 7013. When related property presumed abandoned.

5989 At and after the time property is presumed abandoned under this subtitle, any other
5990 property right or interest accrued or accruing from the property and not previously presumed
5991 abandoned is also presumed abandoned.

5992 Sec. 7014. Indication of apparent owner interest in property.

5993 (a) The period after which property is presumed abandoned is measured from the later of:

5994 (1) The date the property is presumed abandoned under this part; or

5995 (2) The latest indication of interest by the apparent owner in the property.

5996 (b) Under this subtitle, an indication of an apparent owner's interest in property includes:

5997 (1) A record communicated by the apparent owner to the holder or agent of the
5998 holder concerning the property or the account in which the property is held;

5999 (2) An oral communication by the apparent owner to the holder or agent of the
6000 holder concerning the property or the account in which the property is held, if the holder or its
6001 agent contemporaneously makes and preserves a record of the fact of the apparent owner's
6002 communication;

6003 (3) Presentment of a check or other instrument of payment of a dividend, interest
6004 payment, or other distribution, or evidence of receipt of a distribution made by electronic or
6005 similar means, with respect to an account, underlying security, or interest in a business
6006 association.

6007 (4) Activity directed by an apparent owner in the account in which the property is
6008 held, including accessing the account or information concerning the account, or a direction by
6009 the apparent owner to increase, decrease, or otherwise change the amount or type of property
6010 held in the account;

6011 (5) A deposit into or withdrawal from an account at a financial organization,
6012 including an automatic deposit or withdrawal previously authorized by the apparent owner other
6013 than an automatic reinvestment of dividends or interest;

6014 (6) Subject to subsection (e) of this section, payment of a premium on an
6015 insurance policy; and

6016 (7) Any other action by the apparent owner which reasonably demonstrates to the
6017 holder that the apparent owner knows that the property exists.

6018 (c) An action by an agent or other representative of an apparent owner, other than the
6019 holder acting as the apparent owner’s agent, is presumed to be an action on behalf of the
6020 apparent owner.

6021 (d) A communication with an apparent owner by a person other than the holder or the
6022 holder’s representative is not an indication of interest in the property by the apparent owner
6023 unless a record of the communication evidences the apparent owner’s knowledge of a right to the
6024 property.

6025 (e) If the insured dies or the insured or beneficiary of an insurance policy otherwise
6026 becomes entitled to the proceeds before depletion of the cash surrender value of the policy by
6027 operation of an automatic-premium-loan provision or other nonforfeiture provision contained in
6028 the policy, the operation does not prevent the policy from maturing or terminating.

6029 Sec. 7015. Knowledge of death of insured or annuitant.

6030 (a) In this section, “death master file” means the United States Social Security
6031 Administration Death Master File or other database or service that is at least as comprehensive as
6032 the United States Social Security Administration Death Master File for determining that an
6033 individual reportedly has died.

6034 (b) With respect to a life or endowment insurance policy or annuity contract for which an
6035 amount is owed on proof of death, but which has not matured by proof of death of the insured or
6036 annuitant, the company has knowledge of the death of an insured or annuitant when:

6037 (1) The company receives a death certificate or court order determining that the
6038 insured or annuitant has died;

6039 (2) Due diligence, performed as required under section 31 of Chapter V of the
6040 Life Insurance Act, approved June 19, 1934 (48 Stat. 1128; D.C. Official Code § 31-4731), to
6041 maintain contact with the insured or annuitant or determine whether the insured or annuitant has
6042 died validates the death of the insured or annuitant;

6043 (3) The company conducts a comparison for any purpose between a death master
6044 file and the names of some or all of the company's insureds or annuitants, finds a match that
6045 provides notice that the insured or annuitant has died, and validates the death;

6046 (4) The Administrator or the Administrator's agent conducts a comparison for the
6047 purpose of finding matches during an examination conducted under Part 10 between a death
6048 master file and the names of some or all of the company's insureds or annuitants, finds a match
6049 that provides notice that the insured or annuitant has died, and the company validates the death;
6050 or

6051 (5) The company:

6052 (A) receives notice of the death of the insured or annuitant from an
6053 administrator, beneficiary, policy owner, relative of the insured, or trustee or from a personal
6054 representative or other legal representative of the insured's or annuitant's estate; and

6055 (B) validates the death of the insured or annuitant.

6056 (c) The following rules apply under this section:

6057 (1) A death-master-file match under subsection (b)(3) or (4) of this section occurs
6058 if the criteria for an exact or partial match are satisfied as provided by:

6059 (A) Section 7093(d) of the Revised Uniform Unclaimed Property Act of
6060 2021, as introduced on May 27, 2021; or

6061 (B) A rule or policy adopted by the Mayor under section 28 of the Life
6062 Insurance Act, approved June 19, 1934 (48 Stat. 1125; D.C. Official Code § 31-4728), or a
6063 policy of the Commissioner of the Department of Insurance, Securities, and Banking.

6064 (2) The death-master-file match does not constitute proof of death for the purpose
6065 of submission to an insurance company of a claim by a beneficiary, annuitant, or owner of the
6066 policy or contract for an amount due under an insurance policy or annuity contract.

6067 (3) The death-master-file match or validation of the insured's or annuitant's death
6068 does not alter the requirements for a beneficiary, annuitant, or owner of the policy or contract to
6069 make a claim to receive proceeds under the terms of the policy or contract.

6070 (d) This subtitle does not affect the determination of the extent to which an insurance
6071 company before the effective date of this subtitle had knowledge of the death of an insured or
6072 annuitant or was required to conduct a death-master-file comparison to determine whether
6073 amounts owed by the company on a life or endowment insurance policy or annuity contract were
6074 presumed abandoned or unclaimed.

6075 Sec. 7016. Deposit account for proceeds of insurance policy or annuity contract.

6076 If proceeds payable under a life or endowment insurance policy or annuity contract are
6077 deposited into an account with check or draft-writing privileges for the beneficiary of the policy
6078 or contract and, under a supplementary contract not involving annuity benefits other than death

6079 benefits, the proceeds are retained by the insurance company or the financial organization where
6080 the account is held, the policy or contract includes the assets in the account.

6081 Part 3. Rules for Taking Custody of Property Presumed Abandoned

6082 Sec. 7017. Address of apparent owner to establish priority.

6083 In this part, the following rules apply:

6084 (1) The last-known address of an apparent owner is any description, code, or other
6085 indication of the location of the apparent owner which identifies the state, even if the description,
6086 code, or indication of location is not sufficient to direct the delivery of first-class United States
6087 mail to the apparent owner.

6088 (2) If the United States postal zip code associated with the apparent owner is for a
6089 post office located in the District, the District is deemed to be the state of the last-known address
6090 of the apparent owner unless other records associated with the apparent owner specifically
6091 identify the physical address of the apparent owner to be in another state.

6092 (3) If the address under paragraph (2) of this subsection is in another state, the
6093 other state is deemed to be the state of the last-known address of the apparent owner.

6094 (4) The address of the apparent owner of a life or endowment insurance policy or
6095 annuity contract or its proceeds is presumed to be the address of the insured or annuitant if a
6096 person other than the insured or annuitant is entitled to the amount owed under the policy or
6097 contract and the address of the other person is not known by the insurance company and cannot
6098 be determined under section 7018.

6099 Sec. 7018. Address of apparent owner in the District.

6100 The Administrator may take custody of property that is presumed abandoned, whether
6101 located in the District, another state, or a foreign country if:

6102 (1) The last-known address of the apparent owner in the records of the holder is in
6103 the District; or

6104 (2) The records of the holder do not reflect the identity or last-known address of
6105 the apparent owner, but the Administrator has determined that the last-known address of the
6106 apparent owner is in the District.

6107 Sec. 7019. If records show multiple addresses of apparent owner.

6108 (a) Except as otherwise provided in subsection (b) of this section, if records of a holder
6109 reflect multiple addresses for an apparent owner and the District is the state of the most recently
6110 recorded address, the District may take custody of property presumed abandoned, whether
6111 located in the District or another jurisdiction.

6112 (b) If it appears from records of the holder that the most recently recorded address of the
6113 apparent owner under subsection (a) of this section is a temporary address and the District is the
6114 jurisdiction of the next most recently recorded address that is not a temporary address, the
6115 District may take custody of the property presumed abandoned.

6116 Sec. 7020. Holder domiciled in the District.

6117 (a) Except as otherwise provided in subsection (b) of this section or section 7018 or 7019,
6118 the Administrator may take custody of property presumed abandoned, whether located in the
6119 District, another state, or a foreign country, if the holder is domiciled in the District or is the
6120 District or a governmental subdivision, agency, or instrumentality of the District; and

6121 (1) Another state or foreign country is not entitled to the property because there is
6122 no last-known address of the apparent owner or other person entitled to the property in the
6123 records of the holder; or

6124 (2) The state or foreign country of the last-known address of the apparent owner
6125 or other person entitled to the property does not provide for custodial taking of the property.

6126 (b) Property is not subject to custody of the Administrator under subsection (a) of this
6127 section if the property is specifically exempt from custodial taking under the law of the District
6128 or the state or foreign country of the last-known address of the apparent owner.

6129 (c) If a holder's state of domicile has changed since the time property was presumed
6130 abandoned, the holder's state of domicile in this section is deemed to be the state where the
6131 holder was domiciled at the time the property was presumed abandoned.

6132 Sec. 7021. Custody if transaction took place in the District.

6133 Except as otherwise provided in section 7018, 7019, or 7020, the Administrator may take
6134 custody of property presumed abandoned whether located in the District or another state if:

6135 (1) The transaction out of which the property arose took place in the District;

6136 (2) The holder is domiciled in a state that does not provide for the custodial taking
6137 of the property, except that if the property is specifically exempt from custodial taking under the
6138 law of the state of the holder's domicile, the property is not subject to the custody of the
6139 Administrator; and

6140 (3) The last-known address of the apparent owner or other person entitled to the
6141 property is unknown or in a state that does not provide for the custodial taking of the property,
6142 except that if the property is specifically exempt from custodial taking under the law of the state
6143 of the last-known address, the property is not subject to the custody of the Administrator.

6144 Sec. 7022. Traveler's check, money order, or similar instrument.

6145 The Administrator may take custody of sums payable on a traveler's check, money order,
6146 or similar instrument presumed abandoned to the extent permissible under 12 U.S.C. §§ 2501
6147 through 2503.

6148 Sec. 7023. Burden of proof to establish Administrator's right to custody.

6149 If the Administrator asserts a right to custody of unclaimed property, the Administrator
6150 has the burden to prove:

6151 (1) The existence and amount of the property;

6152 (2) That the property is presumed abandoned; and

6153 (3) That the property is subject to the custody of the Administrator.

6154 Part 4. Report by Holder

6155 Sec. 7024. Report required by holder.

6156 (a) A holder of property presumed abandoned and subject to the custody of the
6157 Administrator shall report in a record to the Administrator concerning the property. The
6158 Administrator may not require a holder to file a paper report.

6159 (b) A holder may contract with a third party to make the report required under subsection
6160 (a) of this section.

6161 (c) Whether or not a holder contracts with a third party under subsection (b) of this
6162 section, the holder is responsible:

6163 (1) For the complete, accurate, and timely reporting of property presumed
6164 abandoned to the Administrator; and

6165 (2) For paying or delivering to the Administrator property described in the report.

6166 Sec. 7025. Content of report.

6167 (a) The report required under section 7024 shall:

6168 (1) Be signed by or on behalf of the holder and verified as to its completeness and
6169 accuracy;

6170 (2) If filed electronically, be in a secure format approved by the Administrator
6171 which protects confidential information of the apparent owner in the same manner as required of
6172 the Administrator and the Administrator's agent under Part 14;

6173 (3) Describe the property;

6174 (4) Except for a traveler's check, money order, or similar instrument, contain the
6175 name, if known, last-known address, if known, and Social Security number or taxpayer
6176 identification number, if known or readily ascertainable, of the apparent owner of property with a
6177 value of \$50 or more;

6178 (5) For an amount held or owing under a life or endowment insurance policy or
6179 annuity contract, contain the name and last-known address of the insured, annuitant or other
6180 apparent owner of the policy or contract and of the beneficiary;

6181 (6) For property held in or removed from a safe-deposit box, indicate the location
6182 of the property, where it may be inspected by the Administrator, and any amounts owed to the
6183 holder under section 7038;

6184 (7) Contain the commencement date for determining abandonment under Part 2;

6185 (8) State that the holder has complied with the notice requirements of section
6186 7029;

6187 (9) Identify property that is a non-freely transferable security and explain why it is
6188 a non-freely transferable security; and

6189 (10) Contain other information the Administrator prescribes by rules.

6190 (b) A report under section 7024 may include personal information as defined in section
6191 7082(a) about the apparent owner or the apparent owner's property to the extent not otherwise
6192 prohibited by federal law.

6193 (c) If a holder has changed its name while holding property presumed abandoned or is a
6194 successor to another person that previously held the property for the apparent owner, the holder
6195 shall include in the report under section 7024 its former name or the name of the previous holder,
6196 if any, and the known name and address of each previous holder of the property.

6197 Sec. 7026. When report to be filed.

6198 (a) Except as otherwise provided in subsection (b) of this section and subject to
6199 subsection (c) of this section, the report under section 7024 shall be filed before November 1 of
6200 each year and cover the 12 months preceding July 1 of that year.

6201 (b) Subject to subsection (c) of this section, the report under section 7024 to be filed by
6202 an insurance company shall be filed before May 1 of each year for the immediately preceding
6203 calendar year.

6204 (c) Before the date for filing the report under section 7024, the holder of property
6205 presumed abandoned may request the Administrator to extend the time for filing. The
6206 Administrator may grant an extension. If the extension is granted, the holder may pay or make a
6207 partial payment of the amount the holder estimates ultimately will be due. The payment or
6208 partial payment terminates accrual of interest on the amount paid.

6209 Sec. 7027. Retention of records by holder.

6210 A holder required to file a report under section 7024 shall retain records for 10 years after
6211 the later of the date the report was filed or the last date a timely report was due to be filed, unless

6212 a shorter period is provided by rule of the Administrator. The holder may satisfy the requirement
6213 to retain records under this section through an agent. The records shall contain:

6214 (1) The information required to be included in the report;

6215 (2) The date, place, and nature of the circumstances that gave rise to the property
6216 right;

6217 (3) The amount or value of the property;

6218 (4) The last address of the apparent owner, if known to the holder; and

6219 (5) If the holder sells, issues, or provides to others for sale or issue in the District
6220 traveler's checks, money orders, or similar instruments, other than third-party bank checks, on
6221 which the holder is directly liable, a record of the instruments while they remain outstanding
6222 indicating the state and date of issue.

6223 Sec. 7028. Property reportable and payable or deliverable absent owner demand.

6224 Property is reportable and payable or deliverable under this subtitle even if the owner
6225 fails to make demand or present an instrument or document otherwise required to obtain
6226 payment.

6227 Part 5. Notice to Apparent Owner of Property Presumed Abandoned

6228 Sec. 7029. Notice to apparent owner by holder.

6229 (a) Subject to subsection (b) of this section, the holder of property presumed abandoned
6230 shall send to the apparent owner notice by first-class United States mail that complies with
6231 section 7030 in a format acceptable to the Administrator not more than 180 days nor less than 60
6232 days before filing the report under section 7024 if:

6233 (1) The holder has in its records an address for the apparent owner which the
6234 holder's records do not disclose to be invalid and is sufficient to direct the delivery of first-class
6235 United States mail to the apparent owner; and

6236 (2) The value of the property is \$50 or more.

6237 (b) If an apparent owner has consented to receive electronic-mail delivery from the
6238 holder, the holder shall send the notice described in subsection (a) of this section both by first-
6239 class United States mail to the apparent owner's last-known mailing address and by electronic
6240 mail, unless the holder believes that the apparent owner's electronic-mail address is invalid.

6241 Sec. 7030. Contents of notice by holder.

6242 (a) Notice under section 7029 shall contain a heading that reads substantially as follows:

6243 "Notice. The District of Columbia requires us to notify you that your property may be transferred
6244 to the custody of the District of Columbia's Unclaimed Property Administrator if you do not
6245 contact us before (insert date that is 30 days after the date of this notice).".

6246 (b) The notice under section 7029 shall:

6247 (1) Identify the nature and, except for property that does not have a fixed value,
6248 the value of the property that is the subject of the notice;

6249 (2) State that the property will be turned over to the Administrator;

6250 (3) State that after the property is turned over to the Administrator an apparent
6251 owner that seeks return of the property must file a claim with the Administrator;

6252 (4) State that property that is not legal tender of the United States may be sold by
6253 the Administrator; and

6254 (5) Provide instructions that the apparent owner must follow to prevent the holder
6255 from reporting and paying or delivering the property to the Administrator.

6256 Sec. 7031. Notice by Administrator.

6257 (a) The Administrator shall make a reasonable effort to give notice to an apparent owner
6258 that property of the owner that is presumed to be abandoned is held by the Administrator under
6259 this subtitle. The Administrator shall use available resources, including information services, to
6260 ascertain the mailing address of an apparent owner.

6261 (b) Subject to subsection (a) of this section, the Administrator shall:

6262 (1) Except as otherwise provided in paragraph (2) of this subsection, send written
6263 notice by first-class United States mail to each apparent owner of property valued at \$50 or more
6264 held by the Administrator, unless the Administrator determines that a mailing by first-class
6265 United States mail would not be received by the apparent owner, and, in the case of a security
6266 held in an account for which the apparent owner had consented to receiving electronic mail from
6267 the holder, send notice by electronic mail if the electronic-mail address of the apparent owner is
6268 known to the Administrator instead of by first-class United States mail; or

6269 (2) Send the notice to the apparent owner's electronic-mail address if the
6270 Administrator does not have a valid United States mail address for an apparent owner, but has an
6271 electronic-mail address that the Administrator does not know to be invalid.

6272 (c) In addition to the notice under subsection (b) of this section, the Administrator shall:

6273 (1) Publish every 6 months in at least one newspaper of general circulation in the
6274 District a notice with the following information:

6275 (A) The total value of property received by the Administrator during the
6276 preceding 6-month period, taken from the reports under section 7024;

6277 (B) The total value of claims paid by the Administrator during the
6278 preceding 6-month period;

6279 (C) The Internet web address of the unclaimed property website
6280 maintained by the Administrator;

6281 (D) A telephone number and electronic-mail address to contact the
6282 Administrator to inquire about or claim property; and

6283 (E) A statement that a person may access the Internet by a computer to
6284 search for unclaimed property and a computer may be available as a service to the public at a
6285 local public library; and

6286 (2) Maintain a website or database that (i) is accessible by the public and
6287 electronically searchable, (ii) contains the names reported to the Administrator of all apparent
6288 owners for whom property is being held by the Administrator.

6289 (d) The website or database maintained under subsection (c) of this section must include
6290 instructions for filing with the Administrator a claim to property and a printable claim form with
6291 instructions for its use.

6292 (e) In addition to giving notice under subsections (b) and (c) of this section, the
6293 Administrator may use other printed publication, telecommunication, the Internet, or other media
6294 to inform the public of the existence of unclaimed property held by the Administrator.

6295 Sec. 7032. Cooperation among District officers and agencies to locate apparent owner.

6296 Unless prohibited by law of the District other than this subtitle, on request of the
6297 Administrator, each officer, agency, board, commission, division, and department of the District
6298 and any body politic and corporate created by the District for a public purpose shall make its
6299 books and records available to the Administrator and cooperate with the Administrator to
6300 determine the current address of an apparent owner of property held by the Administrator under
6301 this subtitle.

6302 Part 6. Taking Custody of Property by Administrator

6303 Sec. 7033. Definition of good faith.

6304 In this part, payment or delivery of property is made in good faith if a holder:

6305 (1) Had a reasonable basis for believing, based on the facts then known, that the

6306 property was required or permitted to be paid or delivered to the Administrator under this

6307 subtitle; or

6308 (2) Made payment or delivery:

6309 (A) In response to a demand by the Administrator or Administrator's

6310 agent; or

6311 (B) Under a guidance or ruling issued by the Administrator which the

6312 holder reasonably believed required or permitted the property to be paid or delivered.

6313 Sec. 7034. Dormancy charge.

6314 (a) A holder may deduct a dormancy charge from property required to be paid or

6315 delivered to the Administrator if:

6316 (1) A valid contract between the holder and the apparent owner authorizes

6317 imposition of the charge for the apparent owner's failure to claim the property within a specified

6318 time; and

6319 (2) The holder regularly imposes the charge and regularly does not reverse or

6320 otherwise cancel the charge.

6321 (b) The amount of the deduction under subsection (a) of this section is limited to an

6322 amount that is not unconscionable considering all relevant factors, including the marginal

6323 transactional costs incurred by the holder in maintaining the apparent owner's property and any

6324 services received by the apparent owner. A deduction of \$10 a year for maintaining property

6325 valued at \$50 or less, or \$20 a year for maintaining property valued at more than \$50, or other
6326 amounts established by the Administrator by rule, is not unconscionable, although a higher
6327 charge, if permitted under subsection (a) of this section, may be proper considering all relevant
6328 factors.

6329 Sec. 7035. Payment or delivery of property to Administrator.

6330 (a) Except as otherwise provided in this section, on filing a report under section 7024, the
6331 holder shall pay or deliver to the Administrator the property described in the report.

6332 (b) If property in a report under section 7024 is an automatically renewable deposit and a
6333 penalty or forfeiture in the payment of interest would result from paying the deposit to the
6334 Administrator at the time of the report, the date for payment of the property to the Administrator
6335 is extended until a penalty or forfeiture no longer would result from payment, if the holder
6336 informs the Administrator of the extended date.

6337 (c) Tangible property in a safe-deposit box may not be delivered to the Administrator
6338 until 120 days after filing the report under section 7024.

6339 (d) If property reported to the Administrator under section 7024 is a security, the
6340 Administrator may:

6341 (1) Make an endorsement, instruction, or entitlement order on behalf of the
6342 apparent owner to invoke the duty of the issuer, its transfer agent, or the securities intermediary
6343 to transfer the security; or

6344 (2) Dispose of the security under section 7044.

6345 (e) If the holder of property reported to the Administrator under section 7024 is the issuer
6346 of a certificated security, the Administrator may obtain a replacement certificate in physical or
6347 book-entry form under D.C. Official Code § 28:8-405. An indemnity bond is not required.

(f) The Administrator shall establish procedures for the registration, issuance, method of delivery, transfer, and maintenance of securities delivered to the Administrator by a holder.

(g) An issuer, holder, and transfer agent or other person acting under this section under instructions of and on behalf of the issuer or holder is not liable to the apparent owner for, and shall be paid by the Administrator for the value of the property turned over to the Administrator by the District against, a claim arising with respect to property after the property has been delivered to the Administrator.

(h) A holder is not required to deliver to the Administrator a security identified by the holder as a non-freely transferable security. If the Administrator or holder determines that a security is no longer a non-freely transferable security, the holder shall deliver the security on the next regular date prescribed for delivery of securities under this subtitle. The holder shall make a determination annually whether a security identified in a report filed under section 7024 as a non-freely transferable security is no longer a non-freely transferable security.

Sec. 7036. Effect of payment or delivery of property to Administrator.

(a) On payment or delivery of property to the Administrator under this subtitle, the Administrator as agent for the District assumes custody and responsibility for safekeeping the property. A holder that pays or delivers property to the Administrator in good faith and substantially complies with sections 7029 and 7030 is relieved of liability arising thereafter with respect to payment or delivery of the property to the Administrator.

(b) A holder is not liable for a claim against the holder resulting from the payment or delivery of property to the Administrator made in good faith and after the holder substantially complied with sections 7029 and 7030.

Sec. 7037. Recovery of property by holder from Administrator.

6371 (a) A holder that under this subtitle pays money to the Administrator may file a claim for
6372 reimbursement from the Administrator of the amount paid if the holder:

6373 (1) Paid the money in error; or

6374 (2) After paying the money to the Administrator, paid money to a person the
6375 holder reasonably believed entitled to the money.

6376 (b) If a claim for reimbursement under subsection (a) of this section is made for a
6377 payment made on a negotiable instrument, including a traveler's check, money order, or similar
6378 instrument, the holder shall submit proof that the instrument was presented and payment was
6379 made to a person the holder reasonably believed entitled to payment. The holder may claim
6380 reimbursement even if the payment was made to a person whose claim was made after expiration
6381 of a period of limitation on the owner's right to receive or recover property, whether specified by
6382 contract, statute, or court order.

6383 (c) If a holder is reimbursed by the Administrator under subsection (a)(2) of this section,
6384 the holder may also recover from the Administrator income or gain under section 7039 that
6385 would have been paid to the owner if the money had been claimed from the Administrator by the
6386 owner to the extent the income or gain was paid by the holder to the owner.

6387 (d) A holder that under this subtitle delivers property other than money to the
6388 Administrator may file a claim for return of the property from the Administrator if:

6389 (1) The holder delivered the property in error; or

6390 (2) The apparent owner has claimed the property from the holder.

6391 (e) If a claim for return of property under subsection (d) of this section is made, the
6392 holder shall include with the claim evidence sufficient to establish that the apparent owner has

6393 claimed the property from the holder or that the property was delivered by the holder to the
6394 Administrator in error.

6395 (f) The Administrator may determine that an affidavit submitted by a holder is evidence
6396 sufficient to establish that the holder is entitled to reimbursement or to recover property under
6397 this section.

6398 (g) A holder is not required to pay a fee or other charge for reimbursement or return of
6399 property under this section.

6400 (h) Not later than 90 days after a claim is filed under subsection (a) or (d) of this section,
6401 the Administrator shall allow or deny the claim and give the claimant notice of the decision in a
6402 record. If the Administrator does not take action on a claim during the 90-day period, the claim
6403 is deemed denied.

6404 (i) The claimant may bring an action in the Superior Court for review of the
6405 Administrator's decision or the deemed denial under subsection (h) of this section not later than:

6406 (1) 30 days following receipt of the notice of the Administrator's decision; or

6407 (2) 120 days following the filing of a claim under subsection (a) or (d) of this
6408 section in the case of a deemed denial under subsection (h) of this section.

6409 (j) A final decision in an action brought under subsection (i) of this section is subject to
6410 review by the District of Columbia Court of Appeals.

6411 Sec. 7038. Property removed from safe-deposit box.

6412 (a) Property removed from a safe-deposit box and delivered under this subtitle to the
6413 Administrator under this subtitle is subject to the holder's right to reimbursement for the cost of
6414 opening the box and a lien or contract providing reimbursement to the holder for unpaid rent
6415 charges for the box, provided that the holder makes a request under subsection (b) of this section.

6416 (b) The Administrator shall reimburse the holder from the proceeds remaining after
6417 deducting the expense incurred by the Administrator in selling the property, if the holder makes a
6418 request for reimbursement after property from the safe deposit box is delivered to the
6419 Administrator.

6420 Sec. 7039. Crediting income or gain to owner's account.

6421 (a) If property other than money is delivered to the Administrator, the owner is entitled to
6422 receive from the Administrator income or gain realized or accrued on the property before the
6423 property is sold. If the property is an interest-bearing demand, savings, or time deposit that
6424 continues to earn interest after delivery to the Administrator, the owner is entitled to that interest
6425 before the property is sold. Interest begins to accrue when the property is delivered to the
6426 Administrator and ends on the earlier of the expiration of 10 years after its delivery or the date on
6427 which payment is made to the owner.

6428 (b) Interest on interest-bearing property is not payable under this section for any period
6429 before the effective date of this subtitle, unless authorized by section 121 of the Uniform
6430 Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C.
6431 Official Code § 41-121).

6432 Sec. 7040. Administrator's options as to custody.

6433 (a) The Administrator may decline to take custody of property reported under section
6434 7024 if the Administrator determines that:

6435 (1) The property has a value less than the estimated expenses of notice and sale of
6436 the property; or

6437 (2) Taking custody of the property would be unlawful.

6438 (b) A holder may pay or deliver property to the Administrator before the property is
6439 presumed abandoned under this subtitle if the holder:

6440 (1) Sends the apparent owner of the property notice required by section 7029 and
6441 provides the Administrator evidence of the holder's compliance with this paragraph;

6442 (2) Includes with the payment or delivery a report regarding the property
6443 conforming to section 7025; and

6444 (3) First obtains the Administrator's consent in a record to accept payment or
6445 delivery.

6446 (c) A holder's request for the Administrator's consent under subsection (b)(3) of this
6447 section shall be in a record. If the Administrator fails to respond to the request not later than 30
6448 days after receipt of the request, the Administrator is deemed to consent to the payment or
6449 delivery of the property and the payment or delivery is considered to have been made in good
6450 faith.

6451 (d) On payment or delivery of property under subsection (b) of this section, the property
6452 is presumed abandoned.

6453 Sec. 7041. Disposition of property having no substantial value; immunity from liability.

6454 (a) If the Administrator takes custody of property delivered under this subtitle and later
6455 determines that the property has no substantial commercial value or that the cost of disposing of
6456 the property will exceed the value of the property, the Administrator may return the property to
6457 the holder or destroy or otherwise dispose of the property.

6458 (b) An action or proceeding may not be commenced against the District, an agency of the
6459 District, the Administrator, another officer, employee, or agent of the District, or a holder for or

6460 because of an act of the Administrator under this section, except for intentional misconduct or
6461 malfeasance.

6462 Sec. 7042. Periods of limitation and repose.

6463 (a) Expiration, before, on, or after the effective date of this subtitle, of a period of
6464 limitation on an owner's right to receive or recover property, whether specified by contract,
6465 statute, or court order, does not prevent the property from being presumed abandoned or affect
6466 the duty of a holder under this subtitle to file a report or pay or deliver property to the
6467 Administrator.

6468 (b) The Administrator may not commence an action or proceeding to enforce this subtitle
6469 with respect to the reporting, payment, or delivery of property more than 10 years after the
6470 holder filed a non-fraudulent report under section 7024 with the Administrator. The parties may
6471 agree in a record to extend the limitation in this subsection.

6472 (c) The Administrator may not commence an action, proceeding, or examination with
6473 respect to a duty of a holder under this subtitle more than 10 years after the duty arose.

6474 Part 7. Sale of Property by Administrator

6475 Sec. 7043. Public sale of property.

6476 (a) Subject to section 7044, not earlier than one year after receipt of property presumed
6477 abandoned, the Administrator may sell the property.

6478 (b) Before selling property under subsection (a) of this section, the Administrator shall
6479 give notice to the public of:

6480 (1) The date of the sale; and

6481 (2) A reasonable description of the property.

6482 (c) A sale under subsection (a) of this section shall be to the highest bidder:

6483 (1) At public sale at a location in the District which the Administrator determines
6484 to be the most favorable market for the property;

6485 (2) On the Internet; or

6486 (3) On another forum the Administrator determines is likely to yield the highest
6487 net proceeds of sale.

6488 (d) The Administrator may decline the highest bid at a sale under this section and reoffer
6489 the property for sale if the Administrator determines the highest bid is insufficient.

6490 (e) If a sale held under this section is to be conducted other than on the Internet, the
6491 Administrator shall publish at least one notice of the sale, at least 3 weeks but not more than 5
6492 weeks before the sale, in a newspaper of general circulation in the District of Columbia.

6493 Sec. 7044. Disposal of securities.

6494 (a) The Administrator may not sell or otherwise liquidate a security until 60 days after the
6495 Administrator receives the security and gives the apparent owner notice under section 7031 that
6496 the Administrator holds the security.

6497 (b) The Administrator may not sell a security listed on an established stock exchange for
6498 less than the price prevailing on the exchange at the time of sale. The Administrator may sell a
6499 security not listed on an established exchange by any commercially-reasonable method.

6500 Sec. 7045. Recovery of securities or value by owner.

6501 (a) If the Administrator sells a security before the expiration of 60 days after delivery of
6502 the security to the Administrator, an apparent owner that files a valid claim under this subtitle of
6503 ownership of the security before the 60-day period expires is entitled, at the option of the
6504 Administrator, to receive:

6505 (1) Replacement of the security; or

6506 (2) The market value of the security at the time the claim is filed, plus dividends,
6507 interest, and other increments on the security up to the time the claim is paid.

6508 (b) Replacement of the security or calculation of market value under subsection (a) of this
6509 section shall take into account a stock split, reverse stock split, stock dividend, or similar
6510 corporate action.

6511 (c) A person that makes a valid claim under this subtitle of ownership of a security after
6512 expiration of 60 days after delivery of the security to the Administrator is entitled to receive:

6513 (1) The security the holder delivered to the Administrator, if it is in the custody of
6514 the Administrator, plus dividends, interest, and other increments on the security up to the time
6515 the Administrator delivers the security to the person; or

6516 (2) The net proceeds of the sale of the security, plus dividends, interest, and other
6517 increments on the security up to the time the security was sold.

6518 Sec. 7046. Purchaser owns property after sale.

6519 A purchaser of property at a sale conducted by the Administrator under this subtitle takes
6520 the property free of all claims of the owner, a previous holder, or a person claiming through the
6521 owner or holder. The Administrator shall execute documents necessary to complete the transfer
6522 of ownership to the purchaser.

6523 Sec. 7047. Military medal or decoration.

6524 (a) The Administrator may not sell a medal or decoration awarded for military service in
6525 the armed forces of the United States.

6526 (b) The Administrator, with the consent of the respective organization under paragraph
6527 (1) of this subsection, agency under paragraph (2) of this subsection, or entity under paragraph

6528 (3) of this subsection, may deliver a medal or decoration described in subsection (a) of this
6529 section to be held in custody for the owner, to:

6530 (1) A military veterans organization qualified under section 501(c)(19) of the
6531 Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. §
6532 501(c)(19));

6533 (2) The agency that awarded the medal or decoration; or

6534 (3) A governmental entity.

6535 (c) On delivery under subsection (b) of this section, the Administrator is not responsible
6536 for safekeeping the medal or decoration.

6537 Part 8. Administration of Property

6538 Sec. 7048. Deposit of funds by Administrator.

6539 (a) The Administrator shall deposit all funds received under this subtitle, including
6540 proceeds from the sale of property under Part 7, into an account in the General Fund designated
6541 the Unclaimed Property Account. For each fiscal year, the Administrator shall designate an
6542 amount in the Unclaimed Property Account to be held for the payment of claims that reflects the
6543 Administrator's reasonable estimate of the value of claims that will be asserted under this subtitle
6544 during the fiscal year. Funds in the Unclaimed Property Account that exceed this designated
6545 amount may be used to pay the costs of administering the unclaimed property program
6546 established in this subtitle and to satisfy the District's cash flow needs during the fiscal year.

6547 (b) All assets, liabilities, and unexpended balances of funds in the trust fund created by
6548 section 123 of the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5,
6549 1981 (D.C. Law 3-160; D.C. Official Code § 41-123), shall be transferred to the Unclaimed

6550 Property Account established under subsection (a) of this section on the applicability date of this
6551 subtitle.

6552 Sec. 7049. Administrator to retain records of property.

6553 The Administrator shall:

6554 (1) Record and retain the name and last-known address of each person shown on a
6555 report filed under section 7024 to be the apparent owner of property delivered to the
6556 Administrator;

6557 (2) Record and retain the name and last-known address of each insured or
6558 annuitant and beneficiary shown on the report;

6559 (3) For each policy of insurance or annuity contract listed in the report of an
6560 insurance company, record and retain the policy or account number, the name of the company,
6561 and the amount due or paid; and

6562 (4) For each apparent owner listed in the report, record and retain the name of the
6563 holder that filed the report and the amount due or paid.

6564 Sec. 7050. Expenses and service charges of Administrator.

6565 Before making a deposit of funds received under this subtitle to the General Fund of the
6566 District, the Administrator may deduct:

6567 (1) Expenses of disposition of property delivered to the Administrator under this
6568 subtitle;

6569 (2) Costs of mailing and publication in connection with property delivered to the
6570 Administrator under this subtitle;

6571 (3) Reasonable service charges; and

6572 (4) Expenses incurred in examining records of or collecting property from a
6573 putative holder or holder.

6574 Sec. 7051. Administrator holds property as custodian for owner.

6575 Property received by the Administrator under this subtitle is held in custody for the
6576 benefit of the owner and is not owned by the District.

6577 Part 9. Claim to Recover Property from Administrator

6578 Sec. 7052. Claim of another state to recover property.

6579 (a) If the Administrator knows that property held by the Administrator under this subtitle
6580 is subject to a superior claim of another state, the Administrator shall:

6581 (1) Report and pay or deliver the property to the other state; or

6582 (2) Return the property to the holder so that the holder may pay or deliver the
6583 property to the other state.

6584 (b) The Administrator is not required to enter into an agreement to transfer property to
6585 the other state under subsection (a) of this section.

6586 Sec. 7053. When property subject to recovery by another state.

6587 (a) Property held under this subtitle by the Administrator is subject to the right of another
6588 state to take custody of the property if:

6589 (1) The property was paid or delivered to the Administrator because the records of
6590 the holder did not reflect a last-known address in the other state of the apparent owner and:

6591 (A) The other state establishes that the last-known address of the apparent
6592 owner or other person entitled to the property was in the other state; or

6593 (B) Under the law of the other state, the property has become subject to a
6594 claim by the other state of abandonment;

6595 (2) The records of the holder did not accurately identify the owner of the property,
6596 the last-known address of the owner was in another state, and, under the law of the other state,
6597 the property has become subject to a claim by the other state of abandonment;

6598 (3) The property was subject to the custody of the Administrator of the District
6599 under section 7021 and, under the law of the state of domicile of the holder, the property has
6600 become subject to a claim by the state of domicile of the holder of abandonment; or

6601 (4) The property:

6602 (A) Is a sum payable on a traveler's check, money order, or similar
6603 instrument that was purchased in the other state and delivered to the Administrator under section
6604 7022; and

6605 (B) Under the law of the other state, has become subject to a claim by the
6606 other state of abandonment.

6607 (b) A claim by another state to recover property under this section shall be presented in a
6608 form prescribed by the Administrator, unless the Administrator waives presentation of the form.

6609 (c) The Administrator shall decide a claim under this section not later than 90 days after it
6610 is presented. If the Administrator determines that the other state is entitled under subsection (a)
6611 of this section to custody of the property, the Administrator shall allow the claim and pay or
6612 deliver the property to the other state.

6613 (d) The Administrator may require another state, before recovering property under this
6614 section, to agree to indemnify the District and its agents, officers, and employees against any
6615 liability on a claim to the property.

6616 Sec. 7054. Claim for property by person claiming to be owner.

6617 (a) A person claiming to be the owner of property held under this subtitle by the
6618 Administrator may file a claim for the property on a form prescribed by the Administrator. The
6619 claimant shall verify the claim as to its completeness and accuracy.

6620 (b) The Administrator may waive the requirement in subsection (a) of this section and
6621 may pay or deliver property directly to a person if:

6622 (1) The person receiving the property or payment is shown to be the apparent
6623 owner included on a report filed under section 7024;

6624 (2) The Administrator reasonably believes the person is entitled to receive the
6625 property or payment; and

6626 (3) The property has a value of less than \$500.

6627 Sec. 7055. When Administrator must honor claim for property.

6628 (a) The Administrator shall pay or deliver property to a claimant under section 7054(a) if
6629 the Administrator receives evidence sufficient to establish to the satisfaction of the Administrator
6630 that the claimant is the owner of the property.

6631 (b) Not later than 90 days after a claim is filed under section 7054(a), the Administrator
6632 shall allow or deny the claim and give the claimant notice in a record of the decision.

6633 (c) If the claim is denied under subsection (b) of this section:

6634 (1) The Administrator shall inform the claimant of the reason for the denial and
6635 specify what additional evidence, if any, is required for the claim to be allowed;

6636 (2) The claimant may file an amended claim with the Administrator or commence
6637 an action under section 7057; and

6638 (3) The Administrator shall consider an amended claim filed under paragraph (2)
6639 of this subsection as an initial claim.

6640 (d) If the Administrator does not take action on a claim during the 90-day period
6641 following the filing of a claim under section 7054(a), the claim is deemed denied.

6642 Sec. 7056. Allowance of claim for property by the District.

6643 (a) Not later than 45 days after a claim is allowed under section 7055(b), the
6644 Administrator shall pay or deliver to the owner the property or pay to the owner the net proceeds
6645 of a sale of the property, together with income or gain to which the owner is entitled under
6646 section 7039. On request of the owner, the Administrator may sell or liquidate a security and
6647 pay the net proceeds to the owner, even if the security had been held by the Administrator for
6648 less than 60 days or the Administrator has not complied with the notice requirements under
6649 section 7044.

6650 (b) Property held under this subtitle by the Administrator is subject to a claim for the
6651 payment of an enforceable debt the owner owes to the District for:

6652 (1) Child-support arrearages, including any child-support collection costs and
6653 child-support arrearages that are combined with maintenance;

6654 (2) A civil or criminal fine or penalty, court costs, a surcharge, or restitution
6655 imposed by a final order of an administrative agency or a final court judgment; or

6656 (3) District taxes, penalties, and interest that have been determined to be
6657 delinquent, including delinquent debts under Delinquent Debt Recovery Act of 2012, effective
6658 September 20, 2012, (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), and collection
6659 fees owed to the Central Collection Unit under Chapter 38 of Title 9 of the District of Columbia
6660 Municipal Regulations.

6661 (c) Before delivery or payment to an owner under subsection (a) of this section of
6662 property or payment to the owner of net proceeds of a sale of the property, the Administrator first

6663 shall apply the property or net proceeds to a debt under subsection (b) of this section the
6664 Administrator determines is owed by the owner. The Administrator shall pay the amount to the
6665 appropriate District agency and notify the owner of the payment, unless another District agency
6666 is required to notify the owner of the payment.

6667 (d) The Administrator may make periodic inquiries of District agencies in the absence of
6668 a claim filed under section 7054 to determine whether an apparent owner included in the
6669 unclaimed-property records of the District has an enforceable debt described in subsection (b) of
6670 this section. The Administrator first shall apply the property or net proceeds of a sale of property
6671 held by the Administrator to a debt under subsection (b) of this section of an apparent owner
6672 which appears in the records of the Administrator and deliver the amount to the appropriate
6673 District agency. The Administrator shall notify the apparent owner of the payment, unless
6674 another District agency is required to notify the owner of the payment.

6675 Sec. 7057. Action by person whose claim is denied.

6676 Not later than one year after filing a claim under section 7054(a), the claimant may
6677 commence an action against the Administrator in the Superior Court to establish a claim that has
6678 been denied or deemed denied under section 7054(d).

6679 Part 10. Verified Report of Property; Examination of Records

6680 Sec. 7058. Verified report of property.

6681 If a person does not file a report required by section 7024 or the Administrator believes
6682 that a person may have filed an inaccurate, incomplete, or false report, the Administrator may
6683 require the person to file a verified report in a form prescribed by the Administrator. The
6684 verified report shall:

6685 (1) State whether the person is holding property reportable under this subtitle;

6686 (2) Describe property not previously reported or about which the Administrator
6687 has inquired;

6688 (3) Specifically identify property described under paragraph (2) of this subsection
6689 about which there is a dispute about whether it is reportable under this subtitle; and

6690 (4) State the amount or value of the property.

6691 Sec. 7059. Examination of records to determine compliance.

6692 The Administrator, at reasonable times and on reasonable notice, may:

6693 (1) Examine the records of a person, including examination of appropriate records
6694 in the possession of an agent of the person under examination, if the records are reasonably
6695 necessary to determine whether the person has complied with this subtitle;

6696 (2) Apply to the Superior Court for the issuance of a subpoena requiring the
6697 person or agent of the person to make records available for examination; and

6698 (3) Request that the Attorney General bring an action seeking judicial
6699 enforcement of the subpoena.

6700 Sec. 7060. Rules for conducting examination.

6701 (a) The Administrator shall adopt rules governing procedures and standards for an
6702 examination under section 7059, including rules for use of an estimation, extrapolation, and
6703 statistical sampling in conducting an examination.

6704 (b) An examination under section 7059 shall be performed under rules adopted under
6705 subsection (a) of this section and with generally accepted examination practices and standards
6706 applicable to an unclaimed-property examination.

6707 (c) If a person subject to examination under section 7059 has filed the reports required
6708 under sections 7024 and 7058 and has retained the records required by section 7027, the
6709 following rules apply:

6710 (1) The examination shall include a review of the person's records.

6711 (2) The examination may not be based on an estimate unless the person expressly
6712 consents in a record to the use of an estimate.

6713 (3) The person conducting the examination shall consider the evidence presented
6714 in good faith by the person in preparing the findings of the examination under section 7064.

6715 Sec. 7061. Records obtained in examination.

6716 Records obtained and records, including work papers, compiled by the Administrator in
6717 the course of conducting an examination under section 7049:

6718 (1) Are subject to the confidentiality and security provisions of Part 14 and are not
6719 public records;

6720 (2) May be used by the Administrator in an action to collect property or otherwise
6721 enforce this subtitle;

6722 (3) May be used in a joint examination conducted with another state, the United
6723 States, a foreign country or subordinate unit of a foreign country, or any other governmental
6724 entity if the governmental entity conducting the examination is legally bound to maintain the
6725 confidentiality and security of information obtained from a person subject to examination in a
6726 manner substantially equivalent to Part 14;

6727 (4) Shall be disclosed, on request, to the person that administers the unclaimed
6728 property law of another state for that state's use in circumstances equivalent to circumstances

6729 described in this part, if the other state is required to maintain the confidentiality and security of
6730 information obtained in a manner substantially equivalent to Part 14;

6731 (5) Shall be produced by the Administrator under an administrative or judicial
6732 subpoena or administrative or court order; and

6733 (6) Shall be produced by the Administrator on request of the person subject to the
6734 examination in an administrative or judicial proceeding relating to the property.

6735 Sec. 7062. Evidence of unpaid debt or undischarged obligation.

6736 (a) A record of a putative holder showing an unpaid debt or undischarged obligation is
6737 prima facie evidence of the debt or obligation.

6738 (b) A putative holder may establish by a preponderance of the evidence that there is no
6739 unpaid debt or undischarged obligation for a debt or obligation described in subsection (a) of this
6740 section or that the debt or obligation was not, or no longer is, a fixed and certain obligation of the
6741 putative holder.

6742 (c) A putative holder may overcome prima facie evidence under subsection (a) of this
6743 section by establishing by a preponderance of the evidence that a check, draft, or similar
6744 instrument was:

6745 (1) Issued as an unaccepted offer in settlement of an unliquidated amount;

6746 (2) Issued but later was replaced with another instrument because the earlier
6747 instrument was lost or contained an error that was corrected;

6748 (3) Issued to a party affiliated with the issuer;

6749 (4) Paid, satisfied, or discharged;

6750 (5) Issued in error;

6751 (6) Issued without consideration;

6752 (7) Issued but there was a failure of consideration;

6753 (8) Voided not later than 90 days after issuance for a valid business reason set

6754 forth in a contemporaneous record; or

6755 (9) Issued but not delivered to the third-party payee for a sufficient reason

6756 recorded within a reasonable time after issuance.

6757 (d) In asserting a defense under this section, a putative holder may present evidence of a

6758 course of dealing between the putative holder and the apparent owner or of custom and practice.

6759 Sec. 7063. Failure of person examined to retain records.

6760 If a person subject to examination under section 7059 does not retain the records required

6761 by section 7027, the Administrator may determine the value of property due using a reasonable

6762 method of estimation based on all information available to the Administrator, including

6763 extrapolation and use of statistical sampling when appropriate and necessary, consistent with

6764 examination procedures and standards adopted under section 7060(a) and in accord with section

6765 7060(b).

6766 Sec. 7064. Report to person whose records were examined.

6767 At the conclusion of an examination under section 7059, the Administrator shall provide

6768 to the person whose records were examined a complete and unredacted examination report that

6769 specifies:

6770 (1) The work performed;

6771 (2) The property types reviewed;

6772 (3) The methodology of any estimation technique, extrapolation, or statistical

6773 sampling used in conducting the examination;

6774 (4) Each calculation showing the value of property determined to be due; and

6775 (5) The findings of the person conducting the examination.

6776 Sec. 7065. Complaint to Administrator about conduct of person conducting examination.

6777 (a) If a person subject to examination under section 7059 believes the person conducting
6778 the examination has made an unreasonable or unauthorized request or is not proceeding
6779 expeditiously to complete the examination, the person in a record may ask the Administrator to
6780 intervene and take appropriate remedial action, including countermanding the request of the
6781 person conducting the examination, imposing a time limit for completion of the examination, or
6782 reassigning the examination to another person.

6783 (b) If a person in a record requests a conference with the Administrator to present matters
6784 that are the basis of a request under subsection (a) of this section, the Administrator shall hold
6785 the conference not later than 30 days after receiving the request. The Administrator may hold
6786 the conference in person, by telephone, or by electronic means.

6787 (c) If a conference is held under subsection (b) of this section, not later than 30 days after
6788 the conference ends, the Administrator shall provide a report in a record of the conference to the
6789 person that requested the conference.

6790 Sec. 7066. Administrator's contract with another to conduct examination.

6791 (a) In this section, "related to the Administrator" means an individual who is:

6792 (1) The Administrator's spouse, partner in a civil union, domestic partner, or
6793 reciprocal beneficiary;

6794 (2) The Administrator's child, stepchild, grandchild, parent, stepparent, sibling,
6795 step-sibling, half-sibling, aunt, uncle, niece, or nephew;

6796 (3) A spouse, partner in a civil union, domestic partner, or reciprocal beneficiary
6797 of an individual under paragraph (2) of this subsection; or

6798 (4) Any individual residing in the Administrator's household.

6799 (b) The Administrator may contract with a person to conduct an examination under this
6800 part.

6801 (c) If the person with which the Administrator contracts under subsection (b) of this
6802 section is:

6803 (1) An individual, the individual may not be related to the Administrator; or

6804 (2) A business entity, the entity may not be owned in whole or in part by the
6805 Administrator or an individual related to the Administrator.

6806 (d) At least 60 days before assigning a person under contract with the Administrator
6807 under subsection (b) of this section to conduct an examination, the Administrator shall demand
6808 in a record that the person to be examined submit a report and deliver property that is previously
6809 unreported.

6810 (e) If the Administrator contracts with a person under subsection (b) of this section:

6811 (1) The contract may provide for compensation of the person based on a fixed fee,
6812 hourly fee, or contingent fee;

6813 (2) A contingent fee arrangement may not provide for a payment that exceeds 10
6814 percent of the amount or value of property paid or delivered as a result of the examination,
6815 except for contracts in force on the effective date of this subtitle; and

6816 (3) On request by a person subject to examination by a contractor, the
6817 Administrator shall deliver to the person a complete and unredacted copy of the contract and any
6818 contract between the contractor and a person employed or engaged by the contractor to conduct
6819 the examination.

6820 (f) A contract under subsection (b) of this section is subject to public disclosure without
6821 redaction under District of Columbia Freedom of Information Act, effective March 25, 1977
6822 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

6823 Sec. 7067. Limit on future employment.

6824 The Administrator or an individual employed by the Administrator who participates in,
6825 recommends, or approves the award of a contract under section 7066(b) is subject to the Code of
6826 Conduct, or other ethical rules, applicable to employees in the Office of the Chief Financial
6827 Officer concerning post-employment conflicts of interest.

6828 Sec. 7068. Report by Administrator at request of Mayor.

6829 (a) Pursuant to a request of the Mayor, the Administrator shall compile and submit a
6830 report containing information about property presumed abandoned for the preceding fiscal year
6831 for the District: The information requested may include:

6832 (1) The total amount and value of all property paid or delivered under this subtitle
6833 to the Administrator;

6834 (2) The name of and amount paid to each contractor under section 7066 and the
6835 percentage the total compensation paid to all contractors under section 7066 bears to the total
6836 amount paid or delivered to the Administrator as a result of all examinations performed under
6837 section 7066;

6838 (3) The total amount and value of all property paid or delivered by the
6839 Administrator to persons that made claims for property held by the Administrator under this
6840 subtitle and the percentage the total payments made and value of property delivered to claimants
6841 bears to the total amounts paid and value delivered to the Administrator; and

6842 (4) The total amount of claims made by persons claiming to be owners.

6843 (b) The report under subsection (a) of this section is a public record subject to public
6844 disclosure without redaction under the District of Columbia Freedom of Information Act,
6845 effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

6846 Part 11. Determination of Liability; Putative Holder Remedies

6847 Sec. 7069. Determination of liability for unreported reportable property.

6848 If the Administrator determines from an examination conducted under section 7059 that a
6849 putative holder failed or refused to pay or deliver to the Administrator property which is
6850 reportable under this subtitle, the Administrator shall issue a determination of the putative
6851 holder's liability to pay or deliver and give notice in a record to the putative holder of the
6852 determination.

6853 Sec. 7070. Informal conference.

6854 (a) Not later than 30 days after receipt of a notice under section 7069, the putative holder
6855 may request an informal conference with the Administrator to review the determination. Except
6856 as otherwise provided in this section, the Administrator may designate an employee to act on
6857 behalf of the Administrator.

6858 (b) If a putative holder makes a timely request under subsection (a) of this section for an
6859 informal conference:

6860 (1) Not later than 20 days after the date of the request, the Administrator shall set
6861 the time and place of the conference;

6862 (2) The Administrator shall give the putative holder notice in a record of the time
6863 and place of the conference;

6864 (3) The conference may be held in person, by telephone, or by electronic means,
6865 as determined by the Administrator;

6866 (4) The request tolls the 90-day period under section 7071 until notice of a
6867 decision under paragraph (7) of this subsection has been given to the putative holder or the
6868 putative holder withdraws the request for the conference;

6869 (5) The conference may be postponed, adjourned, and reconvened as the
6870 Administrator determines appropriate;

6871 (6) The Administrator or Administrator's designee with the approval of the
6872 Administrator may modify a determination made under section 7069 or withdraw it; and

6873 (7) The Administrator shall issue a decision in a record and provide a copy of the
6874 record to the putative holder and examiner not later than 20 days after the conference ends.

6875 (c) A conference under subsection (b) of this section is not an administrative remedy and
6876 is not a contested case subject to the District of Columbia Administrative Procedure Act,
6877 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*). An oath is not
6878 required and rules of evidence do not apply in the conference.

6879 (d) At a conference under subsection (b) of this section, the putative holder shall be given
6880 an opportunity to confer informally with the Administrator and the person that examined the
6881 records of the putative holder to:

6882 (1) Discuss the determination made under section 7069; and

6883 (2) Present any issue concerning the validity of the determination.

6884 (e) If the Administrator fails to act within the period prescribed in subsection (b)(1) or (7)
6885 of this section, the failure does not affect a right of the Administrator, except that interest does
6886 not accrue on the amount for which the putative holder was determined to be liable under section
6887 7069 during the period in which the Administrator failed to act until the earlier of:

6888 (1) The date the putative holder requests a hearing under section 7071; or

6889 (2) 90 days after the putative holder received notice of the Administrator's
6890 determination under section 7069 if the putative holder did not request a hearing under section
6891 7071.

6892 (f) The Administrator may hold an informal conference with a putative holder about a
6893 determination under section 7069 without a request at any time before the putative holder
6894 requests a hearing under section 7071.

6895 (g) Interest and penalties under section 7075 continue to accrue on property not reported,
6896 paid, or delivered as required by this subtitle after the initiation, and during the pendency, of an
6897 informal conference under this section.

6898 Sec. 7071. Review of Administrator's determination.

6899 (a) Not later than 90 days after receiving notice of the Administrator's determination
6900 under section 7069, a putative holder may request a hearing on the Administrator's determination
6901 by the Office of Administrative Hearings, which shall make findings of fact and conclusions of
6902 law and render a final order in accordance with the District of Columbia Administrative
6903 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

6904 (b) A final decision in a proceeding under subsection (a) of this section is subject to
6905 judicial review by the District of Columbia Court of Appeals.

6906 Part 12. Enforcement

6907 Sec. 7072. Judicial action to enforce liability.

6908 (a) If a determination under section 7069 becomes final and is not subject to
6909 administrative or judicial review, the Administrator may request that the Attorney General bring
6910 an action in the Superior Court or in an appropriate court of another state to enforce the

6911 determination and secure payment or delivery of past due, unpaid, or undelivered property. The
6912 action must be brought not later than one year after the determination becomes final.

6913 (b) In an action under subsection (a) of this section, if no court in the District has
6914 jurisdiction over the defendant, the Attorney General may commence an action in any court
6915 having jurisdiction over the defendant.

6916 Sec. 7073. Interstate and international agreement; cooperation.

6917 (a) Subject to subsection (b) of this section, the Administrator may:

6918 (1) Exchange information with another state or foreign country relating to
6919 property presumed abandoned or relating to the possible existence of property presumed
6920 abandoned; and

6921 (2) Authorize in a record another state or foreign country or a person acting on
6922 behalf of the other state or country to examine its records of a putative holder as provided in Part
6923 10.

6924 (b) An exchange or examination under subsection (a) of this section may be done only if
6925 the state or foreign country has confidentiality and security requirements substantially equivalent
6926 to those in Part 14 or agrees in a record to be bound by the District's confidentiality and security
6927 requirements.

6928 Sec. 7074. Action involving another state or foreign country.

6929 (a) The Administrator may request that the Attorney General join another state or foreign
6930 country to examine and seek enforcement of this subtitle against a putative holder.

6931 (b) On request of another state or foreign country, the Attorney General may commence
6932 an action on behalf of the other state or country to enforce, in the District, the law of the other

6933 state or country against a putative holder subject to a claim by the other state or country, if the
6934 other state or country agrees to pay costs incurred by the Attorney General in the action.

6935 (c) The Administrator may request the official authorized to enforce the unclaimed
6936 property law of another state or foreign country to commence an action to recover property in the
6937 other state or country on behalf of the Administrator.

6938 (d) The Administrator may request that the Attorney General pursue an action on behalf
6939 of the District to recover property subject to this subtitle but delivered to the custody of another
6940 state if the Administrator believes the property is subject to the custody of the Administrator.

6941 (e) The Administrator, with the approval of the Attorney General, may retain an attorney
6942 in the District, another state, or a foreign country to commence an action to recover property on
6943 behalf of the Administrator and may agree to pay attorney's fees based in whole or in part on a
6944 fixed fee, hourly fee, or a percentage of the amount or value of property recovered in the action.

6945 (f) Expenses incurred by the District in an action under this section may be paid from
6946 property received under this subtitle or the net proceeds of the property subject to appropriations.
6947 Expenses paid to recover property may not be deducted from the amount that is subject to a
6948 claim under this subtitle by the owner.

6949 Sec. 7075. Interest and penalty for failure to act in timely manner.

6950 (a) A holder that fails to report, pay, or deliver property within the time prescribed by this
6951 subtitle shall pay to the Administrator interest at 10% per year on the property or value of the
6952 property from the date the property should have been reported, paid, or delivered to the
6953 Administrator until the date reported, paid, or delivered.

6954 (b) Except as otherwise provided in section 7076 or 7077, the Administrator may require
6955 a holder that fails to report, pay, or deliver property within the time prescribed by this subtitle to

6956 pay to the Administrator, in addition to interest included under subsection (a) of this section, a
6957 civil penalty of \$200 for each day the duty is not performed, up to a cumulative maximum
6958 amount of \$5,000.

6959 Sec. 7076. Other civil penalties.

6960 (a) If a holder enters into a contract or other arrangement for the purpose of evading an
6961 obligation under this subtitle or otherwise willfully fails to perform a duty imposed on the holder
6962 under this subtitle, the Administrator may require the holder to pay the Administrator, in addition
6963 to interest as provided in section 7075(a), a civil penalty of \$1,000 for each day the obligation is
6964 evaded or the duty is not performed, up to a cumulative maximum amount of \$25,000, plus 25
6965 percent of the amount or value of property that should have been but was not reported, paid, or
6966 delivered as a result of the evasion or failure to perform.

6967 (b) If a holder makes a fraudulent report under this subtitle, the Administrator may
6968 require the holder to pay to the Administrator, in addition to interest under section 7075(a), a
6969 civil penalty of \$1,000 for each day from the date the report was made until corrected, up to a
6970 cumulative maximum of \$25,000, plus 25 percent of the amount or value of any property that
6971 should have been reported but was not included in the report or was underreported.

6972 Sec. 7077. Waiver of interest and penalty.

6973 The Administrator:

6974 (1) May waive, in whole or in part, interest under section 7075(a) and penalties under
6975 section 7075(b) or 7076; and

6976 (2) Shall waive a penalty under section 7075(b) if the Administrator determines that the
6977 holder acted in good faith and without negligence.

6978 Sec. 7078. Right to administrative hearing; entry of civil judgment by Superior Court.

6979 (a) A holder is entitled to a hearing on the Administrator's imposition of a civil penalty or
6980 interest under section 7075 or a civil penalty under section 7076 by the Office of Administrative
6981 Hearings, which shall make findings of fact and conclusions of law and render a final order in
6982 accordance with the District of Columbia Administrative Procedure Act, approved October 21,
6983 1968 (82 Stat. 1245; D.C. Official Code § 2-501 *et seq.*).

6984 (b) The Administrator may cause a final order requiring a holder to pay a civil penalty,
6985 interest, or costs entered by the Office of Administrative Hearings under subsection (c) of this
6986 section as a judgment against the holder by requesting that the Attorney General file an action to
6987 enter the civil penalty, interest, or costs to as a civil judgment.

6988 Part 13. Agreement to Locate Property of Apparent Owner Held by Administrator

6989 Sec. 7079. When agreement to locate property enforceable.

6990 An agreement by an apparent owner and another person, the primary purpose of which is
6991 to locate, deliver, recover, or assist in the location, delivery, or recovery of property held by the
6992 Administrator, is enforceable only if the agreement:

6993 (1) Is in a record that clearly states the nature of the property and the services to
6994 be provided;

6995 (2) Is signed by or on behalf of the apparent owner; and

6996 (3) States the amount or value of the property reasonably expected to be
6997 recovered, computed before and after a fee or other compensation to be paid to the person has
6998 been deducted.

6999 Sec. 7080. When agreement to locate property void.

7000 (a) Subject to subsection (b) of this section, an agreement under section 7079 is void if it
7001 is entered into during the period beginning on the date the property was paid or delivered by a
7002 holder to the Administrator and ending 24 months after the payment or delivery.

7003 (b) If a provision in an agreement described in subsection (a) of this section applies to
7004 mineral proceeds for which compensation is to be paid to the other person based in whole or in
7005 part on a part of the underlying minerals or mineral proceeds not then presumed abandoned, the
7006 provision is void regardless of when the agreement was entered into.

7007 (c) An agreement under subsection (a) of this section that provides for compensation in
7008 an amount that is unconscionable is unenforceable except by the apparent owner. An apparent
7009 owner that believes the compensation the apparent owner has agreed to pay is unconscionable
7010 may file an action in the Superior Court to reduce the compensation to the maximum amount that
7011 is not unconscionable.

7012 (d) An apparent owner may assert that an agreement described in this section is void on a
7013 ground other than it provides for payment of unconscionable compensation.

7014 (e) This section does not apply to an apparent owner's agreement with an attorney to
7015 pursue a claim for recovery of specifically identified property held by the Administrator or to
7016 contest the Administrator's denial of a claim for recovery of the property.

7017 Sec.7081. Right of agent of apparent owner to recover property held by Administrator.

7018 (a) An apparent owner that contracts with another person to locate, deliver, recover, or
7019 assist in the location, delivery, or recovery of property of the apparent owner which is held by
7020 the Administrator may designate the person as the agent of the apparent owner. The designation
7021 must be in a record signed by the apparent owner.

7022 (b) The Administrator shall give the agent of the apparent owner all information
7023 concerning the property which the apparent owner is entitled to receive, including information
7024 that otherwise is confidential information under section 7083.

7025 (c) If authorized by the apparent owner, the agent of the apparent owner may bring an
7026 action against the Administrator on behalf of and in the name of the apparent owner.

7027 Part 14. Confidentiality and Security of Information

7028 Sec. 7082. Definitions; applicability.

7029 (a) In this part, “personal information” means:

7030 (1) Information that identifies or reasonably can be used to identify an individual,
7031 such as first and last name in combination with the individual’s:

7032 (A) Social security number or other government-issued number or
7033 identifier;

7034 (B) Date of birth;

7035 (C) Home or physical address;

7036 (D) Electronic-mail address or other online contact information or Internet
7037 provider address;

7038 (E) Financial account number or credit or debit card number;

7039 (F) Biometric data, health or medical data, or insurance information; or

7040 (G) Passwords or other credentials that permit access to an online or other
7041 account;

7042 (2) Personally identifiable financial or insurance information, including nonpublic
7043 personal information defined by applicable federal law; and

7044 (3) Any combination of data that, if accessed, disclosed, modified, or destroyed
7045 without authorization of the owner of the data or if lost or misused, would require notice or
7046 reporting under D.C. Official Code §§ 28-3851 to 28-3864. and federal privacy and data security
7047 law, whether or not the Administrator or the Administrator’s agent is subject to the law.

7048 (b) A provision of this part that applies to the Administrator or the Administrator’s
7049 records applies to an Administrator’s agent.

7050 Sec. 7083. Confidential information.

7051 (a) Except as otherwise provided in this subtitle, the following are confidential and
7052 exempt from public inspection or disclosure:

7053 (1) Records of the Administrator and the Administrator’s agent related to the
7054 administration of this subtitle;

7055 (2) Reports and records of a holder in the possession of the Administrator or the
7056 Administrator’s agent; and

7057 (3) Personal information and other information derived or otherwise obtained by
7058 or communicated to the Administrator or the Administrator’s agent from an examination under
7059 this subtitle of the records of a person.

7060 (b) A record or other information that is confidential under law of the District other than
7061 this subtitle, another state, or the United States continues to be confidential when disclosed or
7062 delivered under this subtitle to the Administrator or Administrator’s agent.

7063 Sec. 7084. When confidential information may be disclosed.

7064 (a) When reasonably necessary to enforce or implement this subtitle, the Administrator
7065 may disclose confidential information concerning property held by the Administrator or the
7066 Administrator’s agent only to:

7067 (1) An apparent owner or the apparent owner’s personal representative, attorney,
7068 other legal representative, relative, or agent designated under section 7081 to have the
7069 information;

7070 (2) The personal representative other legal representative, relative of a deceased
7071 apparent owner, agent designated under section 7081 by the deceased apparent owner, or a
7072 person entitled to inherit from the deceased apparent owner;

7073 (3) Another department or agency of the District or the United States;

7074 (4) The person that administers the unclaimed property law of another state, if the
7075 other state accords substantially reciprocal privileges to the Administrator of the District if the
7076 other state is required to maintain the confidentiality and security of information obtained in a
7077 manner substantially equivalent to Part 14;

7078 (5) A person subject to an examination as required by section 7061(6).

7079 (b) Except as otherwise provided in section 7083(a), the Administrator shall include on
7080 the website or in the database required by section 7031(c)(2) the name of each apparent owner of
7081 property held by the Administrator. The Administrator may include in published notices, printed
7082 publications, telecommunications, the Internet, or other media and on the website or in the
7083 database additional information concerning the apparent owner’s property if the Administrator
7084 believes the information will assist in identifying and returning property to the owner and does
7085 not disclose personal information except the home or physical address of an apparent owner.

7086 (c) The Administrator and the Administrator’s agent may not use confidential
7087 information provided to them or in their possession except as expressly authorized by this
7088 subtitle or required by law other than this subtitle.

7089 Sec. 7085. Confidentiality agreement.

7090 A person to be examined under section 7059 may require, as a condition of disclosure of
7091 the records of the person to be examined, that each person having access to the records disclosed
7092 in the examination execute and deliver to the person to be examined a confidentiality agreement
7093 that:

7094 (1) Is in a form that is reasonably satisfactory to the Administrator; and

7095 (2) Requires the person having access to the records to comply with the provisions of this
7096 part applicable to the person.

7097 Sec. 7086. No confidential information in notice.

7098 Except as otherwise provided in sections 7029 and 7030, a holder is not required under
7099 this subtitle to include confidential information in a notice the holder is required to provide to an
7100 apparent owner under this subtitle.

7101 Sec. 7087. Security of information.

7102 (a) If a holder is required to include confidential information in a report to the
7103 Administrator, the information must be provided by a secure means.

7104 (b) If confidential information in a record is provided to and maintained by the
7105 Administrator or Administrator's agent as required by this subtitle, the Administrator or agent
7106 shall:

7107 (1) Implement administrative, technical, and physical safeguards to protect the
7108 security, confidentiality, and integrity of the information required by D.C. Official Code §§ 28-
7109 3851 to 28-3864 and federal privacy and data security law whether or not the Administrator or
7110 the Administrator's agent is subject to the law;

7111 (2) Protect against reasonably anticipated threats or hazards to the security,
7112 confidentiality, or integrity of the information; and

7113 (3) Protect against unauthorized access to or use of the information which could
7114 result in substantial harm or inconvenience to a holder or the holder's customers, including
7115 insureds, annuitants, and policy or contract owners and their beneficiaries.

7116 (c) The Administrator:

7117 (1) After notice and comment, shall adopt and implement a security plan that
7118 identifies and assesses reasonably foreseeable internal and external risks to confidential
7119 information in the Administrator's possession and seeks to mitigate the risks; and

7120 (2) Shall ensure that an Administrator's agent adopts and implements a similar
7121 plan with respect to confidential information in the agent's possession.

7122 (d) The Administrator and the Administrator's agent shall educate and train their
7123 employees regarding the plan adopted under subsection (c) of this section.

7124 (e) The Administrator and the Administrator's agent shall in a secure manner return or
7125 destroy all confidential information no longer reasonably needed under this subtitle.

7126 Sec. 7088. Security breach.

7127 (a) Except to the extent prohibited by law other than this subtitle, the Administrator or
7128 Administrator's agent shall notify a holder as soon as practicable of:

7129 (1) A suspected loss, misuse or unauthorized access, disclosure, modification, or
7130 destruction of confidential information obtained from the holder in the possession of the
7131 Administrator or an Administrator's agent; and

7132 (2) Any interference with operations in any system hosting or housing
7133 confidential information which:

7134 (A) Compromises the security, confidentiality, or integrity of the
7135 information; or

7136 (B) Creates a substantial risk of identity fraud or theft.

7137 (b) Except as necessary to inform an insurer, attorney, investigator, or others as required
7138 by law, the Administrator and an Administrator's agent may not disclose, without the express
7139 consent in a record of the holder, an event described in subsection (a) of this section to a person
7140 whose confidential information was supplied by the holder.

7141 (c) If an event described in subsection (a) of this section occurs, the Administrator and
7142 the Administrator's agent shall:

7143 (1) Take action necessary for the holder to understand and minimize the effect of
7144 the event and determine its scope; and

7145 (2) Cooperate with the holder with respect to:

7146 (A) Any notification required by law concerning a data or other security
7147 breach; and

7148 (B) A regulatory inquiry, litigation, or similar action.

7149 Sec. 7089. Indemnification for breach by agent.

7150 (a) If a claim is made or action commenced arising out of an event described in section
7151 7088(a) relating to confidential information possessed by an Administrator's agent, the
7152 Administrator's agent shall indemnify, defend, and hold harmless a holder and the holder's
7153 affiliates, officers, directors, employees, and agents as to:

7154 (1) Any claim or action and

7155 (2) A liability, obligation, loss, damage, cost, fee, penalty, fine, settlement,
7156 charge, or other expense, including reasonable attorney's fees and costs, established by the claim
7157 or action.

(b) The Administrator shall require an Administrator's agent that will receive confidential information required under this subtitle to maintain adequate insurance for indemnification obligations of the Administrator's agent under subsection (a) of this section. The agent required to maintain the insurance shall provide evidence of the insurance to:

(1) The Administrator not less frequently than annually; and

(2) The holder on commencement of an examination and annually thereafter until all confidential information is returned or destroyed under section 7087(e).

Part 15. Miscellaneous Provisions

Sec. 7090. Uniformity of application and construction.

In applying and construing this uniform act consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Sec. 7091. Relation to electronic signatures in global and national commerce act.

This subtitle modifies, limits, or supersedes the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. § 7001 *et seq.*, but does not modify, limit, or supersede section 101(c) of that act, 15 U.S.C. § 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that act, 15 U.S.C. § 7003(b).

Sec. 7092. Transitional provision.

(a) An initial report filed under this subtitle for property that was not required to be reported before the effective date of this subtitle, but that is required to be reported under this subtitle, must include all items of property that would have been presumed abandoned during the 10-year period preceding the effective date of this subtitle as if this subtitle had been in effect during that period.

7180 (b) This subtitle does not relieve a holder of a duty that arose before the effective date of
7181 this subtitle to report, pay, or deliver property. Subject to section 7042(b) and (c), a holder that
7182 did not comply with the law governing unclaimed property before the effective date of this
7183 subtitle is subject to applicable provisions for enforcement and penalties in effect before the
7184 effective date of this subtitle.

7185 Sec. 7093. Conforming amendments.

7186 (a) Upon the applicability of the Revised Uniform Unclaimed Property Act of 2021, as
7187 approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285),
7188 (“Revised Uniform Unclaimed Property Act of 2021”):

7189 (1) The Uniform Disposition of Unclaimed Property Act of 1980, effective March
7190 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-101 *et seq.*), is repealed; and
7191

7192 (2) All funds in the trust fund established under section 123 of the Uniform
7193 Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C.
7194 Official Code § 41-123), shall be transferred to the Unclaimed Property Account, established
7195 under section 7048(a) of the Revised Uniform Unclaimed Property Act of 2021.

7196 (b) Section 204(a) of Title II of the District of Columbia Administrative Procedure Act,
7197 effective March 29, 1977 (D.C. Law 1-96; D. C. Official Code § 2-534(a)), is amended as
7198 follows:

7199 (1) The first paragraph (17), is amended by striking the period at the end and
7200 inserting a semicolon in its place.

7201 (2) The second paragraph (17), is redesignated as paragraph (18).

7202 (3) The redesignated paragraph (18) is amended by striking the period and
7203 inserting the phrase “; and” in its place.

7204 (4) A new paragraph (19) is added to read as follows:

7205 “(19) Information exempt from disclosure under Part 14 of the Revised Uniform
7206 Unclaimed Property Act of 2021, approved by the Committee of the Whole on July 20, 2021
7207 (Committee print of Bill 24-285).”.

7208 (c) Section 6 of the Office of Administrative Hearings Establishment Act of 2001,
7209 effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by
7210 adding a new subsection (b-29) to read as follows:

7211 “(b-29) This act shall apply to all adjudicated cases authorized by sections 7071 and 7073
7212 of the Revised Uniform Unclaimed Property Act of 2021, as introduced on May 27, 2021.”.

7213 (d) Chapter V of the Life Insurance Act, approved June 19, 1934 (48 Stat. 1156; D.C.
7214 Official Code § 31-4701 *et seq.*), is amended by adding a new section 31 to read as follows:

7215 “Sec. 31. Duty of insurers to compare names of insureds with death master file and to
7216 locate beneficiaries.

7217 “(a) For purposes of this section:

7218 “(1) “Contract” means an annuity contract. The term “contract” does not include
7219 an annuity used to fund an employment-based retirement plan or program if:

7220 “(A) The insurer does not perform the record keeping services; or

7221 “(B) The insurer is not committed by terms of the annuity contract to pay
7222 death benefits to the beneficiaries of specific plan participants.

7223 “(2) “Death master file” means the United States Social Security Administration
7224 Death Master File or other database or service that is at least as comprehensive as the United

7225 States Social Security Administration Death Master File for determining that an individual
7226 reportedly has died.

7227 “(3) “Death master file match” means a search of the death master file that results
7228 in a match of the Social Security number or the name and date of birth of an insured, annuity
7229 owner, or retained asset account holder.

7230 “(4) “Knowledge of death” means:

7231 “(A) Receipt of an original or valid copy of a certified death certificate; or

7232 “(B) A death master file match validated by the insurer in accordance with
7233 subsection (b)(1)(A).

7234 “(5) “Policy” means any policy or certificate of life insurance that provides a
7235 death benefit. The term “policy” does not include:

7236 “(A) A policy or certificate of life insurance that provides a death benefit
7237 under an employee benefit plan:

7238 “(i) Subject to the Employee Retirement Income Security Act of
7239 1974, approved September 2, 1974 (88 Stat. 832; 29 U.S.C. § 1001 *et seq.*); or

7240 “(ii) Under any federal employee benefit program;

7241 “(B) A policy or certificate of life insurance that is used to fund a pre-need
7242 funeral contract or prearrangement;

7243 “(C) A policy or certificate of credit life or accidental death insurance; or

7244 “(D) A policy issued to a group master policyholder for which the insurer
7245 does not provide record keeping services.

7246 “(6) “Record keeping services” means those services which the insurer has agreed
7247 with a group policy or contract customer to be responsible for obtaining, maintaining, and

7248 administering in its own or its agents' systems information about each individual insured under
7249 an insured's group insurance contract, or a line of coverage thereunder, at least the following
7250 information:

7251 “(A) Social Security number or name and date of birth;

7252 “(B) Beneficiary designation information;

7253 “(C) Coverage eligibility;

7254 “(D) Benefit amount; and

7255 “(E) Premium payment status.

7256 “(7) “Retained asset account” means a mechanism whereby the settlement of
7257 proceeds payable under a policy or contract is accomplished by the insurer or an entity acting on
7258 behalf of the insurer depositing the proceeds into an account with check or draft writing
7259 privileges, if those proceeds are retained by the insurer or its agent, pursuant to a supplementary
7260 contract not involving annuity benefits other than death benefits.

7261 “(b)(1) An insurer shall perform a comparison of its insureds' in-force policies, contracts,
7262 and retained asset accounts against a death master file, on at least a semi-annual basis, by using
7263 the full death master file once and thereafter using the death master file update files for future
7264 comparisons to identify potential matches of its insureds. For those potential matches identified
7265 as a result of a death master file match, the insurer shall within 90 days of a death master file
7266 match:

7267 “(A) Complete a good faith effort, which shall be documented by the
7268 insurer, to confirm the death of the insured or retained asset account holder against other
7269 available records and information;

7270 “(B) Determine whether benefits are due in accordance with the applicable
7271 policy or contract; and if benefits are due in accordance with the applicable policy or contract:

7272 “(i) Use good faith efforts, which shall be documented by the
7273 insurer, to locate the beneficiary or beneficiaries; and

7274 “(ii) Provide the appropriate claims forms or instructions to the
7275 beneficiary or beneficiaries to make a claim including the need to provide an official death
7276 certificate, if applicable under the policy or contract.

7277 “(2) With respect to group life insurance, insurers are required to confirm the
7278 possible death of an insured when the insurers maintain at least the following information of
7279 those covered under a policy or certificate:

7280 “(A) Social Security number or name and date of birth;

7281 “(B) Beneficiary designation information;

7282 “(C) Coverage eligibility;

7283 “(D) Benefit amount; and

7284 “(E) Premium payment status.

7285 “(3) Every insurer shall implement procedures to account for:

7286 “(A) Common nicknames, initials used in lieu of a first or middle name,
7287 use of a middle name, compound first and middle names, and interchanged first and middle
7288 names;

7289 “(B) Compound last names, maiden or married names, and hyphens, blank
7290 spaces or apostrophes in last names;

7291 “(C) Transposition of the “month” and “date” portions of the date of birth;
7292 and

7293 “(D) Incomplete Social Security numbers.

7294 “(4) To the extent permitted by law, the insurer may disclose minimum necessary
7295 personal information about the insured or beneficiary to a person who the insurer reasonably
7296 believes may be able to assist the insurer locate the beneficiary or a person otherwise entitled to
7297 payment of the claims proceeds.

7298 “(c) An insurer or its service provider shall not charge any beneficiary or other authorized
7299 representative for any fees or costs associated with a death master file search or verification of a
7300 death master file match conducted pursuant to this section.

7301 “(d) The benefits from a policy, contract or a retained asset account, plus any applicable
7302 accrued contractual interest shall first be payable to the designated beneficiaries or owners and in
7303 the event said beneficiaries or owners cannot be found, shall be transferred to the Unclaimed
7304 Property Administrator as unclaimed property pursuant to the Revised Uniform Unclaimed
7305 Property Act of 2021, approved by the Committee of the Whole on July 20, 2021 (Committee
7306 print of Bill 24-285) (“Revised Uniform Unclaimed Property Act of 2021”). Interest payable
7307 under District of Columbia Official Code § 28-3302 shall not be payable as unclaimed property.

7308 “(e) Pursuant to section 7014 of the Revised Uniform Unclaimed Property Act of 2021,
7309 an insurer shall notify the Unclaimed Property Administrator upon the expiration of the statutory
7310 time period for abandoned property that:

7311 “(1) A policy or contract beneficiary or retained asset account holder has not
7312 submitted a claim with the insurer; and

7313 “(2) The insurer has complied with subsection (b) of this section and has been
7314 unable, after good faith efforts documented by the insurer, to contact the retained asset account
7315 holder, beneficiary or beneficiaries

7316 “(f) Upon such notice, an insurer shall immediately submit the unclaimed policy or
7317 contract benefits or unclaimed retained asset accounts, plus any applicable accrued interest, to
7318 the Unclaimed Property Administrator pursuant section 7014 of to the Revised Uniform
7319 Unclaimed Property Act of 2021.

7320 “(g) Failure to meet any requirement of this section with such frequency as to constitute a
7321 general business practice is a violation of a law of the District under section 6 of this act.
7322 Nothing herein shall be construed to create or imply a private cause of action for a violation of
7323 this section.”.

7324 **SUBTITLE B. PAYGO CAPITAL FUNDING**

7325 Sec. 7101. Short title.

7326 This subtitle may be cited as the “Paygo Capital Funding Amendment Act of 2021”.

7327

7328 Sec. 7102. Section 47-392.02(f) of the District of Columbia Official Code is amended as
7329 follows:

7330 (a) The lead-in language is amended by striking the phrase “Local funds revenue
7331 transfer” and inserting the phrase “Transfer of local or dedicated funds” in its place.

7332 (b) Paragraph (2) is amended as follows:

7333 (1) Strike the phrase “local funds transfer” and insert the phrase “transfer of local
7334 or dedicated funds” in its place.

7335 (2) Strike the phrase “Fiscal Year 2020” and insert the phrase “Fiscal Year 2020
7336 (“minimum transfer amount”); except, that in Fiscal Year 2025, the minimum transfer amount
7337 shall be \$206 million” in its place.

(c) Paragraph (3) is amended by striking the phrase “minimum local funds transfer” both times it appears and inserting the phrase “minimum transfer amount” in its place.

SUBTITLE C. MAKING UNEMPLOYMENT COMPENSATION NONTAXABLE

Sec. 7111. Short title.

This subtitle may be cited as the “Making Unemployment Compensation Nontaxable Amendment Act of 2021”.

Sec. 7112. Section 47-1803.02(a)(2) of the District of Columbia Official Code is amended by adding a new subparagraph (LL) to read as follows:

“(LL) For taxable years beginning after December 31, 2020, unemployment insurance benefits provided by the District or any other state, including:

(i) District-funded benefits paid pursuant to Subchapter I of Title 51 or a similar program in another state, including any extension of such benefits;

(ii) Fully or partially federally funded benefits paid pursuant to temporary or permanent unemployment benefits programs, including Federal Pandemic Unemployment Compensation (15 U.S.C. § 9023); and

(iii) Benefits paid pursuant to special programs, including Disaster Unemployment Assistance (42 U.S.C. § 5177) or Pandemic Unemployment Assistance (15 U.S.C. § 9021) to individuals who do not qualify for regular unemployment insurance benefits.”.

SUBTITLE D. DCRB EXECUTIVE LEADERSHIP

Sec. 7121. Short title.

This subtitle may be cited as the “District of Columbia Retirement Board Executive Leadership Amendment Act of 2021”.

7360 Sec. 7122. Section 121 of the District of Columbia Retirement Reform Act, approved
7361 November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711), is amended as follows:

7362 (a) Subsection (c)(1) is amended as follows:

7363 (1) Strike the phrase “exceed \$10,000.” and insert the phrase “exceed:” in its
7364 place.

7365 (2) New subparagraphs (A) and (B) are added to read as follows:

7366 “(A) Beginning in Fiscal Year 2021, \$25,000 for the Chairperson of the
7367 Board; and

7368 “(B) Beginning in Fiscal Year 2021, \$15,000 for each member entitled to
7369 compensation under this paragraph other than the Chairperson.”.

7370 (b) Subsection (g)(2) is amended by adding a new subparagraph (D) to read as follows:

7371 “(D) Notwithstanding any other provision of law, the annual salary of the
7372 Executive Director shall be fixed by the Board as it considers necessary at a rate not to exceed
7373 135% of the highest step of Grade E5 of the Executive Service.”.

7374 **SUBTITLE E. TAX ABATEMENTS FOR AFFORDABLE HOUSING**

7375 Sec. 7131. Short title.

7376 This subtitle may be cited as the “Tax Abatements for Affordable Housing in High-Need
7377 Areas Amendment Act of 2021”.

7378 Sec. 7132. Section 2062(b) of the Fiscal Year 2021 Budget Support Act of 2020, effective
7379 December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 47-859.06) is amended by striking
7380 the phrase “and shall not exceed \$4 million annually thereafter” and inserting the phrase “and for
7381 every fiscal year thereafter shall be a minimum of \$4 million, increased annually by 4% starting
7382 in Fiscal Year 2026” in its place.

7383 **SUBTITLE F. EVENTS DC**

7384 Sec. 7141. Short title.

7385 This subtitle may be cited as the “Events DC Grant-Making Act of 2021”.

7386 Sec. 7142. National Cherry Blossom Festival Fundraising.

7387 (a) There is established a matching grant program to support the 2022 National
7388 Cherry Blossom Festival (“Program”), which shall be administered by the Washington
7389 Convention and Sports Authority (“Events DC”). Under the Program, a matching grant
7390 shall be awarded to a nonprofit organization that organizes and produces an event or
7391 events as part of the official, month-long National Cherry Blossom Festival (“Festival”)
7392 of up to \$1,000,000 for every dollar above \$1,000,000 that the organization has raised in
7393 corporate donations by March 31, 2022.

7394 (b) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Account,
7395 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by
7396 subsection (a) of this section.

7397 (c) A grant awarded pursuant to this section shall be in addition to any other grant
7398 awarded by Events DC in support of the Festival.

7399 Sec. 7143. Youth and Science Museum Grant.

7400 (a) The Washington Convention and Sports Authority (“Events DC”) shall
7401 administer a grant to support a museum geared toward youth and science in the
7402 Downtown Business Improvement District established by Section 201 of the Business
7403 Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C.
7404 Official Code § 2-1215.51).

7405 (b) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Account,
7406 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by
7407 subsection (a) of this section.

7408 (c) A grant awarded pursuant to this section shall be in addition to any other grant
7409 awarded by Events DC in support of a museum geared toward youth and science.

7410 Sec. 7144. The lead-in language of section 204(m) of the Washington Convention Center
7411 Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code §
7412 10-1202.04(m)), is amended by striking the phrase “Fiscal Year 2020 or Fiscal Year 2021” and
7413 inserting the phrase “Fiscal Year 2021 or Fiscal Year 2022” in its place.

7414 **SUBTITLE G. EXCLUDED WORKER PAYMENT**

7415 Sec. 7151. Short title.

7416 This subtitle may be cited as the “Excluded Worker Payment Amendment Act of 2021”.

7417 Sec. 7152. The lead-in language of section 203a(a) of the Washington Convention Center
7418 Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code §
7419 10-1202.03a(a)), is amended to read as follows:

7420 “(a) The Washington Convention and Sports Authority shall issue, subject to the
7421 availability of funds, grants or contracts to nonprofit entities to use to provide cash assistance to
7422 District residents who are otherwise excluded from District and federal aid related to COVID-19.
7423 To qualify for cash assistance from grants or contracts awarded pursuant to this section, a
7424 District resident shall:”.

7425 Sec. 7153. Section 47-1803.02(a)(2)(JJ) of the District of Columbia Official Code is
7426 amended to read as follows:

7427 “(JJ) Cash assistance for excluded workers given pursuant to grants
7428 awarded by the Washington Convention and Sports Authority in 2020, 2021, and 2022.”.

7429 **SUBTITLE H. COUNCIL PERIOD 24 RULE 736 AND OTHER REPEALS**

7430 Sec. 7161. Short title.

7431 This subtitle may be cited as the “Council Period 24 Rule 736 and Other Repeals
7432 Amendment Act of 2021”.

7433 Sec. 7162. Section 5(b)(1) of the District of Columbia Public Emergency Act of 1980,
7434 effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(1)), is repealed.

7435 Sec. 7163. The Trash Compactor Tax Incentive Act of 2014, effective March 11, 2015
7436 (D.C. Law 20-223; 62 DCR 227), is repealed.

7437 Sec. 7164. The Public School Health Services Amendment Act of 2017, effective
7438 February 17, 2018 (D.C. Law 22-61; 65 DCR 127), is repealed.

7439 Sec. 7165. The Maternal Mental Health Task Force Act of 2018, effective July 17, 2018
7440 (D.C. Law 22-139; 65 DCR 5966), is repealed.

7441 Sec. 7166. The Hearing Aid Assistance Program Act of 2018, effective July 27, 2018
7442 (D.C. Law 22-151; 65 DCR 6123), is repealed.

7443 Sec. 7167. The Traffic and Parking Ticket Penalty Amendment Act of 2018, effective
7444 October 30, 2018 (D.C. Law 22-175; 65 DCR 9546), is repealed.

7445 Sec. 7168. The Save Good Food Amendment Act of 2018, effective February 22, 2019
7446 (D.C. Law 22-212; 65 DCR 12927), is repealed.

7447 Sec. 7169. The Rental Housing Smoke Free Common Area Amendment Act of 2018,
7448 effective March 22, 2019 (D.C. Law 22-260; 66 DCR 1370), is repealed.

7449 Sec. 7170. The Paperwork Reduction and Data Collection Act of 2018, effective March
7450 22, 2019 (D.C. Law 22-264; 66 DCR 1388), is repealed.

7451 Sec. 7171. The District Historical Records Advisory Board Amendment Act of 2018,
7452 effective March 28, 2019 (D.C. Law 22-271; 66 DCR 1446), is repealed.

7453 Sec. 7172. The Language Access for Education Amendment Act of 2018, effective April
7454 11, 2019 (D.C. Law 22-282; 66 DCR 1606), is repealed.

7455 Sec. 7173. The Disabled Veterans Homestead Exemption Act of 2018, effective April 11,
7456 2019 (D.C. Law 22-283; 66 DCR 1615), is repealed.

7457 Sec. 7174. The Safe Disposal of Pharmaceuticals Amendment Act of 2018, effective
7458 April 11, 2019 (D.C. Law 22-285; 66 DCR 1621), is repealed.

7459 Sec. 7175. The D.C. Healthcare Alliance Reform Amendment Act of 2019, effective
7460 September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

7461 **SUBTITLE I. SUBJECT-TO-APPROPRIATIONS REPEALS AND**
7462 **MODIFICATIONS**

7463 Sec. 7181. Short title.

7464 This subtitle may be cited as the “Subject to Appropriations Repeals and Modifications
7465 Amendment Act of 2021”.

7466 Sec. 7182. Section 10(a) of the Campaign Finance Reform Amendment Act of 2018,
7467 effective March 13, 2019 (D.C. Law 22-250; 66 DCR 985), is amended to read as follows:

7468 “(a) Sections 6(b)(4), (8), and (22), and (pp)(8) and (9) shall not apply to contracts, as
7469 defined in section 101(10C)(A)(ii) of the Board of Ethics and Government Accountability
7470 Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27,
7471 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10C)(A)(ii)), including those contracts’

7472 option periods or similar contract extensions or modifications, sought, entered into, or executed
7473 before November 9, 2022.”.

7474 Sec. 7183. Section 5 of the Public Restroom Facilities Installation and Promotion Act of
7475 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is repealed.

7476 Sec. 7184. Section 4 of the Care for LGBTQ Seniors and Seniors with HIV Amendment
7477 Act of 2020, effective December 23, 2020 (D.C. Law 23-154; 67 DCR 13244), is repealed.

7478 Sec. 7185. Section 3 of the Autonomous Vehicles Testing Program Amendment Act of
7479 2020, effective December 23, 2020 (D.C. Law 23-156; 67 DCR 13048), is repealed.

7480 Sec. 7186. Section 5 of the Dementia Training for Direct Care Workers Support
7481 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-201; 67 DCR 14750), is
7482 repealed.

7483 Sec. 7187. Section 3 of the Helping Children Impacted by Parental Incarceration
7484 Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-278; 68 DCR 1154), is
7485 repealed.

7486 Sec. 7188. Section 3 of the MLK Gateway Real Property Tax Abatement Amendment
7487 Act of 2019, effective January 10, 2020 (D.C. Law 23-46; 66 DCR 15345), is repealed.

7488 Sec. 7189. Section 4 of the Postpartum Coverage Expansion Amendment Act of 2020,
7489 effective October 20, 2020 (D.C. Law 23-132; 67 DCR 9887), is repealed.

7490 Sec. 7190. Section 3 of the Office for the Deaf, DeafBlind, and Hard of Hearing
7491 Establishment Amendment Act of 2021, effective December 8, 2020 (D.C. Law 23-152; 67 DCR
7492 12254), is repealed.

7493 Sec. 7191. Section 301 of the Commission on Poverty Establishment Amendment Act of
7494 2020, effective March 16, 2021 (D.C. Law 23-184; 68 DCR 1220), is repealed.

7495 Sec. 7192. Section 5(A) of the Residential Housing Environmental Safety Amendment
7496 Act of 2020, effective March 16, 2021 (D.C. Law 23-188; 68 DCR 1227), is amended as
7497 follows:

7498 (a) Subsection (a) is amended by striking the phrase “This act” and inserting the phrase
7499 “Sections 2 and 3” in its place.

7500 (b) Subsection (c)(2) is amended by striking the phrase “this act” and inserting the phrase
7501 “the provisions identified in subsection (a) of this section” in its place.

7502 Sec. 7193. Section 3 of the Psychology Interjurisdictional Compact Act of 2020,
7503 effective March 16, 2021 (D.C. Law 23-190; 68 DCR 16), is repealed.

7504 Sec. 7194. Section 301 of the Addressing Dyslexia and Other Reading Difficulties
7505 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-191; 68 DCR 115), is
7506 repealed.

7507 Sec. 7195. Section 4 of the Initiative and Referendum Process Improvement Amendment
7508 Act of 2020, effective March 16, 2021 (D.C. Law 23-192; 68 DCR 1073), is repealed.

7509 Sec. 7196. Section 3 of the Energy Efficiency Standards Amendment Act of 2020,
7510 effective March 16, 2021 (D.C. Law 23-195; 68 DCR 39), is amended as follows:

7511 (a) Subsection (a) is amended by striking the phrase “one year after the date described in
7512 subsection (b) of this section” and inserting the phrase “October 1, 2022” in its place.

7513 (b) Subsection (b) is repealed.

7514 Sec. 7197. Section 4 of the Diverse Washingtonians Commemorative Works Amendment
7515 Act of 2020, effective March 16, 2021 (D.C. Law 23-196; 68 DCR 753), is repealed.

7516 Sec. 7198. Section 301 of the Shared Fleet Devices Amendment Act of 2020, effective
7517 March 16, 2021 (D.C. Law 23-203; 67 DCR 13886), is repealed.

7518 Sec. 7199. Section 12 of the Students’ Right to Home or Hospital Instruction Act of
7519 2020, effective March 16, 2021 (D.C. Law 23-204; 67 DCR 14756), is repealed.

7520 Sec. 7200. Section 302 of the Ban on Non-Compete Agreements Amendment Act of
7521 2020, effective March 16, 2021 (D.C. Law 23-209; 68 DCR 782), is amended to read as follows:

7522 “Section 302. Applicability.

7523 “This act shall apply as of April 1, 2022.”.

7524 Sec. 7201. Section 6(a) of the Zero Waste Omnibus Amendment Act of 2020, effective
7525 March 16, 2021 (D.C. Law 23-211; 68 DCR 68), is amended to read as follows:

7526 “(a) Section 2(b)(2), the amendatory section 103(e) within 2(b)(3), 2(d)(2), amendatory
7527 sections 112c and 112e within 2(k), and 2(m)(1) shall apply upon the date of inclusion of their
7528 fiscal effect in an approved budget and financial plan.”.

7529 Sec. 7202. Section 5 of the District of Columbia Water and Sewer Authority Omnibus
7530 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-229; 68 DCR 1112), is
7531 repealed.

7532 Sec. 7203. Section 4 of the Public Facilities Environmental Safety Amendment Act of
7533 2020, effective March 16, 2021, (D.C. Law 23-233; 68 DCR 1128), is amended to read as follows:

7534 “Sec. 4. Applicability.

7535 “(a) Section 2(b)(2) of this act shall apply upon the date of inclusion of its fiscal effect in
7536 an approved budget and financial plan.

7537 “(b) The Chief Financial Officer shall certify the date of inclusion of the fiscal effect in an
7538 approved budget and financial plan and provide notice to the Budget Director of the Council of
7539 the certification.

7540 “(c)(1) The Budget Director shall cause the notice of the certification to be published in
7541 the District of Columbia Register.

7542 “(2) The date of publication of the notice of the certification shall not affect the
7543 applicability of section 2(b)(2).”.

7544 Sec. 7204. Section 601 of the Department of Buildings Establishment Act of 2019,
7545 effective April 5, 2021 (D.C. Law 23-269; 68 DCR 1490), is repealed.

7546 Sec. 7205. Section 301 of the Office of the Ombudsperson for Children Establishment
7547 Amendment Act of 2020, effective April 5, 2021 (D.C. Law 23-270; 68 DCR 1510), is repealed.

7548 Sec. 7206. The Omnibus Public Safety and Justice Amendment Act of 2020, effective
7549 April 27, 2021 (D.C. Law 23-274; 68 DCR 1034), is amended as follows:

7550 (a) Section 1101 is amended to read as follows:

7551 “Sec. 1101. Section 4902(a-1)(1) of the Department of Health Functions Clarification Act
7552 of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731(a-1)(1)), is
7553 amended by striking the phrase “Central Detention Facility” and inserting the phrase “Central
7554 Detention Facility, Correctional Treatment Facility, and Central Cell Block” in its place.”.

7555 (b) Section 1501 is repealed.

7556 Sec. 7207. Section 4 of the Medical Marijuana Program Patient Employment Protection
7557 Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-276; 68 DCR 4794), is
7558 repealed.

7559 Sec. 7208. Section 5 of the Restore the Vote Amendment Act of 2020, effective April 27,
7560 2021 (D.C. Law 23-277; 67 DCR 13867), is repealed.

7561 Sec. 7209. Section 6 of the Bella Evangelista and Tony Hunter Panic Defense Prohibition
7562 and Hate Crimes Response Amendment Act of 2020, effective May 15, 2021 (D.C. Law 23-283;
7563 68 DCR 764), is repealed.

7564 Sec. 7210. Section 4 of the Green Food Purchasing Amendment Act of 2021, enacted on
7565 June 7, 2021 (D.C. Act 24-93; 68 DCR 6015), is amended to read as follows:

7566 “Sec. 4. Applicability.

7567 “Section 3 shall apply as of January 1, 2023.”.

7568 Sec. 7211. Section 3 of the D.C. Central Kitchen, Inc. Tax Rebate Amendment Act of
7569 2021, enacted on June 7, 2021 (D.C. Act 24-94; 68 DCR 6020), is repealed.

7570 Sec. 7212. Section 6(b)(1) of the Comprehensive Plan Amendment Act of 2021, enacted
7571 July 7, 2021 (D.C. Act 24-110), is amended by striking the phrase “Sections 3 and 4” and
7572 inserting the phrase “Section 3” in its place.

7573 Sec. 7213. Section 3 of the Certified Midwife Credential Amendment Act of 2021, as
7574 approved by the Committee on Health on June 30, 2021 (Committee print of Bill 24-143), is
7575 repealed.

7576 **TITLE VIII. SPECIAL PURPOSE REVENUE, DEDICATED REVENUE, AND**
7577 **CAPITAL**

7578 **SUBTITLE A. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

7579 Sec. 8001. Short title.

7580 This title may be cited as the “Designated Fund Transfer Act of 2021”.

7581 Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the
7582 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year

7583 2021 the following amounts from certified funds and other revenue in the identified accounts to
7584 the unassigned fund balance of the General Fund of the District of Columbia:

Agency Code	Fund Detail	Fund Name	FY21	FY22
AG0	602	Lobbyist Fund	235,063	
AM0	2225	West End Library/Firehouse Maintenance	222,678	
AT0	606	Recorder of Deeds Surcharge	1,587,489	
BG0	1111	Disability Compensation Fund	6,674,750	
CF0	619	DC Jobs Trust Fund	158,008	
CJ0	1121	Fair Elections Fund	668,173	
CR0	6008	Real Estate Guaranty and Education Fund	352,749	
CR0	6009	Real Estate Appraisal Fee	101,041	
DB0	602	HPAP-Repay	103,550	
EB0	609	Industrial Revenue Bond Program	455,646	
EN0	632	Small Business Access to Capital Access Fund	167,338	813,313
GA0	640	DC Non-Profit School Food Service	525,000	
GD0	618	Student Residency Verification	91,162	
GD0	620	Child Development Facilities	180,248	
HA0	602	Enterprise Fund Account	402,388	
HC0	649	Health Facility Fee	12,534	
HC0	673	DOH Regulatory Enforcement Fund	13,963	
HC0	612	Animal Control Dog License Fees	14,449	
HC0	612	Food Handlers Certification	183,887	
HC0	110	Nursing Home Quality of Care	318,190	
HC0	614	Adjudication Fines	32,840	
HC0	632	Pharmacy Protection	30,923	
HC0	643	Board of Medicine	2,487,363	
HC0	661	ICF/MR Fees and Fines	239,376	
HT0	631	Medicaid – Third Party Liability	129,101	
HT0	632	Bill of Rights – Grievance/Appeals	692,366	
KA0	6000	General O-Type Revenue Sources	331,180	
LQ0	110	MPD Reimbursable Subsidy Program	650,000	
RJ0	640	Subrogation Fund	350,987	
RJ0	640	Subrogation Fund	386,825	
RJ0	1240	Captive Insurance Fund	580,509	
SR0	2350	Securities and Banking Fund	1,444,934	
TO0	602	DC Net Services Support	181,835	
TO0	1200	SERV US Program	48,761	
UL0	622	Universal Paid Leave Fund	54,886,145	

VAO	600	Office of Veterans Affairs Fund	15,000	
-----	-----	---------------------------------	--------	--

7585

7586 (c) The total amounts identified in subsections (a) and (b) of this section shall be made

7587 available as set forth in the approved Fiscal Year 2022 Budget and Financial Plan.

7588 Sec. 8003. Applicability.

7589 This subtitle shall apply as of September 1, 2021.

7590 **SUBTITLE B. CAPITAL BUDGET ADJUSTMENTS**

7591 Sec. 8011. Short title.

7592 This subtitle may be cited as the “Fiscal Year 2022 Capital Project Reallocation Approval
7593 Act of 2021”.

7594 Sec. 8012. In Fiscal Year 2021, the Chief Financial Officer shall rescind or adjust capital
7595 project allotments as set forth in the following tabular array, with the savings to be used in
7596 accordance with the Fiscal Year 2022 Local Budget Act of 2021, as approved by the Committee
7597 of the Whole on July 20, 2021 (Committee print of Bill 24-285):

Owner Agency	Project No	Project Title	Fund Detail	Total
AM0	PL902C	CRITICAL SYSTEM REPLACEMENT	300	713,000
	PL901C	ENERGY RETROFITTING OF DISTRICT BUILDING	300	1,000,000
	PL602C	ROOF REPLACEMENT POOL	300	(401,000)
	PL601C	HVAC REPAIR RENOVATION POOL	300	(200)
	PL108C	BIG 3 BUILDINGS POOL	300	(56,004)
	PL105C	ARCHIVES RECORDER OF DEEDS	300	(24,562)
	PL104C	ADA COMPLIANCE POOL	300	(34,287)
	PL101C	SHELTER AND TRANSITIONAL HOUSING POOL	300	(219,800)
	DLY19C	DALY BUILDING REHABILITATION - PHASE ONE	300	(1,000,000)
	DCHSEC	NEW HOSPITAL PROJECT PUBLIC PARKING STRU	309	(128,348)
	BRM04C	MARION S. BARRY, JR. BUILDING	300	(1,121)
	BC101C	FACILITY CONDITION ASSESSMENT	300	1,000,000
CE0	LAR37C	LAMOND RIGGS LIBRARY	300	250,000
CF0	PFL08C	PAID FAMILY LEAVE IT APPLICATION	304	(4,660,399)

	PFL08C	PAID FAMILY LEAVE IT APPLICATION	314	(339,601)
EB0	SC216C	CRUMMELL SCHOOL_ CONSTRUCTION- REDEVELOPM	300	(1,600,000)
	EB015C	LINCOLN HEIGHTS, RICHARDSON DWELLINGS	300	(850,346)
	AWR01C	SAINT ELIZABETHS E CAMPUS INFRASTRUCTURE	300	2,200,346
FA0	PLT10C	CRIME FIGHTING TECHNOLOGY	300	(838,997)
FB0	20630C	FIRE APPARATUS	300	(4,800)
FR0	DIG19C	FORENSIC EVIDENCE DIGITAL STORAGE	304	(1,000,000)
GA0	YY1MLC	MILITARY ROAD SCHOOL MODERNIZATION/RENO	300	(867)
HA0	QG638C	KENILWORTH PARKSIDE RECREATION CENTER	300	(1,269)
	QE834C	SMALL PARK IMPROVEMENTS	300	70,000
HY0	DHA21C	DEVELOPMENT AND REHABILITATION - DCHA	309	650,050
JA0	THK22C	SINGLES SHELTER REPLACEMENT/SEASONAL SHE	300	6,000,000
KA0	MNT00A	MAINTENANCE	385	14,499,408
	LMEQUC	EQUIPMENT	304	1,342,949
	LMALLC	ALLEYS	300	845,933
	CE302C	EQUIPMENT MAINTENENCE	300	(164,862)
	CE302C	EQUIPMENT MAINTENENCE	304	(406,034)
	CE302C	EQUIPMENT MAINTENENCE	330	(271,738)
	BR005C	H STREET BRIDGE	385	25,000,000
	6EQ05C	PARKING METERS	304	(500,000)
KT0	CP201C	COMPOSTING FACILITY	300	(315)
PO0	DWB03C	PROCUREMENT SYSTEMS	304	(164)
RK0	RMS01C	RISK MANAGEMENT IT SYSTEM	301	(91,131)
TO0	ZB141C	HUMAN RESOURCES APPLICATION SECURITY INI	300	(873)
	ZB141C	HUMAN RESOURCES APPLICATION SECURITY INI	303	(1,501)
	ZB141C	HUMAN RESOURCES APPLICATION SECURITY INI	304	(3)
	ZA143C	IT GIS MANAGEMENT	300	(109,911)
	NMM17C	ENTERPRISE NETWORK MONITORING MODERNIZAT	300	(2,284)
	N9001C	NEXT GENERATION DATA CENTER ARCHITECTURE	300	(30,593)
	N6002C	TRANSPORTATION INFRASTRUCTURE MODERNIZAT	300	(326,104)
	N6002C	TRANSPORTATION INFRASTRUCTURE MODERNIZAT	304	(2,063)
	N3802C	PROCURMENT SYSTEM	300	(372)
	N3802C	PROCURMENT SYSTEM	304	(172)
	N3102C	DATA MANAGEMENT AND PUBLICATION PLATFORM	300	(41,319)
	N2503C	DATA CENTER RELOCATION-GO BOND	304	(7,129)
	N1601B	DCWAN	300	(4,402)
	N1601B	DCWAN	304	(11,220)
	EQ103C	CREDENTIALING AND WIRELESS	300	(108,696)
	EAP20C	PEOPLESFT ENTERPRISE DATA RECLAMATION	304	(276,786)
	AB115C	ARCHIVES BUILDING	300	(553,005)

Total				39,499,408
--------------	--	--	--	-------------------

7598 Sec. 8113. Applicability.

7599 This subtitle shall apply as of September 30, 2021.

7600 **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

7601 Sec. 9001. Applicability.

7602 Except as otherwise provided, this act shall apply as of October 1, 2021.

7603 Sec. 9002. Fiscal impact statement.

7604 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
7605 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
7606 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

7607 Sec. 9003. Effective date.

7608 This act shall take effect following approval by the Mayor (or in the event of veto by the
7609 Mayor, action by the Council to override the veto), a 60-day period of congressional review as
7610 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December
7611 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
7612 Columbia Register.