

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: July 20, 2021

SUBJECT: Report on Bill 24-285, the “Fiscal Year 2022 Budget Support Act of 2021”

The Committee of the Whole, to which Bill 24-285 was referred, reports favorably thereon, with amendments, and recommends approval by the Council.

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I. BACKGROUND AND NEED

The purpose of Bill 24-285, the Fiscal Year 2022 Budget Support Act of 2021 (“FY 2022 BSA”), is to amend or enact various provisions of law that support the implementation of a balanced Fiscal Year 2022 budget and financial plan.

The District, like most of the country and the world, has spent the last 16 months grappling with the COVID-19 virus and its crippling economic effects. In response to the public health emergency, the federal government provided significant financial assistance to states, counties, and municipalities. In order to budget those dollars consistent with federal intent, the transmittal of the FY 2022 budget and financial plan was twice delayed from March 31, 2021 to May 27, 2021 while the Mayor awaited federal guidance on allowable uses. The Council has operated virtually since March 17, 2020; as a result, Council Committees held virtual hearings on proposed agency budgets.

Bill 24-285 is a result of those hearings. It is a substantial and wide-ranging piece of legislation that will have a significant impact on existing law. The legislation includes nine titles and more than 95 individual subtitles, which are briefly summarized in section VIII below. In

addition to the subtitle-by-subtitle analysis set forth below, further background on Bill 24-285 is available in the various committee budget reports. The Committee of the Whole recognizes the importance of the policy recommendations set forth by the various committees in their budget reports. These policy recommendations are an essential part of the performance and budget review process by the Council. The committee print attached to this report contains FY 2022 BSA subtitles based on recommendations and feedback from the various Council committees, as refined by the Committee of the Whole.¹ The Committee of the Whole expects the executive branch to work with individual committees to address the policy recommendations as a part of the Council’s continuing oversight activities.

II. LEGISLATIVE CHRONOLOGY

February 25, 2021	Notice of public hearings on the proposed Fiscal Year 2022 Budget and Financial Plan is published in the <i>District of Columbia Register</i> (updates to the schedule of budget oversight hearings published in later issues)
May 27, 2021	Bill 24-285, the “Fiscal Year 2022 Budget Support Act of 2021” is introduced by Chairman Mendelson at the request of the Mayor
June 1, 2021	Bill 24-285 is “read” at the June 1, 2021 Regular Legislative Meeting and referred to the Committee of the Whole
June 2, 2021	Committee of the Whole holds a public briefing on the Mayor’s Fiscal Year 2022 Proposed Budget and Financial Plan
June 3 - June 24, 2021	Committees hold public hearings on the budgets of the agencies under their purview and the subtitles of the Fiscal Year 2022 Budget Support Act of 2021 that were referred to each for comments
June 11, 2021	Notice of Intent to Act on Bill 24-285 is published in the <i>District of Columbia Register</i>
June 25, 2021	Committee of the Whole holds a public hearing on Bill 24-285, Bill 24-275, Bill 24-276, Bill 24-279, and Bill 24-283

¹ New subtitles included in the FY22 BSA that are substantially similar to those included in committee reports are noted as such at the end, with the committee names abbreviated as follows: Committee of the Whole (COW), Committee on Business and Economic Development (BED), Committee on Government Operations and Facilities (GOF), Committee on Health (H), Committee on Housing and Executive Administration (HEA), Committee on Human Services (HS), Committee on the Judiciary and Public Safety (JPS), Committee on Labor and Workforce Development (LWD), Committee on Recreation, Libraries, and Youth Affairs (RLYA), and Committee on Transportation and the Environment (TE). For additional information on the committee reasoning for those subtitles, see the individual committee reports, which can be found on the Council’s Legislative Information Management System (<https://lims.dccouncil.us/>).

June 29 - July 1, 2021 Committees mark up and approve their budget recommendations for Fiscal Year 2022

July 20, 2021 The Committee of the Whole marks up Bill 24-275 and Bill 24-285

III. POSITION OF THE EXECUTIVE

Chairman Mendelson introduced Bill 24-285 on behalf of the Mayor. The Mayor and the City Administrator presented the budget at a public briefing on June 2, 2021. On June 24 and June 25, 2021, the Mayor transmitted errata letters requesting that the Council incorporate various changes to the introduced version of Bill 24-285 and related budget documents. The errata letters are included as an attachment to this report. Other Executive Branch testimony was presented to the various Council committees and is included in the hearing record.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received the following resolutions from Advisory Neighborhood Commissions (ANCs) on the Fiscal Year 2022 budget. ANCs may also have commented separately to other Council committees.

1. **ANC 2A:** On May 19, 2021, ANC 2A unanimously approved a resolution that encourages the Council to redirect funding from the Metropolitan Police Department (MPD) to information technology infrastructure upgrades, social programs, and various D.C. government agencies to better serve the public and address the issues faced by vulnerable communities.
2. **ANC 2B:** On May 12, 2021, ANC 2B, by a vote of 8 to 1, approved a resolution asking the Council to redirect funds from MPD to violence interruption services, alternatives to traditional policing, housing and healthcare infrastructure, childcare, public transit, healthy food, youth programs, and unarmed non-police teams of first responders, city workers, and social service professionals. Additionally, ANC 2B calls on the Council to hold MPD officers accountable and end certain practices and protections, such as qualified immunity, paid leave for officers during a disciplinary investigation, police in schools, and the purchase and disposal of currently held military-style, crowd-control, and chemical weapons and surveillance equipment. Further, ANC 2B advises the Council to pass legislation to protect the community, limit police power, and ban harmful and unethical police practices and tactics.
3. **ANC 2E:** On June 1, 2021, ANC 2E unanimously approved a resolution requesting the Council grant \$73,000 to the Glover Park Main Street Clean Team program to expand street cleaning along Wisconsin Avenue from R Street to Whitehaven Parkway NW.
4. **ANC 4B:** On June 28, 2021, ANC 4B unanimously approved a letter asking the Council to increase funding to address homelessness and the affordable housing crisis and ensure a robust public transportation network and safety of all road users.

5. **ANC 4C:** On May 12, 2021, ANC 4C unanimously approved a letter that calls on the Council to address gun violence prevention, fund the Police Reform Commission's recommendations, and create and fund a mechanism to increase funding for critical gun violence prevention programs during the fiscal year if gun violence rates increase beyond current projections. Additionally, ANC 4C asks the Council to expand the Pathways Program, the Violence Interrupters program, the Cure the Streets program; increase the number of schools participating in the Department of Behavioral Health's school-based mental health program; and ensure that these programs have sufficient funding and resources so as to prevent reallocation of existing teams to emergency locations. At the same meeting, ANC 4C approved a resolution that requests the Council to use federal funds to remove all lead service lines in the District.
6. **ANC 6A:** On April 8, 2021, ANC 6A unanimously approved a resolution asking the Council to fund the Office for the Deaf, DeafBlind, and Hard of Hearing (ODBH) in the Fiscal Year 2022 budget and take other measures necessary to establish ODBH as soon as possible. ANC 6A also urges the Mayor to appoint a director of ODBH.
7. **ANC 6C:** On June 9, 2021, ANC 6C unanimously approved a letter asking the Council to allow ANCs the option to continue to conduct virtual and hybrid meetings after the end of the public health emergency. Further, ANC 6C requests that the Council ensure that ANCs have the technology and technical assistance they need to make such meetings successful.
8. **ANC 6D:** On June 14, 2021, ANC 6D unanimously approved a resolution calling the Council to support the Southwest Business Improvement District's (SWBID) request for increased funding for Fiscal Year 2022 to allow SWBID Ambassadors to continue to provide clean and safe services south of M Street SW five days a week. ANC 6D also requests the Council to consider funding an assessment of the need for additional services, to identify service receipt and gaps, how to address such gaps, and by whom.
9. **ANC 6E:** On June 1, 2021, ANC 6E unanimously approved a resolution requesting the Council to fully fund the S Street NW Revitalization Plan in the Fiscal Year 2022 budget for construction in Fiscal Year 2022.

V. LIST OF WITNESSES²

The Committee of the Whole held a public hearing on Bill 24-285 and other budget-related legislation on June 25, 2021.³ The witnesses were:

WITNESS LIST

1. Amber Harding Washington Legal Clinic for the Homeless

² Note: Written testimony and comments are included in the hearing record for Bill 24-285.

³ All of the Council's committees held hearings between June 3 – 24, 2021, inclusive, on the Mayor's proposed budget; in many cases, testimony at those hearings addressed various provisions of the Fiscal Year 2022 BSA.

2.	Matthew Hanson	Chief of Staff
3.	Scott Goldstein	EmpowerEd
4.	Kimberly Perry	DC Action
5.	Jarred Bowman	DC Action
6.	Angela Franco	DC Chamber of Commerce
7.	Emmanuel Caudillo	DECC
8.	Julia Keane	SPACES in Action
9.	Michael Havlin	Public Witness
10.	Patricia Stamper	Deanwood Citizens Association (Secretary)
11.	Emily Naber	Public Witness
12.	Rebecca Barson	Public Witness
13.	Greyson Mann	Friends of the DC Streetcar
14.	Judith Sandalow	Children's Law Center
15.	Kerry Savage	Director of Policy, Parents Amplifying Voices in Education (PAVE)
16.	Ariel Drehobl	Public Witness
17.	Michelle Engelmann	Jews United for Justice (JUJF)
18.	Glenn Engelmann	Jews United for Justice
19.	Gail Lelyveld	Retired
20.	Lauren Spokane	Jews United for Justice
21.	Dawn Dalton	DC Coalition Against Domestic Violence
22.	Katharine Landfield	JUFJ
23.	Nitza Albino	MSSPA / Latinas en Poder
24.	Louis Perwien	Public Witness
25.	Jeff Credit	Washington Association of Child Care Centers
26.	Laura Hagood	DC History Center
27.	Diana Mayhew	National Cherry Blossom Festival
28.	Lisa Mallory	District of Columbia Building Industry Association
29.	Erica Williams	DC Fiscal Policy Institute
30.	Wren Patton	Sunrise DC
31.	David Schwartzman	DC Statehood Green Party

32.	Martine Sadarangani Gordon	Washington Area Women's Foundation
33.	Tonja Hollis	City Year Washington, DC
34.	Cristina Encinas	MSSPA
35.	Denisha Hall	Educare DC
36.	Jamal Berry	Educare DC / DC Head Start Association / Under 3 DC
37.	Judy Estey	The Platform of Hope
38.	Kathy Hollowell-Makle	District of Columbia Association for the Education of Young Children
39.	Daniel Michelson-Horowitz	Public Witness
40.	Elliott Becker	Public Witness
41.	Brendan Williams-Kief	On Behalf of DC Association of Beverage Alcohol Wholesalers
42.	Andrew Flagel	Consortium of Universities of the Washington Metropolitan Area
43.	Erin Palmer	ANC 4B02
44.	Max Pastore	Public Witness
45.	Julia Ruiz	MSSPA
46.	Marilyn Medrano	MSSPA / Estrellitas
47.	Damaris Mejia	MSSPA / Arco Iris ABCD
48.	Rashida Taylor	It Takes A Village DC / Spaces In Action / Under 3 DC Coalition
49.	Bill Mefford	The Festival Center
50.	Jamar Day	DC Action
51.	Tahjai Peterson	Public Witness
52.	Sia Barbara Kamara	DC Early Learning Collaborative
53.	Maria Romano	MSSPA / Love of Learning Child Development Home
54.	Artilie Wright	Parkside Resident
55.	Dan Mauer	Public Witness
56.	Harish Ramroop	Public Witness
57.	Thalia Washington	Higher Achievement
58.	Shannon Hodge	Founding Executive Director, DC Charter School Alliance
59.	Audrey Walker	Jubilee Housing

60.	Gina Daye-Williams	Jubilee Housing
61.	Jim Knight	Jubilee Housing
62.	Martin Mellett	Jubilee Housing
63.	Daniel Essrow	Jews United for Justice
64.	Jamie Holloway	Bright Beginnings, Inc.
65.	Ebony Tuzon	Bright Beginnings, Inc.
66.	Denise Day	Bright Beginnings, Inc.
67.	Sylvia Guerrero	Bright Beginnings, Inc.
68.	Lynn Amano	Friendship Place
69.	Alana Eichner	DC Chapter of the National Domestic Workers Alliance
70.	Darius Sivin	Public Witness
71.	Jack McCarthy	Appletree Institute
72.	Zachary Teutsch	Public Witness
73.	Nikko Bilitza	DC Jobs with Justice
74.	Alexis Stoumbelis	Public Witness
75.	David Stephen	Metropolitan Washington Council
76.	Michael Wilson	UFCW Local 400
77.	Whitney Tucker	Center on Budget and Policy Priorities
78.	Sara Tennen	DC Volunteer Lawyers Project
79.	Tanza Terrell	Roots ALC
80.	Trupti Patel	ANC Commissioner
81.	Kiamesha Phillpotts	Roots Activity Learning Center
82.	Andrew Lee	DC Strings
83.	Saliha Abd Al- Malik	Sunshine Early Learning Center / Southeast Children's Fund
84.	Natasha Riddle Romero	Under 3 DC
85.	Lorna Julien	CAIR Coalition
86.	Carrie Thornhill	DC Early Learning Collaborative Inc
87.	Amy Gellatly	Bread for the City
88.	Kate Coventry	DC Fiscal Policy Institute
89.	Beonca Garnett	Public Witness
90.	Brian Morrison	DCPS

91.	Dr. Patricia Mabry	AsA Early Learning Academy at The Mary Elizabeth House, Inc.
92.	Laura Kleinmann	DCPS
93.	Scott Morrow	Public Witness
94.	Allison Kokkoros	Carlos Rosario Public Charter School
95.	Yessenia Garcia	La Clinica del Pueblo
96.	Lauren Vaughan	Samaritan Inns
97.	Selene Lara	La Clínica del Pueblo
98.	Dara Davis	Washington Urban Debate League
99.	Bicky Corman	Tesla
100.	Kristin Sinclair	Georgetown University
101.	Teddi Bescel	Public Witness
102.	Kenyattah Robinson	Mount Vernon Triangle Community Improvement District
103.	Jenna Gerry	National Employment Law Project
104.	Latoya Robinson	Kiddie University University for Kids
105.	Danielle Martin	Kiddie University University for Kids
106.	NaShayla Williams	Kiddie University University for Kids
107.	Katara Summers	Kiddie University University for Kids
108.	Sherice Muhammad	Public Witness
109.	Norma Byrd	Business Promotion Consultants, Inc.
110.	Yannik Omictin	ANC 2A
111.	Melody Webb	Mother's Outreach Network
112.	Judy Alden	HLAA-DC chapter
113.	Coy McKinney	SW Action
114.	Carolene Charles	UDC FANEA
115.	Ruth Gonzalez	Parkside resident
116.	Carol Rosenblatt	Coalition of Labor Union Women
117.	Evan Loukadakis	DC Association of Realtors

VI. IMPACT ON EXISTING LAW

Bill 24-285 is a substantial and wide-ranging piece of legislation that would have a significant impact on existing law, as reviewed in the subtitle-by-subtitle analysis, *infra*.

VII. FISCAL IMPACT

Bill 24-285 will have a significant and complex fiscal impact on the District and is necessary to balance and implement the Fiscal Year 2022 budget. The Council's Budget Director has worked closely with the Office of the Chief Financial Officer to ensure that, as a companion to the Fiscal Year 2021 Revised Local Budget Emergency Adjustment Act (Bill 24-279) and the Fiscal Year 2022 Local Budget Act (Bill 24-275), this bill – Bill 24-285 – is fiscally balanced.⁴

VIII. SUBTITLE-BY-SUBTITLE ANALYSIS⁵

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

Subtitle A. Inspector General Support Fund Establishment Amendment Act of 2021: Establishes the Office of the Inspector General Support Fund to capture limited funds from restitutions, recoupments, and recaptured overpayments resulting from the Office's work in order to support the Office's statutory responsibilities.

Subtitle B. COVID-19 Public Health Emergency Procurement Analysis Amendment Act of 2021: Requires the Office of Contracting and Procurement to provide a report to the Mayor and the Council with a detailed analysis of the use of emergency procurements during the public health emergency and an analysis of emergency procurements with certified business enterprises. (GOF)

Subtitle C. Fair Elections Clarification Amendment Act of 2021: Explicitly provides that candidates participating in the District's Fair Elections Program may use campaign funds for childcare expenses incurred for campaign purposes. The subtitle also clarifies how the maximum amount candidates may receive is calculated and the definition of "covered office." (JPS)

Subtitle D. Attorney General Support and Restitution Fund Expansion and Clarification Amendment Act of 2021: Clarifies the sources of funds to be deposited into three special funds administered by the Office of the Attorney General (OAG): the Litigation Support Fund; Attorney General Restitution Fund; and Vulnerable Adult and Elderly Person Exploitation Fund. Also repeals the annual audit requirement for the Attorney General Restitution Fund and raises the authorized balance of the Litigation Support Fund from \$17 million to \$19 million.

Subtitle E. Attorney General Stay of Parallel Private Attorney General Actions Amendment Act of 2021: Provides that an action or continuation of a previously-commenced action by the Attorney General under D.C. Official Code § 28-3909 serves to stay any civil action made by a public interest organization or on behalf of the general public until the resolution of the Attorney General's action. A public interest organization plaintiff or plaintiff acting on behalf of

⁴ The Chief Financial Officer will provide a fiscal impact statement to the Council before the second reading of the FY 2022 BSA.

⁵ Due to the size and complexity of the committee print of Bill 24-285, and in keeping with standard Council practice and Council Rule 803(j), this part of the report analyzes the legislation by subtitle, rather than by section.

the general public must provide notice to the Office of the Attorney General within 10 days of filing an action that includes a claim made under this subtitle.

Subtitle F. Medical Marijuana Program Patient Employment Protection Regulation Clarification Amendment Act of 2021: Clarifies that the Council has rulemaking authority only for Council employees with respect to regulations on District government employee medical marijuana. (LWD)

Subtitle G. Disability Insurance Overpayment Remedy Act of 2021: Requires DCHR to determine how many former and current District government employees overpaid premiums on disability insurance at any time during January 1, 2020 through December 31, 2020. The subtitle also requires DCHR to identify and notify all affected employees, determine the amount by which each employee overpaid, and reimburse each affected employee by the amount he or she overpaid. DCHR must also submit a report to the Council with regard to the overpayments. (LWD)

Subtitle H. District Government Employee Residency Research Amendment Act of 2021: Requires DCHR to study residency patterns and choices of District government employees and applicants. The study will analyze 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 could increase the rates of District residency for District government employees. (LWD)

Subtitle I. Delinquent Debt Recovery Amendment Act of 2021: Authorizes the Office of the Attorney General to transfer and refer certain delinquent debts associated with settlements and judgments to the Central Collection Unit for collection and directs any amounts collected to designated specials funds associated with the monies owed.

Subtitle J. Tenant Receivership Amendment Act of 2021: Establishes the Tenant Receivership Abatement Fund. Pursuant to a court order, the Attorney General may give money from the fund to a receiver for initial and emergency repairs when the owner of the rental property lacks sufficient funds to pay for rehabilitation. The subtitle further authorizes the court to extend the length of a receivership where need can be demonstrated. It will also allow the receiver to sell the property or, if the owner is a DC-based corporation, to file a petition to place the owner into bankruptcy proceedings. Any money disbursed from the Fund created by this subtitle must be repaid no later than 30 days after the receiver is given the funds or the obligation becomes a lien on the owner's property.

Subtitle K. Early Childhood Educator Equitable Compensation Task Force Act of 2021: Establishes the Early Childhood Educator Equitable Compensation Task Force, led by the Chairman of the Council, to assess the overall readiness for early childhood development providers to implement a competitive employee compensation scale; the potential impact of an employee compensation scale on early childhood providers who do not currently receive subsidy payments from the District or who serve a minimum of children who receive subsidy; propose an employee compensation scale for early childhood providers; and provide recommendations for implementing the employee compensation scale. The Task Force would submit a report to the Mayor and to the Council with its findings by January 15, 2022.

Subtitle L. False Claims and Vacant Property Amendment Act of 2021: Amends the District’s False Claims Act to ensure that the Office of Attorney General can bring civil actions against vacant or blighted property owners who have engaged in fraudulent behavior since January 1, 2015. Without this language, vacant or blighted property owners who have defrauded the government could not be held be accountable for any actions prior to the passage of False Claims Amendment Act of 2020.

Subtitle M. Building Pathways Grant Act of 2021: Provides a \$1 million grant from the Department of General Services to Building Pathways – Charter School Incubator Initiative for the repair of the heating, ventilation, and air conditioning unit at P.R. Harris, located in Ward 8.

Subtitle N. Residential Reentry Development Plan Amendment Act of 2021: Provides for the Council 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. The goal is to obtain a proposal for how returning citizens can be accommodated in halfway houses throughout the District. The proposal then can be presented to the Federal Bureau of Prisons (BOP) as an alternative to the single, 300-plus bed facility the BOP has contracted for on Minnesota Avenue, S.E. near Benning Road. It is not expected that the BOP will simply accept the proposal, but rather, the plan will advance the District government’s ability to advocate for alternatives. The BOP is not doing this type of analysis, despite its impact, and the Mayor may not do the study, even if it is budgeted. The Council can contract for an independent assessment; costs of approximately \$100,000 can be absorbed within the Council’s FY 2022 budget.

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

Subtitle A. Equity in the Arts and Humanities Amendment Act of 2021: Revises the allocations required by law for grantmaking by the Commission on the Arts and Humanities; eliminates a set aside for the National Capital Arts Cohort and instead substantially increases funding for competitive general operating support for all artists and arts organizations. It also reduces the size of the Commission beginning next year and eventually reducing the Commission to 12 members through attrition. Finally, it authorizes stipends for grant-review panelists, allows the Commission to accept certain gifts and makes easier the transfer of funds from the Commission to the humanities council. (COW)

Subtitle B. Great Streets Amendment Act of 2021: Amends the eligible boundaries for two Great Streets retail priority areas so businesses located on a parcel, lot, or square abutting H Street/Bladensburg Road/Benning Road, NE and the Ward 4 Georgia Avenue Retail Priority Areas can apply for Great Streets grant funding from the Deputy Mayor of Planning and Economic Development.

Subtitle C. Supermarket Tax Incentives Amendment Act of 2021: Changes the definition of “eligible area” for purposes of providing tax incentives for supermarkets from a “historically underutilized business zone” and six specific census tracts to properties within or abutting low-income census tracts where a significant number of residents are more than a ½ mile from the nearest supermarket. The subtitle also amends the definition of supermarket, requires the Mayor to submit a plan to the Council if it is determined that there is an area that warrants

investment but is not an eligible area under the law, and requires that a supermarket with the incentive accept public benefit program payments.

Subtitle D. Real Property Tax Appeals Commission Membership Amendment Act of 2021: Authorizes the Real Property Tax Appeals Commission to hire up to eight hearing examiners with a term not to exceed six months each year. The subtitle also requires the Chairperson of the Commission to have at least three years of experience as a certified District appraiser, or at least five years' experience in commercial real estate property appraisal, amends the Commission's conflict of interest provisions, and allows the District to appeal Commission decisions on vacant or blighted property classifications.

Subtitle E. Local Rent Supplement Program Enhancement Amendment Act of 2021: Provides that the Department of Housing and Community Development (DHCD) will award project-based voucher assistance while the District of Columbia Housing Authority (DCHA) will award sponsor-based and tenant-based vouchers under the Local Rent Supplement Program. The subtitle also repeals the Rent Supplement Fund and establishes three new, non-lapsing funds to be administered by DHCD, DCHA and the Department of Human Services (DHS), directs unspent funds local service dollars connected to tenant-based vouchers to be placed in the DHS non-lapsing fund created by this subtitle, and requires DCHA and DHS to issue quarterly reports to the Council on the administration of vouchers.

Subtitle F. Housing Production Trust Fund Pipeline Advancement Amendment Act of 2021: Allows the Department of Housing and Community Development to send Housing Production Trust Fund projects to the Council for approval prior to the start of a new fiscal year. Projects will be sent to the Council subject to appropriations.

Subtitle G. Property Tax Relief for Low Income Housing Harmonization Act of 2021: Extends exemptions from deed, recordation, real property tax, and payment-in-lieu-of-taxes to eligible low-income housing properties that are leased to a non-profit entity, or an entity controlled by a non-profit. The subtitle also provides exemptions to certain properties receiving a grant or loan from the Housing Production Trust Fund or other District government low-income housing assistance programs designated by the Mayor to provide housing affordable to households earning not in excess of 80 percent of the median family income. Finally, the subtitle expands the Nonprofit Workforce Housing tax exemption to include new limited equity cooperatives as eligible properties.

Subtitle H. Section 108 Debt Reserve Account Establishment Act of 2021: Requires the Office of the Chief Financial Officer to create a fund or account to hold money in reserve in case of a default on a Section 108 loan issued by the U.S. Department of Housing and Urban Development. The Department of Housing and Community Development will make debt service payments for Section 108 loans from Community Development Block Grants until it has program income from the loans it makes to projects. Approximately \$2.5 will need to be held in reserve.

Subtitle I. Park Morton Redevelopment Act of 2021: Ensures that any funds allocated to the redevelopment of housing at Park Morton are used to meet the guidelines, conditions, and standards approved by the Zoning Commission. The redevelopment of Park Morton has been in

the works since 2008 when the Council approved the “Park Morton Redevelopment Initiative Plan” but has since experienced several delays. (BED)

Subtitle J. Reentry Housing and Services Program Act of 2021: Directs the Department of Housing and Community Development to establish a Reentry Housing and Services Program to provide sponsor-based assistance to qualifying housing projects. The assistance will be used to produce and maintain new affordable housing units and subsidize the cost of monthly rent and on-site services for the target population of low-income, very low-income, and extremely low-income individuals, families, and returning citizens, with a preference for returning citizens.

Subtitle K. Emory Beacon of Light Tax Exemption and Equitable Tax Relief Act of 2021: Exempts real property, transfer, and recordation taxes on the portion of the Emory Beacon of Light Center development not attributed to affordable housing. The exemptions will apply to new tax lots created at the start of construction and only while the property is owned by the Emory United Methodist Church or entities controlled by the church, leased to Beacon Center QALICB LLC or a nonprofit organization, and used by or held for use by these entities for affordable housing or community-serving purposes. The exemptions reduce property tax revenue and deed and recordation tax revenue by \$1.1 million in fiscal year 2022 and \$1.8 million over the financial plan. Approximately \$230,000 in taxes paid since 2016 will be refunded.

Subtitle L. DSLBD Grant Act of 2021: Requires that the Department of Small and Local Business Development issue grants for several purposes: \$175,000 to provide services and supports to individuals with systemic challenges and mental or substance abuse issues who spend time in the Columbia Heights Civic Plaza; \$250,000 to develop a Ward 8 Community Investment Fund; and \$300,000 for Friendship Heights neighborhood for place making, place management, branding, and economic development. (BED)

Subtitle M. Redevelopment of the Center Leg Freeway (Interstate 395) Amendment Act of 2021: Extends a payment-in-lieu of taxes (PILOT) due for the Capitol Crossing project through 2037 and reduce the required payment by 75 percent from fiscal year 2026 through the end of the PILOT. Beginning October 1, 2027, only 25 percent of the real property taxes will be due in the form of a PILOT. It also applies the PILOT to the project’s new lot numbers, due to site subdivision during project development.

Subtitle N. Deputy Mayor for Planning and Economic Development Grants and Initiatives Amendment Act of 2021: Requires the Deputy Mayor for Planning and Economic Development to provide grants to several Business Improvement Districts; grants to businesses to support business development and attraction of new businesses; a grant to support buildout of the DC Center for the LGBTQ Community; grants to attract large companies that have the ability to attract additional businesses to the District; grants and loans for the purpose of supporting the equitable distribution of food businesses in Wards 7 and 8 and in eligible areas; a grant for \$1.5 million for guaranteed income pilot program or direct cash assistance directly to individuals or households; grants of up to a total of \$6 million to multiple Community Development Financial Institutions or Minority Depository Institutions to assess activities that support equitable economic recovery and increase access to loans, grants, technical assistance, and financial services to eligible entities; a grant of up to \$400,000 to support the growth of equity impact enterprises; and grants

of up to a total of \$800,000 to businesses in a Great Street Neighborhood Retail Priority Area that would otherwise qualify for a Great Streets Small Business grant.⁶

Subtitle O. BID Clarification Act of 2021: Clarifies that the initial term after creation of the Adams Morgan Business Improvement District (BID) began on June 30, 2005 and expired on September 30, 2011. This clarifies the lawful existence the BID and will allow the BID to be able to provide OTR an listing of properties and persons subject to the BID taxes. (BED)

Subtitle P. DCHA Board of Commissioners Reform Act of 2021: Increases the number of Commissioners on the Board from 11 to 13. The two new Commissioners will be appointed by the Council. It also revises the qualifications for nominees, requiring competence and experience with public housing, subsidized or non-profit housing, or multi family residential development. (HEA)

Subtitle Q. CNHED TOPA Study and Grant Act of 2021: Provides for a \$250,000 grant to the Coalition for Non-Profit Housing and Economic Development (CNHED) to conduct a study on outcomes of the Tenant Opportunity to Purchase Act (TOPA) and report findings to Council by September 30, 2022. The study is necessary to determine the effectiveness of TOPA and inform the Council on any changes needed to the law. (HEA)

Subtitle R. McMillan Site Development Amendment Act of 2021. Provides that development of the McMillan Slow Sand Filtration Site previously authorized by the Council (R. 20-705, R. 20-706, R. 20-707, R. 21-253) should proceed expeditiously. Plans and permits issued for project have all been approved pursuant to District law after review by numerous District agencies over the course of nearly a decade, and the completion of this project is of great importance to the interests of the District. As a result, the project should move forward without additional litigation-related delays.

Subtitle S. COVID-19 Hotel Recovery Grant Program Act of 2021: Creates a hotel recovery grant program under Events DC to provide financial assistance to hotels, motels, inns, or bed and breakfasts in the District. To be eligible, the hotel must have a current business license, must have been in operation since December 1, 2018, must be in good standing with the Office of Tax and Revenue, and must have experienced at least a 40% reduction in occupancy in 2020. Award amounts will be calculated on a per room key basis. Grantees can use the funding for wages and benefits, rent or other operating costs, taxes, or debt service. The subtitle requires the Mayor or a third-party grant administrator to maintain and report specific information about the grant program to the Council.

Subtitle T. Equitable Impact Assistance for Local Businesses Amendment Act of 2021: Clarifies that any entity that would qualify as an equity impact enterprise can receive assistance even if not so certified. It also makes permanent the definition of “investment,” as well as provisions governing the recovery of a District grant that were previously adopted on an emergency basis. This subtitle further provides that any selected Fund Manager must be an established fund which has completed at least one round of funding and makes additional

⁶ This subtitle includes provisions from several standalone subtitles introduced by the Mayor and the Committee on Business and Economic Development.

amendments to the qualifications for an eligible Fund Manager, including experience working with District entrepreneurs. Finally, it requires that all the funds will be used to support eligible businesses. (BED)

TITLE III. PUBLIC SAFETY AND JUSTICE

Subtitle A. Emergency Medical Service Fees Amendment Act of 2021: Clarifies that only non-Medicaid revenue generated by fees pre-hospital medical care and transport service fees is to be deposited into the Emergency Medical Services Reform Fund, operated by FEMS, when those revenues exceed certain amounts. It also sets a ceiling on fees for basic life support and advanced life support pre-hospital medical care and transport services, including ambulances operated by FEMS and by its third-party ambulance provider. This ceiling will be gradually implemented yearly from 2022 through 2026, and covers base operating costs and per-mile transport costs.

Subtitle B. Office of Resiliency and Recovery Amendment Act of 2021: Moves the Office of Resilience and Recovery from the Office of the City Administrator to the Homeland Security and Emergency Management Agency.

Subtitle C. Concealed Pistol Licensing Review Board Stipend Amendment Act of 2021: Permits each member of the Concealed Pistol Licensing Review Board to receive a stipend of \$250 per week for their service, except members who are District or federal government employees.

Subtitle D. Gun Violence Prevention Housing Support Amendment Act of 2021: Allows the D.C. Housing Authority and the Office of Neighborhood Safety and Engagement to facilitate housing assistance for individuals and families who have been victims of gun violence or are at risk of gun violence, including through eligibility determinations for the Local Rent Supplement Program, housing vouchers, housing relocation, short- and mid-term housing, and housing counseling.

Subtitle E. Human Rights Case Management Metrics Amendment Act of 2021: Requires the Mayor to submit quarterly reports to the Council that provide certain details regarding the workload and performance of the Office of Human Rights with, explaining any gaps and an estimate as to when complete reporting will commence. (GOF)

Subtitle F. Alternative Responses to Calls for Service Pilot Program Amendment Act of 2021: Requires the Office of Unified Communications, in consultation with the Deputy Mayor for Public Safety and Justice and the Department of Behavioral Health, to establish an Alternative Responses to Calls for Service Pilot Program to dispatch non-law enforcement agency personnel and community-based responders to calls for service, including calls related to individuals experiencing mental health crises, homelessness, or substance abuse. (JPS)

Subtitle G. Keeping Youth out of the Justice System Report Amendment Act of 2021: Requires the Criminal Justice Coordinating Council to submit two new biennial reports to the Mayor and Council: A report on factors, programs, or interventions that effectively prevent District

youth from having contact with law enforcement or entering the juvenile and criminal justice systems; and an analysis of the types of school-based incidents that lead to a law enforcement referral or arrest, and what factors statistically affect the likelihood of referrals or arrests. (JPS)

Subtitle H. Office of the Chief Medical Examiner and Child Fatality Review Committee Amendment Act of 2021: Permits the Office of the Chief Medical Examiner to perform ancillary services for private entities and other local, state, and federal agencies. It also establishes the Office of the Chief Medical Examiner Fund to collect any revenues from the performance of the ancillary services and for the purpose of supporting personnel and non-personnel expenses associated with District fatality reviews and other expenses. It also revises the number of membership and duties of the Child Fatality Review Committee. (JPS)

Subtitle I. Reducing Law Enforcement Presence in Schools Amendment Act of 2021: Requires MPD's School Safety Division to reduce its sworn and civilian staffing over four years, from 86 sworn to 20 total employees. The Division would be dissolved by fiscal year 2025. It also further reduces police presence in schools by limiting certain law enforcement actions against students on school grounds and redefines duties of school resource officers to narrowly focus on ensuring that schools are safe environments for students and employees via appropriate community-oriented policing strategies. It also prohibits school-based officers from reporting gang affiliation information to MPD. (JPS)

TITLE IV. PUBLIC EDUCATION

Subtitle A. Funding for Public Schools and Public Charter Schools Increase Amendment Act: Sets the base formula and weight amount for the Uniform Per Student Funding Formula (UPSFF) for fiscal year 2022 and increases the foundation level by 3.6% from \$11,310 per pupil to \$11,720 per pupil. It also exempts D.C. public charter schools from receiving funds allocated through the UPSFF for the purposes of stabilizing DCPS school-level budgeting to meet the requirements that the school be provided with no less than 95% of its prior year allocation for Formula funds. And provides for the per student public charter facility allowance to escalate by 3.1% each year beginning with fiscal year 2024.

Subtitle B. DCPS Intra-School Reprogramming Flexibility Amendment Act of 2021: Increases the maximum amount of non-personnel funds that the District of Columbia Public Schools (DCPS) can reallocate without a reprogramming from \$10,000 to \$25,000.

Subtitle C. Parks and Recreation Grant Making Authority Amendment Act of 2021: Allows the Department of Parks and Recreation to issue grants to qualified individuals and non-profits to provide programming.

Subtitle D. University of the District of Columbia Fundraising Match Act of 2021: Provides fundraising match for the University of the District of Columbia (UDC) – for every two dollars that UDC raises from private fundraising, the District will match it with a dollar, up to a maximum of \$1.5 million. UDC must raise the matching funds by April 1, 2022. (COW)

Subtitle E. Apprenticeship Fines Amendment Act: Requires that fines for violation of the District’s apprenticeship requirement law be remitted to the Department of Employment Services instead of the District of Columbia Public Schools, as current law requires. Any fine revenue is to be used solely for the support of vocational education programs.

Subtitle F. Scholarship and Tuition Assistance Payment Method Amendment Act of 2021: Authorizes Office of the State Superintendent of Education to establish a scholarship and tuition assistance program called DC Futures: Tuition Assistance to provide approximately 1,500 low- to moderate-income students the opportunity to attend college in the District for free, as well as provide mentorship to those students to ensure that they persist and graduate from a postsecondary institution. Individuals may also receive assistance to enroll in dual enrollment programs and to pay for costs associated with gaining admission to, or remaining enrolled in, a university or college in the District.

Subtitle G. Universal Paid Family Leave Amendment Act of 2021: With respect to Universal Paid Leave, expands the medical leave benefits from 2 weeks to 6 weeks and provides for 2 weeks of pre-natal leave for one-year; includes the occurrence of a stillbirth and medical care related to a miscarriage as part of the qualifying medical leave event definition; allows individuals to stack the pre-natal leave benefit and the parental leave benefit; expands the lookback period for average weekly wages to the highest 4 quarters over a 10 quarter period and eliminates the one-week waiting period for one-year after the expiration of the public health emergency; allows individuals to file a retroactive claim for 30 days after a qualifying leave event unless exigent circumstances arise; requires annual reporting by the Chief Financial Officer; subject to available resources, expands paid leave benefits to a maximum of 12 weeks of medical leave, 12 weeks of family leave, 12 weeks of parental leave and 2 weeks of pre-natal leave; subject to available resources, lowers the employer contribution (only after aforementioned benefits are expanded); requires a public education campaign when benefit expansions occur; clarifies that the 12-month period for family medical leave act job protection only has to be 12-months, continuous or non-continuous, over a 7-year period with the same employer; tolls the statute of limitations during an administrative review for claims alleging a violation of the District’s family medical leave law; and repeals the “Workplace Leave Navigators Program Establishment Act of 2020.”

Subtitle H. Student Activity Fund Theatrical and Music Performances Expenditures Act of 2021: Clarifies that expenditures on school-administered theatrical and music performances, including stipends, are eligible for disbursement from a school’s Student Activity Fund account. (COW)

Subtitle I. UDC HEI Qualified Applicants Expansion Amendment Act of 2021: Expands the parameters for the Higher Education Incentive scholarship program to include high school graduates who are enrolled in a post-secondary institution and who are working toward an associate degree in education or early childhood education or a Bachelor of Arts degree in education, human development, or early childhood education. Scholarship preferences would be extended to include bilingual educators who work in a child development facility in the District and who are required by the Office of the State Superintendent of Education to obtain an associate degree or Bachelor’s degree. (COW)

Subtitle J. IT Community Training and Advisory Board Establishment Act of 2021: Requires the Workforce Investment Council (WIC), the University of the District of Columbia (UDC), the UDC Foundation, and community training providers to establish an Information Technology Investment program. To carry out the program, the WIC will transfer funds to UDC to assist in supporting students seeking an IT-related degree from the University's Community College and also issue IT training grants to organizations that provide successful IT training and that are licensed by the Higher Education Licensure Commission as a postsecondary institution. Additionally, District residents who seek to obtain IT occupational credentials through the program would receive financial assistance. (LWD)

Subtitle K. DC Nurse Education Enhancement Program Amendment Act of 2021: Creates a program that will provide industry-informed training, which has also been approved by the District's Board of Nursing, to individuals so that they may successfully obtain certifications and employment in high-demand nursing care occupations in the District. Individuals participating in the program may receive financial assistance, including tuition, fees, books, and a monthly stipend toward living expenses and transportation while participating in the program. (LWD)

Subtitle L. School Year Internship Program Amendment Act of 2021: Codifies a permanent version of the School Year Internship Program, which was included in the Fiscal Year 2021 Budget Support Act of 2020 as a pilot. The program, which is run by DOES, will provide internships to at least 350 District high school students during each school year.

Subtitle M. Jobs First DC Pilot Program Establishment Act of 2021: Creates a two-year pilot grant program to assist at least 300 District residents who face significant barriers to employment in finding and keeping permanent jobs. The program will be administered by DOES and will provide individuals with a multitude of employment services, such as assessment and evaluation of their job history, resume development, interview preparation, and 12 months of employment retention support. Individuals who remain in their jobs will receive progressive retention bonuses totaling up to \$500 per individual. (LWD)

Subtitle N. Workplace Rights Grant Program Amendment Act of 2021: Establishes the Workplace Rights Grant Program, for the purpose of providing grants to community-based organizations to educate and assist District workers on employment laws and to inform the OAG's work related to employment laws, and set forth parameters for grant administration; establish grantee eligibility requirements; outline parameters for grant activities; and establish transparency and reporting requirements for grantees and OAG. This subtitle also amends the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010 to provide grantmaking authority for the Workplace Rights Grant Program and authorize use of the Litigation Support Fund for related purposes. This grant program would replace the Workplace Leave Navigators grant program, which is administered by DOES. (LWD; JPS)

Subtitle O. Unemployment Compensation Improvements Amendment Act of 2021: Includes three changes to the unemployment insurance (UI) law to: 1) waive the experience rating of benefits paid to workers unemployed due to the COVID-19 pandemic; 2) require that DOES halt any existing lawsuits in Superior Court against former UI recipients who are being sued or are about to be sued by the District for the overpayment of benefits; and 3) clarify that an employee who voluntarily quits unsafe work due to an unsafe workplace is eligible for UI. Additionally, the

subtitle directs DOES to create two user-friendly informational videos to explain two of the most common issues claimants experience when filing their weekly UI claim. (LWD)

Subtitle P. Learning Loss Grant Program Act of 2021: Establishes a multi-year learning loss grant program using federal American Rescue Plan dollars through the Office of the State Superintendent for Education (OSSE) to support evidence-based approaches to learning loss acceleration or high impact tutoring. \$27 million in fiscal years 2022-2024 is provided for: 1) grants to public schools, including charters, or community-based organizations; 2) funds to District government agencies, such as the D.C. Public Libraries, to start or expand new programs; 3) providing technical assistance, professional development, and supports to schools and community based organizations receiving grant funding; 4) conducting evaluations on the effectiveness of the program; and 5) for indirect or direct administrative costs not to exceed 10% of the total funding. Additionally, it requires that grant recipients measure the impact of evidence-based approaches and share the de-identified data or results regarding student educational development with OSSE, and then to the Council by July 15th of each year. (COW)

Subtitle Q. OSSE Data Planning for the Future Amdnment Act of 2021: Mandates that OSSE, in coordination with OCTO, develop a plan for: 1) creating a course coding system for the courses offered by the District's LEAs; 2) building and implementing an early warning system to flag students at risk for disengaging from school; and 3) making improvements to the District's SLDS that align with the National forum of Education Statistics. OSSE shall complete and submit this plan to the Council by March 31, 2022.

Subtitle R. Teacher Preparation Amendment Act of 2021: Establishes a "Grow Your Own" Teacher Preparation Support Program to provide direct funding to the University of the District of Columbia for a teacher preparation pipeline and requires OSSE to design and implement a grant program to support "Grow Your Own" teacher preparation programs at universities in the District, such as Howard University and Trinity University. District of Columbia Public Schools, public charter school dual enrollment high school students and graduates, and paraprofessionals employed in schools will receive scholarships to complete coursework and examinations required to be a licensed teacher in the District or needed to become certified public charter school teachers.

Subtitle S. Public Charter Schools Equity in Stabilization Funding Amendment Act of 2021: Creates a public charter school stabilization fund, administered by the State Superintendent of Education, to provide financial assistance to adult, pre-K, and residential public charter schools whose enrollment for School Year 2021-2022 is expected to be adversely impacted due to the long-lasting impact of the COVID-19 pandemic. Any funding that is not expended by December 31, 2021 will be transferred to the Office of Victim Services and Justice Grants for the Access to Justice program. (COW)

Subtitle T. Office of Wage and Hour Enforcement Transparency Amendment Act of 2021: Requires the Department of Employment Services to report several metrics related to wage and hour enforcement, and final orders issued by the Office of Administrative Hearings, for each quarter within 90 days of the conclusion of that quarter. The goal of the is to increase transparency around enforcement of the District's minimum wage and accrued sick and safe leave laws.

Subtitle U. Duke Ellington School of the Arts Project Grant Act of 2021: Provides \$1 million as a grant to the Duke Ellington School of the Arts to address teacher pay equity. There are 58 total teachers at Duke Ellington, but only 31 are considered District of Columbia Public School (DCPS) teachers lowering the overall teacher salaries. As a result, Ellington pays its teachers less on average than other DCPS schools.

TITLE V. HEALTH AND HUMAN SERVICES

Subtitle A. Medicaid Hospital Outpatient Payment Amendment Act of 2021: Corrects statutory language included in the Fiscal Year 2021 Budget Support Act that inadvertently limited the use of the Hospital Provider Fee Fund to only provide supplemental payments to managed care organizations. This subtitle will allow money in the fund to be used for fee-for-service payments directly to hospitals.

Subtitle B. Medical Assistance and Immigrant Children's Program Amendment Act of 2021: Increases eligible household income thresholds from 300% of the federal poverty level to 319% for children and 216% for young adults aged 19 to 20. It also allows the Department of Health Care Finance to modify enrollment standards to cover more children under the program. Recurring funding of \$28.5 million is included in DHCF's fiscal year 2022 budget to cover the costs of additional beneficiaries anticipated by these changes.

Subtitle C. Medicaid Reserve Fund Amendment Act of 2021: Eliminates the Medicaid Reserve fund, which is a paper agency of the Department of Health Finance. The fund is used to pay for expenses associated with increased Medicaid enrollment or service utilization because of the COVID-19 public health emergency.

Subtitle D. Unjust Convictions Amendment Act of 2021: Provides that individuals who successfully petition the District for damages after being unjustly convicted and imprisoned for a felony offense have a right to physical and behavioral health care through locally funded health care and medical services programs offered by the District.

Subtitle E. Maternal Health Resources and Access Act of 2021: Creates doula guidelines for training and provides that the Department of Health may approve of an application to be a doula, requires that Medicaid and the DC HealthCare Alliance cover doula services, and requires that the Alliance cover medical transportation costs for travel related to nonemergency prenatal and postpartum health appointments. (H)

Subtitle F. Howard University Hospital Centers of Excellence Fund Amendment Act of 2021: Establishes a non-lapsing Howard University Hospital Centers of Excellence Fund administered by the Department of Health to collect unspent local funds that were appropriated in fiscal year 2021 to support the Centers and will serve as a repository for funds appropriated in fiscal year 2022 and beyond. The fiscal year 2021 budget includes \$4.2 million in one-time funding to support the Centers. Any unspent money from this funding will be deposited into the fund.

Subtitle G. SNAP Reinvestment Fund Establishment Amendment Act of 2021: Establishes a non-lapsing SNAP Reinvestment Fund to collect unspent local funds remaining in the Department of Human Services' operating budget at the end of each fiscal year to pay for SNAP program enhancements required by a settlement agreement with the U.S. Department of Agriculture's Food and Nutrition Service.

Subtitle H. Veteran Transportation Program Expansion Amendment Act of 2021: Requires the Office of Veterans Affairs to expand income eligibility for the Vets Ride transportation program to eliminate the existing, strict limitations that veterans face when accessing the program. It mandates that the Office of Veterans Affairs, provide a free on-demand transportation or public transportation option to veterans who reside in a household with an annual household income of less than or equal to 80% of the area median income (AMI). It provides for 15 free, one-way trips per month to each eligible veteran, 6 days a week, from or to any destination in the District, thus prohibiting limitations on points of origin or destination. To ensure that the Office retains flexibility in administering the program in case demand far exceeds expectations, the subtitle limits the entitlement to free transportation to the extent of existing funds. (GOF)

Subtitle I. Still Leverage for Our Future Amendment Act of 2021: Requires that the Department of Health provide an additional grant to support the development of a pilot program that provides evidence-based home visiting services exclusively to eligible first-time mothers in the District to the home visiting provider that was previously awarded the grant. (H)

Subtitle J. Stevie Sellow's Direct Support Professionals Quality Improvements Act of 2021: Makes certain typographical corrections to the title of the fund, add a new definition of "DD waiver provider", and clarify that if a quality of care improvement is for an increase in salaries, the salary increase for each qualifying employee must equal the greater of either 117.6% of the District minimum wage or 117.6% of the District living wage. The subtitle also authorizes, beginning in FY 2022, that revenues deposited in the fund may be used to support quality of care improvements for DD waiver providers. (H)

TITLE VI. OPERATIONS AND INFRASTRUCTURE

Subtitle A. Highway Trust Fund Reprogramming Amendment Act of 2021: Removes the requirement that reprogrammings within the Highway Trust Fund portion of the Capital Improvement Plan be submitted to the Council for passive approval.

Subtitle B. Utility Relocation Reimbursement Amendment Act of 2021: Requires utility companies to pay half of the cost of relocation, adjustment, replacement, or removal of utilities located under the roadway and half of the cost of abandonment of those facilities for federal aid highway projects.

Subtitle C. Business Recovery and Sustainability Fee Reductions Act of 2021: The Eliminates, reduces, and forgives various business licensing fees. These sections will eliminate the licensing fees for basic business licenses and basic business license endorsements, reduce endorsement fees for specific employment service categories and general businesses to \$99, reduce

various organizational filings fees to \$99, and temporarily eliminate application and examination fees for non-health related occupational licenses. These sections will also give the Mayor the authority to implement a fee forgiveness program for businesses that have penalized for late biennial business filings.⁷

Subtitle D. Sustainable Energy Trust Fund Amendment Act of 2021: Allows the Department of Energy and Environment to transfer between \$10 and \$15 million to the Green Finance Authority (“Green Bank”) in Fiscal Years 2022 through 2025. It also makes a technical clarification to the definition of “residential ventilating fans” in the Energy Efficiency Standards Act of 2007.

Subtitle E. WMATA Dedicated Funding Amendment Act of 2021: Eliminates the three percent annual increase in the sales tax dedication to the Washington Metropolitan Area Transit Administration (WMATA) in a fiscal year in which Maryland and Virginia have not increased their state allotments to Metro. Without a regional funding agreement for increases in the subsidy, not all jurisdictions have provided escalated funding.

Subtitle F. Urban Agriculture Funding Amendment Act of 2021: Reduces the real property tax abatement for urban agriculture from \$150,000 per year to \$90,000 and clarifies the application process for such abatement. Savings recognized will support other Department of Energy and Environment programming. It also revise the definition of an urban farm to expand allowable crops and clarify that backyard gardens are not included in the definition. (TE)

Subtitle G. Zero Waste Funding and Clarification Amendment Act of 2021: Sets a minimum fee for District-owned solid waste facilities transfers beginning January 1, 2023, and increases the Solid Waste Diversion Fee from \$1/ton to \$2/ton. It revises the requirements for commercial food waste separation, clarifying that food must be donated only to the extent practicable and that food waste containers are only required in employee work areas for employees handling back-of-house food waste. It repeals the requirement that DPW provide technical assistance for the food waste separation program, allows for composting by commercial property owners as long as composting does not create a public nuisance or attract rodents or vermin., and makes a number of clarifications to the battery stewardship program. It also establishes a minor exemption for the sale of products containing certain trace flame retardants that are present due to the presence of recycled raw materials. Finally, it raises disposal and recycling fees at District transfer stations from \$31.59 per ton to \$51.59 per ton. (TE)

Subtitle H. Department of Motor Vehicles Kiosk Fund Amendment Act of 2021: Establishes a new special purpose fund within the Department of Motor Vehicles comprised of funds collected from the convenience fees from operation of the Department’s new self-service kiosks, and used to pay the costs of installing, renting, operating, maintaining, and providing supplies for the DMV’s self-service kiosks.

Subtitle I. DC Circulator Amendment Act of 2021: As introduced, this subtitle would have eliminated the fare to ride Circulator buses during FY 2022. As revised by the Committee a base fare of \$1 would be charged to ride the Circulator with discounts for transfers, specific

⁷ Introduced as part of subtitle II-N.

populations (such as seniors, veterans, students, children, and disabled persons), all riders during a public health emergency (declared by the Mayor), or during limited promotional periods (if such periods do not last more than two cumulative months per calendar year). (TE)

Subtitle J. Low-Income Weatherization Assistance Amendment Act of 2021: Allows the Department of Energy and Environment to spend funds in the Energy Assistance Trust Fund on the District’s low-income weatherization assistance program in FY 2022, and requires the Mayor to have the fund audited every two years to ensure compliance.

Subtitle K. ATE System Revenue Designation Amendment Act of 2021: Designates all revenue from automated traffic enforcement cameras in excess of \$98,757,000 (anticipated FY 2022 revenue) to a newly establish Vision Zero Enhancement Omnibus Amendment Act Implementation Fund to be used to implement the Vision Zero Enhancement Omnibus Amendment Act of 2020, until that law is fully funded, after which the money shall be used to enhance the safety and quality of pedestrian and bicycle transportation, including education, engineering, and enforcement efforts designed to calm traffic and provide safe routes. (TE)

Subtitle L. Electric Mobility Device Amendment Act of 2021: Updates the definition of an Electric Mobility Device to fit the industry standard and to clarify the District Department of Transportations’ authority to fine operators who present devices that do not fit the definition. (TE)

Subtitle M. Green Building Fund SETF Disbursement Amendment Act of 2021: Requires that a portion of fees received in the Green Building Fund administered by the Department of Consumer and Regulatory Affairs be deposited in the Sustainable Energy Trust Fund administered by the Department of Energy and Environment and expands permissible uses of the fund to include activities permitted in the newly-amended Green Building Act of 2006. (TE)

Subtitle N. Lead Pipe Replacement Assistance Program Subsidy Amendment Act of 2021: Requires that the District pay full replacement costs for residential property owners with household incomes of 100% or less of area median income (“AMI”) to replace partial lead water service line on their private property. Further, this subtitle strikes language establishing a separate subsidy for residential property owners with household incomes between 80% – 100% of AMI. In effect, this language combines DOEE’s existing Assistance Levels 1 and 2 under the Lead Pipe Replacement Assistance Program (“LPRAP”), so that households at both income levels are eligible for a full, rather than partial, subsidy. (TE)

Subtitle O. Lead Service Line Planning Task Force Establishment Act of 2021: Establishes an interagency Lead Service Line Planning Task Force, tasked with developing a comprehensive plan within nine months for the District to remove and replace all lead water service lines by 2030. The plan will include cross-agency estimates of costs, opportunities for interagency coordination, barriers to meeting the District’s 2030 goal, recommended changes to DC Water’s Lead Service Line Replacement Plan, and an account of legislative, regulatory, and policy changes. The legislation would also require biannual reporting by DC Water and DOEE on federal and local fund spending on lead water service line replacements. (TE)

Subtitle P. Protect Local Wildlife Specialty License Plate and Anacostia River Clean Up and Protection Fund Eligible Use Amendment Act of 2021: Creates a new specialty Protect

Local Wildlife vehicle identification tag to demonstrate support for the protection, rescue, and rehabilitation of native wildlife placed at risk due to the encroaching urban environment. Fees for the new tag would be deposited in the Anacostia River Clean Up and Protection Fund (“Fund”). It also expands the permissible uses of the Fund to award an annual grant not to exceed \$200,000, to provide wildlife rehabilitation services in the District and to require that \$50,000 in FY 2022 be used to produce a report analyzing the projected effects of banning the sale of beverages packaged in single-use plastic containers in the District. (TE)

Subtitle Q. Rail Safety and Security Rulemaking Amendment Act of 2021: Clarifies the Department of Energy and Environment’s authority to issue rules setting fees to cover the costs of administering and managing rail safety and security programs. It also requires the Railroad Authority Board to submit recommendations regarding rules on an annual basis. (TE)

Subtitle R. Grants Act of 2021: Provide grants from the Department of Energy and Environment to community-based groups working to remove trash and invasive species, maintain trails, and engage residents in the District’s parklands and grants from the District Department of Transportation to study the National Airport’s aircraft operations and noise. (TE)

TITLE VII. FINANCE AND REVENUE

Subtitle A. Revised Uniform Unclaimed Property Act of 2021: Changes how the District handles unclaimed property, including reducing the amount of time an unclaimed security must be held by the District from three years to 60 days, and expanding the type of properties that may be considered unclaimed and entities must transfer to the Unclaimed Property Unit to include virtual currency, payroll cards, stored-value cards, municipal bonds, health savings accounts, commissions, employee reimbursements, and custodial accounts for minors. The subtitle also provides rules for managing confidential information, authorizes the use of electronic/internet notifications rather than traditional paper publications, sets a cap on the fee a third-party contract auditor may receive to ten percent of the value of the property, allows the District to offset against proceeds of unclaimed property to a given owner, including for taxes and child support, and increases civil penalties for egregious conduct of holders who have unreasonably refused transfer of abandoned property to the District. Lastly the subtitle obligates life insurance companies to undertake periodic comparisons of their insureds with the Death Master File maintained by the Social Security Administration to ensure unclaimed proceeds from life insurance policies are transferred to the custody of the District.

Subtitle B. Paygo Capital Funding Amendment Act of 2021: Revises the required Paygo capital funding for fiscal year 2025 to be a minimum of \$206 million and clarifies that local sales taxes dedicated to WMATA capital improvements are included to meet funding requirements.

Subtitle C. Making Unemployment Compensation Nontaxable Amendment Act of 2021: Provides that compensation derived from Unemployment Insurance, Federal Pandemic Unemployment Compensation, and Disaster Unemployment Assistance is not subject to District income taxes. (BED)

Subtitle D. DCRB Executive Leadership Amendment Act of 2021: Authorizes the District of Columbia Retirement Board to increase the salary of the Executive Director and raises the stipend for Board Trustees from \$10,000 to \$15,000 for Members and \$25,000 for the Chairman to compensate for increased work by trustees over the last year as the Board addresses management challenges and leadership vacancies. (COW)

Subtitle E. Tax Abatements for Affordable Housing in High-Need Areas Amendment Act of 2021: This subtitle amends the Tax Abatements for Affordable Housing in High-Need Areas Amendment Act of 2020 to authorize the District to provide at least \$4 million for the program in FY 2025, increasing annually by 4% thereafter starting in FY 2026. Under current law, the District has no authority to provide more than \$4 million in funding for the program beginning in FY 2025. Thus, as real property assessments inevitably increase over the abatement period, the value of the District's investment in the abatement will decline, with the District having no ability to recoup the lost value. To ensure that the law incentivizes affordable housing production in high-need areas, the subtitle authorizes the District to provide greater investment in the program, commensurate with anticipated 4% annual increases in assessments over time.

Subtitle F. Events DC Grant-Making Act of 2021: Requires that EventsDC issue a grant to support the Cherry Blossom Festival in the amount up to \$150,000, matched on a one-to-one basis from any fundraising the grantee raises over \$1 million, as well as a grant to support a museum geared toward youth and science in the amount of \$1 million.

Subtitle G. Excluded Worker Payment Amendment Act of 2021: Authorizes EventsDC to issue grants or enter into contracts with nonprofit entities to provide cash assistance to District residents who are otherwise excluded from District and federal aid related to COVID-19.

Subtitle H. Council Period 24 Rule 736 and Other Repeals Act of 2021: Repeals the following laws, or provisions thereof, that had been approved subject to appropriation and have remained unfunded for two fiscal years, pursuant to Council Rule 736, as well as other provisions:

1. Section 5(b)(1) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(1)).
2. Trash Compactor Tax Incentive Act of 2014, effective March 11, 2015 (D.C. Law 20-223; 62 DCR 227).
3. Public School Health Services Amendment Act of 2017, effective February 17, 2018 (D.C. Law 22-61; 65 DCR 127).
4. Maternal Mental Health Task Force Act of 2018, effective July 17, 2018 (D.C. Law 22-139; 65 DCR 5966).
5. Hearing Aid Assistance Program Act of 2018, effective July 27, 2018 (D.C. Law 22-151; 65 DCR 6123).
6. Traffic and Parking Ticket Penalty Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-175; 65 DCR 9546).
7. Save Good Food Amendment Act of 2018, effective February 22, 2019 (D.C. Law 22-212; 65 DCR 12927).

8. Rental Housing Smoke Free Common Area Amendment Act of 2018, effective March 22, 2019 (D.C. Law 22-260; 66 DCR 1370).
9. Paperwork Reduction and Data Collection Act of 2018, effective March 22, 2019 (D.C. Law 22-264; 66 DCR 1388).
10. District Historical Records Advisory Board Amendment Act of 2018, effective March 28, 2019 (D.C. Law 22-271; 66 DCR 1446).
11. Language Access for Education Amendment Act of 2018, effective April 11, 2019 (D.C. Law 22-282; 66 DCR 1606).
12. Disabled Veterans Homestead Exemption Act of 2018, effective April 11, 2019 (D.C. Law 22-283; 66 DCR 1615).
13. Safe Disposal of Pharmaceuticals Amendment Act of 2018, effective April 11, 2019 (D.C. Law 22-285; 66 DCR 1621).
14. D.C. Healthcare Alliance Reform Amendment Act of 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 8621).

Subtitle I. Subject to Appropriations Amendment Act of 2021: Repeals or amends the subject-to-funding provisions for the following measures to reflect that they are now funded, or that they will be fully or partially funded in the budget and financial plan adopted pursuant to Bill 24-275, the Fiscal Year 2022 Local Budget Act of 2021:

1. Campaign Finance Reform Amendment Act of 2018, effective March 13, 2019 (D.C. Law 22-250; 66 DCR 985);
2. Public Restroom Facilities Installation and Promotion Act of 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595);
3. Care for LGBTQ Seniors and Seniors with HIV Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-154; 67 DCR 13244);
4. Autonomous Vehicles Testing Program Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-156; 67 DCR 13048);
5. Dementia Training for Direct Care Workers Support Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-201; 67 DCR 14750).
6. Helping Children Impacted by Parental Incarceration Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-278; 68 DCR 1154);
7. MLK Gateway Real Property Tax Abatement Amendment Act of 2019, effective January 10, 2020 (D.C. Law 23-46; 66 DCR 15345);
8. Postpartum Coverage Expansion Amendment Act of 2020, effective October 20, 2020 (D.C. Law 23-132; 67 DCR 9887);
9. Office for the Deaf, DeafBlind, and Hard of Hearing Establishment Amendment Act of 2021, effective December 8, 2020 (D.C. Law 23-152; 67 DCR 12254);

10. Commission on Poverty Establishment Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-184; 68 DCR 1220);
11. Portions of the Residential Housing Environmental Safety Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-188; 68 DCR 1227);
12. Psychology Interjurisdictional Compact Act of 2020, effective March 16, 2021 (D.C. Law 23-190; 68 DCR 16);
13. Addressing Dyslexia and Other Reading Difficulties Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-191; 68 DCR 115);
14. Initiative and Referendum Process Improvement Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-192; 68 DCR 1073);
15. Energy Efficiency Standards Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-195; 68 DCR 39);
16. Diverse Washingtonians Commemorative Works Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-196; 68 DCR 753);
17. Shared Fleet Devices Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-203; 67 DCR 13886);
18. Students' Right to Home or Hospital Instruction Act of 2020, effective March 16, 2021 (D.C. Law 23-204; 67 DCR 14756);
19. Ban on Non-Compete Agreements Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-209; 68 DCR 782)
20. Portions of the Zero Waste Omnibus Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-211; 68 DCR 68), is amended to read as follows:
21. District of Columbia Water and Sewer Authority Omnibus Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-229; 68 DCR 1112);
22. Portions of the Public Facilities Environmental Safety Amendment Act of 2020, effective March 16, 2021, (D.C. Law 23-233; 68 DCR 1128);
23. Department of Buildings Establishment Act of 2019, effective April 5, 2021 (D.C. Law 23-269; 68 DCR 1490);
24. Office of the Ombudsperson for Children Establishment Amendment Act of 2020, effective April 5, 2021 (D.C. Law 23-270; 68 DCR 1510);
25. Omnibus Public Safety and Justice Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-274; 68 DCR 1034);
26. Medical Marijuana Program Patient Employment Protection Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-276; 68 DCR 4794);
27. Restore the Vote Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-277; 67 DCR 13867);
28. Bella Evangelista and Tony Hunter Panic Defense Prohibition and Hate Crimes Response Amendment Act of 2020, effective May 15, 2021 (D.C. Law 23-283; 68 DCR 764);

29. Green Food Purchasing Amendment Act of 2021, enacted on June 7, 2021 (D.C. Act 24-93; 68 DCR 6015);
30. D.C. Central Kitchen, Inc. Tax Rebate Amendment Act of 2021, enacted on June 7, 2021 (D.C. Act 24-94; 68 DCR 6020);
31. Portions of the Comprehensive Plan Amendment Act of 2021, enacted July 7, 2021 (D.C. Act 24-110);
32. Certified Midwife Credential Amendment Act of 2021, as approved by the Committee on Health on June 30, 2021 (Committee print of Bill 24-143).

In addition, the FY 2022 budget and financial plan includes funding for several measures pending before Council, including:

1. Expanding Student Access to Period Products Act of 2021 (Bill 24-158)
2. Section 2 of the Strengthening Oversight and Accountability of Police Amendment Act of 2021 (Bill 24-356)
3. Child Wealth Building Act of 2021 (Bill 24-236)
4. Generating Affordability in Neighborhoods Act of 2021 (Bill 24-271)

Finally, the FY 2022 budget also funds the Tax Revision Commission Reestablishment Amendment Act of 2019 (D.C. Law 23-200; 68 DCR 120), which was adopted without a subject to appropriation clause.

TITLE VIII. SPECIAL PURPOSE, DEDICATED REVENUE FUNDS, AND CAPITAL

Subtitle A. Designated Fund Transfer Act of 2021: Directs the transfer of fund balance or revenue from certain special-purpose funds or dedicated taxes in Fiscal Year 2021 to be made available in the Fiscal Year 2022 Budget and Financial Plan.

Subtitle B. Fiscal Year 2022 Capital Project Reallocation Approval Act of 2021: rescinds or adjusts capital project funding from existing allotments in the Capital Improvements Plan for the purpose of balancing the capital portion of the Fiscal Year 2022 budget and financial plan.

TITLE X. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE: Sets forth the applicability provision, fiscal impact, and effective date of the act. Except as specifically provided in the subtitles, this act shall apply as of October 1, 2021.

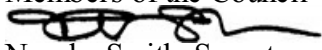
IX. COMMITTEE ACTION

X. ATTACHMENTS

1. Bill 24-285 as introduced.
2. Mayor's June 24, 2021 errata letter.
3. Mayor's June 25, 2021 errata letter.
4. Fiscal Impact Statement for Bill 24-285 as introduced.
5. Legal Sufficiency Determination for Bill 24-285.
6. Committee Print for Bill 24-285.

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council
From :  Nyasha Smith, Secretary to the Council
Date : Thursday, June 3, 2021
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Thursday, May 27, 2021. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Fiscal Year 2022 Budget Support Act of 2021", B24-0285


INTRODUCED BY: Chairman Mendelson, at the request of Mayor

The Chairman is referring this legislation to Committee of the Whole.

Attachment
cc: General Counsel
Budget Director
Legislative Services

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

MEMORANDUM

To: Members of the Council 

From: Nyasha Smith, Secretary to the Council

Date: June 3, 2021

Subject: Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Thursday, May 27, 2021. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Fiscal Year 2022 Budget Support Act of 2021", B24-285

INTRODUCED BY: Chairman Mendelson at the request of the Mayor

The Chairman is referring this legislation to the Committee of the Whole with comments from standing committees on specific subtitles as indicated below:

COMMITTEE LEGEND

BED	BUSINESS AND ECONOMIC DEVELOPMENT
COW	COMMITTEE OF THE WHOLE
GOF	GOVERNMENT OPERATIONS AND FACILITIES
H	HEALTH
HEA	HOUSING AND EXECUTIVE ADMINISTRATION
HS	HUMAN SERVICES
JPS	JUDICIARY AND PUBLIC SAFETY
LWD	LABOR AND WORKFORCE DEVELOPMENT
RLYA	RECREATION, LIBRARIES AND YOUTH AFFAIRS
TE	TRANSPORTATION AND THE ENVIRONMENT

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. INSPECTOR GENERAL SUPPORT FUND GOF

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. QUALIFIED HIGH TECHNOLOGY COMPANY TRANSPARENCY BED

SUBTITLE B. GREAT STREETS PROGRAM BED

SUBTITLE C. SUPERMARKET TAX INCENTIVES BED

SUBTITLE D. REAL PROPERTY TAX APPEALS COMMISSION MEMBERSHIP
..... HEA, COW

SUBTITLE E. LOCAL RENT SUPPLEMENT PROGRAM HEA

SUBTITLE F. HOUSING PRODUCTION TRUST FUND CONTRACTS HEA

SUBTITLE G. PROPERTY TAX RELIEF FOR LOW INCOME HOUSING BED, HEA

SUBTITLE H. SECTION 108 DEBT RESERVE ACCOUNT HEA

SUBTITLE I. DC LOW INCOME HOUSING TAX CREDIT BED, HEA

SUBTITLE J. OFFICE OF CABLE TELEVISION, FILM, MUSIC AND ENTERTAINMENT RLYA

SUBTITLE K. EMORY BEACON OF LIGHT TAX EXEMPTION BED

SUBTITLE L. TARGETED HISTORIC PRESERVATION ASSISTANCE PROGRAM COW

SUBTITLE M. REDEVELOPMENT OF THE CENTER LEG FREEWAY BED

SUBTITLE N. ADDITIONAL COVID-19 ECONOMIC RECOVERY INITIATIVES
..... BED, except Sec. 2134 and 2138 to COW

SUBTITLE O. LOCAL FOOD ACCESS BED

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. EMERGENCY MEDICAL SERVICE FEES JPS

SUBTITLE B. OFFICE OF RESILIENCY JPS

SUBTITLE C. CONCEALED PISTOL LICENSING REVIEW BOARD STIPEND JPS

SUBTITLE D. EMERGENCY MEDICAL SERVICES REFORM FUND JPS

SUBTITLE E. ASSISTANCE FOR VICTIMS OF GUN VIOLENCE AND INDIVIDUALS AND
FAMILIES AT RISK OF GUN VIOLENCE JPS

TITLE IV. PUBLIC EDUCATION SYSTEMS

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASES COW

SUBTITLE B. DCPS REPROGRAMMING FLEXIBILITY COW

SUBTITLE C. PARKS AND RECREATION GRANT-MAKING AUTHORITY RLYA

SUBTITLE D. PARKS AND RECREATION SPONSORSHIPS	RLYA
SUBTITLE E. APPRENTICESHIP FINES	LWD, COW
SUBTITLE F. SCHOLARSHIP AND TUITION ASSISTANCE PAYMENTS	COW
SUBTITLE G. UNIVERSAL PAID LEAVE	LWD, COW

TITLE V. HUMAN SUPPORT SERVICES

SUBTITLE A. MEDICAID HOSPITAL OUTPATIENT PAYMENT	H
SUBTITLE B. MEDICAL ASSISTANCE AND IMMIGRANT CHILDREN'S PROGRAM	HS
SUBTITLE C. MEDICAID RESERVE FUND	H
SUBTITLE D. UNJUST CONVICTIONS HEALTH CARE	H, JPS
SUBTITLE E. DEPARTMENT OF HEALTH CARE FINANCE SOLICITATIONS	H, BED
SUBTITLE F. HOWARD UNIVERSITY HOSPITAL CENTERS OF EXCELLENCE	H
SUBTITLE G. SNAP REINVESTMENT FUND	HS

TITLE VI. OPERATIONS AND INFRASTRUCTURE

SUBTITLE A. HIGHWAY TRUST FUND REPROGRAMMINGS	TE
SUBTITLE B. UTILITY RELOCATION ON INTERSTATE HIGHWAYS	TE, BED
SUBTITLE C. VEHICLE INSPECTION OFFICERS	BED
SUBTITLE D. SUSTAINABLE ENERGY TRUST FUND	TE
SUBTITLE E. WMATA DEDICATED FUNDING	COW
SUBTITLE F. DIRECT SHIPMENT OF ALCOHOLIC BEVERAGES	BED
SUBTITLE G. EXTENDED HOURS OF ALCOHOLIC BEVERAGE SALES AND DELIVERY	BED
SUBTITLE H. DEPARTMENT OF MOTOR VEHICLES KIOSKS FUND	TE
SUBTITLE I. DC CIRCULATOR FARE	TE
SUBTITLE J. LOW-INCOME WEATHERIZATION ASSISTANCE	TE

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. UNCLAIMED PROPERTY	BED
SUBTITLE B. PAYGO CAPITAL FUNDING	COW
SUBTITLE C. SUBJECT-TO-APPROPRIATIONS REPEALS	COW

TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS

SUBTITLE A.	COW
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Attachment

cc: General Counsel
Budget Director
Legislative Services



MURIEL BOWSER
MAYOR

May 27, 2021

The Honorable Phil Mendelson, Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Chairman Mendelson:

On behalf of the residents of the District of Columbia, I am pleased to submit to you the proposed District of Columbia Fiscal Year 2022 Proposed Budget and Financial Plan, *A Fair Shot*. Included in this submission, you will find the “Fiscal Year 2022 Local Budget Act of 2021,” the “Fiscal Year 2022 Federal Portion Budget Request Act of 2021,” the “Fiscal Year 2022 Budget Support Act of 2021,” the “Fiscal Year 2021 Revised Local Budget Emergency Act of 2021,” the “Fiscal Year 2021 Revised Local Budget Temporary Act of 2021,” and the “Fiscal Year 2021 Revised Local Budget Emergency Declaration Resolution of 2021.” In addition, I am submitting the following accompanying emergency measures for consideration: the “Fiscal Year 2022 Local Budget Emergency Act of 2021,” the “Fiscal Year 2022 Local Budget Temporary Act of 2021,” the “Fiscal Year 2022 Local Budget Emergency Declaration Resolution of 2021,” the “Fiscal Year 2021 Revised Federal Stimulus Local Budget Emergency Act of 2021,” the “Fiscal Year 2021 Revised Federal Stimulus Local Budget Temporary Act of 2021,” the “Fiscal Year 2021 Revised Federal Stimulus Local Budget Emergency Declaration Resolution of 2021,” the “Fiscal Year 2021 Revised Local Budget Advance School Payment Emergency Amendment Act of 2021,” the “Fiscal Year 2021 Revised Local Budget Advance School Payment Temporary Amendment Act of 2021,” and the “Fiscal Year 2021 Revised Local Budget Advance School Payment Emergency Declaration Resolution of 2021.”

The Fiscal Year 2022 budget marks the turning of a corner on a global public health crisis that has killed millions of people worldwide and led to a swift and deep global recession. The Fair Shot Budget makes significant investments to provide relief, recovery, and growth for residents and businesses across all eight wards. In this budget, we focus on what we know to be the pillars of an equitable recovery: access to safe and affordable housing, high-quality job training, healthy neighborhoods, academic acceleration, increased access to quality child care, programs to reduce gun violence, safe and accessible transportation options, and supports for businesses and residents hit hardest by the economic crisis over the past year.

During last year’s budget cycle, we were very focused on providing our community a sense of hope. At the time, there was a significant amount of uncertainty, both in terms of the virus as well as our community’s financial future. With so much uncertainty, we controlled what we could and made big investments in our DC Values and in keeping our community safe and healthy. Today, we have more hope. Everyone 12 and older is now eligible for the vaccine; more than 50% of all DC residents are at least partially vaccinated; and through the American Rescue Plan, DC received the CARES Act funding we were shortchanged along with access to hundreds of millions of dollars in federal relief funds.

The Fair Shot Budget continues investing in DC HOPE – in health care and housing, opportunity, prosperity, and equity. This budget also recognizes how the landscape has shifted over the past year and seizes on this once-in-a-lifetime opportunity to put our city on a trajectory toward a more equitable future. And this starts with recognizing that a strong recovery begins with ensuring everyone in our community has access to safe, stable, and affordable housing. To that end, I am investing a record-setting \$400 million in the Housing Production Trust Fund (HPTF), bringing our total investment in the HPTF since 2015 to more than \$1 billion. Furthermore, we paired this historic investment with Local Rent Supplement Program (LRSP) voucher funding to better target funds to deeply affordable units at or below 30% of the median family income.

We will also continue investing in the programs and supports that set families up for success. This means increased support for residents who do not qualify for unemployment insurance, families who face steep public benefit cliffs as their income climbs, and those who are returning citizens. We are investing \$68 million to increase access to high-quality affordable childcare and provide incentives and scholarships for early childhood education teachers. And after an extremely difficult school year, we are investing \$13 million for an evidence-based approach to learning acceleration—high impact tutoring—which will provide quality supports and infrastructure for our DC Public Schools and DC public charter schools.

This budget also recognizes that our response to the pandemic is not yet over. To ensure our response remains strong and matches the ongoing needs of our community, we are investing \$75 million to continue the District’s response to the COVID-19 pandemic through testing, vaccination, isolation and quarantine sites, cleaning, PPE purchases, and other critical programs and services that helped see the District through the pandemic.

Below are additional examples of important investments in the proposed FY 2022 Budget and Financial Plan that will allow us to recover and grow stronger together.

Health and Human Services

The FY 2022 budget supports the health and well-being of District residents, and helps provide a pathway to the middle class, through the following investments:

- \$15 million to support small businesses and residents whose health insurance premiums are in arrears because of job losses and business slowdowns caused by the COVID-19 pandemic;
- \$12 million to launch a new pilot, Career Map, which will support the desire and ability of parents to pursue a career by ensuring that participating households’ costs do not exceed income, even as important benefits phase out with income growth. This initiative will promote equity and meaningful access to the middle class;
- \$8.4 million to continue our support for the five Centers of Excellence at Howard University Hospital, which will strengthen the hospital and improve the health outcomes of Washingtonians;
- \$8.5 million to support affordable food access through increased senior meal delivery, assistance to the Capital Area Food Bank, Produce Rx, and the Nourish DC fund;
- \$23 million for new families that need support during the pandemic through the Temporary Assistance for Needy Families (TANF) program and another \$14 million to support TANF families with cash assistance payments to smooth out the benefit cliff, establish a TANF diversion program, and provide small one-time payments to families dealing with the impacts of the pandemic;
- \$18 million to advance health equity, including the creation of a new sobering center, the expansion of telehealth services for Department of Behavioral Health and Department of Disability Services clients, and doula services for women enrolled in Medicaid;
- \$13 million to increase the local budget of the Department of Behavioral Health to provide increased supports and services to residents experiencing mental health crisis or substance abuse

issues;

- \$3 million for neighborhood-based Senior Socialization Hubs and expansion of Senior Villages;
- \$1 million to expand transportation access for seniors through ConnectorCard; and
- \$500,000 to launch a coordinated citywide virtual wellness model that will expand satellite virtual wellness programs to cover all citywide virtual programming needs for seniors.

Affordable Housing

Producing, preserving, and protecting affordable housing remains a top priority. The FY 2022 budget makes the following investments in affordable housing:

- A historic contribution of \$400 million to the Housing Production Trust Fund and \$42 million of investment in project-sponsor based vouchers to make housing deeply affordable to low-income residents;
- \$352 million in rent and utility assistance to prevent evictions through the DC STAY program;
- \$35 million in Homeward DC to make homelessness rare, brief, and non-recurring, including 758 new permanent supportive housing units for singles, 347 new permanent supportive housing units for families, and expansion of Project Reconnect, shallow subsidies, and rapid re-housing for singles;
- \$17 million for the Housing Preservation Fund, including \$5 million to support limited equity cooperatives to purchase their buildings. This investment is matched 3:1 by the private sector for a total investment of \$68 million in housing preservation;
- \$67 million to acquire additional emergency and transitional shelter for victims of domestic violence and expand domestic violence services, and to acquire properties to convert to deeply affordable and/or permanent supportive housing;
- \$2 million to the Douglass Community Land Trust to acquire affordable commercial and residential properties;
- \$113 million in capital funding to rehabilitate and modernize public housing units;
- \$102 million to expand and renovate the District's permanent and temporary supportive housing and shelter services;
- \$23.5 million to help low-income first-time homebuyers with down payment and closing cost assistance;
- \$1.2 million to expand emergency shelter service for LGBTQ+ residents who are victims of domestic violence and create low-barrier shelter access for transgender residents;
- \$335,000 for the Office of the Tenant Advocate to help tenants navigate housing issues after the eviction moratorium is lifted;
- \$1.035 million to complete future small area plans across the District;
- \$5 million to restore vibrancy to previously disused properties in neighborhoods most affected by violence; and
- \$1.5 million for a pilot program to incentivize the construction of accessory dwelling units on properties owned by low- and moderate-income homeowners.

High-Quality Education

Our community continues to recognize the important role public schools play in creating opportunity and helping us build a more equitable city. During the pandemic, many students experienced learning loss, which can have long-term consequences for their future. We know that investments in our public schools were the driving force behind the renaissance of our city, and our steadfast commitment to our students, families, and educators remains strong. In this Fair Shot Budget, we continue to make education a top priority, and introduce several new programs to advance learning acceleration, through a range of investments, including:

- 3.6 percent increase to the base amount of the Uniform Per Student Funding Formula and increased weights for English language learners and at-risk students;
- \$8 million to reimagine high schools and create work-based learning opportunities;
- \$8 million to expand school-based mental health services to all remaining DC Public Schools and DC public charter schools;
- \$10 million to provide additional facility grants to the DC public charter schools to help them re-open fully for in-person learning in school year 2021–2022;
- \$13 million for an evidence-based approach to learning acceleration, high impact tutoring, which will provide quality supports and infrastructure for our DC Public Schools and DC public charter schools;
- \$12.8 million to provide more students access to affordable bachelor and associate degrees;
- \$5.6 million to provide increased access to summer programming with academic enrichment;
- \$68 million to increase access to high-quality affordable childcare and provide incentives and scholarships for early childhood education teachers;
- More than \$1.57 billion over six years for DC Public Schools to fund school modernizations, small capital projects, and school expansions to address overcrowding and to support the acceleration of modernizations of the Truesdell and Whittier Education Campuses;
- \$420 million over six years for the District’s parks, recreation, and library projects, including the addition of four new library renovations or replacements, at Shepherd Park, Deanwood, Northwest, and Rosedale. This investment also adds new renovations at Duke Ellington Field, Emery Heights Recreation Center, Rumsey Aquatic Center, Randall Recreation Center, Harry Thomas Recreation Center, and a brand-new community center at the former Crummell School site. It also includes new additional funding to renovate the pool at Upshur Recreation Center, address site issues at Douglas Recreation Center, and bring all DPR facilities into ADA compliance; and
- \$114 million over six years for the University of the District of Columbia for university improvements.

Public Safety and Justice

Our work to build safer, stronger neighborhoods across all eight wards continues, and the FY 2022 Fair Shot Budget includes critical investments that support our collective commitment to public safety and justice, including:

- \$5.7 million to divert some 911 calls for residents experiencing mental health distress to the Department of Behavioral Health’s Community Response Team;
- \$1.1 million to divert some 911 calls for minor traffic crashes (no injuries) and parking complaints to the District Department of Transportation and Department of Public Works, respectively;
- \$11.4 million for cash assistance for returning citizens, financial coaching, and the hiring of peer navigators to help returning citizens with the transition back into the community and on the path to economic opportunity;
- \$7.8 million for additional violence interrupters and \$400,000 for additional credible messengers;
- \$4.5 million to expand the DC Pathways program serving 100 more at-risk individuals per year;
- \$1.9 million to expand access to trauma-informed mental health services;
- \$1.1 million for intensive case coordination to assist those most at-risk of gun violence;
- \$450,000 for a violence interruption certificate program at UDC and \$200,000 for restorative justice training;
- \$5.6 million to create 278 dedicated employment opportunities through the Department of Public Works for residents most at-risk of gun violence;
- \$4.1 million to expand Project Empowerment with new wrap-around services for residents most at-risk of gun violence and the creation of new Pathways Champions positions at the Office of

Neighborhood Safety and Engagement;

- \$2.2 million for temporary safe housing for residents involved in gun violence;
- \$2 million for expanded offerings from the Department of Parks and Recreation to communities hardest hit by gun violence;
- \$1.5 million for community grants to carry out neighborhood action plans in communities hardest hit by gun violence;
- \$7 million for a new Ready Center facility, which will serve as a one-stop shop where returning citizens can access consolidated resources from community based organizations and District agencies, including the Department of Corrections, Department of Motor Vehicles, Department of Employment Services, Department of Human Services, Department of Behavioral Health, and the Mayor's Office on Returning Citizen Affairs, to ensure successful reintegration into the community;
- \$7.2 million for youth safety initiatives, including an expansion of Safe Passage, out-of-school-time activities for youth, and enhanced training for school resource officers;
- \$3.4 million to add 100 new slots for the Metropolitan Police Department's cadet program; and
- \$57 million for the renovation and relocation of fire and police stations, including MPD's 7th District headquarters, Engine Company 26, and Engine Company 7.

Transportation and the Environment

The FY 2022 budget accelerates and expands numerous investments in transportation and infrastructure that will make moving throughout our city without a car safer and more convenient. The budget also includes investments that over time will make the District greener and more sustainable. Key investments in the District's transportation and environment budgets include:

- \$72 million to support healthy schools and affordable homes through weatherization improvements, solar installations, lead paint and mold remediation, lead pipe removal, and lead remediation in drinking water;
- \$375 million for streetscapes, trails, and Vision Zero safety improvements. This includes doubling the planned buildout of protected bike lanes to 10 new miles per year, a new bicycle and pedestrian bridge connecting the Barry Farm Community to the Anacostia Metro Station, implementation of numerous livability study recommendations, a deckover of Connecticut Ave NW to create Dupont Crown Park, a new South Capitol Street Trail that will create a full trail connection to Maryland's National Harbor, the completion of the Metropolitan Branch Trail, and the creation of the Shepherd Branch Trail in Ward 8;
- \$9 million to reclaim streets for public use through the creation of recurring monthly street closures in the downtown area, including on Black Lives Matter Plaza, Pennsylvania Ave. NW, 18th St. NW, 7th St. NW, and F St. NW plus one Open Streets event in each ward, and one signature Open Streets event on 7th Street from Florida Avenue to The Wharf;
- \$63 million for a transformative investment in over 50 priority bus lanes citywide, which will make bus transit easier and faster for thousands of riders throughout the District;
- \$19 million for the expansion of Capital Bikeshare, which will ensure that any District resident has access to a docking station within ¼ mile of their home, creation of a new Adaptive Bikeshare hub at Union Station, and the launch of over 1,000 more e-bikes as part of the fleet;
- \$100 million to accelerate the Benning Road Transfer Station modernization to begin in FY22, including fully remediating environmental and safety issues at the site, replacing the current facility, and creating new citywide composting capabilities;
- \$439 million invested in the District's local roadways, alleys, and sidewalks across all eight wards to ensure they are safe, reliable, and functional;
- \$1.7 billion to support capital infrastructure upgrades for the Washington Metropolitan Area Transit Authority;
- \$116 million to build the K Street Transitway by 2023, providing protected bus and bike lanes

- through the District's downtown core;
- \$215 million for a full replacement of the H Street Bridge, a key piece in the overall redevelopment of Union Station. This replacement will eliminate safety concerns with the bridge, as well as facilitate the use of high-speed rail in and out of the train station; and
- \$1 million to conduct a feasibility study for a potential deckover project on North Capitol Street.

Jobs and Economic Opportunity

The FY 2022 Fair Shot Budget provides relief, recovery, and growth for all residents and businesses, especially those most impacted by the pandemic. This Budget builds on efforts to spread prosperity and support residents, local businesses, and entrepreneurs with:

- \$168.2 million returned to businesses through a one-time reduction in the Paid Family Leave payroll tax from .62% to .27% in FY 2022 only;
- \$3 million to expand the Solar Works program, which trains residents for careers in the emerging solar industry;
- \$49 million to expand subsidized employment and training opportunities through the DC Infrastructure Academy, Project Empowerment, WIC training partnerships, and apprenticeships;
- \$6 million for a Rapid Reskilling Fund to provide 700 residents without a bachelor's degree the opportunity to pursue training programs which result in free workforce credentials in high-demand occupations;
- \$4.6 million for Career Coaches who will help connect residents to career advising and to education, training, and employment in high-demand industries;
- \$3.8 million to expand enrollment in DC's Opportunity Accounts to approximately 600 people each year, continuing with a 4:1 match up to \$6,000. Opportunity Accounts can be used for college, continuing education, job training, first-time home purchases, small business development, qualifying medical emergencies, or to leverage the cost of retirement;
- \$500,000 for a workforce training program to serve LGBTQ+ residents through the Department of Human Services;
- \$15 million to support workers with cash assistance who do not qualify for federal unemployment assistance;
- \$26.5 million to provide seniors, youth exiting foster care, families enrolled in TANF, returning citizens, and residents who are homeless, with a laptop, tablet, or smartphone. Smartphones and tablets will come with one year of free data. This investment also funds a call center to help residents troubleshoot technology issues.
- \$57.7 million over three years to significantly expand access to grocery stores and sit-down restaurants in Wards 7 and 8 through targeted incentives, including \$2 million over two years to increase the DC Nourish Fund.
- \$9.2 million over two years to create a new technical assistance hub to coordinate small business capacity building efforts across the District;
- \$8.1 million to increase funding for Great Streets and commercial ownership opportunities for small businesses. This investment also supports the Shop in the District app to help residents and visitors shop at local District businesses;
- \$8 million for a Bridge Fund for arts venues in the District to support their successful re-opening;
- \$2 million to double the investment in the Inclusive Innovation Equity Impact Fund;
- \$1.4 million to develop an actionable plan for a complete overhaul of the District's license and permitting system to make it easier for business owners to start and maintain their business in the District;
- \$12.8 million to increase the number of permit reviewers and inspectors in anticipation of increased demand;
- \$990,000 to create a new Tax Revision Commission;

- \$14 million to support improvements in the Anacostia, Golden Triangle, and Southwest BIDs to promote placemaking and vibrancy;
- \$5 million to Events DC/Destination DC to support show attraction and promote DC as a destination to live, work, and play;
- \$10.6 million to attract high-impact employers to the District to increase employment opportunities;
- \$3 million to waive all DC government fees for community organizations to host events across the District;
- \$900,000 for live event)0across all four quadrants of the District in summer 2021;
- \$5.9 million to waive fees that taxi and limousine drivers, vehicle owners, and limo companies pay to operate their vehicles for two years;
- \$6.2 million to permanently reduce several classes of business fees down to \$99, including: formation filing fees, general business license fees, fees to obtain or renew a general business license, fees to start or renew an employment agency, employer paid personnel service or employment counseling business, and a two-year reduction to \$99 to obtain or renew non-health occupational and professional licenses;
- \$500,000 for Dream Grants to support small business owners in Wards 7 and 8;
- \$250,000 for ASPIRE to provide entrepreneurship opportunities to returning citizens;
- \$300,000 to provide financial and technical assistance through grants and direct assistance to medical cannabis certified business enterprises, veteran-owned business enterprises, and other District residents who own medical cannabis businesses;
- \$900,000 to support Go-Go, the official music of Washington, DC, through events and education; and
- \$1 million to support a community center for LGBTQ+ residents.

Government Operations

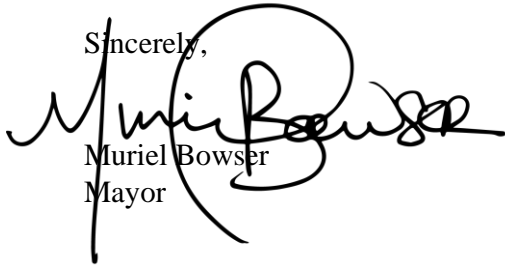
The FY 2022 Fair Shot Budget provides needed pay raises for our hardworking DC government employees, and investments in accountability, oversight, monitoring and evaluation of the significant increase in federal resources and investments that support our DC Values, including:

- \$1 million increase for the Immigrant Justice Legal Services grant program;
- Increased funding for interpreter services (\$200,000); veteran services (\$100,000) and AAPI anti-hate education (\$50,000);
- \$2.3 million to promote and increase access to voting by providing funding for technology upgrades to improve the voting process, implementation of Restore the Vote Act and increased staffing;
- \$15.7 million to fund the Fair Elections Act.
- \$8 million to protect the District against cybersecurity threats;
- \$9.5 million to enhance oversight, accountability, tracking, evaluation and monitoring, and processing of the District's \$3.4 billion in stimulus funds through the Office of the Inspector General, Office of the Chief Financial Officer, Office of the City Administrator, Office of Contracting and Procurement, and Office of the Chief Technology Officer;
- \$450,000 to the Department of General Services, Department of Human Resources, and Office of the Chief Technology Officer to study how the District might adapt its physical spaces, management training, and technology needs in a new virtual hybrid work environment;
- \$32 million, annually, to provide promised pay raises to Compensation Units 1 and 2 and members of AFSCME 2921 whose pay raises were paused during the pandemic;
- \$5.6 million, annually, to provide a two percent cost of living adjustment to non-union employees;
- New funds set aside so that the District can begin compensation negotiations with all unions that

- were put on pause during the pandemic; and
- \$75 million to continue the District's response to the COVID-19 pandemic through testing, vaccination, isolation and quarantine sites, cleaning, PPE purchases, and other critical programs and services that helped see the District through the pandemic; and

Since the start of the pandemic, you have heard me say many times: We are all in this together, and we will all get through this together. Time and again, I have seen this value come to life – in residents joining us for two Days of Action to help neighbors get vaccinated; in hospitality workers passing out meals to colleagues in need; in our health care workers, sanitation workers, and so many others who never stopped reporting in-person to serve their communities. The Fair Shot Budget builds on this sense of togetherness and is a budget that reflects our DC Values and the belief that we can work together to do more with more and build a stronger, more equitable DC.

Sincerely,

A handwritten signature in black ink, appearing to read 'Muriel Bowser', with a large, stylized loop at the end.

Muriel Bowser
Mayor


Chairman Phil Mendelson
at the request of the Mayor

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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

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

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

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

86 Sec. 1001. Short title.

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

89 Sec. 1002. The District of Columbia Procurement Practices Act of 1985, effective
90 February 21, 1986 (D.C. Law 6-85; codified in relevant part at D.C. Official Code § 1-301.115a),
91 is amended by adding a new section 208b to read as follows:

92 “Sec. 208b. Office of the Inspector General Support Fund.

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

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

97 “(1) Twenty-five percent of the revenue received by the District from each
98 restitution and recoupment resulting from a criminal action that was initiated based on a referral
99 by the Office of the Inspector General of a criminal matter to the United States Attorney’s Office
100 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(a-1)(2).

“(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, where such excess disbursements are identified by the OIG in an audit or investigation, and where such excess disbursements are recovered by the District based on the OIG audit or investigation.”.

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. QUALIFIED HIGH TECHNOLOGY COMPANY

TRANSPARENCY

Sec. 2001. Short title.

This subtitle may be cited as the “Qualified High Technology Company Transparency Act of 2021”.

Sec. 2002. Chapter 18 of Title 47 of the District of Columbia Code (D.C. Official Code § 47-1817.01 *et seq.*) is amended as follows:

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

“47-1817.01b. Registration of Qualified High Technology Companies.”.

(b) A new section 47-1817.01b is added to read as follows:

“§ 47-1817.01b. Registration of Qualified High Technology Companies.

“(a) Effective October 1, 2021, to be eligible for a tax benefit provided under this subchapter for a tax year, an individual or entity shall register with the Mayor for that tax year, in such manner and form as the Mayor may prescribe. As part of the registration process, the individual or entity shall provide to the Mayor such information as the Mayor deems appropriate for the implementation, monitoring, and evaluation of the benefits provided pursuant to this subchapter. The Mayor shall provide a certificate of registration to each individual or entity that registers with the Mayor pursuant to this subsection, and the individual or entity shall file the certificate of registration with its tax return for the applicable tax year.”.

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 (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.

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

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

“(1D)(A) “Eligible area” means:

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

“(ii) Properties within or abutting Opportunity Zones designated pursuant to the Tax Cuts and Jobs Act of 2017, approved December 22, 2017 (131 Stat. 2183; 26 U.S.C. § 1400Z-1 *et seq.*);

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

“(iv) Any other area determined by the Mayor to be underserved by supermarkets, or any development project determined by the Mayor to be important to achieving the goal of equitable development in the District.

“(B) For supermarkets under construction as of January 1, 2021, for which a certificate of occupancy is issued on or before September 30, 2022, and for which an

application for certification under this chapter is filed on or before September 30, 2022, “eligible area” shall also mean:

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

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

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

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

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

“(I) Fresh fruits and vegetables;

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

“(III) Dairy products;

“(IV) Canned foods;

“(V) Frozen foods;

“(VI) Dry groceries and baked goods; and

“(VII) Non-alcoholic beverages;”

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

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

“(iv) Dedicates either 50% of the establishment’s total square footage of selling area (defined as the area in the establishment that is open to the public and not including storage areas, preparation areas, or bathrooms), or 6,000 square feet of the

establishment's selling area to the sale of the categories listed in sub-subparagraph (ii) of this subparagraph; and

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

(b) Section 47-3802 is amended as follows:

(1) Subsection (c) is amended by adding the sentence “As part of the application, and as a condition of certification, the applicant shall agree in writing to become authorized to accept Supplemental Nutrition Assistance Program (“SNAP”) benefits as payment at the qualified supermarket, to accept SNAP benefits for payment after such authorization, to apply to the Department of Health (“DOH”) for approval to accept Special Supplemental Nutrition Program for Women, Infants, and Children (“WIC”) benefits as payment at the qualified supermarket, to accept WIC benefits as payment at the qualified supermarket if approved by DOH to accept WIC benefits, and to conduct community listening sessions on the store's product offerings and operations at least once every 2 years.” at the end.

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

“(e) In order to remain eligible to continue to receive tax benefits provided by this chapter, a qualified supermarket shall:

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

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

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

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

SUBTITLE D. REAL PROPERTY TAX APPEALS COMMISSION

MEMBERSHIP

Sec. 2031. Short title.

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

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

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

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

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

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

(B) Sub-subparagraph (iv) is repealed.

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

“(C) The Commission may non-competitively appoint to temporary appointments up to 8 hearing examiners, who each shall be appointed for a term not to exceed 6 months each year, who shall hear cases of single-family residential property or any noncommercial real property assessed during the administrative review (or under the notice of

assessment if the administrative review is unavailable) at \$3 million or less; provided, that the Chairperson may assign hearing examiners to hear cases of other real property assessments.”.

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

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

“(i) The Chairperson of the Commission shall:

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

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

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

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

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

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

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

(B) Subparagraph (B) is amended by:

(i) Striking the phrase “A Commissioner” and inserting the phrase “Each Commissioner and hearing examiner” in its place; and

(ii) Striking the phrase “the Commissioner” and inserting the phrase “the Commissioner or hearing examiner” in its place.

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

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

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

“(C) Each part-time Commissioner serving on the day before the effective date of the Real Property Tax Appeals Commission Membership Amendment Act of 2021 shall, with the Commissioner’s consent, be converted to a hearing examiner on the effective date of the Real Property Tax Appeals Commission Membership Amendment Act of 2021. The position of part-time Commissioner shall be abolished as of the effective date of the Real Property Tax Appeals Commission Membership Amendment Act of 2021 and no individual shall continue to serve in the position of part-time Commissioner after that date.”.

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

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

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

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

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

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

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

304 (ii) Sub-subparagraph (i) is amended by:

305 (I) Striking the phrase “one-Commissioner” and inserting
306 the phrase “one-Commissioner or hearing examiner” in its place; and

307 (II) Striking the phrase “multi-Commissioner panel” and
308 inserting the phrase “multi-member panel” in its place.

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

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

313 (B) Subparagraph (B) is amended by striking the word “Commissioner”
314 and inserting the phrase “Commissioner or hearing examiner” in its place.

315 (2) Paragraph (2) is amended by striking the word “Commissioners” and inserting
316 the phrase “members” in its place.

317 (3) Paragraph (3) is amended by:

318 (A) Striking the phrase “deciding Commissioner” and inserting the phrase
319 “deciding Commissioner or hearing examiner” in its place;

320 (B) Striking the phrase “multi-Commissioner” and inserting the phrase
321 “multi-member” in its place; and

322 (C) Striking the phrase “each Commissioner” and inserting the phrase
323 “each member” in its place.

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

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

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

329 (1) Paragraph (3) is amended by striking the word “Commission or a
330 Commissioner” and inserting the phrase “Commission, or a Commissioner or hearing examiner,”
331 in its place.

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

333 “(C) In the case of a rehearing, a panel shall be convened consisting of the
334 Chairperson, Vice-Chairperson, and a Commissioner or hearing examiner who was a member of
335 the panel that heard the underlying appeal.”.

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

337 “(j) For the purposes of this section, the word “member” means a Commissioner or
338 hearing examiner.

339 Sec. 2033. Section 406(b) of the District of Columbia Government Comprehensive Merit
340 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
341 604.06), is amended as follows:

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

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

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

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

SUBTITLE E. LOCAL RENT SUPPLEMENT PROGRAM

Sec. 2041. Short title.

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

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

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

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

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

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

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

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

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

“(a) The Rent Supplement Program is established to provide housing assistance to extremely low-income District residents, including those who are homeless and those in need of supportive services, such as elderly individuals or those with disabilities. The funding of this

program is subject to appropriation. The assistance under this section, section 26b, and section 26c shall not constitute an entitlement.”

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

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

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

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

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

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

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

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

“(2) The Authority shall promulgate rules for project-based voucher assistance, which shall govern the administration of funds for this type of assistance; except, that the

Department of Housing and Community Development shall promulgate rules governing the award of project-based voucher assistance, as provided in paragraph (3) of this subsection.

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

“(4) The rules promulgated under this subsection shall provide for allocating project-based and sponsor-based funds to maintain or create new affordable housing units, including by combining funds under this program with other sources of funds for housing production and development and for allocating tenant-based funds to expand affordable housing choices for households through housing subsidies.”

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

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

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

“(a)(1) There is established as a special fund the Housing Authority Rent Supplement Program Fund, which shall be administered by the Authority in accordance with subsection (c) of this section.

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

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

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

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

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

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

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

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

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

427 “(A) Provide sponsor-based voucher assistance and capital-based
428 assistance;

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

431 “(C) Provide project-based voucher assistance to projects awarded such
432 assistance by the Department of Housing and Community Development after September 30,
433 2021, including assistance from funds transferred to the Housing Authority Rent Supplement
434 Program Fund from the Rent Supplement Program Project-Based Allocation Fund established by
435 subsection (b) of this section;

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

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

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

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

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

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

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

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

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

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

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

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

472 “(2) Amounts appropriated for new tenant-based voucher assistance shall be
473 deposited into the Rent Supplement Program Tenant-Based Allocation Fund.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

534 (5) Subsection (e) is repealed.

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

536 (1) Subsection (a) is amended by striking the phrase “procedures for the Housing
537 Choice Voucher Program.” and inserting the phrase “procedures for the Housing Choice
538 Voucher Program; provided, that the Authority may waive or modify such rules, regulations,
539 policies, and procedures so as not to exclude households on the basis of immigration status or
540 prior criminal convictions.” in its place.

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

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

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

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

(4) Subsection (d) is amended by striking the phrase “Families and individuals housed in the Rapid Rehousing Program” and inserting the phrase “Families and individuals participating in, or eligible for participation in, the Permanent Supportive Housing Program” in its place.

(5) 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) A new section 26d-1 is added to read as follows:

“Sec. 26d-1. 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;

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

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

573 “(4) The amount of money in the fund allocated to tenant-based voucher
574 assistance at the beginning of the reporting period, the amount of money expended from the fund
575 on tenant-based voucher assistance during the reporting period, and the amount of money in the
576 fund allocated to tenant-based voucher assistance at the end of the reporting period;

577 “(5) The amount of money in the fund allocated to capital assistance at the
578 beginning of the reporting period, the amount of money expended from the fund on capital
579 assistance during the reporting period, and the amount of money in the fund allocated to capital
580 assistance at the end of the reporting period; and

581 “(6) The amount of money expended from the fund during the reporting period on
582 administrative costs, broken down by category of administrative cost.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

637 “(4) The number of households receiving tenant-based vouchers at the beginning
638 of the fiscal year that were no longer receiving tenant-based vouchers on the last day of the

reporting quarter, listed separately by the program in which the household is participating, including the Permanent Supportive Housing and Targeted Affordable Housing program; and

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

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

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

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

SUBTITLE F. HOUSING PRODUCTION TRUST FUND CONTRACTS

Sec. 2051. Short title.

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

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

SUBTITLE G. PROPERTY TAX RELIEF FOR LOW INCOME HOUSING

Sec. 2061. Short title.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

704 “(2) Real property described in paragraph (1) of this subsection shall be exempt
705 from the taxes imposed by Chapters 8 and 10 of this title and from a payment in lieu of tax

imposed under § 47-1002(20) during the time that the real property is being developed for or being used as affordable housing.”.

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

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

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

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

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

(iii) Paragraph (E) is amended to read as follows:

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

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

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

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

(i) The lead-in text is amended by:

(I) Striking the phrase “owner or property” and inserting the phrase “property or owner or lessee” in its place; and

(II) Striking the phrase “subsection (a)” and inserting the phrase “subsection (a) or (a-1)” in its place.

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

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

(C) Paragraph (3) is amended by:

(i) Striking the phrase “subsection (a)” and inserting the phrase “subsection (a) or (a-1)” in its place; and

(i) Striking the word “owner” and inserting the phrase “owner or lessee, whichever is applicable,” in its place.

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

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

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

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

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

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

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

(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; provided, 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. DC LOW INCOME HOUSING TAX CREDIT

Sec. 2081. Short title.

774 This subtitle may be cited as the “DC Low Income Housing Tax Credit Amendment Act
775 of 2021”.

776 Sec. 2082. Section 47-4803(a) of the District of Columbia Official Code is amended by:

777 (a) Striking the phrase “equal to 25%” and inserting the phrase “up to 25%” in its place;
778 and

779 (b) Striking the phrase “with respect to the qualified project” and inserting the phrase
780 “with respect to the qualified project, if approved for such District of Columbia credit by the
781 Mayor, based upon an analysis of the financial feasibility of the project, taking into account all
782 other funding sources available for the project (including the federal low-income housing tax
783 credit)” in its place.

784 **SUBTITLE J. OFFICE OF CABLE TELEVISION, FILM, MUSIC, AND**
785 **ENTERTAINMENT**

786 Sec. 2091. Short title.

787 This subtitle may be cited as the “Office of Cable Television, Film, Music, and
788 Entertainment Amendment Act of 2021”.

789 Sec. 2092. Section 201(a) of the Office of Cable Television, Film, Music, and
790 Entertainment Amendment Act of 2015, effective October 9, 2002 (D.C. Law 14-193; D.C.
791 Official Code § 34-1252.01(a)), is amended as follows:

792 (a) Paragraph (2) is amended to read as follows:

793 “(2) Managing, and producing audio and video content for:

794 “(A) The government and educational channels;

795 “(B) Government-operated radio; and

796 “(C) Other government content distribution platforms;”

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

“(2A) Producing video and audio content for District government agencies and residents;”.

(c) Paragraph 3 is amended as follows:

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

(2) Subparagraph (H) is amended by striking the period at the end and inserting the phrase “; and” in its place.

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

“(I) Implementing the plan to support, preserve, and archive go-go music and its history created pursuant to section 3 of the Go-Go Official Music of the District of Columbia Designation Act of 2020, effective April 11, 2020 (D.C. Law 23-71; D.C. Official Code § 1-167.02).”.

SUBTITLE K. EMORY BEACON OF LIGHT TAX EXEMPTION

Sec. 2101. Short title.

This subtitle may be cited as the “Emory Beacon of Light 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 Beacon of Light; Square 2940, lots 826, 828, 831, 832, 7007, 7008, 7009, 7010, 7011, and 7012.

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

821 “§ 47-1099.11. Emory Beacon of Light; Square 2940, lots 826, 828, 831, 832, 7007,
822 7008, 7009, 7010, 7011, and 7012.

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

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

829 “(2) If leased, leased to QALICB, LLC, or a non-profit organization;

830 “(3) If subleased, subleased to a non-profit organization; and

831 “(4) Used, or, if vacant, held for use, by Emory United Methodist Church, an
832 entity controlled directly or indirectly by Emory United Methodist Church, or Beacon Center
833 QALICB, LLC, or a non-profit organization for affordable housing or community-serving
834 purposes, such as a church, gymnasium, classroom, food pantry, community or incubator
835 kitchen, immigration clinic, small-business services, restaurant staffed by returning citizens,
836 youth leadership academy, or health clinic.

837 “(b) Any transfer, assignment, or other disposition of all or any portion of the real
838 property, including a lease or sublease of the property between Emory United Methodist Church
839 or any entity controlled directly or indirectly by Emory United Methodist Church and Beacon
840 Center QALICB LLC, and any security interest in the real property granted by Emory United
841 Methodist Church, an entity controlled directly or indirectly by Emory United Methodist Church,

842 or Beacon Center QALICB LLC, shall be exempt from the tax imposed by § 42-1103 and § 47-
843 903.”.

844 “(c) All recordation and transfer taxes, interest, and penalties assessed or assessable, fees,
845 and other related charges assessed with respect to documents recorded concerning the real
846 property, for the period beginning with January 1, 2016, through the end of the month following
847 the effective date of this section shall be forgiven, and any payments made of such taxes,
848 interest, penalties, fees, or other related charges shall be refunded.

849 “(d) This section shall apply as of January 1, 2016.”.

850 **SUBTITLE L. TARGETED HISTORIC PRESERVATION ASSISTANCE**
851 **PROGRAM**

852 Sec. 2111. Short title.

853 This subtitle may be cited as the “Targeted Historic Preservation Assistance Amendment
854 Act of 2021”.

855 Sec. 2112. Section 11b the Historic Landmark and Historic District Protection Act of
856 1978, effective March 2, 2007 (D.C. Law 16-189; D.C. Official Code § 6-1110.02), is amended
857 as follows:

858 (a) Subsection (e)(1)(A) is amended by striking the phrase “the taxpayer’s principal place
859 of residence or a structure” and inserting the phrase “a single-family or multifamily structure that
860 is the taxpayer’s principal place of residence or” in its place.

861 (b) Subsection (f) is amended by striking the phrase “cost of rehabilitation” and inserting
862 the phrase “cost of rehabilitation, or for a common interest community, as defined in section
863 2232(3) of the Common Interest Community Repairs Amendment Act of 2018, effective October

30, 2018 (D.C. Law 22-168, D.C. Official Code § 42-2071(3)), the cost of rehabilitation attributable to the taxpayer” in its place.

(c) Subsection (g) is amended by striking the phrase “cost of rehabilitation” and inserting the phrase “cost of rehabilitation, or for a common interest community, as defined in section 2232(3) of the Common Interest Community Repairs Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168, D.C. Official Code § 42-2071(3)), the cost of rehabilitation attributable to the taxpayer” in its place.

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

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

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

“(2A) Ensure that all funds granted to a taxpayer are used to pay for the approved rehabilitation work; and”.

(e) Subsection (i)(1) is amended by inserting the sentence “If the grant is to be used for the taxpayer’s share of the cost of rehabilitation to common elements, as defined in section 2232(2) of the Common Interest Community Repairs Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168, D.C. Official Code § 42-2071(2)), the covenant must be entered into by the unit owners’ association or, if applicable, the master association.” after the first sentence.

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 absent this subsection, in lieu of paying 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; and

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

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

908 **SUBTITLE N. ADDITIONAL COVID-19 ECONOMIC RECOVERY**

909 **INITIATIVES**

910 Sec. 2131. Short title.

911 This subtitle may be cited as the “COVID-19 Robust Economic Recovery Initiatives Act
912 of 2021”.

913 Sec. 2132. Vibrant places recovery support.

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

917 “(j)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
918 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make
919 grants to eligible BID corporations, as defined by section 2(4) of the Business Improvement
920 Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-
921 1215.02(4)), and Main Street corridors supported by the Department of Small and Local
922 Business Development for the purpose of making the area served by the BID corporation or
923 Main Street organization (the “commercial district”) and the surrounding area more people-
924 focused and engaging and attracting residents and visitors to the commercial district and
925 surrounding area.

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

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

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

930 “(C) Marketing campaigns for the commercial district and surrounding
931 area;

932 “(D) Wayfinding signage and resources for the commercial district and
933 surrounding area;

934 “(E) Publicly accessible shuttles and buses to provide transportation in and
935 around the commercial district and surrounding area;

936 “(F) Training of employees who work in the commercial district;

937 “(G) Market studies that examine visitor attraction, hotel occupancy,
938 marketing campaigns in competitive jurisdictions, and other indicators that may inform actions
939 that may be taken to gain market share; and

940 “(H) Public space improvements and activations, including pedestrian
941 priority zones in the commercial district and surrounding area.

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

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

948 “(B) A description of how the increased spending by visitors attracting
949 through the expenditure of the grant funds will directly impact local businesses in the
950 commercial district and surrounding area; and

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

“ (k) 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.*), the Deputy Mayor may make grants:

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

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

and

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

Sec. 2133. Small and medium business recovery and growth program.

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 (l) to read as follows:

“(l)(1) 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.*), the Deputy Mayor may make grants to new and existing District businesses to support activities that are likely to increase the revenue of the business, result in the hiring of additional employees by the business, or improve the short-term and long-term sustainability of the business.

“(2) To be eligible for a grant pursuant to this section, a business must:

“(A) Be eligible for certification as a local business enterprise pursuant to section 2331 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31);

“(B) Be independently owned and operated, in the case of franchises;

“(C) Have no more than 100 employees; and

“(D) Have annual revenues less than \$15 million.

975 “(3) A grant awarded pursuant to paragraph (1) of this subsection may be used for
976 purposes such as:

977 “(A) Commercial property acquisition by the grantee;

978 “(B) Capital improvements to existing property owned or leased by the
979 grantee;

980 “(C) Digital technology upgrades for the grantee’s business; or

981 “(D) Acquiring or improving equipment for the grantee’s business.

982 “(4) The Deputy Mayor may issue one or more grants to a third-party grant-
983 managing entity for the purpose of issuing or administering grants authorized by this subsection
984 on behalf of the Deputy Mayor.

985 “(5) The Deputy Mayor, and any third-party entity chosen pursuant to paragraph
986 (4) of this subsection, shall maintain a list of all grants awarded pursuant to this subsection. The
987 list shall identify the grant recipient, date of award, and award amount.”.

988 Sec. 2134. Business recovery and sustainability fee reductions.

989 Title 17 of the District of Columbia Municipal Regulations is amended as follows:

990 (a) Chapter 5 is amended as follows:

991 (1) Subsection 500.2 (17 DCMR § 500.2) is amended to read as follows:

992 “500.2 The Director shall not charge a fee for a basic business license or for an
993 endorsement added to a basic business license. Each basic business license and
994 endorsement shall be valid for two (2) years from the date of issuance, unless
995 earlier revoked or voluntarily relinquished.”.

996 (2) Subsection 500.3 (17 DCMR § 500.3) is amended to read as follows:

997 “500.3 The Director shall not charge a fee for the renewal of a basic business license or
998 for an endorsement added to a basic business license.”.

999 (3) Subsection 513.1 (17 DCMR § 513.1) is amended as follows:

1000 (A) Paragraph (a) is amended by striking the figure “\$1,300” and inserting
1001 the figure “\$90” in its place.

1002 (B) Paragraph (b) is amended by striking the figure “\$1,300” and inserting
1003 the figure “\$90” in its place.

1004 (C) Paragraph (c) is amended by striking the figure “\$1,300” and inserting
1005 the figure “\$90” in its place.

1006 (4) Subsection 516.1(c) (17 DCMR § 516.1(c)) is amended by striking the figure
1007 “\$200” and inserting the figure “\$90” in its place.

1008 (b) Chapter 6 is amended as follows:

1009 (1) Subsection 602.1(a)(1) (17 DCMR § 602(a)(1)) is amended by striking the
1010 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)”
1011 in its place.

1012 (2) Subsection 606.1(a) (17 DCMR § 606.1(a)) is amended by striking the phrase
1013 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
1014 place.

1015 (3) Subsection 607.1(a) (17 DCMR § 607.1(a)) is amended by striking the phrase
1016 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
1017 place.

1018 (4) Subsection 608.1(a) (17 DCMR § 608.1(a)) is amended by striking the phrase
1019 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
1020 place.

1021 (5) Subsection 611.1(a) (17 DCMR § 611.1(a)) is amended by striking the phrase
1022 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
1023 place.

1024 (c) Chapter 16 is amended as follows:

1025 (1) Subsection 1607.1 (17 DCMR § 1607.1) is amended by striking the phrase
1026 “five hundred dollars (\$500)” and inserting the phrase “zero dollars (\$0)” in its place.

1027 (d) Chapter 35 is amended as follows:

1028 (1) A new subsection 3500.6 (17 DCMR § 3500.6) is added to read as follows:

1029 “3500.6. From October 1, 2021, through September 30, 2022, the following fees shall be
1030 charged for each class of non-health occupation license issued by the Department
1031 of Consumer and Regulatory Affairs (DCRA) in lieu of the fees listed in 3500.2:

1032 “(a) The application fee and examination fee shall be zero dollars (\$0).

1033 “(b) The license fee and the renewal fee shall be ninety-nine dollars (\$99).”.

1034 Sec. 2135. Arts, cultural, and entertainment venues recovery and special events support
1035 grants.

1036 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1037 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1038 Official Code § 1-328.04), is amended by adding a new subsection (m) to read as follows:

1039 “(m)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1040 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Mayor may make grants,

1041 loans, and other financial assistance for the purpose of supporting the reopening, recovery, and
1042 long-term viability of arts, cultural, and entertainment venues that incurred significant financial
1043 losses due to the impacts of COVID-19 and to support arts, cultural, entertainment and other
1044 special events, including through the waiver of District government fees associated with such
1045 events.

1046 “(2) The Deputy Mayor may issue one or more grants to a third-party grant-
1047 managing entity for the purpose of issuing or administering grants or loans authorized by this
1048 subsection on behalf of the Deputy Mayor.”.

1049 Sec. 2136. Taxi industry recovery support.

1050 During Fiscal Year 2022, the following fees shall not be charged:

1051 (a) The Department of For-Hire Vehicles’ fee for the renewal of an annual operator ID
1052 license, imposed by 31 DCMR § 827, for operators of public vehicles-for-hire;

1053 (b) The Department of For-Hire Vehicles’ per vehicle registration fee, imposed by 31
1054 DCMR § 1104, for public vehicles-for-hire;

1055 (c) The Department of For-Hire Vehicles’ independent taxicab owner certificate of
1056 operating authority application fee, imposed by 31 DCMR § 505.2;

1057 (d) The Department of For-Hire Vehicles’ taxicab company, association, and fleet
1058 certificate of operating authority fee, imposed pursuant to 31 DCMR § 501.8;

1059 (e) The Department of For-Hire Vehicles’ application fee for a certificate of operating
1060 authority to operate an independent luxury vehicle business, imposed by 31 DCMR § 1221.6(e);

1061 (f) The Department of Motor Vehicles’ fee for certified and uncertified abstracts of
1062 operating records, imposed by 18 DCMR §§ 801.3 and 801.5), for operators of public vehicles-
1063 for-hire;

1064 (g) The Department of Motor Vehicles’ motor vehicle inspection fee, imposed by section
1065 1 of An Act To provide for annual inspection of all motor vehicles in the District of Columbia,
1066 approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50–1101), and 18 DCMR §
1067 601.8(i)), for public vehicles-for-hire; and

1068 (h) The Department of Motor Vehicles’ motor vehicle registration fee, imposed by
1069 section 3 of title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937
1070 (50 Stat. 679; D.C. Official Code § 50-1501.03), for public vehicles-for-hire.

1071 Sec. 2137. Employment center vitality and local jobs creation.

1072 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1073 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1074 Official Code § 1-328.04), is amended by adding a new subsection (n) to read as follows:

1075 “(n)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1076 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), DMPED may award grants to
1077 attract large companies, in sectors designated by the Deputy Mayor, that have the ability to
1078 attract additional businesses to the District.

1079 “(2) Grants awarded pursuant to this subsection may be used for the following
1080 purposes:

1081 (A) As initial startup capital;

1082 (B) To cover operational costs;

1083 (C) As down payment assistance or to subsidize rent;

1084 (D) Tenant improvements;

1085 (E) Workforce training or professional development costs not eligible for
1086 support through other workforce programs; and

1087 (F) Recruitment and hiring costs.

1088 “(3) In order to be eligible to receive a grant under this subsection, a business

1089 must:

1090 “(A) Have 25 or more employees;

1091 “(B) Lease or own, or agree to lease or acquire, a physical office or

1092 business location of at least 20,000 square feet in the District’s central business District and enter

1093 into an agreement with the District to remain in the leased or owned space for at least 10 years;

1094 “(C) Be in the field of cloud and computer systems, food technology,

1095 cybersecurity, artificial intelligence, big data, life sciences, education, education technology,

1096 research, consulting services, professional services, marketing, or communications;

1097 “(D) Enter into an agreement with the District to implement a workforce

1098 development program that offers District residents opportunities for training or employment

1099 within the business or the industry in which it operates;

1100 “(E) Commit to spending at least 5% of its total annual contracting with

1101 businesses eligible for certification as local business enterprises, pursuant to section 2331 of the

1102 Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005,

1103 effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31), during the 10-year

1104 period referred to in paragraph (B) of this subsection; and

1105 “(F) Require its employees, in the aggregate, to be on-site at the location

1106 referred to in paragraph (B) of this subsection for at least 50% of their work hours.”.

1107 Sec. 2138. Biennial corporate report fee forgiveness authority.

1108 Section 29-102.12 of the District of Columbia Official Code is amended by adding a new

1109 subsection (e) to read as follows:

1110 “(e) The Mayor may implement fee forgiveness programs by rulemaking to encourage
1111 entities to come into compliance with the entity filing requirements of this subchapter.”.

1112 Sec. 2139. Conforming amendments; rulemaking authority grants authorization from the
1113 Economic Development Special Account.

1114 (a) The Deputy Mayor for Planning and Economic Development Limited Grant-Making
1115 Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; 59 DCR 8050), is
1116 amended by adding a new section 2032a to read as follows:

1117 “Sec. 2032a. Rules.

1118 The Mayor may, pursuant to Title I of the District of Columbia Administrative Procedure
1119 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), issue rules
1120 to implement section 2032.”.

1121 (b) Section 301 of the National Capital Revitalization Corporation and Anacostia
1122 Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-
1123 138; D.C. Official Code § 2-1225.21), is amended by adding a new subsection (d-2) to read as
1124 follows:

1125 “(d-2) Monies credited to the Account may be used to provide grants authorized by the
1126 COVID-19 Robust Economic Recovery Initiatives Act of 2021.”.

1127 **SUBTITLE O. LOCAL FOOD ACCESS**

1128 Sec. 2141. Short title.

1129 This subtitle may be cited as the “Local Food Access Grants Amendment Act of 2021”.

1130 Sec. 2142. Section 2032 of the Deputy Mayor for Planning and Economic Development
1131 Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168;
1132 D.C. Official Code § 1-328.04), is amended by adding a new subsection (n) to read as follows:

“(n)(1) 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.) the Deputy Mayor may make grants and loans for the purpose of supporting the equitable distribution of food businesses in Wards 7 and 8 and in eligible areas, including:

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

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

“(2) The Deputy Mayor may issue one or more grants to a third-party grant-managing entity for the purpose of issuing or administering grants or loans authorized by this subsection on behalf of the Deputy Mayor.

“(3) For the purposes of this subsection, the term “eligible areas” shall have the ascribed to the term “eligible area” in D.C. Official Code § 47-3801(1D).”.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. EMERGENCY MEDICAL SERVICE FEES

Sec. 3001. Short title.

This subtitle may be cited as the “Emergency Transportation and Pre-Hospital Medical Service Fees Amendment Act of 2021”.

Sec. 3002. Section 502 of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law 1-124; D.C. Official Code § 5-416), is amended by adding new subsections (d) and (e) to read as follows:

1154 “(d) The following fees shall be charged for emergency ambulance life support service
1155 and for the transportation of a person in a Fire and Emergency Medical Services Department
1156 emergency ambulance vehicle:

1157 “(1) Basic life support (BLS) unit transportation fee: For the transportation of
1158 each patient in an ambulance staffed by 2 emergency medical technicians, or an emergency
1159 medical technician and an emergency medical technician intermediate or paramedic when basic
1160 life support is administered to the patient being transported, a fee of:

1161 “(A) \$750 shall be charged beginning January 1, 2021;

1162 “(B) \$1,000 shall be charged beginning January 1, 2022;

1163 “(C) \$1,250 shall be charged beginning January 1, 2023;

1164 “(D) \$1,500 shall be charged beginning January 1, 2024;

1165 “(E) \$1,750 shall be charged beginning January 1, 2025; and

1166 “(F) \$2,000 shall be charged beginning January 1, 2026.

1167 “(2) Advanced life support (ALS) unit transportation fee: For the transportation of
1168 each patient in an ambulance staffed by an emergency medical technician and an emergency
1169 medical technician intermediate or paramedic when advanced life support is administered to the
1170 patient or patients being transported, a fee of:

1171 “(A) \$750 shall be charged beginning January 1, 2021;

1172 “(B) \$1,000 shall be charged beginning January 1, 2022;

1173 “(C) \$1,250 shall be charged beginning January 1, 2023;

1174 “(D) \$1,500 shall be charged beginning January 1, 2024;

1175 “(E) \$1,750 shall be charged beginning January 1, 2025; and

1176 “(F) \$2,000 shall be charged beginning January 1, 2026.

1177 “(3) Total mileage transportation fee: For each patient transported as described in
1178 paragraphs (1) and (2) of this subsection, an additional fee of:

1179 “(A) \$11.25 for each mile, or fraction thereof, that the patient is
1180 transported by ambulance shall be charged beginning January 1, 2021;

1181 “(B) \$15 for each mile, or fraction thereof, that the patient is transported
1182 by ambulance shall be charged beginning January 1, 2022;

1183 “(C) \$18.75 for each mile, or fraction thereof, that the patient is
1184 transported by ambulance shall be charged beginning January 1, 2023;

1185 “(D) \$22.50 for each mile, or fraction thereof, that the patient is
1186 transported by ambulance shall be charged beginning January 1, 2024;

1187 “(E) \$26.25 for each mile, or fraction thereof, that the patient is
1188 transported by ambulance shall be charged beginning January 1, 2025; and

1189 “(F) \$30 for each mile, or fraction thereof, that the patient is transported
1190 by ambulance shall be charged beginning January 1, 2026.

1191 “(e) The Mayor may revise the charges imposed by subsection (d) of this section by a
1192 rule issued pursuant to Title I of the District of Columbia Administrative Procedure Act,
1193 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).”.

1194 **SUBTITLE B. OFFICE OF RESILIENCY**

1195 Sec. 3011. Short title.

1196 This subtitle may be cited as the “Office of Resiliency and Recovery Amendment Act of
1197 2021”.

1198 Sec. 3012. Section 2(a) of the Office of Resilience and Recovery Establishment Act of
1199 2020, effective May 6, 2020 (D.C. Law 23-84; D.C. Official Code § 1-301.201(a)), is amended

1200 by striking the phrase “Office of the City Administrator” and inserting the phrase “Homeland
1201 Security and Emergency Management Agency” in its place.

1202 **SUBTITLE C. CONCEALED PISTOL LICENSING REVIEW BOARD STIPEND**

1203 Sec. 3031. Short title.

1204 This subtitle may be cited as the “Concealed Pistol Licensing Review Board Stipend
1205 Amendment Act of 2021”.

1206 Sec. 3032. Section 908(b)(4) of the Firearms Control Regulations Act of 1975, effective
1207 June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08(b)(4)), is amended to read as
1208 follows:

1209 “(4) Each member of the Board, except for members who are District or federal
1210 government employees, shall receive compensation at the rate of \$250 per week.”.

1211 **SUBTITLE D. EMERGENCY MEDICAL SERVICES REFORM FUND**

1212 Sec. 3041. Short title.

1213 This subtitle may be cited as the “Emergency Medical Services Reform Fund
1214 Amendment Act of 2021”.

1215 Sec. 3042. Section 502(c)(2) of the Revenue Act of 1978, effective April 19, 1977 (D.C.
1216 Law 1-124; D.C. Official Code § D.C. Code § 5-416(c)(2)), is amended to read as follows:

1217 “(2) Non-Medicaid revenue generated by fees imposed under subsection (a) of
1218 this section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998,
1219 effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)), in excess
1220 of the amount of Medicaid and non-Medicaid revenue generated by those fees in Fiscal Year
1221 2016, shall be deposited in the Fund.”.

**SUBTITLE E. ASSISTANCE FOR VICTIMS OF GUN VIOLENCE AND
INDIVIDUALS AND FAMILIES AT RISK OF GUN VIOLENCE**

Sec. XXX1. Short title.

This subtitle may be cited as the “Gun Violence Prevention Housing Support Act of 2021”.

Sec. XXX2. The Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended by adding a new section 103b to read as follows:

“Sec. 103b. Housing assistance for gun violence victims and individuals and families at risk of gun violence.

“(a) The Mayor may issue housing vouchers, and provide other forms of financial assistance, to individuals and families who have been victims of gun violence or are at risk of gun violence, to assist such individuals and families in relocating from their current housing and to provide such individuals and families short-term and mid-term housing support.

“(b) The Mayor may provide housing counseling services and other support services to the individuals and families described in subsection (a) of this section.”

Sec. XXX3. Section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-201 *et seq.*), is amended by adding a new subsection (f-1) to read as follows:

“(f-1) Agencies within the District government may refer individuals and families who have been victims of gun violence or are at risk of gun violence to the Authority for eligibility determination for the Local Rent Supplement Program.”.

TITLE IV. PUBLIC EDUCATION SYSTEMS

1245 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASES**

1246 Sec. 4001. Short title.

1247 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools
1248 Increase Amendment Act of 2021”.

1249 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public
1250 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §
1251 38-2901 *et seq.*), is amended as follows:

1252 (a) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase
1253 “\$11,310 per student for Fiscal Year 2021” and inserting the phrase “\$11,720 per student for
1254 Fiscal Year 2022” in its place.

1255 (b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array
1256 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
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1257 (c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

1258 “(c) The supplemental allocations shall be calculated by applying weightings to the
1259 foundation level as follows:

1260 “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)	3.49	\$40,903

	special education school other than residential placement		
“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

1261 “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,	0.75	\$8,790

	alternative students, adult students, and students in special education schools.		
“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	Additional funding beyond the existing at-risk weight for students who are behind grade level in high school.	0.06	\$703

1262

“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	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or	1.34	\$15,705

Education - Residential	public charter school that provides students with room and board in a residential setting		
“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

1263 “Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated
1264 in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$738
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.227	\$2,660
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.491	\$5,755
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs”.	0.491	\$5,755

1265 (c) Section 106a (D.C. Official Code § 38-2905.01) is amended by adding a new
1266 subsection (c-1) to read as follows:

“(c-1) To ensure alignment between the alternative program and at-risk weighting, the alternative program weighting should be amended whenever the grades 9-12, at-risk, or high school over-age supplement weighting is amended.”.

(d) Section 103(b) (D.C. Official Code § 38-2902(b) is amended by striking the phrase “Charter Schools” and inserting the phrase “Charter Schools; except, that the Formula shall not apply to funding allocated to a DCPS school to meet the requirement of section 108a(a)(2) that the school be provided with not less than 95% of its prior year allocation of Formula funds” in its place.

SUBTITLE B. DCPS REPROGRAMMING FLEXIBILITY

Sec. 4011. Short title.

This subtitle may be cited as the “DCPS Intra-School Reprogramming Flexibility Amendment Act of 2021”.

Sec. 4012. Section 4012(a) of the DCPS Contracting and Spending Flexibility Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 38-2955(a)), is amended by striking the figure “\$10,000” and inserting the figure “\$25,000” in its place.

SUBTITLE C. PARKS AND RECREATION GRANT-MAKING AUTHORITY

Sec. 4021. Short title.

This subtitle may be cited as the “Parks and Recreation Grant-Making Authority Amendment Act of 2021”.

Sec. 4022. Section 3 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-302), is amended by adding a new subsection (f) to read as follows:

“(f) In accordance with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Mayor may issue grants to individual program providers and nonprofit organizations to assist the Department in implementing a comprehensive program of public recreation as described in section 3 of An Act To create a Recreation Board for the District of Columbia, to define its duties, and for other purposes, approved April 29, 1942 (56 Stat. 263; D.C. Official Code § 10-213).”.

SUBTITLE D. PARKS AND RECREATION SPONSORSHIPS

Sec. 4031. Short title.

This subtitle may be cited as the “Parks and Recreation Sponsorship Amendment Act of 2021”.

Sec. 4032. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Law 10-246; D.C. Official Code § 10-303) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Recreation Enterprise Fund (“Fund”)” and inserting the phrase “Recreation Enterprise Fund (“Enterprise Fund”)” in its place.

(2) Subsection (b)(1) is amended by striking the phrase “Fund” and inserting the phrase “Enterprise Fund” in its place.

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

(A) Paragraph (1) is amended by striking the phrase “Fund” and inserting the phrase “Enterprise Fund” in its place.

(B) Paragraph (2) is amended by striking the phrase “Fund” and inserting the phrase “Enterprise Fund” in its place.

1313 (4) Subsection (d) is amended by striking the phrase “Fund” and inserting the
1314 phrase “Enterprise Fund” in its place.

1315 (5) Subsection (e) is repealed.

1316 (6) Subsection (f) is amended by striking the phrase “Fund” and inserting the
1317 phrase “Enterprise Fund” in its place.

1318 (b) A new section 4a is added to read as follows:

1319 “Sec. 4a. Department of Parks and Recreation Sponsorship Fund.

1320 “(a)(1) Notwithstanding any other provision of law, the Department may enter into
1321 agreements for advertisements and sponsorships for programs, events, recreation centers, fields,
1322 pools, play courts, and other amenities and facilities within the Department’s inventory.

1323 “(2) The Department shall not delegate the authority to enter into agreements for
1324 advertisements or sponsorships granted to it pursuant to paragraph (1) of this subsection to any
1325 other party.

1326 “(3) All proceeds received from advertisements and sponsorships shall be
1327 deposited into the Department of Parks and Recreation Sponsorship Fund established by
1328 subsection (b) of this section.

1329 “(b) There is established as a special fund the Department of Parks and Recreation
1330 Sponsorship and Advertisements Fund (“Sponsorship Fund”), which shall be administered by the
1331 Department in accordance with subsection (d) of this section.

1332 “(c) All proceeds received by the Department from advertisements and sponsorships shall
1333 be deposited into the Sponsorship Fund.

“(d)(1) Money in the Sponsorship Fund shall be used to support the events, programs, and amenities and facilities for which the Department enters into advertisement or sponsorship agreements.

“(2) Money in the Sponsorship Fund may be used to purchase food, snacks, and non-alcoholic beverages for the general public, Department program participants, and District government employees.

“(f)(1) The money deposited into the Sponsorship 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 Sponsorship Fund shall be continually available without regard to fiscal year limitation.”.

SUBTITLE E. APPRENTICESHIP FINES

Sec. 4041. Short title.

This subtitle may be cited as the “Apprenticeship Fines Amendment Act of 2021”.

Sec. 4042. Section 5(c)(3) of the Amendments to An Act To Provide For Voluntary Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-156; D.C. Official Code § 32-1431(c)(3)), is amended by striking the phrase “District of Columbia Public Schools” and inserting the phrase “Department of Employment Services” in its place.

SUBTITLE F. SCHOLARSHIP AND TUITION ASSISTANCE PAYMENTS

Sec. 4051. Short title.

This subtitle may be cited as the “Scholarship and Tuition Assistance Payment Method Amendment Act of 2021”.

Sec. 4052. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(29)), is amended by adding a new paragraph (29A) to read as follows:

“(29A) Have the authority to: (A) award scholarships and financial assistance for tuition, fees, room, board, and other costs of post-secondary education, including through dual enrollment programs, and costs associated with gaining admission or increasing the chances of gaining admission to an institute of higher education, such as test preparation programs, to increase access by District residents to postsecondary education opportunities; and (B) pay for such scholarships and financial assistance through direct vouchers issued to institutions of higher education;”.

SUBTITLE H. UNIVERSAL PAID LEAVE

Sec. 4061. Short title.

This subtitle may be cited as the “Universal Paid Leave Amendment Act of 2021”.

Sec. 4062. The Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 et seq.), is amended as follows:

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

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

“(5A) “Domestic violence” means an intrafamily offense, as defined by D.C. Official Code § 16-1001(8);

(2) A new paragraph (11A) is added to read as follows:

“(11A) “Qualifying domestic violence, sexual abuse, or stalking leave” means

1379 paid leave for up to a maximum of 2 workweeks within a 52-workweek period that an eligible
1380 individual may take following the occurrence of a qualifying domestic violence, sexual abuse, or
1381 stalking leave event to:

1382 “(A) Seek legal or law enforcement assistance or remedies, related to the
1383 qualifying domestic violence, sexual abuse, or stalking event, to protect the health and safety of
1384 the eligible individual or the eligible individual’s minor child or dependent;

1385 “(B) Seek medical treatment for, or to recover from injuries suffered by,
1386 the eligible individual or the eligible individual’s minor child or dependent due to the qualifying
1387 domestic violence, sexual abuse, or stalking event;

1388 “(C) Obtain counseling from a licensed mental health professional for the
1389 eligible individual or the eligible individual’s minor child or dependent related to the qualifying
1390 domestic violence, sexual abuse, or stalking event.

1391 “(D) Obtain services from a victim services provider for the eligible
1392 individual or the eligible individual’s minor child or dependent related to the qualifying domestic
1393 violence, sexual abuse, or stalking event; or

1394 “(E) Relocate to a new residence, or secure an existing residence, to
1395 protect the health and safety of the eligible individual or the eligible individual’s minor child or
1396 dependent, if such relocation or securing is related to the qualifying domestic violence, sexual
1397 abuse, or stalking event.

1398 (3) A new paragraph (11B) is added to read as follows:

1399 “(11B) “Qualifying domestic violence, sexual abuse, or stalking leave event”

1400 means the occurrence of domestic violence, sexual abuse, or stalking against an eligible
1401 individual or against a minor child or dependent of an eligible individual, which occurrence is

1402 evidenced by:

1403 “(A) A copy of a police report indicating that the eligible individual,
1404 minor child, or dependent was or is a victim of domestic violence, sexual abuse, or stalking.

1405 “(B) A copy of a protective order or other document from a court,
1406 administrative agency, or attorney that evidences that the eligible individual, minor child, or
1407 dependent appeared in or is preparing for a civil, criminal, or administrative proceeding related
1408 to domestic violence, sexual abuse, or stalking.

1409 “(C) Documentation from an attorney, law enforcement officer, health
1410 care provider, licensed mental health professional or counselor, member of the clergy, or victim
1411 services provider that the eligible individual, minor child, or dependent was or is undergoing
1412 treatment or counseling, obtaining services described in paragraph (11A) of this section, or
1413 relocating or securing a residence as a result of domestic violence, sexual abuse, or stalking.”.

1414 (4) A new paragraph (17A) is added to read as follows:

1415 “(17A) “Qualifying prenatal leave” means paid leave for up to a maximum of 2
1416 workweeks within a 52-workweek period that an eligible individual who is pregnant may take
1417 for prenatal care following the occurrence of a qualifying prenatal leave event and prior to the
1418 occurrence of a qualifying parental leave event or for any reason in the 4 weeks before the
1419 expected due date of the pregnancy.”

1420 (5) A new paragraph (17B) is added to read as follows:

1421 “(17B) “Qualifying prenatal leave event” means the diagnosis of pregnancy by a
1422 health care provider.”.

1423 (6) New paragraphs (20A) and (20B) are added to read as follows:

1424 “(20A) “Sexual abuse” means:

1425 “(A) First degree sexual abuse, as defined in section 201 of the Anti-
1426 Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-
1427 3002);

1428 “(B) Second degree sexual abuse, as defined in section 202 of the Anti-
1429 Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-
1430 3003);

1431 “(C) Third degree sexual abuse, as defined in-- section 203 of the Anti-
1432 Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-
1433 3004);

1434 “(D) Fourth degree sexual abuse, as defined in section 204 of the Anti-
1435 Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-
1436 3005); and

1437 “(E) Misdemeanor sexual abuse, as defined in section 205 of the Anti-
1438 Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-
1439 3006).

1440 “(20B) “Stalking” shall have the same meaning as set forth in section 503 of the
1441 Omnibus Public Safety and Justice Amendment Act of 2009, effective Dec. 10, 2009 (D.C. Law
1442 18-88; D.C. Official Code § 22-3133).”.

1443 (b) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

1444 (1) Subsection (a) is amended by striking the phrase “prescribed by the Mayor.”
1445 and inserting the phrase “prescribed by the Mayor; except, that in Fiscal Year 2022 a covered
1446 employer shall contribute an amount equal to 0.27% of the wages of each of its covered
1447 employees.” in its place.

1448 (2) Subsection (b) is amended by striking the phrase “prescribed by the Mayor.”
1449 and inserting the phrase “prescribed by the Mayor; except, that in Fiscal Year 2022 a covered
1450 employer who is a self-employed individual who has opted-in to the paid-leave program shall
1451 contribute an amount equal to 0.27% of his or her annual self-employment income.” in its place.

1452 (c) Section 104 (D.C. Official Code § 32-541.04) is amended as follows:

1453 (1) Subsection (a) is amended by striking the phrase “or qualifying parental leave
1454 event,” and inserting the phrase “qualifying parental leave event, qualifying prenatal leave event,
1455 or qualifying domestic violence, sexual abuse, or stalking leave event,” in its place.

1456 (2) Subsection (b) is amended by striking the phrase “or qualifying parental leave
1457 event,” and inserting the phrase “qualifying parental leave event, qualifying prenatal leave event,
1458 or qualifying domestic violence, sexual abuse, or stalking leave event,” in its place.

1459 (3) Subsection (d) is amended to read as follows:

1460 “(d) An eligible individual may submit a claim for payment of his or her paid-leave
1461 benefits for a period during which he or she does not perform his or her regular and customary
1462 work because of the occurrence of a qualifying family leave event, qualifying medical leave
1463 event, qualifying parental leave event, qualifying prenatal leave event, or qualifying domestic
1464 violence, sexual abuse, or stalking leave event; provided, that an eligible individual shall not be
1465 entitled to receive payment for more than 8 workweeks total of paid-leave benefits in a 52-
1466 workweek period regardless of the number of qualifying leave events that occurred; except, that
1467 qualifying prenatal leave taken by an eligible individual shall not count toward the limit of 8
1468 workweeks of paid-leave benefits in a 52-workweek period.”

1469 (4) Subsection (f) is amended by striking the phrase “qualifying parental leave
1470 event” and inserting the phrase “qualifying parental leave event, 2 workweeks in a 52-workweek

period for a qualifying prenatal leave event, or 2 workweeks in a 52-workweek period for a qualifying domestic violence, sexual abuse, or stalking leave event” in its place.

(5) Subsection (g)(4) is amended to read as follows:

“(4) Medical, family, parental, prenatal, and domestic violence, sexual abuse, or stalking leave benefits for partial weeks of leave shall be prorated.”.

(6) A new subsection (l) is added to read as follows:

“(l) Notwithstanding any other provision of this act, no person shall be eligible to receive, and no benefits shall be paid for, qualifying prenatal or domestic violence, sexual abuse, or stalking leave if the qualifying prenatal or domestic violence, sexual abuse, or stalking leave was taken before October 1, 2021, or after September 30, 2022; provided, that by March 31, 2022, the Chief Financial Officer shall submit a report to the Mayor analyzing whether the current and projected revenue to and expenditures from the Universal Paid Leave Fund are sufficient to extend such benefits to such leave taken after September 30, 2022.

Sec. 4063. Section 1152(l) of the Universal Paid Leave Implementation Fund Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01(l)), is amended to read as follows:

“(l) By September 30, 2022, and by September 30 of each subsequent year, the Chief Financial Officer shall review the status of the Fund and compare that status against the projections in the budget and financial plan. If the Fund is running an annual surplus, the Chief Financial Officer shall issue a report to the Mayor and the Council that outlines options for bringing the Fund’s annual revenues and expenditures into balance, including a reduction in the employer contribution rate and changes to benefits under the paid-leave program established pursuant to the Act.”.

1494 **TITLE V. HUMAN SUPPORT SERVICES**

1495 **SUBTITLE A. MEDICAID HOSPITAL OUTPATIENT PAYMENT**

1496 Sec. 5001. Short title.

1497 This subtitle may be cited as the “Medicaid Hospital Outpatient Payment Amendment
1498 Act of 2021”.

1499 Sec. 5002. Section 5066 of the Medicaid Hospital Outpatient Supplemental Payment Act
1500 of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.05), is
1501 amended by adding a new subsection (b-1) to read as follows:

1502 “(b-1) For visits and services beginning October 1, 2021, the District shall make fee-for-
1503 service outpatient rate payments to hospitals at a rate that is not, on average, less than 100% of
1504 anticipated Medicaid allowable costs for the fiscal year in which payments are being made.”.

1505 **SUBTITLE B. MEDICAL ASSISTANCE AND IMMIGRANT CHILDREN’S**
1506 **PROGRAM**

1507 Sec. 5011. Short title.

1508 This subtitle may be cited as the “Medical Assistance and Immigrant Children’s Program
1509 Amendment Act of 2021”.

1510 Sec. 5012. Section 2202 of the Medical Assistance Expansion Program Act of 1999,
1511 effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 1-307.03), is amended as
1512 follows:

1513 (a) Subsection (a) is amended as follows:

1514 (1) The lead-in text is amended by striking the phrase “family income” and
1515 inserting the phrase “household income” in its place.

1516 (2) Paragraph (5) is amended by striking the phrase “family income” and inserting
1517 the phrase “household income” in its place.

1518 (b) Subsection (b) is amended as follows:

1519 (1) The lead-in text is amended to read as follows:

1520 “(b) The Mayor shall establish a program to provide medical assistance to undocumented
1521 children not eligible for coverage under Medicaid who reside in the District and have an annual
1522 household income up to 319% of the federal poverty level for children age 18 or younger, and up
1523 to 216% of the federal poverty level for children ages 19 and 20. In determining a household
1524 income under this subsection, the Mayor may implement an income disregard amount, based on
1525 family size, of up to 5% of the federal poverty level or such higher percentage as may be
1526 authorized by the federal government as an income disregard for the determination of eligibility
1527 for Medicaid.”.

1528 (2) Paragraph (2) is amended to read as follows:

1529 “(2) Upon the Mayor’s determination of a resident’s eligibility for the program,
1530 the Mayor shall enroll the resident in the program and assign the enrollee to a health maintenance
1531 organization with a current contract with the District to provide health care services for program
1532 enrollees.”.

1533 (3) Paragraph (3) is amended to read as follows:

1534 “(3) For a period of time of at least 30 days after the Mayor’s assignment of an
1535 enrollee under paragraph (2) of this subsection, the enrollee may choose to enroll in a different
1536 health maintenance organization with a current contract with the District to provide health care
1537 services for program enrollees.”.

1538 (c) Subsection (c) is amended to read as follows:

“(c) Beginning on October 1, 2021, the Mayor may modify the standards for eligibility to enroll in a program established by subsections (a) and (b) of this section, to increase the number of District residents who would be eligible to enroll in the program, to the extent such expansion is consistent with the District’s budget and financial plan.”.

SUBTITLE C. MEDICAID RESERVE FUND

Sec. 5021. Short title.

This subtitle may be cited as the “Medicaid Reserve Fund Amendment Act of 2021”.

Sec. 5022. The Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended as follows:

(a) Section 8b (D.C. Official Code § 7-771.07b) is repealed.

(b) Section 11a (D.C. Official Code § 7-771.10a) is repealed.

SUBTITLE D. UNJUST CONVICTIONS HEALTH CARE

Sec. 5031. Short title.

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. DEPARTMENT OF HEALTH CARE FINANCE

SOLICITATIONS

Sec. 5041. Short title.

This subtitle may be cited as the “Department of Health Care Finance Support Act of 2021”.

Sec. 5042. With respect to Department of Health Care Finance solicitations issued on or before August 20, 2020, seeking healthcare and pharmacy services for District residents in the Medicaid managed care program, services for the District’s Medicaid management information system, and application development for the District’s health and human services solution (District of Columbia Access System, or DCAS), the District shall, notwithstanding any other provision of law, be deemed to have accepted the submission of a subcontracting plan from an offeror when the District receives the last best and final offer from the offeror.

SUBTITLE F. HOWARD UNIVERSITY HOSPITAL CENTERS OF EXCELLENCE

Sec. 5051. Short title.

This subtitle may be cited as the “Howard University Hospital Centers of Excellence Fund Amendment Act of 2021”.

Sec. 5052. Section 47-4673 of the District of Columbia Official Code is amended by adding a new subsection (j) to read as follows:

“(j)(1) There is established as a special fund the Howard University Hospital Centers of Excellence Fund (“Fund”), which shall be administered by the Department of Health in accordance with paragraph (3) of this subsection.

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

“(A) Funds appropriated in Fiscal Year 2022 or later for the purpose of providing operational and start-up support to the centers of excellence described in subsection (f) of this section; and

“(B) Funds appropriated in Fiscal Year 2021 for the purposes of providing operational and start-up support to the centers of excellence described in subsection (f) of this section that remain unspent at the end of Fiscal Year 2021.

“(3) Money in the Fund shall be used to provide operational and start-up support to the centers of excellence described in subsection (f) of this section. Such support may be provided through non-competitive grants or other means.

“(4)(A) 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.

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

Sec. 5053. Applicability.

This subtitle shall apply as of September 30, 2021.

SUBTITLE G. SNAP REINVESTMENT FUND

Sec. 5061. Short title.

This subtitle may be cited as the “SNAP Reinvestment Fund Establishment Amendment Act of 2021”.

Sec. 5062. The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 4-261.01 *et seq.*), is amended by adding a new section 5085 to read as follows:

“Sec. 5085. SNAP Reinvestment Fund.

“(a) There is established as a special fund the SNAP Reinvestment Fund (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this section.

“(b) The unspent local fund dollars remaining in the operating budget of the Department of Human Services at the end of each fiscal year shall be deposited into the Fund; provided, that the amount of unspent local fund dollars deposited into the Fund at the end of a fiscal year shall not exceed the difference between the total of all amounts that remain to be invested by the Department of Human Services pursuant to active Supplemental Nutrition Assistance Program excessive payment error rate liability settlement agreements (“Settlement Agreements”) between the Department of Human Services and the United States Department of Agriculture minus the amount in the Fund at the end of the fiscal year.

“(c) Money in the Fund shall be used to implement the Settlement Agreements.

“(d)(1) The money deposited into the Fund but not expended during 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.”.

Sec. 5063. Applicability.

1627 This subtitle shall apply as of September 30, 2021.

1628 **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

1629 **SUBTITLE A. HIGHWAY TRUST FUND REPROGRAMMINGS**

1630 Sec. 6001. Short title.

1631 This subtitle may be cited as the “Highway Trust Fund Reprogramming Amendment Act
1632 of 2021”.

1633 Sec. 6002. Section 47-363 of the District of Columbia Official Code is amended by
1634 adding a new subsection (h) to read as follows:

1635 “(h)(1) This subchapter shall not apply to a reprogramming from a master capital project
1636 in the Highway Trust Fund portion of the District’s capital improvements plan to another master
1637 capital project in the Highway Trust Fund portion of the District’s capital improvements plan,
1638 other than as provided in this subsection.

1639 “(2) At the request of the Mayor, the Chief Financial Officer of the District of
1640 Columbia (“CFO”) shall reprogram funds between master capital projects in the Highway Trust
1641 Fund portion of the District’s capital improvements plan; provided, that the reprogramming of
1642 funds is consistent with the State Transportation Improvement Plan included in the
1643 Transportation Improvement Plan prepared and approved by the Metropolitan Washington
1644 Council of Governments National Capital Region Transportation Planning Board; provided
1645 further, that the CFO determines that the funds are available for reprogramming.

1646 “(3) After funds are reprogrammed pursuant to paragraph (2) of this subsection,
1647 the director of the implementing agency for the project may obligate and expend the
1648 reprogrammed funds.”.

1649 Sec. 6003. Applicability.

1650 This subtitle shall apply as of July 1, 2021.

1651 **SUBTITLE B. UTILITY RELOCATION ON INTERSTATE HIGHWAYS**

1652 Sec. 6011. Short title.

1653 This subtitle may be cited as the “Utility Relocation Reimbursement Amendment Act of
1654 2021”.

1655 Sec. 6012. Section 4(a) of the District of Columbia Public Utilities Reimbursement Act
1656 of 1972, approved October 14, 1972 (86 Stat. 812; D.C. Official Code § 9-107.02(a)), is
1657 amended by striking the sentence “The cost of relocation, adjustment, replacement, or removal,
1658 and the cost of abandonment of such facilities, shall be paid to the utility by the District of
1659 Columbia, as a part of the cost of such project.” and inserting the sentences “Fifty percent of the
1660 cost of relocation, adjustment, replacement, or removal, and fifty percent of the cost of
1661 abandonment of such facilities, shall be paid by the District of Columbia, as a part of the cost of
1662 such project. The remainder of such cost shall be paid by the utility.” in its place.

1663 **SUBTITLE C. VEHICLE INSPECTION OFFICERS**

1664 Sec. 6021. Short title.

1665 This subtitle may be cited as the “Vehicle Inspection Officer Amendment Act of 2021”.

1666 Sec. 6022. Subsection 8(b-1) of the Department of For-Hire Vehicles Establishment Act
1667 of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.07(b-1)), is
1668 amended by striking the phrase “no fewer than 20”.

1669 **SUBTITLE D. SUSTAINABLE ENERGY TRUST FUND**

1670 Sec. 6031. Short title.

1671 This subtitle may be cited as the “Sustainable Energy Trust Fund Amendment Act of
1672 2021”.

Sec. 6032. Section 210(c)(16) of the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)(16)), is amended to read as follows:

“(16) In fiscal years 2022, 2023, 2024, and 2025, transferring \$10 million to \$15 million to the Green Finance Authority to support sustainable projects and programs; provided, that funding for such transfers is included in an approved budget and financial plan; provided further, that the total amount of money transferred to the Green Finance Authority from the Sustainable Energy Trust Fund in fiscal years 2020 through 2025 shall not exceed \$70 million; and”.

SUBTITLE E. WMATA DEDICATED FUNDING

Sec. 6041. Short title.

This subtitle may be cited as the “WMATA Dedicated Funding Amendment Act of 2021”.

Sec. 6042. Section 6002 of the Dedicated WMATA Funding and Tax Changes Affecting Real Property and Sales Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168; D.C. Official Code § 1-325.401), is amended as follows:

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

“(3) In Fiscal Year 2021, and each successive year, \$178.5 million.”.

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

“(b-1) Notwithstanding paragraph (3) of this subsection, the District may reduce its dedicated funding payment to WMATA if Maryland or Virginia reduces its dedicated funding payment below the amount required in its dedicated funding agreement with WMATA; provided, the District’s reduction shall be not be greater in proportion than the proportion by

1696 which Maryland or the proportion by which Virginia, whichever is greater, reduces its
1697 payment.”.

1698 **SUBTITLE F. DIRECT SHIPMENT OF ALCOHOLIC BEVERAGES**

1699 Sec. 6051. Short title.

1700 This subtitle may be cited as the “Direct Shipment of Alcoholic Beverages Amendment
1701 Act of 2021”.

1702 Sec. 6052. Title 25 of the District of Columbia Official Code is amended as follows:

1703 (a) Chapter 1 is amended as follows:

1704 (1) The table of contents is amended by adding new section designations to read
1705 as follows:

1706 “§ 25-131. Direct shipper license.

1707 “§ 25-132. Common carrier license.”.

1708 (2) Section 25-101 is amended as follows:

1709 (A) New paragraphs (15B) and (15C) are added to read as follows:

1710 “(15B) “Common carrier license” means a license that is issued to a delivery
1711 company that allows the licensee to ship alcoholic beverages directly to consumers in the
1712 District.

1713 “(15C) “Consumer” means a person, of legal drinking age, who purchases an
1714 alcoholic beverage for personal consumption and not for resale.”.

1715 (B) A new paragraph (18A) is added to read as follows:

1716 “(18A) “Direct shipper license or endorsement” means a license or endorsement
1717 issued to a manufacturer, pub endorsement holder, or off-premises retailer licensed in the District

or in another state that allows the licensee to ship alcoholic beverages or alcohol-infused products directly to consumers through a common carrier.”.

(3) Section 25-110 is amended as follows:

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

(i) Paragraph (1)(A)(ii) is amended by striking the phrase “sell and deliver” wherever it appears and inserting the phrase “sell, deliver, and ship” in its place.

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

(I) Subparagraph (B) is amended by striking the phrase “sell and deliver” and inserting the phrase “sell, deliver, and ship” in its place.

(II) Subparagraph (C)(i) is amended by striking the phrase “sell and deliver the new beer to a consumer in growlers and crowlers for off-premises consumption; provided, that the growlers and crowlers shall not be opened after sale or the contents consumed on the premises sold” and inserting the phrase “sell, deliver, and ship the new beer for off-premises consumption to a consumer in closed containers, including growlers and crowlers; provided, that such containers shall not be opened after sale, or the contents consumed, on the premises where sold” in its place.

(iii) Paragraph (3)(B) is amended striking the word “sell” and inserting the phrase “sell, deliver, and ship” in its place.

(B) Subsection (a-1)(1) is amended by striking the phrase “may sell and deliver the new wine to a consumer in growlers and crowlers for off-premises consumption; provided, that the growlers and crowlers shall not be opened after sale or the contents consumed on the premises sold” and inserting the phrase “may sell, deliver, and ship the new wine to a consumer in closed containers, including growlers and crowlers, for off-premises consumption;

1741 provided, that such containers shall not be opened after sale, or the contents, consumed on the
1742 premises where sold” in its place.

1743 (C) A new subsection (e) is added to read as follows:

1744 “(e) A holder of a manufacturer’s license, class A, B, or C, that holds a direct shipper
1745 endorsement pursuant to § 25-131 may ship beer, wine, or spirits that is manufactured at the
1746 licensed premises or in collaboration with another brewery, winery, or distillery, regardless of
1747 jurisdiction, by common carrier directly to consumers.”.

1748 (4) Section 25-112 is amended as follows:

1749 (A) Subsection (a) is amended by striking the word “deliver” and inserting
1750 the phrase “deliver and ship” in its place.

1751 (B) A new subsection (i) is added to read as follows:

1752 “(i) An off-premises retailer’s license, class A, B, AI, or BI, that possesses a direct
1753 shipper endorsement pursuant to § 25-131 may ship beer, wine, and spirits by common carrier
1754 directly to consumers.”.

1755 (5) Section 25-113 is amended as follows:

1756 (A) Subsection (a)(1) is amended by striking the phrase “common carrier”
1757 and inserting the word “passenger” in its place.

1758 (B) Subsection (h)(1) is amended by striking the phrase “common carrier”
1759 and inserting the word “passenger” in its place.

1760 (C) Subsection (h)(4) is amended by striking the phrase “common carrier”
1761 and inserting the word “passenger”.

1762 (6) Section 25-117(f) is amended by striking the phrase “sell and deliver” and
1763 inserting the phrase “sell, deliver, and ship, in accordance with § 25-131,” in its place.

1764 (7) Section 25-124(i) is amended by striking the phrase “sell and deliver” and
1765 inserting the phrase “sell, deliver, and ship, in accordance with § 25-131,” in its place.

1766 (8) Section 25-125(i) is amended by striking the phrase “sell and deliver” and
1767 inserting the phrase “sell, deliver, and ship, in accordance with § 25-131,” in its place.

1768 (9) A new section 25-131 is added to read as follows:

1769 “§ 25-131. Direct shipper license.

1770 “(a)(1) A direct shipper license or endorsement shall allow the holder to ship beer, wine,
1771 and spirits directly to consumers for personal consumption, and not for resale. The Board may
1772 issue a direct shipper license or endorsement to:

1773 “(A) A holder of a manufacturer’s license, class A, B, or C, or a
1774 manufacturer that is licensed in another state;

1775 “(B) A holder of an off-premises retailer’s license, class A, B, AI, or BI,
1776 or an off-premises retailer that is licensed in another state; and

1777 “(C) A holder of an on-premises retailer’s license, class C or D, that holds
1778 a wine pub endorsement, brew pub endorsement, or distillery pub endorsement.

1779 “(b) A holder of a manufacturer’s license, class A, B, or C, off-premises retailer’s license,
1780 class A, B, AI or BI, or on-premises retailer’s license, class C or D, possessing a wine pub
1781 endorsement, brew pub endorsement, or distillery pub endorsement that is licensed by the Board
1782 and authorized to deliver beer, wine, or spirits to consumers in the District shall upon Board
1783 approval be issued a direct shipper endorsement.

1784 “(c) The holder of a direct shipper license or endorsement shall only ship beer, wine, and
1785 spirits that:

1786 “(1) The licensee or endorsement holder manufactured or produced at the licensed
1787 premises;

1788 “(2) The licensee or endorsement holder manufactured or produced in
1789 collaboration with another manufacturer, regardless of jurisdiction, in accordance with § 25-
1790 110(a)(2)(C) and (a-1);

1791 “(3) Is produced or manufactured under an existing written agreement with
1792 another manufacturer, regardless of jurisdiction;

1793 “(4) Is produced and bottled for the licensee, regardless of jurisdiction; or

1794 “(5) Is an alcoholic beverage that the holder of an off-premises retailer’s license,
1795 class A, B, AI, or BI, or an off-premises retailer that is licensed in another state is authorized to
1796 sell for resale.

1797 “(d)(1) An applicant for a direct shipper license or endorsement shall submit an
1798 application prescribed by the Board by regulation. The application, at a minimum, shall require
1799 the applicant to provide the following:

1800 “(A) The applicant’s name and contact information, including mailing
1801 address, telephone number, and email address;

1802 “(B) The address and telephone number for the licensed premises;

1803 “(C) The address and description of the location from which the applicant
1804 intends to ship the alcoholic beverages to consumers if different from the licensed premises;

1805 “(D) A list of all the brands of beer, wine, or spirits the applicant intends
1806 to ship, and if the applicant is not also the brand owner, written consent from the brand owner
1807 authorizing the applicant to ship the alcoholic beverages in accordance with this section;

1808 “(E) Proof of registration with the Office of Tax and Revenue; and

1809 “(F) The annual license fee pursuant to § 25-513.

1810 “(2) An applicant for a direct shipper license that is a manufacturer or off-
1811 premises retailer licensed in another state shall also provide the Board with the following along
1812 with its application:

1813 “(A) A copy of the applicant’s current license authorizing it to
1814 manufacture or sell beer, wine, or spirits for off-premises consumption issued by the state where
1815 it is located;

1816 “(B) The name of its resident agent for service of process, that need not be
1817 a District resident, and written acknowledgment that the Secretary of the District shall serve as
1818 its agent if the applicant fails to maintain a resident agent for service of process and that service
1819 upon the resident agent or the Secretary of the District, if applicable, shall constitute legal service
1820 on the licensee.

1821 “(e) Each direct shipper licensee and endorsement holder shall obey all laws and
1822 regulations of the origin jurisdiction and the destination jurisdiction, including those relating to
1823 the times, days, or other circumstances when alcoholic beverages may be sold or shipped.

1824 “(f)(1) A direct shipper licensee or endorsement holder shall notify the Board within 30
1825 days after any changes to the list of beer, wine, and spirits that it intends to ship.

1826 “(2) If a direct shipper licensee or endorsement holder has been previously issued
1827 a written warning about timely compliance with paragraph (1) of this subsection, the failure to
1828 comply with paragraph (1) of this subsection may result in the Board issuing a fine against the
1829 licensee or endorsement holder, or suspending or revoking the license or endorsement, or the
1830 license underlying the endorsement, in accordance with chapter 8 of this title.

1831 “(g) A direct shipper license or endorsement shall be valid for 3 years.

1832 “(h)(1) Direct shipper licensees and endorsement holders shall ship alcoholic beverages
1833 to consumers by a common carrier licensed in accordance with § 25-132 and shall notify
1834 consumers placing an order that the shipment shall not be left at its destination unless the
1835 recipient of the shipment provides the common carrier with a valid government-issued
1836 identification document verifying that the recipient is at least 21 years of age.

1837 “(2) Each direct shipper licensee and endorsement holder shall ensure that all
1838 alcoholic beverage containers shipped to a consumer are conspicuously labeled with the phrases
1839 “Contains alcohol: signature of person 21 years or older required for delivery” and “Not for
1840 resale” in bold uppercase font.

1841 “(i) A direct shipper licensee or endorsement holder shall only sell or ship an alcoholic
1842 beverage to a consumer if the consumer’s address is located in an area in which alcoholic
1843 beverages may be sold or received. A direct shipper licensee or endorsement holder that
1844 intentionally causes a shipment to be made to an unlawful address may be fined by the Board in
1845 accordance with chapter 8 of this title.

1846 “(j)(1) A direct shipper licensee or endorsement holder shall ship alcoholic beverages
1847 only from a location listed in its application. A location listed in an application may be an
1848 approved storage location for licensees located in the District or a fulfillment warehouse for
1849 manufacturers or off-premises retailers located outside of the District.

1850 “(2) For the purposes of this section, “fulfillment warehouse” means a business
1851 operating a warehouse and providing storage, packaging, and shipping services to wineries,
1852 breweries, or distilleries or off-premises retailers.

1853 “(3) The Board may promulgate regulations governing how fulfillment
1854 warehouses shall store, package, and ship into the District alcoholic beverages.

1855 “(k)(1) A holder of a direct shipper license or endorsement shall be allowed to solicit and
1856 receive applications for subscriptions to wine-of-the-month, beer-of-the-month, or spirit-of-the-
1857 month clubs within or outside of the District.

1858 “(2) For the purposes of this subsection, “wine-of-the-month”, “beer-of-the-
1859 month”, and “spirit-of-the-month” mean an agreement between a direct shipper licensee and a
1860 consumer within or outside of the District to whom alcoholic beverages may be lawfully sold
1861 that the licensee will sell and ship to the consumer and the consumer will purchase a lawful
1862 amount of wine, beer, or spirits each month for an agreed upon term of months.

1863 “(l) A direct shipper licensee or endorsement holder shall not ship alcoholic beverages to
1864 a consumer in excess of the following limits:

1865 “(1) 3 cases of wine per month;

1866 “(2) 3 cases of beer per month; and

1867 “(3) 10 liters of spirits per month.

1868 “(m)(1) Each direct shipper licensee and endorsement holder shall maintain complete and
1869 accurate records of shipments, physical or electronic, on the licensed premises for 3 years. The
1870 record for each shipment shall contain the following:

1871 “(A) Number of containers shipped;

1872 “(B) Volume of each container shipped;

1873 “(C) Brand of each container shipped;

1874 “(D) Name and address of recipient; and

1875 “(E) Price charged per container, the total amount charged before taxes,

1876 the amount of tax charged by tax category, and the total amount charged after taxes.

1877 “(2) A direct shipper licensee or endorsement holder shall make the records
1878 available to the Board or its agent for inspection or copying upon request during normal business
1879 hours.

1880 “(3) Each direct shipper licensee and endorsement holder shall submit to ABRA,
1881 on a quarterly basis established by regulation, a report that shows:

1882 “(A) The total amount of alcoholic beverages shipped into the District per
1883 consumer; and

1884 “(B) For each shipment made during the quarter under the authority of its
1885 direct shipper license or endorsement:

1886 “(i) The name and address of the consumer that received the
1887 shipment;

1888 “(ii) The purchase price of the alcoholic beverages shipped and the
1889 amount of taxes charged to the consumer for the alcoholic beverages shipped;

1890 “(iii) The name and address of the common carrier that delivered
1891 the shipment.

1892 “(n)(1) As provided in § 47-2001(w), a direct shipper licensee or endorsement holder is a
1893 vendor under the District’s sales tax laws, and each direct shipper licensee and endorsement
1894 holder is subject to the provisions of Chapter 20 of Title 47. In addition, each direct shipper
1895 licensee or endorsement holder shall, as a condition of applying for and holding a direct shipper
1896 license or endorsement, be required to consent, and shall be deemed to have consented, to
1897 comply with the provisions of Chapter 20 of Title 47.

1898 “(o) The Board may suspend, revoke, or issue a fine against an applicant or licensee or
1899 endorsement holder upon a finding that the applicant or licensee or endorsement holder lacks the

1900 proper licensure and permits for operating as a direct shipper or fails to comply with this section
1901 or any other applicable District law or regulation.”.

1902 (10) A new section 25-132 is added to read as follows:

1903 “§ 25-132. Common carrier license.

1904 “(a) A common carrier license shall authorize the licensee to ship alcoholic beverages to
1905 consumers. The Board may issue a common carrier license only to a third-party delivery
1906 company.

1907 “(b) The Board shall promulgate regulations governing the handling and shipment of
1908 alcoholic beverages to consumers, and what it is required of a third-party delivery company
1909 seeking to apply for the license. At a minimum, the common carrier license application shall
1910 include:

1911 “(1) The applicant’s name and contact information, including mailing address,
1912 telephone number, and email address;

1913 “(2) Copies of the applicant’s permits or licenses authorizing it to operate as a
1914 common carrier;

1915 “(3) Proof of registration with the Office of Tax and Revenue; and

1916 “(4) Payment of the annual fee pursuant to § 25-513.

1917 “(c) A common carrier licensee shall only ship alcoholic beverages to a location in the
1918 District from holders of a direct shipper license or endorsement issued by the Board. The Board
1919 shall provide the holders of common carrier licenses with a list of approved direct shipper
1920 licenses and endorsements quarterly.

1921 “(d) A common carrier licensee shall not deliver alcoholic beverages to a recipient,
1922 without first:

1923 “(1) Verifying that the recipient is at least 21 years of age by visually inspecting
1924 the recipient’s valid government-issued identification document or utilizing age verification
1925 technology to verify that the recipient is of legal age; and

1926 “(2) Obtaining a signature of the recipient of the shipment.

1927 “(e) The common carrier licensee shall refuse delivery when the recipient appears to be
1928 under the age of 21 or refuses to provide their valid government-issued identification document.

1929 “(f) If the common carrier is unable to complete the delivery, then the alcoholic
1930 beverages shall be returned to the consignor.

1931 “(g) A common carrier license shall be valid for 3 years.

1932 “(h)(1) The common carrier licensee shall maintain complete and accurate records for 3
1933 years of all the shipments of beer, wine, and spirits it has received from a direct shipper licensee
1934 or endorsement holder, including for each shipment:

1935 “(A) The date of shipment and delivery;

1936 “(B) The number of items shipped and delivered;

1937 “(C) The weight of items shipped and delivered;

1938 “(D) The acknowledgment signed by the recipient; and

1939 “(E) The name and address of the shipper and recipient.

1940 “(2) The records required by paragraph (1) of this subsection shall be made
1941 immediately available for inspection and copying by the Board or its agent during normal
1942 business hours.

1943 “(i) A common carrier licensee shall be required to submit quarterly reports to the Board,
1944 which shall include the following:

1945 “(1) Whether any shipments were delivered during the quarter; and

1946 “(2) If shipments were made, the following information:
1947 “(A) The date of each delivery; and
1948 “(B) The name and address of the shipper and recipient of each delivery.
1949 “(j) The Board may suspend, revoke, or issue a fine against an applicant or licensee upon
1950 a finding that the applicant or licensee lacks the proper licensure and permits for operating as a
1951 common carrier or fails to comply with this section or any other applicable District law or
1952 regulation.”.

1953 (11) Section 25-303(a) is amended as follows:
1954 (A) Paragraph (a)(1A) is amended by striking the phrase “different class”
1955 and inserting the phrase “different class and a direct shipper license” in its place.
1956 (B) A new paragraph (2A) is added to read as follows:
1957 “(2A) Notwithstanding paragraph (2), an on-premises retailer’s license, class C or
1958 D, that holds a wine pub endorsement, brew pub endorsement, or distillery pub endorsement
1959 shall be permitted to hold a direct shipper license.”.

1960 (C) Paragraph (3) is amended by striking the phrase “other license” and
1961 inserting the phrase “other license, except for a direct shipper license” in its place.
1962 (D) Paragraph (4) is amended by inserting the phrase “, except for a direct
1963 shipper license” after the phrase “other license”.
1964 (E) A new paragraph (5) is added to read as follows:
1965 “(5) No licensee under a manufacturer’s license, off-premises retailer’s license, or
1966 on-premises retailer’s license shall hold an interest in a common carrier license.”.

1967 (12) Section 25-423(f) is amended by striking the phrase “or a temporary license”
1968 and inserting the phrase “temporary license, direct shipper license, or common carrier license” in
1969 its place.

1970 (b) Chapter 5 is amended as follows:

1971 (1) The table of contents is amended by adding a new section designation to read
1972 as follows:

1973 “§ 25-513. Minimum fee for shipping licenses.”.

1974 (2) A new section 25-513 is added to read as follows:

1975 “§ 25-513. Minimum fee for shipping licenses.

1976 “The minimum annual fees for the following licenses shall be as follows:

1977 “Direct shipper license: \$100

1978 “Common carrier license: \$200.”.

1979 (c) Chapter 7 is amended as follows:

1980 (1) Section 25-721 is amended by adding a new subsection (d-1) to read as
1981 follows:

1982 “(d-1)(1) Manufacturer licensees holding a direct shipper license in accordance with §
1983 25-131 may arrange for the shipment of alcoholic beverages to be made directly to consumers
1984 located in the District by common carrier between the hours of 6:00 a.m. and 1:00 a.m., 7 days a
1985 week.

1986 “(2) Notwithstanding paragraph (1) of this subsection, a manufacturer licensee
1987 holding a direct shipper license in accordance with § 25-131 shall comply with the destination
1988 state’s shipping requirements, including the days and times in which alcoholic beverages can be

1989 delivered and shipped, when fulfilling an order for an alcoholic beverage that is to be delivered
1990 to a location outside of the District.”.

1991 (2) Section 25-722 is amended by adding a new subsection (a-1) to read as
1992 follows:

1993 “(a-1)(1) An off-premises retailer licensee holding a direct shipper license in accordance
1994 with § 25-131 may arrange for the shipment of alcoholic beverages to be made directly to
1995 consumers located in the District by common carrier between the hours of 6:00 a.m. and 1:00
1996 a.m., 7 days a week.

1997 “(2) Notwithstanding paragraph (1) of this subsection, an off-premises retailer’s
1998 licensee holding a direct shipper license in accordance with § 25-131 shall comply with the
1999 destination state’s shipping requirements, including the days and time in which alcoholic
2000 beverages can be delivered and shipped, when fulfilling orders for alcoholic beverages that are to
2001 be delivered to locations outside of the District.”.

2002 (3) Section 25-723 is amended by adding new subsections (b-2) and (b-3) to read
2003 as follows:

2004 “(b-2) A licensee under an on-premises retailer’s license with a wine pub endorsement,
2005 brew pub endorsement, or distillery pub endorsement that holds a direct shipper license in
2006 accordance with § 25-131 may arrange for the shipment of alcoholic beverages to be made
2007 directly to consumers located in the District by common carrier between the hours of 6:00 a.m.
2008 and 1:00 a.m., 7 days a week.

2009 “(b-3) Notwithstanding subsection (b-2) of this section, an on-premises retailer license
2010 holder with a wine pub endorsement, brew pub endorsement, or distillery pub endorsement
2011 holding a direct shipper license in accordance with § 25-131 shall comply with the destination

states' shipping requirements, including the days and time in which alcoholic beverages can be delivered and shipped when fulfilling orders for alcoholic beverages that are to be delivered to locations outside of the District.”.

(4) Section 25-772 is amended as follows:

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

“(a) Only a licensee under a manufacturer’s, wholesaler’s, direct shipper’s, or common carrier’s license, or retailer’s license under a validly issued import permit, shall transport, import, bring, or ship, or cause to be transported, imported, brought, or shipped, any wines, spirits, or beer into the District from outside the District.”.

(B) New subsection (a-1) is added to read as follows:

“(a-1)(1) No person shall sell and ship, or offer for sale and shipment, alcoholic beverages to a consumer located in the District without obtaining a direct shipper license in accordance with § 25-131 and utilizing a common carrier licensed in accordance with § 25-132.

“(2) Notwithstanding paragraph (1) of this subsection, a direct shipper license shall not be required for a person to ship into the District from outside the District any wines, spirits or beer in a quantity of one case or less at any one time for non-commercial purposes. For purposes of this section, the term “non-commercial purposes” means alcoholic beverages that are not being sold or offered for sale to a consumer.”.

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

“(b) No public or common carrier shall transport or bring into the District wine, spirits, or beer for shipment to any person located in the District without obtaining a common carrier license in accordance with § 25-132.”.

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

2035 “(c) This section shall not apply to persons possessing old stocks who are moving into the
2036 District, to embassies or diplomatic representatives of foreign countries, to wines imported for
2037 religious or sacramental purposes, to wine, spirits, and beer to be delivered to the licensee under
2038 a manufacturer’s, wholesaler’s, or retailer’s license, or to any persons wishing to have alcohol-
2039 infused confectionery food products delivered to their residence.”.

2040 Sec. 6053. Conforming amendment.

2041 Section 47-2001(w) of the District of Columbia Official Code is amended by striking the
2042 phrase “200 or more separate retail sales delivered into the District” and inserting the phrase
2043 “200 or more separate retail sales delivered into the District and, regardless of the dollar value of
2044 its gross receipts or its number of separate retail sales in the previous calendar year or the current
2045 calendar year, a person or retailer that holds a direct shipper licensee or endorsement issued
2046 pursuant to § 25-131” in its place.

2047 **SUBTITLE G. EXTENDED HOURS OF ALCOHOLIC BEVERAGE SALES AND**
2048 **DELIVERY**

2049 Sec. 6061. Short title.

2050 This subtitle may be cited as the “Extended Hours of Alcoholic Beverage Sales and
2051 Delivery Amendment Act of 2021”.

2052 Sec. 6062. Chapter 7 of Title 25 of the District of Columbia Official Code is amended as
2053 follows:

2054 (a) Section 25-723(c)(1) is amended as follows:

2055 (1) Subparagraph (D) is amended by striking the phrase “; and” and inserting a
2056 semicolon in its place.

2057 (2) Subparagraph (E) is amended by striking the period and inserting the phrase “;
2058 and” in its place.

2059 (3) New subparagraphs (F), (G), (H), (I), and (J) are added to read as follows:

2060 “(F) The Saturday and Sunday preceding October 31;

2061 “(G) The Saturday preceding the day of the Superbowl, the day of the
2062 Superbowl, and the Monday following the day of the Superbowl;

2063 “(H) The 9-day period beginning on the Saturday preceding the first day
2064 of the Congressional Black Caucus Foundation’s Annual Legislative Conference (“Conference”)
2065 and ending on, and including, the Sunday succeeding the first day of the Conference; provided
2066 that the ABC Board shall announce the specific days of the period on the Alcoholic Beverage
2067 Regulation Administration’s website at least 48 hours before the commencement of the period;

2068 “(I) The 17-day period encompassing the 2022 Winter Olympics,
2069 beginning on February 4, 2022, and ending on February 20, 2022; and

2070 “(J) The 28-day period encompassing the 2022 World Cup tournament,
2071 beginning on November 21, 2022, and ending on December 18, 2022.”.

2072 **SUBTITLE H. DEPARTMENT OF MOTOR VEHICLES KIOSKS FUND**

2073 Sec. 6071. Short title.

2074 This subtitle may be cited as the “Department of Motor Vehicles Kiosk Fund
2075 Amendment Act of 2021”.

2076 Sec. 6072. The Department of Motor Vehicles Establishment Act of 1998, effective
2077 March 26, 1999 (D.C. Law 12–175; D.C. Official Code § 50-901 *et seq.*), is amended by adding
2078 a new section 1825a to read as follows:

2079 “Sec. 1825a. Kiosk fund.

2080 “(a) There is established as a special fund the Department of Motor Vehicles Kiosk Fund
2081 (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this
2082 section.

2083 “(b) All convenience fees collected from the operation of the Department of Motor
2084 Vehicles’ self-service kiosks shall be deposited in the Fund.

2085 “(c) Money in the Fund shall be used to pay the costs of installing, renting, operating,
2086 maintaining, and providing supplies for the Department of Motor Vehicles’ self-service kiosks.

2087 “(d)(1) The money deposited in the Fund but not expended in a fiscal year shall not revert
2088 to the unassigned fund balance of the General Fund of the District of Columbia at the end of a
2089 fiscal year, or at any other time.

2090 “(2) Subject to authorization in an approved budget and financial plan, any funds
2091 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

2092 “(e) For the purposes of this section, the term “self-service kiosk” means a hardware
2093 device with specialized integrated software that enables users to conduct transactions related to
2094 the Department of Motor Vehicles’ services without the need for assistance from Department of
2095 Motor Vehicles staff.”.

2096 **SUBTITLE I. DC CIRCULATOR FARE**

2097 Sec. 6081. Short title.

2098 This subtitle may be cited as the “DC Circulator Amendment Act of 2021”.

2099 Sec. 6082. Section 11d(a) and (b) of the Department of Transportation Establishment Act
2100 of 2002, effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-921.34(a) and (b)),
2101 are repealed.

2102 **SUBTITLE J. LOW-INCOME WEATHERIZATION ASSISTANCE**

2103 Sec. 6091. Short title.

2104 This subtitle may be cited as the “Low-Income Weatherization Assistance Amendment
2105 Act of 2021”.

2106 Sec. 6092. Section 211(c) of the Clean and Affordable Energy Act of 2008, effective
2107 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.11(c)), is amended as to read
2108 as follows:

2109 “(c)(1) Except as described in paragraph (2) of this subsection, the Energy Assistance
2110 Trust Fund shall be used solely to fund the existing low-income program, and the Mayor shall
2111 have the fund audited every 2 years to ensure that the assessment imposed pursuant to subsection
2112 (b)(1) of this section is appropriately set to fund the low-income program funded by the EATF.

2113 “(2) In Fiscal Year 2022, the Energy Assistance Trust Fund may also be used to
2114 fund weatherization assistance for low-income District residents.”.

2115 **TITLE VII. FINANCE AND REVENUE**

2116 **SUBTITLE A. UNCLAIMED PROPERTY**

2117 Part 1. General Provisions

2118 Sec. 7001. Short title.

2119 This subtitle may be cited as the “Revised Uniform Unclaimed Property Act of 2021”.

2120 Sec. 7002. Definitions.

2121 For the purposes of this subtitle, the term:

2122 (1) “Administrator” means the authorized representative of the Mayor.

2123 (2) “Administrator’s agent” means a person with which the Administrator
2124 contracts to conduct an examination under Part 10 on behalf of the Administrator. The term

2125 includes an independent contractor of the person and each individual participating in the
2126 examination on behalf of the person or contractor.

2127 (3) “Apparent owner” means a person whose name appears on the records of a
2128 holder as the owner of property held, issued, or owing by the holder.

2129 (4) “Attorney General” means the Attorney General of the District of Columbia.

2130 (5) “Business association” means a corporation, joint stock company, investment
2131 company other than an investment company registered under the Investment Company Act of
2132 1940, approved August 22, 1940 (54 Stat. 789; 15 U.S.C. §§ 80a-1 *et seq.*), partnership,
2133 unincorporated association, joint venture, limited liability company, business trust, trust
2134 company, land bank, safe deposit company, safekeeping depository, financial organization,
2135 insurance company, federally chartered entity, utility, sole proprietorship, or other business
2136 entity, whether or not for profit.

2137 (6) “Confidential information” means records, reports, and information that are
2138 confidential under section 7083.

2139 (7) “District” means the District of Columbia.

2140 (8) “Domicile” means:

2141 (A) For a corporation, the state of its incorporation;

2142 (B) For a business association whose formation requires a filing with a
2143 state, other than a corporation, the state of its filing;

2144 (C) For a federally chartered entity or an investment company registered
2145 under the Investment Company Act of 1940, approved August 22, 1940 (54 Stat. 789; 15 U.S.C.
2146 §§ 80a-1 *et seq.*), the state of its home office; and

2147 (D) For any other holder, the state of its principal place of business.

2148 (9) “Electronic” means relating to technology having electrical, digital, magnetic,
2149 wireless, optical, electromagnetic, or similar capabilities.

2150 (10) “Electronic mail” means a communication by electronic means which is
2151 automatically retained and stored and may be readily accessed or retrieved.

2152 (11) “Financial organization” means a savings and loan association, building and
2153 loan association, savings bank, industrial bank, bank, banking organization, or credit union.

2154 (12)(A) “Game-related digital content” means digital content that exists only in an
2155 electronic game or electronic-game platform.

2156 (B) The term “game-related digital content” includes:

2157 (i) Game-play currency such as a virtual wallet, even if
2158 denominated in United States currency; and

2159 (ii) The following if for use or redemption only within the game or
2160 platform or another electronic game or electronic-game platform:

2161 (I) Points, sometimes referred to as gems, tokens, gold, and
2162 similar names; and

2163 (II) Digital codes; and

2164 (C) The term “game-related digital content” does not include an item that
2165 the issuer:

2166 (i) Permits to be redeemed for use outside a game or platform for:

2167 (I) Money; or

2168 (II) Goods or services that have more than minimal value;

2169 or

2170 (ii) Otherwise monetizes for use outside a game or platform.

2171 (13)(A) “Gift card” means a stored-value card:

2172 (i) The value of which does not expire;

2173 (ii) That may be decreased in value only by redemption for

2174 merchandise, goods, or services; and

2175 (iii) That, unless required by law, may not be redeemed for or

2176 converted into money or otherwise monetized by the issuer; and

2177 (B) The term “gift card” includes a prepaid commercial mobile radio

2178 service, as defined in 47 C.F.R. 20.3.

2179 (14) “Holder” means a person obligated to hold for the account of, or to deliver or

2180 pay to, the owner, property subject to this subtitle.

2181 (15) “Insurance company” means an association, corporation, or fraternal or

2182 mutual-benefit organization, whether or not for profit, engaged in the business of providing life

2183 endowments, annuities, or insurance, including accident, burial, casualty, credit-life, contract-

2184 performance, dental, disability, fidelity, fire, health, hospitalization, illness, life, malpractice,

2185 marine, mortgage, surety, wage-protection, and worker-compensation insurance.

2186 (16) “Loyalty card” means a record given without direct monetary consideration

2187 under an award, reward, benefit, loyalty, incentive, rebate, or promotional program which may

2188 be used or redeemed only to obtain goods or services or a discount on goods or services. The

2189 term does not include a record that may be redeemed for money or otherwise monetized by the

2190 issuer.

2191 (17) “Mineral” means gas, oil, coal, oil shale, other gaseous liquid or solid

2192 hydrocarbon, cement material, sand and gravel, road material, building stone, chemical raw

2193 material, gemstone, fissionable and nonfissionable ores, colloidal and other clay, steam and other

2194 geothermal resources, and any other substance defined as a mineral by law of the District other
2195 than this subtitle.

2196 (18)(A) “Mineral proceeds” means an amount payable for extraction, production,
2197 or sale of minerals, or, on the abandonment of the amount, an amount that becomes payable after
2198 abandonment.

2199 (B) The term “mineral proceeds” includes an amount payable:

2200 (i) For the acquisition and retention of a mineral lease, including a
2201 bonus, royalty, compensatory royalty, shut-in royalty, minimum royalty, and delay rental;

2202 (ii) For the extraction, production, or sale of minerals, including a
2203 net revenue interest, royalty, overriding royalty, extraction payment, and production payment;
2204 and

2205 (iii) Under an agreement or option, including a joint-operating
2206 agreement, unit agreement, pooling agreement, and farm-out agreement.

2207 (19) “Money order” means a payment order for a specified amount of money,
2208 including an express money order and a personal money order on which the remitter is the
2209 purchaser.

2210 (20) “Municipal bond” means a bond or evidence of indebtedness issued by a
2211 municipality or other political subdivision of a state.

2212 (21) “Net card value” means the original purchase price or original issued value
2213 of a stored-value card, plus amounts added to the original price or value, minus amounts used
2214 and any service charge, fee, or dormancy charge permitted by law.

2215 (22) “Non-freely transferable security” means a security that cannot be delivered
2216 to the Administrator by the Depository Trust Clearing Corporation or similar custodian of

2217 securities providing post-trade clearing and settlement services to financial markets or cannot be
2218 delivered because there is no agent to effect transfer. The term includes a worthless security.

2219 (23) “Owner” means a person that has a legal, beneficial, or equitable interest in
2220 property subject to this subtitle or the person’s legal representative when acting on behalf of the
2221 owner, including:

2222 (A) A depositor, for a deposit;

2223 (B) A beneficiary, for a trust other than a deposit in trust;

2224 (C) A creditor, claimant, or payee, for other property; and

2225 (D) The lawful bearer of a record that may be used to obtain money, a
2226 reward, or a thing of value.

2227 (24) “Payroll card” means a record that evidences a payroll-card account as
2228 defined in Regulation E, 12 C.F.R. Part 1005.

2229 (25) “Person” means an individual, estate, business or nonprofit entity, public
2230 corporation, government or governmental subdivision, agency, or instrumentality, or other legal
2231 entity.

2232 (26)(A) “Property” means tangible property described in section 7009 or a fixed
2233 and certain interest in intangible property held, issued, or owed in the course of a holder’s
2234 business or by a government, governmental subdivision, agency, or instrumentality.

2235 (B) The term “property” includes all income from or increments to the
2236 property and includes property referred to as or evidenced by:

2237 (i) Money, virtual currency, interest, or a dividend, check, draft,
2238 deposit, or payroll card;

2239 (ii) A credit balance, customer's overpayment, stored-value card,
2240 security deposit, refund, credit memorandum, unpaid wage, unused ticket for which the issuer
2241 has an obligation to provide a refund, mineral proceeds, or unidentified remittance;

2242 (iii) A security except for:

2243 (I) A worthless security; or

2244 (II) A security that is subject to a lien, legal hold, or
2245 restriction evidenced on the records of the holder or imposed by operation of law, if the lien,
2246 legal hold, or restriction restricts the holder's or owner's ability to receive, transfer, sell, or
2247 otherwise negotiate the security;

2248 (iv) A bond, debenture, note, or other evidence of indebtedness;

2249 (v) Money deposited to redeem a security, make a distribution, or
2250 pay a dividend;

2251 (vi) An amount due and payable under an annuity contract or
2252 insurance policy; and

2253 (vii) An amount distributable from a trust or custodial fund
2254 established under a plan to provide health, welfare, pension, vacation, severance, retirement,
2255 death, stock purchase, profit-sharing, employee-savings, supplemental-unemployment insurance,
2256 or a similar benefit; and

2257 (C) The term "property" does not include:

2258 (i) Property held in a plan described in section 529A of the Internal
2259 Revenue Code of 1986, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A);

2260 (ii) Game-related digital content; or

2261 (iii) A loyalty card.

2262 (27) “Putative holder” means a person believed by the Administrator to be a
2263 holder, until the person pays or delivers to the Administrator property subject to this subtitle or
2264 the Administrator or a court makes a final determination that the person is or is not a holder.

2265 (28) “Record” means information that is inscribed on a tangible medium or that is
2266 stored in an electronic or other medium and is retrievable in perceivable form.

2267 (29) “Security” means:

2268 (A) A security as defined in D.C. Official Code § 28:8-102(15);

2269 (B) A security entitlement as defined in D.C. Official Code § 28:8-
2270 102(17), including a customer security account held by a registered broker-dealer, to the extent
2271 the financial assets held in the security account are not:

2272 (i) Registered on the books of the issuer in the name of the person
2273 for which the broker-dealer holds the assets;

2274 (ii) Payable to the order of the person; or

2275 (iii) Specifically indorsed to the person; and

2276 (C) An equity interest in a business association not included in
2277 subparagraph (A) or (B) of this paragraph.

2278 (30) “Sign” means, with present intent to authenticate or adopt a record:

2279 (A) To execute or adopt a tangible symbol; or

2280 (B) To attach to or logically associate with the record an electronic
2281 symbol, sound, or process.

2282 (31) “State” means a state of the United States, the District of Columbia, the
2283 Commonwealth of Puerto Rico, the United States Virgin Islands, or any territory or insular
2284 possession subject to the jurisdiction of the United States.

2285 (32)(A) “Stored-value card” means a record evidencing a promise made for
2286 consideration by the seller or issuer of the record that goods, services, or money will be provided
2287 to the owner of the record to the value or amount shown in the record.

2288 (B) The term “stored-value card” includes

2289 (i) A record that contains or consists of a microprocessor chip,
2290 magnetic strip, or other means for the storage of information, which is prefunded and whose
2291 value or amount is decreased on each use and increased by payment of additional consideration;
2292 and

2293 (ii) A gift card and payroll card; and

2294 (C) The term “stored-value card” does not include a loyalty card or game-
2295 related digital content.

2296 (33) “Superior Court” means the Superior Court of the District of Columbia.

2297 (34) “Utility” means a person that owns or operates for public use a plant,
2298 equipment, real property, franchise, or license for the following public services:

2299 (A) Transmission of communications or information;

2300 (B) Production, storage, transmission, sale, delivery, or furnishing of
2301 electricity, water, steam, or gas; or

2302 (C) Provision of sewage or septic services, or trash, garbage, or recycling
2303 disposal.

2304 (35) “Virtual currency” means a digital representation of value used as a medium
2305 of exchange, unit of account, or store of value, which does not have legal tender status
2306 recognized by the United States. The term does not include:

2307 (A) The software or protocols governing the transfer of the digital
2308 representation of value;

2309 (B) Game-related digital content; or

2310 (C) A loyalty card or gift card.

2311 (36) “Worthless security” means a security whose cost of liquidation and delivery
2312 to the Administrator would exceed the value of the security on the date a report is due under this
2313 subtitle.

2314 Sec. 7003. Inapplicability to foreign transaction.

2315 This subtitle does not apply to property held, due, and owing in a foreign country if the
2316 transaction out of which the property arose was a foreign transaction.

2317 Sec. 7004. Rulemaking.

2318 (a) The Mayor may, pursuant to Title I of the District of Columbia Administrative
2319 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
2320 issue rules to implement this subtitle.

2321 (b) The rules issued pursuant to section 138 of the Uniform Disposition of Unclaimed
2322 Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-138),
2323 shall remain in effect, unless inconsistent with this subtitle, until repealed or amended pursuant
2324 to this section.

2325 Part 2. Presumption of Abandonment.

2326 Sec. 7005. When property is presumed abandoned.

2327 Subject to section 7014, the following property is presumed abandoned if it is unclaimed
2328 by the apparent owner during the period specified below:

2329 (1) A traveler’s check, 15 years after issuance;

2330 (2) A money order, 7 years after issuance;

2331 (3) A state or municipal bond, bearer bond, or original-issue-discount bond, 3

2332 years after the earliest of the date the bond matures or is called or the obligation to pay the

2333 principal of the bond arises;

2334 (4) A debt of a business association, 3 years after the obligation to pay arises;

2335 (5) A payroll card or demand, savings, or time deposit, including a deposit that is

2336 automatically renewable, 3 years after the maturity of the deposit, except a deposit that is

2337 automatically renewable is deemed matured on its initial date of maturity unless the apparent

2338 owner consented in a record on file with the holder to renewal at or about the time of the

2339 renewal;

2340 (6) Money or a credit owed to a customer as a result of a retail business

2341 transaction, 3 years after the obligation arose;

2342 (7) An amount owed by an insurance company on a life or endowment insurance

2343 policy or an annuity contract that has matured or terminated, 3 years after the obligation to pay

2344 arose under the terms of the policy or contract or, if a policy or contract for which an amount is

2345 owed on proof of death has not matured by proof of the death of the insured or annuitant, as

2346 follows:

2347 (A) With respect to an amount owed on a life or endowment insurance

2348 policy, 3 years after the earlier of the date:

2349 (i) The insurance company has knowledge of the death of the

2350 insured; or

2351 (ii) The insured has attained, or would have attained if living, the

2352 limiting age under the mortality table on which the reserve for the policy is based; and

2353 (B) With respect to an amount owed on an annuity contract, 3 years after
2354 the date the insurance company has knowledge of the death of the annuitant.

2355 (8) Property distributable by a business association in the course of dissolution,
2356 one year after the property becomes distributable;

2357 (9) Property held by a court, including property received as proceeds of a class
2358 action, one year after the property becomes distributable;

2359 (10) Property held by a government or governmental subdivision, agency, or
2360 instrumentality, including municipal bond interest and unredeemed principal under the
2361 administration of a paying agent or indenture trustee, one year after the property becomes
2362 distributable;

2363 (11) Wages, commissions, bonuses, or reimbursements to which an employee is
2364 entitled, or other compensation for personal services, other than amounts held in a payroll card,
2365 one year after the amount becomes payable;

2366 (12) A deposit or refund owed to a subscriber by a utility, one year after the
2367 deposit or refund becomes payable; and

2368 (13) Property not specified in this section or sections 7006 through 7012, the
2369 earlier of 3 years after the owner first has a right to demand the property and 3 years after the
2370 obligation to pay or distribute the property arises.

2371 Sec. 7006. When tax-deferred retirement account presumed abandoned.

2372 (a) Subject to section 7014, property held in a pension account or retirement account that
2373 qualifies for tax deferral under the income-tax laws of the United States is presumed abandoned
2374 if it is unclaimed by the apparent owner 3 years after the later of:

2375 (1) The following date:

2376 (A) Except as otherwise provided in subparagraph (B) of this paragraph,
2377 the date a second consecutive communication sent by the holder by first-class United States mail
2378 to the apparent owner is returned to the holder undelivered by the United States Postal Service;
2379 or

2380 (B) If the second communication is sent later than 30 days after the date
2381 the first communication is returned undelivered, the date the first communication was returned
2382 undelivered by the United States Postal Service; and

2383 (2) The earlier of the following dates:

2384 (A) The date the apparent owner becomes 70.5 years of age, if
2385 determinable by the holder; or

2386 (B) If the Internal Revenue Code of 1986, approved August 16, 1954 (68A
2387 Stat. 3; 26 U.S.C. § 1 *et seq.*) requires distribution to avoid a tax penalty, 2 years after the date
2388 the holder:

2389 (i) Receives confirmation of the death of the apparent owner in the
2390 ordinary course of its business; or

2391 (ii) Confirms the death of the apparent owner under subsection (b)
2392 of this section.

2393 (b) If a holder in the ordinary course of its business receives notice or an indication of the
2394 death of an apparent owner and subsection (a)(2) of this section applies, the holder shall attempt
2395 not later than 90 days after receipt of the notice or indication to confirm whether the apparent
2396 owner is deceased.

2397 (c) If the holder does not send communications to the apparent owner of an account
2398 described in subsection (a) of this section by first-class United States mail, the holder shall

2399 attempt to confirm the apparent owner's interest in the property by sending the apparent owner
2400 an electronic-mail communication not later than 2 years after the apparent owner's last indication
2401 of interest in the property. However, the holder promptly shall attempt to contact the apparent
2402 owner by first-class United States mail if:

2403 (1) The holder does not have information needed to send the apparent owner an
2404 electronic mail communication or the holder believes that the apparent owner's electronic mail
2405 address in the holder's records is not valid;

2406 (2) The holder receives notification that the electronic-mail communication was
2407 not received; or

2408 (3) The apparent owner does not respond to the electronic-mail communication
2409 not later than 30 days after the communication was sent.

2410 (d) If first-class United States mail sent under subsection (c) of this section is returned to
2411 the holder undelivered by the United States Postal Service, the property is presumed abandoned
2412 three 3 years after the later of:

2413 (1) Except as in paragraph (2) of this subsection, the date a second consecutive
2414 communication to contact the apparent owner sent by first-class United States mail is returned to
2415 the holder undelivered;

2416 (2) If the second communication is sent later than 30 days after the date the first
2417 communication is returned undelivered, the date the first communication was returned
2418 undelivered; or

2419 (3) The date established by subsection (a)(2) of this section.

2420 Sec. 7007. When other tax-deferred account presumed abandoned.

2421 Subject to section 7014 and except for property described in section 7006 and property
2422 held in a plan described in section 529A of the Internal Revenue Code of 1986, approved
2423 December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A) property held in an account or plan,
2424 including a health savings account, that qualifies for tax deferral under the income-tax laws of
2425 the United States is presumed abandoned if it is unclaimed by the apparent owner 3 years after
2426 the earlier of:

2427 (1) The date, if determinable by the holder, specified in the income-tax laws and
2428 regulations of the United States by which distribution of the property must begin to avoid a tax
2429 penalty, with no distribution having been made; or

2430 (2) 30 years after the date the account was opened.

2431 Sec. 7008. When custodial account for minor presumed abandoned.

2432 (a) Subject to section 7014, property held in an account established under D.C. Official
2433 Code §§ 21-301 to 21-324, or another state's Uniform Gifts to Minors Act or Uniform Transfers
2434 to Minors Act, is presumed abandoned if it is unclaimed by or on behalf of the minor on whose
2435 behalf the account was opened 3 years after the later of:

2436 (1) Except as otherwise provided in subparagraph (2) of this paragraph, the date a
2437 second consecutive communication sent by the holder by first-class United States mail to the
2438 custodian of the minor on whose behalf the account was opened is returned undelivered to the
2439 holder by the United States Postal Service;

2440 (2) If the second communication is sent later than 30 days after the date the first
2441 communication is returned undelivered, the date the first communication was returned
2442 undelivered; or

2443 (3) The date on which the custodian is required to transfer the property to the
2444 minor or the minor's estate in accordance with the Uniform Gifts to Minors Act or Uniform
2445 Transfers to Minors Act of the state in which the account was opened.

2446 (b) If the holder does not send communications to the custodian of the minor on whose
2447 behalf an account described in subsection (a) of this section was opened by first-class United
2448 States mail, the holder shall attempt to confirm the custodian's interest in the property by sending
2449 the custodian an electronic-mail communication not later than 2 years after the custodian's last
2450 indication of interest in the property. However, the holder promptly shall attempt to contact the
2451 custodian by first-class United States mail if:

2452 (1) The holder does not have information needed to send the custodian an
2453 electronic mail communication or the holder believes that the custodian's electronic-mail-mail
2454 address in the holder's records is not valid;

2455 (2) The holder receives notification that the electronic-mail communication was
2456 not received; or

2457 (3) The custodian does not respond to the electronic-mail communication not later
2458 than 30 days after the communication was sent.

2459 (c) If first-class United States mail sent under subsection (b) of this section is returned
2460 undelivered to the holder by the United States Postal Service, the property is presumed
2461 abandoned 3 years after the later of:

2462 (1) The date a second consecutive communication to contact the custodian by
2463 first-class United States mail is returned to the holder undelivered by the United States Postal
2464 Service; or

2465 (2) The date established by subsection (a)(3) of this section.

(d) When the property in the account described in subsection (a) of this section is transferred to the minor on whose behalf an account was opened or to the minor's estate, the property in the account is no longer subject to this section.

Sec. 7009. When contents of safe-deposit box presumed abandoned.

Tangible property held in a safe-deposit box and proceeds from a sale of the property by the holder permitted by law of the District other than this subtitle are presumed abandoned if the property remains unclaimed by the apparent owner 3 years after the earlier of the:

(1) Expiration of the lease or rental period for the box; or

(2) Earliest date when the lessor of the box is authorized by law of the District other than this subtitle to enter the box and remove or dispose of the contents without consent or authorization of the lessee.

Sec. 7010. When stored-value card presumed abandoned.

(a) Subject to section 7014, the net card value of a stored-value card, other than a payroll card or a gift card, is presumed abandoned on the latest of 3 years after:

(1) December 31 of the year in which the card is issued or additional funds are deposited into it;

(2) The most recent indication of interest in the card by the apparent owner; or

(3) A verification or review of the balance by or on behalf of the apparent owner.

(b) The amount presumed abandoned in a stored-value card is the net card value at the time it is presumed abandoned.

Sec. 7011. When gift card presumed abandoned.

Subject to section 7014, a gift card is presumed abandoned if it is unclaimed by the apparent owner 5 years after the later of the date of purchase or its most recent use.

2489 Sec. 7012. When security presumed abandoned.

2490 (a) Subject to section 7014, a security is presumed abandoned 3 years after:

2491 (1) The date a second consecutive communication sent by the holder by first-class
2492 United States mail to the apparent owner is returned to the holder undelivered by the United
2493 States Postal Service; or

2494 (2) If the second communication is made later than 30 days after the first
2495 communication is returned, the date the first communication is returned undelivered to the holder
2496 by the United States Postal Service.

2497 (b) If the holder does not send communications to the apparent owner of a security by
2498 first-class United States mail, the holder shall attempt to confirm the apparent owner's interest in
2499 the security by sending the apparent owner an electronic-mail communication not later than 2
2500 years after the apparent owner's last indication of interest in the security. However, the holder
2501 promptly shall attempt to contact the apparent owner by first-class United States mail if:

2502 (1) The holder does not have information needed to send the apparent owner an
2503 electronic-mail communication or the holder believes that the apparent owner's electronic-mail
2504 address in the holder's records is not valid;

2505 (2) The holder receives notification that the electronic-mail communication was
2506 not received; or

2507 (3) The apparent owner does not respond to the electronic-mail communication
2508 not later 30 days after the communication was sent.

2509 (c) If first-class United States mail sent under subsection (b) of this section is returned to
2510 the holder undelivered by the United States Postal Service, the security is presumed abandoned 3
2511 years after the date the mail is returned.

2512 Sec. 7013. When related property presumed abandoned.

2513 At and after the time property is presumed abandoned under this subtitle, any other
2514 property right or interest accrued or accruing from the property and not previously presumed
2515 abandoned is also presumed abandoned.

2516 Sec. 7014. Indication of apparent owner interest in property.

2517 (a) The period after which property is presumed abandoned is measured from the later of:

2518 (1) The date the property is presumed abandoned under this part; or

2519 (2) The latest indication of interest by the apparent owner in the property.

2520 (b) Under this subtitle, an indication of an apparent owner's interest in property includes:

2521 (1) A record communicated by the apparent owner to the holder or agent of the
2522 holder concerning the property or the account in which the property is held;

2523 (2) An oral communication by the apparent owner to the holder or agent of the
2524 holder concerning the property or the account in which the property is held, if the holder or its
2525 agent contemporaneously makes and preserves a record of the fact of the apparent owner's
2526 communication;

2527 (3) Presentment of a check or other instrument of payment of a dividend, interest
2528 payment, or other distribution, or evidence of receipt of a distribution made by electronic or
2529 similar means, with respect to an account, underlying security, or interest in a business
2530 association.

2531 (4) Activity directed by an apparent owner in the account in which the property is
2532 held, including accessing the account or information concerning the account, or a direction by
2533 the apparent owner to increase, decrease, or otherwise change the amount or type of property
2534 held in the account;

2535 (5) A deposit into or withdrawal from an account at a financial organization,
2536 including an automatic deposit or withdrawal previously authorized by the apparent owner other
2537 than an automatic reinvestment of dividends or interest;

2538 (6) Subject to subsection (e) of this section, payment of a premium on an
2539 insurance policy; and

2540 (7) Any other action by the apparent owner which reasonably demonstrates to the
2541 holder that the apparent owner knows that the property exists.

2542 (c) An action by an agent or other representative of an apparent owner, other than the
2543 holder acting as the apparent owner's agent, is presumed to be an action on behalf of the
2544 apparent owner.

2545 (d) A communication with an apparent owner by a person other than the holder or the
2546 holder's representative is not an indication of interest in the property by the apparent owner
2547 unless a record of the communication evidences the apparent owner's knowledge of a right to the
2548 property.

2549 (e) If the insured dies or the insured or beneficiary of an insurance policy otherwise
2550 becomes entitled to the proceeds before depletion of the cash surrender value of the policy by
2551 operation of an automatic-premium-loan provision or other nonforfeiture provision contained in
2552 the policy, the operation does not prevent the policy from maturing or terminating.

2553 Sec. 7015. Knowledge of death of insured or annuitant.

2554 (a) In this section, "death master file" means the United States Social Security
2555 Administration Death Master File or other database or service that is at least as comprehensive as
2556 the United States Social Security Administration Death Master File for determining that an
2557 individual reportedly has died.

(b) With respect to a life or endowment insurance policy or annuity contract for which an amount is owed on proof of death, but which has not matured by proof of death of the insured or annuitant, the company has knowledge of the death of an insured or annuitant when:

(1) The company receives a death certificate or court order determining that the insured or annuitant has died;

(2) Due diligence, performed as required under section 31 of Chapter V of the Life Insurance Act, approved June 19, 1934 (48 Stat. 1128; D.C. Official Code § 31-4731), to maintain contact with the insured or annuitant or determine whether the insured or annuitant has died validates the death of the insured or annuitant;

(3) The company conducts a comparison for any purpose between a death master file and the names of some or all of the company's insureds or annuitants, finds a match that provides notice that the insured or annuitant has died, and validates the death;

(4) The Administrator or the Administrator's agent conducts a comparison for the purpose of finding matches during an examination conducted under Part 10 between a death master file and the names of some or all of the company's insureds or annuitants, finds a match that provides notice that the insured or annuitant has died, and the company validates the death; or

(5) The company:

(A) receives notice of the death of the insured or annuitant from an administrator, beneficiary, policy owner, relative of the insured, or trustee or from a personal representative or other legal representative of the insured's or annuitant's estate; and

(B) validates the death of the insured or annuitant.

(c) The following rules apply under this section:

(1) A death-master-file match under subsection (b)(3) or (4) of this section occurs if the criteria for an exact or partial match are satisfied as provided by:

(A) Section 7093(d) of the Revised Uniform Unclaimed Property Act of 2021, as introduced on May 27, 2021; or

(B) A rule or policy adopted by the Mayor under section 28 of the Life Insurance Act, approved June 19, 1934 (48 Stat. 1125; D.C. Official Code § 31-4728), or a policy of the Commissioner of the Department of Insurance, Securities, and Banking.

(2) The death-master-file match does not constitute proof of death for the purpose of submission to an insurance company of a claim by a beneficiary, annuitant, or owner of the policy or contract for an amount due under an insurance policy or annuity contract.

(3) The death-master-file match or validation of the insured's or annuitant's death does not alter the requirements for a beneficiary, annuitant, or owner of the policy or contract to make a claim to receive proceeds under the terms of the policy or contract.

(d) This subtitle does not affect the determination of the extent to which an insurance company before the effective date of this subtitle had knowledge of the death of an insured or annuitant or was required to conduct a death-master-file comparison to determine whether amounts owed by the company on a life or endowment insurance policy or annuity contract were presumed abandoned or unclaimed.

Sec. 7016. Deposit account for proceeds of insurance policy or annuity contract.

If proceeds payable under a life or endowment insurance policy or annuity contract are deposited into an account with check or draft-writing privileges for the beneficiary of the policy or contract and, under a supplementary contract not involving annuity benefits other than death

2603 benefits, the proceeds are retained by the insurance company or the financial organization where
2604 the account is held, the policy or contract includes the assets in the account.

2605 Part 3. Rules for Taking Custody of Property Presumed Abandoned

2606 Sec. 7017. Address of apparent owner to establish priority.

2607 In this part, the following rules apply:

2608 (1) The last-known address of an apparent owner is any description, code, or other
2609 indication of the location of the apparent owner which identifies the state, even if the description,
2610 code, or indication of location is not sufficient to direct the delivery of first-class United States
2611 mail to the apparent owner.

2612 (2) If the United States postal zip code associated with the apparent owner is for a
2613 post office located in the District, the District is deemed to be the state of the last-known address
2614 of the apparent owner unless other records associated with the apparent owner specifically
2615 identify the physical address of the apparent owner to be in another state.

2616 (3) If the address under paragraph (2) of this subsection is in another state, the
2617 other state is deemed to be the state of the last-known address of the apparent owner.

2618 (4) The address of the apparent owner of a life or endowment insurance policy or
2619 annuity contract or its proceeds is presumed to be the address of the insured or annuitant if a
2620 person other than the insured or annuitant is entitled to the amount owed under the policy or
2621 contract and the address of the other person is not known by the insurance company and cannot
2622 be determined under section 7018.

2623 Sec. 7018. Address of apparent owner in the District.

2624 The Administrator may take custody of property that is presumed abandoned, whether
2625 located in the District, another state, or a foreign country if:

2626 (1) The last-known address of the apparent owner in the records of the holder is in
2627 the District; or

2628 (2) The records of the holder do not reflect the identity or last-known address of
2629 the apparent owner, but the Administrator has determined that the last-known address of the
2630 apparent owner is in the District.

2631 Sec. 7019. If records show multiple addresses of apparent owner.

2632 (a) Except as otherwise provided in subsection (b) of this section, if records of a holder
2633 reflect multiple addresses for an apparent owner and the District is the state of the most recently
2634 recorded address, the District may take custody of property presumed abandoned, whether
2635 located in the District or another jurisdiction.

2636 (b) If it appears from records of the holder that the most recently recorded address of the
2637 apparent owner under subsection (a) of this section is a temporary address and the District is the
2638 jurisdiction of the next most recently recorded address that is not a temporary address, the
2639 District may take custody of the property presumed abandoned.

2640 Sec. 7020. Holder domiciled in the District.

2641 (a) Except as otherwise provided in subsection (b) of this section or section 7018 or 7019,
2642 the Administrator may take custody of property presumed abandoned, whether located in the
2643 District, another state, or a foreign country, if the holder is domiciled in the District or is the
2644 District or a governmental subdivision, agency, or instrumentality of the District; and

2645 (1) Another state or foreign country is not entitled to the property because there is
2646 no last-known address of the apparent owner or other person entitled to the property in the
2647 records of the holder; or

(2) The state or foreign country of the last-known address of the apparent owner or other person entitled to the property does not provide for custodial taking of the property.

(b) Property is not subject to custody of the Administrator under subsection (a) of this section if the property is specifically exempt from custodial taking under the law of the District or the state or foreign country of the last-known address of the apparent owner.

(c) If a holder's state of domicile has changed since the time property was presumed abandoned, the holder's state of domicile in this section is deemed to be the state where the holder was domiciled at the time the property was presumed abandoned.

Sec. 7021. Custody if transaction took place in the District.

Except as otherwise provided in section 7018, 7019, or 7020, the Administrator may take custody of property presumed abandoned whether located in the District or another state if:

(1) The transaction out of which the property arose took place in the District;

(2) The holder is domiciled in a state that does not provide for the custodial taking of the property, except that if the property is specifically exempt from custodial taking under the law of the state of the holder's domicile, the property is not subject to the custody of the Administrator; and

(3) The last-known address of the apparent owner or other person entitled to the property is unknown or in a state that does not provide for the custodial taking of the property, except that if the property is specifically exempt from custodial taking under the law of the state of the last-known address, the property is not subject to the custody of the Administrator.

Sec. 7022. Traveler's check, money order, or similar instrument.

2669 The Administrator may take custody of sums payable on a traveler's check, money order,
2670 or similar instrument presumed abandoned to the extent permissible under 12 U.S.C. §§ 2501
2671 through 2503.

2672 Sec. 7023. Burden of proof to establish Administrator's right to custody.

2673 If the Administrator asserts a right to custody of unclaimed property, the Administrator
2674 has the burden to prove:

2675 (1) The existence and amount of the property;

2676 (2) That the property is presumed abandoned; and

2677 (3) That the property is subject to the custody of the Administrator.

2678 Part 4. Report by Holder

2679 Sec. 7024. Report required by holder.

2680 (a) A holder of property presumed abandoned and subject to the custody of the
2681 Administrator shall report in a record to the Administrator concerning the property. The
2682 Administrator may not require a holder to file a paper report.

2683 (b) A holder may contract with a third party to make the report required under subsection
2684 (a) of this section.

2685 (c) Whether or not a holder contracts with a third party under subsection (b) of this
2686 section, the holder is responsible:

2687 (1) For the complete, accurate, and timely reporting of property presumed
2688 abandoned to the Administrator; and

2689 (2) For paying or delivering to the Administrator property described in the report.

2690 Sec. 7025. Content of report.

2691 (a) The report required under section 7024 shall:

2692 (1) Be signed by or on behalf of the holder and verified as to its completeness and
2693 accuracy;

2694 (2) If filed electronically, be in a secure format approved by the Administrator
2695 which protects confidential information of the apparent owner in the same manner as required of
2696 the Administrator and the Administrator's agent under Part 14;

2697 (3) Describe the property;

2698 (4) Except for a traveler's check, money order, or similar instrument, contain the
2699 name, if known, last-known address, if known, and Social Security number or taxpayer
2700 identification number, if known or readily ascertainable, of the apparent owner of property with a
2701 value of \$50 or more;

2702 (5) For an amount held or owing under a life or endowment insurance policy or
2703 annuity contract, contain the name and last-known address of the insured, annuitant or other
2704 apparent owner of the policy or contract and of the beneficiary;

2705 (6) For property held in or removed from a safe-deposit box, indicate the location
2706 of the property, where it may be inspected by the Administrator, and any amounts owed to the
2707 holder under section 7038;

2708 (7) Contain the commencement date for determining abandonment under Part 2;

2709 (8) State that the holder has complied with the notice requirements of section
2710 7029;

2711 (9) Identify property that is a non-freely transferable security and explain why it is
2712 a non-freely transferable security; and

2713 (10) Contain other information the Administrator prescribes by rules.

2714 (b) A report under section 7024 may include personal information as defined in section
2715 7082(a) about the apparent owner or the apparent owner's property to the extent not otherwise
2716 prohibited by federal law.

2717 (c) If a holder has changed its name while holding property presumed abandoned or is a
2718 successor to another person that previously held the property for the apparent owner, the holder
2719 shall include in the report under section 7024 its former name or the name of the previous holder,
2720 if any, and the known name and address of each previous holder of the property.

2721 Sec. 7026. When report to be filed.

2722 (a) Except as otherwise provided in subsection (b) of this section and subject to
2723 subsection (c) of this section, the report under section 7024 shall be filed before November 1 of
2724 each year and cover the 12 months preceding July 1 of that year.

2725 (b) Subject to subsection (c) of this section, the report under section 7024 to be filed by
2726 an insurance company shall be filed before May 1 of each year for the immediately preceding
2727 calendar year.

2728 (c) Before the date for filing the report under section 7024, the holder of property
2729 presumed abandoned may request the Administrator to extend the time for filing. The
2730 Administrator may grant an extension. If the extension is granted, the holder may pay or make a
2731 partial payment of the amount the holder estimates ultimately will be due. The payment or
2732 partial payment terminates accrual of interest on the amount paid.

2733 Sec. 7027. Retention of records by holder.

2734 A holder required to file a report under section 7024 shall retain records for 10 years after
2735 the later of the date the report was filed or the last date a timely report was due to be filed, unless

2736 a shorter period is provided by rule of the Administrator. The holder may satisfy the requirement
2737 to retain records under this section through an agent. The records shall contain:

2738 (1) The information required to be included in the report;

2739 (2) The date, place, and nature of the circumstances that gave rise to the property
2740 right;

2741 (3) The amount or value of the property;

2742 (4) The last address of the apparent owner, if known to the holder; and

2743 (5) If the holder sells, issues, or provides to others for sale or issue in the District
2744 traveler's checks, money orders, or similar instruments, other than third-party bank checks, on
2745 which the holder is directly liable, a record of the instruments while they remain outstanding
2746 indicating the state and date of issue.

2747 Sec. 7028. Property reportable and payable or deliverable absent owner demand.

2748 Property is reportable and payable or deliverable under this subtitle even if the owner
2749 fails to make demand or present an instrument or document otherwise required to obtain
2750 payment.

2751 Part 5. Notice to Apparent Owner of Property Presumed Abandoned

2752 Sec. 7029. Notice to apparent owner by holder.

2753 (a) Subject to subsection (b) of this section, the holder of property presumed abandoned
2754 shall send to the apparent owner notice by first-class United States mail that complies with
2755 section 7030 in a format acceptable to the Administrator not more than 180 days nor less than 60
2756 days before filing the report under section 7024 if:

2757 (1) The holder has in its records an address for the apparent owner which the
2758 holder's records do not disclose to be invalid and is sufficient to direct the delivery of first-class
2759 United States mail to the apparent owner; and

2760 (2) The value of the property is \$50 or more.

2761 (b) If an apparent owner has consented to receive electronic-mail delivery from the
2762 holder, the holder shall send the notice described in subsection (a) of this section both by first-
2763 class United States mail to the apparent owner's last-known mailing address and by electronic
2764 mail, unless the holder believes that the apparent owner's electronic-mail address is invalid.

2765 Sec. 7030. Contents of notice by holder.

2766 (a) Notice under section 7029 shall contain a heading that reads substantially as follows:
2767 "Notice. The District of Columbia requires us to notify you that your property may be transferred
2768 to the custody of the District of Columbia's Unclaimed Property Administrator if you do not
2769 contact us before (insert date that is 30 days after the date of this notice).".

2770 (b) The notice under section 7029 shall:

2771 (1) Identify the nature and, except for property that does not have a fixed value,
2772 the value of the property that is the subject of the notice;

2773 (2) State that the property will be turned over to the Administrator;

2774 (3) State that after the property is turned over to the Administrator an apparent
2775 owner that seeks return of the property must file a claim with the Administrator;

2776 (4) State that property that is not legal tender of the United States may be sold by
2777 the Administrator; and

2778 (5) Provide instructions that the apparent owner must follow to prevent the holder
2779 from reporting and paying or delivering the property to the Administrator.

2780 Sec. 7031. Notice by Administrator.

2781 (a) The Administrator shall make a reasonable effort to give notice to an apparent owner
2782 that property of the owner that is presumed to be abandoned is held by the Administrator under
2783 this subtitle. The Administrator shall use available resources, including information services, to
2784 ascertain the mailing address of an apparent owner.

2785 (b) Subject to subsection (a) of this section, the Administrator shall:

2786 (1) Except as otherwise provided in paragraph (2) of this subsection, send written
2787 notice by first-class United States mail to each apparent owner of property valued at \$50 or more
2788 held by the Administrator, unless the Administrator determines that a mailing by first-class
2789 United States mail would not be received by the apparent owner, and, in the case of a security
2790 held in an account for which the apparent owner had consented to receiving electronic mail from
2791 the holder, send notice by electronic mail if the electronic-mail address of the apparent owner is
2792 known to the Administrator instead of by first-class United States mail; or

2793 (2) Send the notice to the apparent owner's electronic-mail address if the
2794 Administrator does not have a valid United States mail address for an apparent owner, but has an
2795 electronic-mail address that the Administrator does not know to be invalid.

2796 (c) In addition to the notice under subsection (b) of this section, the Administrator shall:

2797 (1) Publish every 6 months in at least one newspaper of general circulation in the
2798 District a notice with the following information:

2799 (A) The total value of property received by the Administrator during the
2800 preceding 6-month period, taken from the reports under section 7024;

2801 (B) The total value of claims paid by the Administrator during the
2802 preceding 6-month period;

2803 (C) The Internet web address of the unclaimed property website
2804 maintained by the Administrator;

2805 (D) A telephone number and electronic-mail address to contact the
2806 Administrator to inquire about or claim property; and

2807 (E) A statement that a person may access the Internet by a computer to
2808 search for unclaimed property and a computer may be available as a service to the public at a
2809 local public library; and

2810 (2) Maintain a website or database that (i) is accessible by the public and
2811 electronically searchable, (ii) contains the names reported to the Administrator of all apparent
2812 owners for whom property is being held by the Administrator.

2813 (d) The website or database maintained under subsection (c) of this section must include
2814 instructions for filing with the Administrator a claim to property and a printable claim form with
2815 instructions for its use.

2816 (e) In addition to giving notice under subsections (b) and (c) of this section, the
2817 Administrator may use other printed publication, telecommunication, the Internet, or other media
2818 to inform the public of the existence of unclaimed property held by the Administrator.

2819 Sec. 7032. Cooperation among District officers and agencies to locate apparent owner.

2820 Unless prohibited by law of the District other than this subtitle, on request of the
2821 Administrator, each officer, agency, board, commission, division, and department of the District
2822 and any body politic and corporate created by the District for a public purpose shall make its
2823 books and records available to the Administrator and cooperate with the Administrator to
2824 determine the current address of an apparent owner of property held by the Administrator under
2825 this subtitle.

2826 Part 6. Taking Custody of Property by Administrator

2827 Sec. 7033. Definition of good faith.

2828 In this part, payment or delivery of property is made in good faith if a holder:

2829 (1) Had a reasonable basis for believing, based on the facts then known, that the
2830 property was required or permitted to be paid or delivered to the Administrator under this
2831 subtitle; or

2832 (2) Made payment or delivery:

2833 (A) In response to a demand by the Administrator or Administrator's
2834 agent; or

2835 (B) Under a guidance or ruling issued by the Administrator which the
2836 holder reasonably believed required or permitted the property to be paid or delivered.

2837 Sec. 7034. Dormancy charge.

2838 (a) A holder may deduct a dormancy charge from property required to be paid or
2839 delivered to the Administrator if:

2840 (1) A valid contract between the holder and the apparent owner authorizes
2841 imposition of the charge for the apparent owner's failure to claim the property within a specified
2842 time; and

2843 (2) The holder regularly imposes the charge and regularly does not reverse or
2844 otherwise cancel the charge.

2845 (b) The amount of the deduction under subsection (a) of this section is limited to an
2846 amount that is not unconscionable considering all relevant factors, including the marginal
2847 transactional costs incurred by the holder in maintaining the apparent owner's property and any
2848 services received by the apparent owner. A deduction of \$10 a year for maintaining property

2849 valued at \$50 or less, or \$20 a year for maintaining property valued at more than \$50, or other
2850 amounts established by the Administrator by rule, is not unconscionable, although a higher
2851 charge, if permitted under subsection (a) of this section, may be proper considering all relevant
2852 factors.

2853 Sec. 7035. Payment or delivery of property to Administrator.

2854 (a) Except as otherwise provided in this section, on filing a report under section 7024, the
2855 holder shall pay or deliver to the Administrator the property described in the report.

2856 (b) If property in a report under section 7024 is an automatically renewable deposit and a
2857 penalty or forfeiture in the payment of interest would result from paying the deposit to the
2858 Administrator at the time of the report, the date for payment of the property to the Administrator
2859 is extended until a penalty or forfeiture no longer would result from payment, if the holder
2860 informs the Administrator of the extended date.

2861 (c) Tangible property in a safe-deposit box may not be delivered to the Administrator
2862 until 120 days after filing the report under section 7024.

2863 (d) If property reported to the Administrator under section 7024 is a security, the
2864 Administrator may:

2865 (1) Make an endorsement, instruction, or entitlement order on behalf of the
2866 apparent owner to invoke the duty of the issuer, its transfer agent, or the securities intermediary
2867 to transfer the security; or

2868 (2) Dispose of the security under section 7044.

2869 (e) If the holder of property reported to the Administrator under section 7024 is the issuer
2870 of a certificated security, the Administrator may obtain a replacement certificate in physical or
2871 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.

2895 (a) A holder that under this subtitle pays money to the Administrator may file a claim for
2896 reimbursement from the Administrator of the amount paid if the holder:

2897 (1) Paid the money in error; or

2898 (2) After paying the money to the Administrator, paid money to a person the
2899 holder reasonably believed entitled to the money.

2900 (b) If a claim for reimbursement under subsection (a) of this section is made for a
2901 payment made on a negotiable instrument, including a traveler's check, money order, or similar
2902 instrument, the holder shall submit proof that the instrument was presented and payment was
2903 made to a person the holder reasonably believed entitled to payment. The holder may claim
2904 reimbursement even if the payment was made to a person whose claim was made after expiration
2905 of a period of limitation on the owner's right to receive or recover property, whether specified by
2906 contract, statute, or court order.

2907 (c) If a holder is reimbursed by the Administrator under subsection (a)(2) of this section,
2908 the holder may also recover from the Administrator income or gain under section 7039 that
2909 would have been paid to the owner if the money had been claimed from the Administrator by the
2910 owner to the extent the income or gain was paid by the holder to the owner.

2911 (d) A holder that under this subtitle delivers property other than money to the
2912 Administrator may file a claim for return of the property from the Administrator if:

2913 (1) The holder delivered the property in error; or

2914 (2) The apparent owner has claimed the property from the holder.

2915 (e) If a claim for return of property under subsection (d) of this section is made, the
2916 holder shall include with the claim evidence sufficient to establish that the apparent owner has

2917 claimed the property from the holder or that the property was delivered by the holder to the
2918 Administrator in error.

2919 (f) The Administrator may determine that an affidavit submitted by a holder is evidence
2920 sufficient to establish that the holder is entitled to reimbursement or to recover property under
2921 this section.

2922 (g) A holder is not required to pay a fee or other charge for reimbursement or return of
2923 property under this section.

2924 (h) Not later than 90 days after a claim is filed under subsection (a) or (d) of this section,
2925 the Administrator shall allow or deny the claim and give the claimant notice of the decision in a
2926 record. If the Administrator does not take action on a claim during the 90-day period, the claim
2927 is deemed denied.

2928 (i) The claimant may bring an action in the Superior Court for review of the
2929 Administrator's decision or the deemed denial under subsection (h) of this section not later than:

2930 (1) 30 days following receipt of the notice of the Administrator's decision; or

2931 (2) 120 days following the filing of a claim under subsection (a) or (d) of this
2932 section in the case of a deemed denial under subsection (h) of this section.

2933 (j) A final decision in an action brought under subsection (i) of this section is subject to
2934 review by the District of Columbia Court of Appeals.

2935 Sec. 7038. Property removed from safe-deposit box.

2936 (a) Property removed from a safe-deposit box and delivered under this subtitle to the
2937 Administrator under this subtitle is subject to the holder's right to reimbursement for the cost of
2938 opening the box and a lien or contract providing reimbursement to the holder for unpaid rent
2939 charges for the box, provided that the holder makes a request under subsection (b) of this section.

2940 (b) The Administrator shall reimburse the holder from the proceeds remaining after
2941 deducting the expense incurred by the Administrator in selling the property, if the holder makes a
2942 request for reimbursement after property from the safe deposit box is delivered to the
2943 Administrator.

2944 Sec. 7039. Crediting income or gain to owner's account.

2945 (a) If property other than money is delivered to the Administrator, the owner is entitled to
2946 receive from the Administrator income or gain realized or accrued on the property before the
2947 property is sold. If the property is an interest-bearing demand, savings, or time deposit that
2948 continues to earn interest after delivery to the Administrator, the owner is entitled to that interest
2949 before the property is sold. Interest begins to accrue when the property is delivered to the
2950 Administrator and ends on the earlier of the expiration of 10 years after its delivery or the date on
2951 which payment is made to the owner.

2952 (b) Interest on interest-bearing property is not payable under this section for any period
2953 before the effective date of this subtitle, unless authorized by section 121 of the Uniform
2954 Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C.
2955 Official Code § 41-121).

2956 Sec. 7040. Administrator's options as to custody.

2957 (a) The Administrator may decline to take custody of property reported under section
2958 7024 if the Administrator determines that:

2959 (1) The property has a value less than the estimated expenses of notice and sale of
2960 the property; or

2961 (2) Taking custody of the property would be unlawful.

(b) A holder may pay or deliver property to the Administrator before the property is presumed abandoned under this subtitle if the holder:

(1) Sends the apparent owner of the property notice required by section 7029 and provides the Administrator evidence of the holder's compliance with this paragraph;

(2) Includes with the payment or delivery a report regarding the property conforming to section 7025; and

(3) First obtains the Administrator's consent in a record to accept payment or delivery.

(c) A holder's request for the Administrator's consent under subsection (b)(3) of this section shall be in a record. If the Administrator fails to respond to the request not later than 30 days after receipt of the request, the Administrator is deemed to consent to the payment or delivery of the property and the payment or delivery is considered to have been made in good faith.

(d) On payment or delivery of property under subsection (b) of this section, the property is presumed abandoned.

Sec. 7041. Disposition of property having no substantial value; immunity from liability.

(a) If the Administrator takes custody of property delivered under this subtitle and later determines that the property has no substantial commercial value or that the cost of disposing of the property will exceed the value of the property, the Administrator may return the property to the holder or destroy or otherwise dispose of the property.

(b) An action or proceeding may not be commenced against the District, an agency of the District, the Administrator, another officer, employee, or agent of the District, or a holder for or

2984 because of an act of the Administrator under this section, except for intentional misconduct or
2985 malfeasance.

2986 Sec. 7042. Periods of limitation and repose.

2987 (a) Expiration, before, on, or after the effective date of this subtitle, of a period of
2988 limitation on an owner's right to receive or recover property, whether specified by contract,
2989 statute, or court order, does not prevent the property from being presumed abandoned or affect
2990 the duty of a holder under this subtitle to file a report or pay or deliver property to the
2991 Administrator.

2992 (b) The Administrator may not commence an action or proceeding to enforce this subtitle
2993 with respect to the reporting, payment, or delivery of property more than 10 years after the
2994 holder filed a non-fraudulent report under section 7024 with the Administrator. The parties may
2995 agree in a record to extend the limitation in this subsection.

2996 (c) The Administrator may not commence an action, proceeding, or examination with
2997 respect to a duty of a holder under this subtitle more than 10 years after the duty arose.

2998 Part 7. Sale of Property by Administrator

2999 Sec. 7043. Public sale of property.

3000 (a) Subject to section 7044, not earlier than one year after receipt of property presumed
3001 abandoned, the Administrator may sell the property.

3002 (b) Before selling property under subsection (a) of this section, the Administrator shall
3003 give notice to the public of:

3004 (1) The date of the sale; and

3005 (2) A reasonable description of the property.

3006 (c) A sale under subsection (a) of this section shall be to the highest bidder:

3007 (1) At public sale at a location in the District which the Administrator determines
3008 to be the most favorable market for the property;

3009 (2) On the Internet; or

3010 (3) On another forum the Administrator determines is likely to yield the highest
3011 net proceeds of sale.

3012 (d) The Administrator may decline the highest bid at a sale under this section and reoffer
3013 the property for sale if the Administrator determines the highest bid is insufficient.

3014 (e) If a sale held under this section is to be conducted other than on the Internet, the
3015 Administrator shall publish at least one notice of the sale, at least 3 weeks but not more than 5
3016 weeks before the sale, in a newspaper of general circulation in the District of Columbia.

3017 Sec. 7044. Disposal of securities.

3018 (a) The Administrator may not sell or otherwise liquidate a security until 60 days after the
3019 Administrator receives the security and gives the apparent owner notice under section 7031 that
3020 the Administrator holds the security.

3021 (b) The Administrator may not sell a security listed on an established stock exchange for
3022 less than the price prevailing on the exchange at the time of sale. The Administrator may sell a
3023 security not listed on an established exchange by any commercially-reasonable method.

3024 Sec. 7045. Recovery of securities or value by owner.

3025 (a) If the Administrator sells a security before the expiration of 60 days after delivery of
3026 the security to the Administrator, an apparent owner that files a valid claim under this subtitle of
3027 ownership of the security before the 60-day period expires is entitled, at the option of the
3028 Administrator, to receive:

3029 (1) Replacement of the security; or

3030 (2) The market value of the security at the time the claim is filed, plus dividends,
3031 interest, and other increments on the security up to the time the claim is paid.

3032 (b) Replacement of the security or calculation of market value under subsection (a) of this
3033 section shall take into account a stock split, reverse stock split, stock dividend, or similar
3034 corporate action.

3035 (c) A person that makes a valid claim under this subtitle of ownership of a security after
3036 expiration of 60 days after delivery of the security to the Administrator is entitled to receive:

3037 (1) The security the holder delivered to the Administrator, if it is in the custody of
3038 the Administrator, plus dividends, interest, and other increments on the security up to the time
3039 the Administrator delivers the security to the person; or

3040 (2) The net proceeds of the sale of the security, plus dividends, interest, and other
3041 increments on the security up to the time the security was sold.

3042 Sec. 7046. Purchaser owns property after sale.

3043 A purchaser of property at a sale conducted by the Administrator under this subtitle takes
3044 the property free of all claims of the owner, a previous holder, or a person claiming through the
3045 owner or holder. The Administrator shall execute documents necessary to complete the transfer
3046 of ownership to the purchaser.

3047 Sec. 7047. Military medal or decoration.

3048 (a) The Administrator may not sell a medal or decoration awarded for military service in
3049 the armed forces of the United States.

3050 (b) The Administrator, with the consent of the respective organization under paragraph

3051 (1) of this subsection, agency under paragraph (2) of this subsection, or entity under paragraph

(3) of this subsection, may deliver a medal or decoration described in subsection (a) of this section to be held in custody for the owner, to:

(1) A military veterans organization qualified under section 501(c)(19) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(19));

(2) The agency that awarded the medal or decoration; or

(3) A governmental entity.

(c) On delivery under subsection (b) of this section, the Administrator is not responsible for safekeeping the medal or decoration.

Part 8. Administration of Property

Sec. 7048. Deposit of funds by Administrator.

(a) The Administrator shall deposit all funds received under this subtitle, including proceeds from the sale of property under Part 7, into an account in the General Fund designated the Unclaimed Property Account. For each fiscal year, the Administrator shall designate an amount in the Unclaimed Property Account to be held for the payment of claims that reflects the Administrator's reasonable estimate of the value of claims that will be asserted under this subtitle during the fiscal year. Funds in the Unclaimed Property Account that exceed this designated amount may be used to pay the costs of administering the unclaimed property program established in this subtitle and to satisfy the District's cash flow needs during the fiscal year.

(b) All assets, liabilities, and unexpended balances of funds in the trust fund created by section 123 of the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-123), shall be transferred to the Unclaimed

3074 Property Account established under subsection (a) of this section on the applicability date of this
3075 subtitle.

3076 Sec. 7049. Administrator to retain records of property.

3077 The Administrator shall:

3078 (1) Record and retain the name and last-known address of each person shown on a
3079 report filed under section 7024 to be the apparent owner of property delivered to the
3080 Administrator;

3081 (2) Record and retain the name and last-known address of each insured or
3082 annuitant and beneficiary shown on the report;

3083 (3) For each policy of insurance or annuity contract listed in the report of an
3084 insurance company, record and retain the policy or account number, the name of the company,
3085 and the amount due or paid; and

3086 (4) For each apparent owner listed in the report, record and retain the name of the
3087 holder that filed the report and the amount due or paid.

3088 Sec. 7050. Expenses and service charges of Administrator.

3089 Before making a deposit of funds received under this subtitle to the General Fund of the
3090 District, the Administrator may deduct:

3091 (1) Expenses of disposition of property delivered to the Administrator under this
3092 subtitle;

3093 (2) Costs of mailing and publication in connection with property delivered to the
3094 Administrator under this subtitle;

3095 (3) Reasonable service charges; and

3096 (4) Expenses incurred in examining records of or collecting property from a
3097 putative holder or holder.

3098 Sec. 7051. Administrator holds property as custodian for owner.

3099 Property received by the Administrator under this subtitle is held in custody for the
3100 benefit of the owner and is not owned by the District.

3101 Part 9. Claim to Recover Property from Administrator

3102 Sec. 7052. Claim of another state to recover property.

3103 (a) If the Administrator knows that property held by the Administrator under this subtitle
3104 is subject to a superior claim of another state, the Administrator shall:

3105 (1) Report and pay or deliver the property to the other state; or

3106 (2) Return the property to the holder so that the holder may pay or deliver the
3107 property to the other state.

3108 (b) The Administrator is not required to enter into an agreement to transfer property to
3109 the other state under subsection (a) of this section.

3110 Sec. 7053. When property subject to recovery by another state.

3111 (a) Property held under this subtitle by the Administrator is subject to the right of another
3112 state to take custody of the property if:

3113 (1) The property was paid or delivered to the Administrator because the records of
3114 the holder did not reflect a last-known address in the other state of the apparent owner and:

3115 (A) The other state establishes that the last-known address of the apparent
3116 owner or other person entitled to the property was in the other state; or

3117 (B) Under the law of the other state, the property has become subject to a
3118 claim by the other state of abandonment;

3119 (2) The records of the holder did not accurately identify the owner of the property,
3120 the last-known address of the owner was in another state, and, under the law of the other state,
3121 the property has become subject to a claim by the other state of abandonment;

3122 (3) The property was subject to the custody of the Administrator of the District
3123 under section 7021 and, under the law of the state of domicile of the holder, the property has
3124 become subject to a claim by the state of domicile of the holder of abandonment; or

3125 (4) The property:

3126 (A) Is a sum payable on a traveler's check, money order, or similar
3127 instrument that was purchased in the other state and delivered to the Administrator under section
3128 7022; and

3129 (B) Under the law of the other state, has become subject to a claim by the
3130 other state of abandonment.

3131 (b) A claim by another state to recover property under this section shall be presented in a
3132 form prescribed by the Administrator, unless the Administrator waives presentation of the form.

3133 (c) The Administrator shall decide a claim under this section not later than 90 days after it
3134 is presented. If the Administrator determines that the other state is entitled under subsection (a)
3135 of this section to custody of the property, the Administrator shall allow the claim and pay or
3136 deliver the property to the other state.

3137 (d) The Administrator may require another state, before recovering property under this
3138 section, to agree to indemnify the District and its agents, officers, and employees against any
3139 liability on a claim to the property.

3140 Sec. 7054. Claim for property by person claiming to be owner.

3141 (a) A person claiming to be the owner of property held under this subtitle by the
3142 Administrator may file a claim for the property on a form prescribed by the Administrator. The
3143 claimant shall verify the claim as to its completeness and accuracy.

3144 (b) The Administrator may waive the requirement in subsection (a) of this section and
3145 may pay or deliver property directly to a person if:

3146 (1) The person receiving the property or payment is shown to be the apparent
3147 owner included on a report filed under section 7024;

3148 (2) The Administrator reasonably believes the person is entitled to receive the
3149 property or payment; and

3150 (3) The property has a value of less than \$500.

3151 Sec. 7055. When Administrator must honor claim for property.

3152 (a) The Administrator shall pay or deliver property to a claimant under section 7054(a) if
3153 the Administrator receives evidence sufficient to establish to the satisfaction of the Administrator
3154 that the claimant is the owner of the property.

3155 (b) Not later than 90 days after a claim is filed under section 7054(a), the Administrator
3156 shall allow or deny the claim and give the claimant notice in a record of the decision.

3157 (c) If the claim is denied under subsection (b) of this section:

3158 (1) The Administrator shall inform the claimant of the reason for the denial and
3159 specify what additional evidence, if any, is required for the claim to be allowed;

3160 (2) The claimant may file an amended claim with the Administrator or commence
3161 an action under section 7057; and

3162 (3) The Administrator shall consider an amended claim filed under paragraph (2)
3163 of this subsection as an initial claim.

(d) If the Administrator does not take action on a claim during the 90-day period following the filing of a claim under section 7054(a), the claim is deemed denied.

Sec. 7056. Allowance of claim for property by the District.

(a) Not later than 45 days after a claim is allowed under section 7055(b), the Administrator shall pay or deliver to the owner the property or pay to the owner the net proceeds of a sale of the property, together with income or gain to which the owner is entitled under section 7039. On request of the owner, the Administrator may sell or liquidate a security and pay the net proceeds to the owner, even if the security had been held by the Administrator for less than 60 days or the Administrator has not complied with the notice requirements under section 7044.

(b) Property held under this subtitle by the Administrator is subject to a claim for the payment of an enforceable debt the owner owes to the District for:

(1) Child-support arrearages, including any child-support collection costs and child-support arrearages that are combined with maintenance;

(2) A civil or criminal fine or penalty, court costs, a surcharge, or restitution imposed by a final order of an administrative agency or a final court judgment; or

(3) District taxes, penalties, and interest that have been determined to be delinquent, including delinquent debts under Delinquent Debt Recovery Act of 2012, effective September 20, 2012, (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), and collection fees owed to the Central Collection Unit under Chapter 38 of Title 9 of the District of Columbia Municipal Regulations.

(c) Before delivery or payment to an owner under subsection (a) of this section of property or payment to the owner of net proceeds of a sale of the property, the Administrator first

3187 shall apply the property or net proceeds to a debt under subsection (b) of this section the
3188 Administrator determines is owed by the owner. The Administrator shall pay the amount to the
3189 appropriate District agency and notify the owner of the payment, unless another District agency
3190 is required to notify the owner of the payment.

3191 (d) The Administrator may make periodic inquiries of District agencies in the absence of
3192 a claim filed under section 7054 to determine whether an apparent owner included in the
3193 unclaimed-property records of the District has an enforceable debt described in subsection (b) of
3194 this section. The Administrator first shall apply the property or net proceeds of a sale of property
3195 held by the Administrator to a debt under subsection (b) of this section of an apparent owner
3196 which appears in the records of the Administrator and deliver the amount to the appropriate
3197 District agency. The Administrator shall notify the apparent owner of the payment, unless
3198 another District agency is required to notify the owner of the payment.

3199 Sec. 7057. Action by person whose claim is denied.

3200 Not later than one year after filing a claim under section 7054(a), the claimant may
3201 commence an action against the Administrator in the Superior Court to establish a claim that has
3202 been denied or deemed denied under section 7054(d).

3203 Part 10. Verified Report of Property; Examination of Records

3204 Sec. 7058. Verified report of property.

3205 If a person does not file a report required by section 7024 or the Administrator believes
3206 that a person may have filed an inaccurate, incomplete, or false report, the Administrator may
3207 require the person to file a verified report in a form prescribed by the Administrator. The
3208 verified report shall:

3209 (1) State whether the person is holding property reportable under this subtitle;

3210 (2) Describe property not previously reported or about which the Administrator
3211 has inquired;

3212 (3) Specifically identify property described under paragraph (2) of this subsection
3213 about which there is a dispute about whether it is reportable under this subtitle; and

3214 (4) State the amount or value of the property.

3215 Sec. 7059. Examination of records to determine compliance.

3216 The Administrator, at reasonable times and on reasonable notice, may:

3217 (1) Examine the records of a person, including examination of appropriate records
3218 in the possession of an agent of the person under examination, if the records are reasonably
3219 necessary to determine whether the person has complied with this subtitle;

3220 (2) Apply to the Superior Court for the issuance of a subpoena requiring the
3221 person or agent of the person to make records available for examination; and

3222 (3) Request that the Attorney General bring an action seeking judicial
3223 enforcement of the subpoena.

3224 Sec. 7060. Rules for conducting examination.

3225 (a) The Administrator shall adopt rules governing procedures and standards for an
3226 examination under section 7059, including rules for use of an estimation, extrapolation, and
3227 statistical sampling in conducting an examination.

3228 (b) An examination under section 7059 shall be performed under rules adopted under
3229 subsection (a) of this section and with generally accepted examination practices and standards
3230 applicable to an unclaimed-property examination.

3231 (c) If a person subject to examination under section 7059 has filed the reports required
3232 under sections 7024 and 7058 and has retained the records required by section 7027, the
3233 following rules apply:

3234 (1) The examination shall include a review of the person's records.

3235 (2) The examination may not be based on an estimate unless the person expressly
3236 consents in a record to the use of an estimate.

3237 (3) The person conducting the examination shall consider the evidence presented
3238 in good faith by the person in preparing the findings of the examination under section 7064.

3239 Sec. 7061. Records obtained in examination.

3240 Records obtained and records, including work papers, compiled by the Administrator in
3241 the course of conducting an examination under section 7049:

3242 (1) Are subject to the confidentiality and security provisions of Part 14 and are not
3243 public records;

3244 (2) May be used by the Administrator in an action to collect property or otherwise
3245 enforce this subtitle;

3246 (3) May be used in a joint examination conducted with another state, the United
3247 States, a foreign country or subordinate unit of a foreign country, or any other governmental
3248 entity if the governmental entity conducting the examination is legally bound to maintain the
3249 confidentiality and security of information obtained from a person subject to examination in a
3250 manner substantially equivalent to Part 14;

3251 (4) Shall be disclosed, on request, to the person that administers the unclaimed
3252 property law of another state for that state's use in circumstances equivalent to circumstances

3253 described in this part, if the other state is required to maintain the confidentiality and security of
3254 information obtained in a manner substantially equivalent to Part 14;

3255 (5) Shall be produced by the Administrator under an administrative or judicial
3256 subpoena or administrative or court order; and

3257 (6) Shall be produced by the Administrator on request of the person subject to the
3258 examination in an administrative or judicial proceeding relating to the property.

3259 Sec. 7062. Evidence of unpaid debt or undischarged obligation.

3260 (a) A record of a putative holder showing an unpaid debt or undischarged obligation is
3261 prima facie evidence of the debt or obligation.

3262 (b) A putative holder may establish by a preponderance of the evidence that there is no
3263 unpaid debt or undischarged obligation for a debt or obligation described in subsection (a) of this
3264 section or that the debt or obligation was not, or no longer is, a fixed and certain obligation of the
3265 putative holder.

3266 (c) A putative holder may overcome prima facie evidence under subsection (a) of this
3267 section by establishing by a preponderance of the evidence that a check, draft, or similar
3268 instrument was:

3269 (1) Issued as an unaccepted offer in settlement of an unliquidated amount;

3270 (2) Issued but later was replaced with another instrument because the earlier
3271 instrument was lost or contained an error that was corrected;

3272 (3) Issued to a party affiliated with the issuer;

3273 (4) Paid, satisfied, or discharged;

3274 (5) Issued in error;

3275 (6) Issued without consideration;

3276 (7) Issued but there was a failure of consideration;
3277 (8) Voided not later than 90 days after issuance for a valid business reason set
3278 forth in a contemporaneous record; or

3279 (9) Issued but not delivered to the third-party payee for a sufficient reason
3280 recorded within a reasonable time after issuance.

3281 (d) In asserting a defense under this section, a putative holder may present evidence of a
3282 course of dealing between the putative holder and the apparent owner or of custom and practice.

3283 Sec. 7063. Failure of person examined to retain records.

3284 If a person subject to examination under section 7059 does not retain the records required
3285 by section 7027, the Administrator may determine the value of property due using a reasonable
3286 method of estimation based on all information available to the Administrator, including
3287 extrapolation and use of statistical sampling when appropriate and necessary, consistent with
3288 examination procedures and standards adopted under section 7060(a) and in accord with section
3289 7060(b).

3290 Sec. 7064. Report to person whose records were examined.

3291 At the conclusion of an examination under section 7059, the Administrator shall provide
3292 to the person whose records were examined a complete and unredacted examination report that
3293 specifies:

3294 (1) The work performed;

3295 (2) The property types reviewed;

3296 (3) The methodology of any estimation technique, extrapolation, or statistical
3297 sampling used in conducting the examination;

3298 (4) Each calculation showing the value of property determined to be due; and

3299 (5) The findings of the person conducting the examination.

3300 Sec. 7065. Complaint to Administrator about conduct of person conducting examination.

3301 (a) If a person subject to examination under section 7059 believes the person conducting

3302 the examination has made an unreasonable or unauthorized request or is not proceeding

3303 expeditiously to complete the examination, the person in a record may ask the Administrator to

3304 intervene and take appropriate remedial action, including countermanding the request of the

3305 person conducting the examination, imposing a time limit for completion of the examination, or

3306 reassigning the examination to another person.

3307 (b) If a person in a record requests a conference with the Administrator to present matters

3308 that are the basis of a request under subsection (a) of this section, the Administrator shall hold

3309 the conference not later than 30 days after receiving the request. The Administrator may hold

3310 the conference in person, by telephone, or by electronic means.

3311 (c) If a conference is held under subsection (b) of this section, not later than 30 days after

3312 the conference ends, the Administrator shall provide a report in a record of the conference to the

3313 person that requested the conference.

3314 Sec. 7066. Administrator's contract with another to conduct examination.

3315 (a) In this section, "related to the Administrator" means an individual who is:

3316 (1) The Administrator's spouse, partner in a civil union, domestic partner, or

3317 reciprocal beneficiary;

3318 (2) The Administrator's child, stepchild, grandchild, parent, stepparent, sibling,

3319 step-sibling, half-sibling, aunt, uncle, niece, or nephew;

3320 (3) A spouse, partner in a civil union, domestic partner, or reciprocal beneficiary

3321 of an individual under paragraph (2) of this subsection; or

3322 (4) Any individual residing in the Administrator's household.

3323 (b) The Administrator may contract with a person to conduct an examination under this
3324 part.

3325 (c) If the person with which the Administrator contracts under subsection (b) of this
3326 section is:

3327 (1) An individual, the individual may not be related to the Administrator; or
3328 (2) A business entity, the entity may not be owned in whole or in part by the
3329 Administrator or an individual related to the Administrator.

3330 (d) At least 60 days before assigning a person under contract with the Administrator
3331 under subsection (b) of this section to conduct an examination, the Administrator shall demand
3332 in a record that the person to be examined submit a report and deliver property that is previously
3333 unreported.

3334 (e) If the Administrator contracts with a person under subsection (b) of this section:

3335 (1) The contract may provide for compensation of the person based on a fixed fee,
3336 hourly fee, or contingent fee;

3337 (2) A contingent fee arrangement may not provide for a payment that exceeds 10
3338 percent of the amount or value of property paid or delivered as a result of the examination,
3339 except for contracts in force on the effective date of this subtitle; and

3340 (3) On request by a person subject to examination by a contractor, the
3341 Administrator shall deliver to the person a complete and unredacted copy of the contract and any
3342 contract between the contractor and a person employed or engaged by the contractor to conduct
3343 the examination.

(f) A contract under subsection (b) of this section is subject to public disclosure without redaction under District of Columbia Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

Sec. 7067. Limit on future employment.

The Administrator or an individual employed by the Administrator who participates in, recommends, or approves the award of a contract under section 7066(b) is subject to the Code of Conduct, or other ethical rules, applicable to employees in the Office of the Chief Financial Officer concerning post-employment conflicts of interest.

Sec. 7068. Report by Administrator at request of Mayor.

(a) Pursuant to a request of the Mayor, the Administrator shall compile and submit a report containing information about property presumed abandoned for the preceding fiscal year for the District: The information requested may include:

(1) The total amount and value of all property paid or delivered under this subtitle to the Administrator;

(2) The name of and amount paid to each contractor under section 7066 and the percentage the total compensation paid to all contractors under section 7066 bears to the total amount paid or delivered to the Administrator as a result of all examinations performed under section 7066;

(3) The total amount and value of all property paid or delivered by the Administrator to persons that made claims for property held by the Administrator under this subtitle and the percentage the total payments made and value of property delivered to claimants bears to the total amounts paid and value delivered to the Administrator; and

(4) The total amount of claims made by persons claiming to be owners.

(b) The report under subsection (a) of this section is a public record subject to public disclosure without redaction under the District of Columbia Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

Part 11. Determination of Liability; Putative Holder Remedies

Sec. 7069. Determination of liability for unreported reportable property.

If the Administrator determines from an examination conducted under section 7059 that a putative holder failed or refused to pay or deliver to the Administrator property which is reportable under this subtitle, the Administrator shall issue a determination of the putative holder's liability to pay or deliver and give notice in a record to the putative holder of the determination.

Sec. 7070. Informal conference.

(a) Not later than 30 days after receipt of a notice under section 7069, the putative holder may request an informal conference with the Administrator to review the determination. Except as otherwise provided in this section, the Administrator may designate an employee to act on behalf of the Administrator.

(b) If a putative holder makes a timely request under subsection (a) of this section for an informal conference:

(1) Not later than 20 days after the date of the request, the Administrator shall set the time and place of the conference;

(2) The Administrator shall give the putative holder notice in a record of the time and place of the conference;

(3) The conference may be held in person, by telephone, or by electronic means, as determined by the Administrator;

3390 (4) The request tolls the 90-day period under section 7071 until notice of a
3391 decision under paragraph (7) of this subsection has been given to the putative holder or the
3392 putative holder withdraws the request for the conference;

3393 (5) The conference may be postponed, adjourned, and reconvened as the
3394 Administrator determines appropriate;

3395 (6) The Administrator or Administrator's designee with the approval of the
3396 Administrator may modify a determination made under section 7069 or withdraw it; and

3397 (7) The Administrator shall issue a decision in a record and provide a copy of the
3398 record to the putative holder and examiner not later than 20 days after the conference ends.

3399 (c) A conference under subsection (b) of this section is not an administrative remedy and
3400 is not a contested case subject to the District of Columbia Administrative Procedure Act,
3401 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*). An oath is not
3402 required and rules of evidence do not apply in the conference.

3403 (d) At a conference under subsection (b) of this section, the putative holder shall be given
3404 an opportunity to confer informally with the Administrator and the person that examined the
3405 records of the putative holder to:

3406 (1) Discuss the determination made under section 7069; and

3407 (2) Present any issue concerning the validity of the determination.

3408 (e) If the Administrator fails to act within the period prescribed in subsection (b)(1) or (7)
3409 of this section, the failure does not affect a right of the Administrator, except that interest does
3410 not accrue on the amount for which the putative holder was determined to be liable under section
3411 7069 during the period in which the Administrator failed to act until the earlier of:

3412 (1) The date the putative holder requests a hearing under section 7071; or

3413 (2) 90 days after the putative holder received notice of the Administrator's
3414 determination under section 7069 if the putative holder did not request a hearing under section
3415 7071.

3416 (f) The Administrator may hold an informal conference with a putative holder about a
3417 determination under section 7069 without a request at any time before the putative holder
3418 requests a hearing under section 7071.

3419 (g) Interest and penalties under section 7075 continue to accrue on property not reported,
3420 paid, or delivered as required by this subtitle after the initiation, and during the pendency, of an
3421 informal conference under this section.

3422 Sec. 7071. Review of Administrator's determination.

3423 (a) Not later than 90 days after receiving notice of the Administrator's determination
3424 under section 7069, a putative holder may request a hearing on the Administrator's determination
3425 by the Office of Administrative Hearings, which shall make findings of fact and conclusions of
3426 law and render a final order in accordance with the District of Columbia Administrative
3427 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

3428 (b) A final decision in a proceeding under subsection (a) of this section is subject to
3429 judicial review by the District of Columbia Court of Appeals.

3430 Part 12. Enforcement

3431 Sec. 7072. Judicial action to enforce liability.

3432 (a) If a determination under section 7069 becomes final and is not subject to
3433 administrative or judicial review, the Administrator may request that the Attorney General bring
3434 an action in the Superior Court or in an appropriate court of another state to enforce the

3435 determination and secure payment or delivery of past due, unpaid, or undelivered property. The
3436 action must be brought not later than one year after the determination becomes final.

3437 (b) In an action under subsection (a) of this section, if no court in the District has
3438 jurisdiction over the defendant, the Attorney General may commence an action in any court
3439 having jurisdiction over the defendant.

3440 Sec. 7073. Interstate and international agreement; cooperation.

3441 (a) Subject to subsection (b) of this section, the Administrator may:

3442 (1) Exchange information with another state or foreign country relating to
3443 property presumed abandoned or relating to the possible existence of property presumed
3444 abandoned; and

3445 (2) Authorize in a record another state or foreign country or a person acting on
3446 behalf of the other state or country to examine its records of a putative holder as provided in Part
3447 10.

3448 (b) An exchange or examination under subsection (a) of this section may be done only if
3449 the state or foreign country has confidentiality and security requirements substantially equivalent
3450 to those in Part 14 or agrees in a record to be bound by the District's confidentiality and security
3451 requirements.

3452 Sec. 7074. Action involving another state or foreign country.

3453 (a) The Administrator may request that the Attorney General join another state or foreign
3454 country to examine and seek enforcement of this subtitle against a putative holder.

3455 (b) On request of another state or foreign country, the Attorney General may commence
3456 an action on behalf of the other state or country to enforce, in the District, the law of the other

state or country against a putative holder subject to a claim by the other state or country, if the other state or country agrees to pay costs incurred by the Attorney General in the action.

(c) The Administrator may request the official authorized to enforce the unclaimed property law of another state or foreign country to commence an action to recover property in the other state or country on behalf of the Administrator.

(d) The Administrator may request that the Attorney General pursue an action on behalf of the District to recover property subject to this subtitle but delivered to the custody of another state if the Administrator believes the property is subject to the custody of the Administrator.

(e) The Administrator, with the approval of the Attorney General, may retain an attorney in the District, another state, or a foreign country to commence an action to recover property on behalf of the Administrator and may agree to pay attorney's fees based in whole or in part on a fixed fee, hourly fee, or a percentage of the amount or value of property recovered in the action.

(f) Expenses incurred by the District in an action under this section may be paid from property received under this subtitle or the net proceeds of the property subject to appropriations. Expenses paid to recover property may not be deducted from the amount that is subject to a claim under this subtitle by the owner.

Sec. 7075. Interest and penalty for failure to act in timely manner.

(a) A holder that fails to report, pay, or deliver property within the time prescribed by this subtitle shall pay to the Administrator interest at 10% per year on the property or value of the property from the date the property should have been reported, paid, or delivered to the Administrator until the date reported, paid, or delivered.

(b) Except as otherwise provided in section 7076 or 7077, the Administrator may require a holder that fails to report, pay, or deliver property within the time prescribed by this subtitle to

3480 pay to the Administrator, in addition to interest included under subsection (a) of this section, a
3481 civil penalty of \$200 for each day the duty is not performed, up to a cumulative maximum
3482 amount of \$5,000.

3483 Sec. 7076. Other civil penalties.

3484 (a) If a holder enters into a contract or other arrangement for the purpose of evading an
3485 obligation under this subtitle or otherwise willfully fails to perform a duty imposed on the holder
3486 under this subtitle, the Administrator may require the holder to pay the Administrator, in addition
3487 to interest as provided in section 7075(a), a civil penalty of \$1,000 for each day the obligation is
3488 evaded or the duty is not performed, up to a cumulative maximum amount of \$25,000, plus 25
3489 percent of the amount or value of property that should have been but was not reported, paid, or
3490 delivered as a result of the evasion or failure to perform.

3491 (b) If a holder makes a fraudulent report under this subtitle, the Administrator may
3492 require the holder to pay to the Administrator, in addition to interest under section 7075(a), a
3493 civil penalty of \$1,000 for each day from the date the report was made until corrected, up to a
3494 cumulative maximum of \$25,000, plus 25 percent of the amount or value of any property that
3495 should have been reported but was not included in the report or was underreported.

3496 Sec. 7077. Waiver of interest and penalty.

3497 The Administrator:

3498 (1) May waive, in whole or in part, interest under section 7075(a) and penalties under
3499 section 7075(b) or 7076; and

3500 (2) Shall waive a penalty under section 7075(b) if the Administrator determines that the
3501 holder acted in good faith and without negligence.

3502 Sec. 7078. Right to administrative hearing; entry of civil judgment by Superior Court.

(a) A holder is entitled to a hearing on the Administrator's imposition of a civil penalty or interest under section 7075 or a civil penalty under section 7076 by the Office of Administrative Hearings, which shall make findings of fact and conclusions of law and render a final order in accordance with the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1245; D.C. Official Code § 2-501 *et seq.*).

(b) The Administrator may cause a final order requiring a holder to pay a civil penalty, interest, or costs entered by the Office of Administrative Hearings under subsection (c) of this section as a judgment against the holder by requesting that the Attorney General file an action to enter the civil penalty, interest, or costs to as a civil judgment.

Part 13. Agreement to Locate Property of Apparent Owner Held by Administrator

Sec. 7079. When agreement to locate property enforceable.

An agreement by an apparent owner and another person, the primary purpose of which is to locate, deliver, recover, or assist in the location, delivery, or recovery of property held by the Administrator, is enforceable only if the agreement:

(1) Is in a record that clearly states the nature of the property and the services to be provided;

(2) Is signed by or on behalf of the apparent owner; and

(3) States the amount or value of the property reasonably expected to be recovered, computed before and after a fee or other compensation to be paid to the person has been deducted.

Sec. 7080. When agreement to locate property void.

3524 (a) Subject to subsection (b) of this section, an agreement under section 7079 is void if it
3525 is entered into during the period beginning on the date the property was paid or delivered by a
3526 holder to the Administrator and ending 24 months after the payment or delivery.

3527 (b) If a provision in an agreement described in subsection (a) of this section applies to
3528 mineral proceeds for which compensation is to be paid to the other person based in whole or in
3529 part on a part of the underlying minerals or mineral proceeds not then presumed abandoned, the
3530 provision is void regardless of when the agreement was entered into.

3531 (c) An agreement under subsection (a) of this section that provides for compensation in
3532 an amount that is unconscionable is unenforceable except by the apparent owner. An apparent
3533 owner that believes the compensation the apparent owner has agreed to pay is unconscionable
3534 may file an action in the Superior Court to reduce the compensation to the maximum amount that
3535 is not unconscionable.

3536 (d) An apparent owner may assert that an agreement described in this section is void on a
3537 ground other than it provides for payment of unconscionable compensation.

3538 (e) This section does not apply to an apparent owner's agreement with an attorney to
3539 pursue a claim for recovery of specifically identified property held by the Administrator or to
3540 contest the Administrator's denial of a claim for recovery of the property.

3541 Sec.7081. Right of agent of apparent owner to recover property held by Administrator.

3542 (a) An apparent owner that contracts with another person to locate, deliver, recover, or
3543 assist in the location, delivery, or recovery of property of the apparent owner which is held by
3544 the Administrator may designate the person as the agent of the apparent owner. The designation
3545 must be in a record signed by the apparent owner.

3546 (b) The Administrator shall give the agent of the apparent owner all information
3547 concerning the property which the apparent owner is entitled to receive, including information
3548 that otherwise is confidential information under section 7083.

3549 (c) If authorized by the apparent owner, the agent of the apparent owner may bring an
3550 action against the Administrator on behalf of and in the name of the apparent owner.

3551 Part 14. Confidentiality and Security of Information

3552 Sec. 7082. Definitions; applicability.

3553 (a) In this part, “personal information” means:

3554 (1) Information that identifies or reasonably can be used to identify an individual,
3555 such as first and last name in combination with the individual’s:

3556 (A) Social security number or other government-issued number or
3557 identifier;

3558 (B) Date of birth;

3559 (C) Home or physical address;

3560 (D) Electronic-mail address or other online contact information or Internet
3561 provider address;

3562 (E) Financial account number or credit or debit card number;

3563 (F) Biometric data, health or medical data, or insurance information; or

3564 (G) Passwords or other credentials that permit access to an online or other
3565 account;

3566 (2) Personally identifiable financial or insurance information, including nonpublic
3567 personal information defined by applicable federal law; and

3568 (3) Any combination of data that, if accessed, disclosed, modified, or destroyed
3569 without authorization of the owner of the data or if lost or misused, would require notice or
3570 reporting under D.C. Official Code §§ 28-3851 to 28-3864. and federal privacy and data security
3571 law, whether or not the Administrator or the Administrator's agent is subject to the law.

3572 (b) A provision of this part that applies to the Administrator or the Administrator's
3573 records applies to an Administrator's agent.

3574 Sec. 7083. Confidential information.

3575 (a) Except as otherwise provided in this subtitle, the following are confidential and
3576 exempt from public inspection or disclosure:

3577 (1) Records of the Administrator and the Administrator's agent related to the
3578 administration of this subtitle;

3579 (2) Reports and records of a holder in the possession of the Administrator or the
3580 Administrator's agent; and

3581 (3) Personal information and other information derived or otherwise obtained by
3582 or communicated to the Administrator or the Administrator's agent from an examination under
3583 this subtitle of the records of a person.

3584 (b) A record or other information that is confidential under law of the District other than
3585 this subtitle, another state, or the United States continues to be confidential when disclosed or
3586 delivered under this subtitle to the Administrator or Administrator's agent.

3587 Sec. 7084. When confidential information may be disclosed.

3588 (a) When reasonably necessary to enforce or implement this subtitle, the Administrator
3589 may disclose confidential information concerning property held by the Administrator or the
3590 Administrator's agent only to:

(1) An apparent owner or the apparent owner's personal representative, attorney, other legal representative, relative, or agent designated under section 7081 to have the information;

(2) The personal representative other legal representative, relative of a deceased apparent owner, agent designated under section 7081 by the deceased apparent owner, or a person entitled to inherit from the deceased apparent owner;

(3) Another department or agency of the District or the United States;

(4) The person that administers the unclaimed property law of another state, if the other state accords substantially reciprocal privileges to the Administrator of the District if the other state is required to maintain the confidentiality and security of information obtained in a manner substantially equivalent to Part 14;

(5) A person subject to an examination as required by section 7061(6).

(b) Except as otherwise provided in section 7083(a), the Administrator shall include on the website or in the database required by section 7031(c)(2) the name of each apparent owner of property held by the Administrator. The Administrator may include in published notices, printed publications, telecommunications, the Internet, or other media and on the website or in the database additional information concerning the apparent owner's property if the Administrator believes the information will assist in identifying and returning property to the owner and does not disclose personal information except the home or physical address of an apparent owner.

(c) The Administrator and the Administrator's agent may not use confidential information provided to them or in their possession except as expressly authorized by this subtitle or required by law other than this subtitle.

Sec. 7085. Confidentiality agreement.

A person to be examined under section 7059 may require, as a condition of disclosure of the records of the person to be examined, that each person having access to the records disclosed in the examination execute and deliver to the person to be examined a confidentiality agreement that:

(1) Is in a form that is reasonably satisfactory to the Administrator; and

(2) Requires the person having access to the records to comply with the provisions of this part applicable to the person.

Sec. 7086. No confidential information in notice.

Except as otherwise provided in sections 7029 and 7030, a holder is not required under this subtitle to include confidential information in a notice the holder is required to provide to an apparent owner under this subtitle.

Sec. 7087. Security of information.

(a) If a holder is required to include confidential information in a report to the Administrator, the information must be provided by a secure means.

(b) If confidential information in a record is provided to and maintained by the Administrator or Administrator's agent as required by this subtitle, the Administrator or agent shall:

(1) Implement administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of the information required by D.C. Official Code §§ 28-3851 to 28-3864 and federal privacy and data security law whether or not the Administrator or the Administrator's agent is subject to the law;

(2) Protect against reasonably anticipated threats or hazards to the security, confidentiality, or integrity of the information; and

3637 (3) Protect against unauthorized access to or use of the information which could
3638 result in substantial harm or inconvenience to a holder or the holder's customers, including
3639 insureds, annuitants, and policy or contract owners and their beneficiaries.

3640 (c) The Administrator:

3641 (1) After notice and comment, shall adopt and implement a security plan that
3642 identifies and assesses reasonably foreseeable internal and external risks to confidential
3643 information in the Administrator's possession and seeks to mitigate the risks; and

3644 (2) Shall ensure that an Administrator's agent adopts and implements a similar
3645 plan with respect to confidential information in the agent's possession.

3646 (d) The Administrator and the Administrator's agent shall educate and train their
3647 employees regarding the plan adopted under subsection (c) of this section.

3648 (e) The Administrator and the Administrator's agent shall in a secure manner return or
3649 destroy all confidential information no longer reasonably needed under this subtitle.

3650 Sec. 7088. Security breach.

3651 (a) Except to the extent prohibited by law other than this subtitle, the Administrator or
3652 Administrator's agent shall notify a holder as soon as practicable of:

3653 (1) A suspected loss, misuse or unauthorized access, disclosure, modification, or
3654 destruction of confidential information obtained from the holder in the possession of the
3655 Administrator or an Administrator's agent; and

3656 (2) Any interference with operations in any system hosting or housing
3657 confidential information which:

3658 (A) Compromises the security, confidentiality, or integrity of the
3659 information; or

3660 (B) Creates a substantial risk of identity fraud or theft.

3661 (b) Except as necessary to inform an insurer, attorney, investigator, or others as required
3662 by law, the Administrator and an Administrator's agent may not disclose, without the express
3663 consent in a record of the holder, an event described in subsection (a) of this section to a person
3664 whose confidential information was supplied by the holder.

3665 (c) If an event described in subsection (a) of this section occurs, the Administrator and
3666 the Administrator's agent shall:

3667 (1) Take action necessary for the holder to understand and minimize the effect of
3668 the event and determine its scope; and

3669 (2) Cooperate with the holder with respect to:

3670 (A) Any notification required by law concerning a data or other security
3671 breach; and

3672 (B) A regulatory inquiry, litigation, or similar action.

3673 Sec. 7089. Indemnification for breach by agent.

3674 (a) If a claim is made or action commenced arising out of an event described in section
3675 7088(a) relating to confidential information possessed by an Administrator's agent, the
3676 Administrator's agent shall indemnify, defend, and hold harmless a holder and the holder's
3677 affiliates, officers, directors, employees, and agents as to:

3678 (1) Any claim or action and

3679 (2) A liability, obligation, loss, damage, cost, fee, penalty, fine, settlement,
3680 charge, or other expense, including reasonable attorney's fees and costs, established by the claim
3681 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.

(b) This subtitle does not relieve a holder of a duty that arose before the effective date of this subtitle to report, pay, or deliver property. Subject to section 7042(b) and (c), a holder that did not comply with the law governing unclaimed property before the effective date of this subtitle is subject to applicable provisions for enforcement and penalties in effect before the effective date of this subtitle.

Sec. 7093. Conforming amendments

(a) The Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-101 *et seq.*), is repealed; provided that all funds in the trust fund established under section 123 of the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-123), shall be transferred to the Unclaimed Property Account, established under section 7048(a) of this subtitle, on the applicability date of this subtitle.

(b) Section 204(a) of Title II of the District of Columbia Administrative Procedure Act, effective March 29, 1977 (D.C. Law 1-96; D. C. Official Code § 2-534(a)), is amended as follows:

(1) The first paragraph (17), added by section 6143 of the Private Vehicle-For-Hire Data Sharing Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168; 65 DCR 9388), is amended by striking the period at the end and inserting a semicolon in its place.

(2) The second paragraph (17), added by the Youth Rehabilitation Amendment Act of 2017, effective December 13, 2018 (D.C. Law 22-197; 65 DCR 9554), is redesignated as paragraph (18).

(3) Redesignated paragraph (18) is amended by striking the period and inserting the phrase “; and” in its place.

3727 (4) A new paragraph (19) is added to read as follows:

3728 “(19) Information exempt from disclosure under Part 14 of the Revised Uniform

3729 Unclaimed Property Act of 2021.”

3730 (c) Section 6 of the Office of Administrative Hearings Establishment Act of 2001,

3731 effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by

3732 adding a new subsection (b-28) to read as follows:

3733 “(b-28) This act shall apply to all adjudicated cases authorized by sections 7071 and 7073

3734 of the Revised Uniform Unclaimed Property Act of 2021.”.

3735 (d) Chapter V of the Life Insurance Act, approved June 19, 1934 (48 Stat. 1156; D.C.

3736 Official Code § 31-4701 *et seq.*), is amended by adding a new section 31 to read as follows:

3737 “Sec. 31. Duty of insurers to compare names of insureds with death master file and to

3738 locate beneficiaries.

3739 “(a) For purposes of this section:

3740 “(1) “Contract” means an annuity contract. The term does not include an annuity

3741 used to fund an employment-based retirement plan or program if:

3742 “(A) The insurer does not perform the record keeping services; or

3743 “(B) The insurer is not committed by terms of the annuity contract to pay

3744 death benefits to the beneficiaries of specific plan participants.

3745 “(2) “Death master file” means the United States Social Security Administration

3746 Death Master File or other database or service that is at least as comprehensive as the United

3747 States Social Security Administration Death Master File for determining that an individual

3748 reportedly has died.

3749 “(3) “Death master file match” means a search of the death master file that results
3750 in a match of the Social Security number or the name and date of birth of an insured, annuity
3751 owner, or retained asset account holder.

3752 “(4) “Knowledge of death” means:

3753 “(A) Receipt of an original or valid copy of a certified death certificate; or

3754 “(B) A death master file match validated by the insurer in accordance with
3755 subsection (b)(1)(A).

3756 “(5) “Policy” means any policy or certificate of life insurance that provides a
3757 death benefit. The term does not include:

3758 “(A) A policy or certificate of life insurance that provides a death benefit
3759 under an employee benefit plan:

3760 “(i) Subject to the Employee Retirement Income Security Act of
3761 1974, approved September 2, 1974 (88 Stat. 832; 29 U.S.C. § 1001 *et seq.*); or

3762 “(ii) Under any federal employee benefit program;

3763 “(B) A policy or certificate of life insurance that is used to fund a pre-need
3764 funeral contract or prearrangement;

3765 “(C) A policy or certificate of credit life or accidental death insurance; or

3766 “(D) A policy issued to a group master policyholder for which the insurer
3767 does not provide record keeping services.

3768 “(6) “Record keeping services” means those services which the insurer has agreed
3769 with a group policy or contract customer to be responsible for obtaining, maintaining, and
3770 administering in its own or its agents' systems information about each individual insured under

3771 an insured's group insurance contract, or a line of coverage thereunder, at least the following
3772 information:

3773 “(A) Social Security number or name and date of birth;

3774 “(B) Beneficiary designation information;

3775 “(C) Coverage eligibility;

3776 “(D) Benefit amount;

3777 “(E) Premium payment status.

3778 “(7) “Retained asset account” means a mechanism whereby the settlement of
3779 proceeds payable under a policy or contract is accomplished by the insurer or an entity acting on
3780 behalf of the insurer depositing the proceeds into an account with check or draft writing
3781 privileges, if those proceeds are retained by the insurer or its agent, pursuant to a supplementary
3782 contract not involving annuity benefits other than death benefits.

3783 “(b) An insurer shall perform a comparison of its insureds' in-force policies, contracts,
3784 and retained asset accounts against a death master file, on at least a semi-annual basis, by using
3785 the full death master file once and thereafter using the death master file update files for future
3786 comparisons to identify potential matches of its insureds. For those potential matches identified
3787 as a result of a death master file match, the insurer shall:

3788 “(1) Within 90 days of a death master file match:

3789 “(A) Complete a good faith effort, which shall be documented by the
3790 insurer, to confirm the death of the insured or retained asset account holder against other
3791 available records and information;

3792 “(B) Determine whether benefits are due in accordance with the applicable
3793 policy or contract; and if benefits are due in accordance with the applicable policy or contract:

3794 “(i) Use good faith efforts, which shall be documented by the
3795 insurer, to locate the beneficiary or beneficiaries; and

3796 “(ii) Provide the appropriate claims forms or instructions to the
3797 beneficiary or beneficiaries to make a claim including the need to provide an official death
3798 certificate, if applicable under the policy or contract.

3799 “(2) With respect to group life insurance, insurers are required to confirm the
3800 possible death of an insured when the insurers maintain at least the following information of
3801 those covered under a policy or certificate:

3802 “(A) Social Security number or name and date of birth;
3803 “(B) Beneficiary designation information;
3804 “(C) Coverage eligibility;
3805 “(D) Benefit amount; and
3806 “(E) Premium payment status.

3807 “(3) Every insurer shall implement procedures to account for:

3808 “(A) Common nicknames, initials used in lieu of a first or middle name,
3809 use of a middle name, compound first and middle names, and interchanged first and middle
3810 names;

3811 “(B) Compound last names, maiden or married names, and hyphens, blank
3812 spaces or apostrophes in last names;

3813 “(C) Transposition of the “month” and “date” portions of the date of birth;
3814 and
3815 “(D) Incomplete Social Security numbers.

3816 “(4) To the extent permitted by law, the insurer may disclose minimum necessary
3817 personal information about the insured or beneficiary to a person who the insurer reasonably
3818 believes may be able to assist the insurer locate the beneficiary or a person otherwise entitled to
3819 payment of the claims proceeds.

3820 “(c) An insurer or its service provider shall not charge any beneficiary or other authorized
3821 representative for any fees or costs associated with a death master file search or verification of a
3822 death master file match conducted pursuant to this section.

3823 “(d) The benefits from a policy, contract or a retained asset account, plus any applicable
3824 accrued contractual interest shall first be payable to the designated beneficiaries or owners and in
3825 the event said beneficiaries or owners cannot be found, shall be transferred to the Unclaimed
3826 Property Administrator as unclaimed property pursuant to the Revised Uniform Unclaimed
3827 Property Act of 2021. Interest payable under District of Columbia Official Code § 28-3302 shall
3828 not be payable as unclaimed property.

3829 “(e) Pursuant to section 7014 of the Revised Uniform Unclaimed Property Act of 2021,
3830 an insurer shall notify the Unclaimed Property Administrator upon the expiration of the statutory
3831 time period for abandoned property that:

3832 “(1) A policy or contract beneficiary or retained asset account holder has not
3833 submitted a claim with the insurer; and

3834 “(2) The insurer has complied with subsection (b) of this section and has been
3835 unable, after good faith efforts documented by the insurer, to contact the retained asset account
3836 holder, beneficiary or beneficiaries

3837 “(f) Upon such notice, an insurer shall immediately submit the unclaimed policy or
3838 contract benefits or unclaimed retained asset accounts, plus any applicable accrued interest, to

the Unclaimed Property Administrator pursuant section 7014 of to the Revised Uniform Unclaimed Property Act of 2021.

“(g) Failure to meet any requirement of this section with such frequency as to constitute a general business practice is a violation of a law of the District under section 6 of chapter II of this act. Nothing herein shall be construed to create or imply a private cause of action for a violation of this section.”.

SUBTITLE B. PAYGO CAPITAL FUNDING

Sec. 7101. Short title.

This subtitle may be cited as the “Paygo Capital Funding Amendment Act of 2021”.

Sec. 7102. Section 47-392.02(f)(2) of the District of Columbia Official Code is amended by:

(a) Striking the phrase “local funds transfer” and inserting the phrase “transfer of local or dedicated funds” in its place; and

(b) Striking the phrase “Fiscal Year 2020” and inserting the phrase “Fiscal Year 2020 (such sum being referred to hereinafter as “the minimum transfer amount”); provided, that in Fiscal Year 2025, the minimum transfer amount shall be \$206 million” in its place.

SUBTITLE C. SUBJECT-TO-APPROPRIATIONS REPEALS

Sec. 7111. Section 5 of the Public Restroom Facilities Installation and Promotion Act of 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is repealed.

Sec. 7112. Section 4 of the Care for LGBTQ Seniors and Seniors with HIV Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-154; 67 DCR 13244), is repealed.

Sec. 7113. Section 3 of the Autonomous Vehicles Testing Program Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-156; 67 DCR 13048), is repealed.

3862 Sec. 7114. Section 5 of the Dementia Training for Direct Care Workers Support
3863 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-201; 67 DCR 14750), is
3864 repealed.

3865 Sec. 7115. Section 3 of the Helping Children Impacted by Parental Incarceration
3866 Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-278; 68 DCR 1154), is
3867 repealed.

3868 Sec. 7116. Section 3 of the MLK Gateway Real Property Tax Abatement Amendment
3869 Act of 2019, effective January 10, 2020 (D.C. Law 23-46; 66 DCR 15345), is repealed.

3870 Sec. 7117. Section 5 of the Restore the Vote Amendment Act of 2020, effective April 27,
3871 2021 (D.C. Law 23-277; 67 DCR 13867), is repealed.

3872 Sec. 7118. Section 4 of the Diverse Washingtonians Commemorative Works Amendment
3873 Act of 2020, effective March 16, 2021 (D.C. Law 23-196; 68 DCR 753), is repealed.

3874 Sec. 7119. Section 3 of the Psychology Interjurisdictional Compact Act of 2020,
3875 effective March 16, 2021 (D.C. Law 23-190; 68 DCR 16), is repealed.

3876 Sec. 7120. Section 301 of the Shared Fleet Devices Amendment Act of 2020, effective
3877 March 16, 2021 (D.C. Law 23-203; 67 DCR 13886), is repealed.

3878 **TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

3879 Sec. 8001. Short title.

3880 This title may be cited as the “Designated Fund Transfer Act of 2021”.

3881 Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the
3882 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year
3883 2021 the following amounts from certified fund balances and other revenue in the identified
3884 accounts to the unassigned fund balance of the General Fund of the District of Columbia:

Agency Code	Fund Detail	Fund Name	Amount
AT0	0606	Recorder of Deeds Surcharge	\$1,587,489
BG0	1111	Disability Compensation Fund	\$6,674,750
CF0	0619	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
GD0	0618	Student Residency Verification	\$91,162
GD0	0620	Child Development Facilities	\$180,248
HA0	0602	Enterprise Fund Account	\$402,388
HC0	0632	Pharmacy Protection	\$30,923
HC0	0643	Board of Medicine	\$2,487,363
HC0	0661	ICF/MR Fees and Fines	\$239,376
HT0	0631	Medicaid – Third Party Liability	\$129,101
HT0	0632	Bill of Rights – Grievance/Appeals	\$692,366
LQ0	0110	MPD Reimbursable Subsidy Program	\$650,000
RJ0	0640	Subrogation Fund	\$386,825
RJ0	1240	Captive Insurance Fund	\$580,509
SR0	2350	Securities and Banking Fund	\$1,444,934
TO0	0602	DC Net Services Support	\$181,835
TO0	1200	SERV US Program	\$48,761
UL0	0622	Universal Paid Leave Fund	\$28,886,145

3885 (b) Notwithstanding any provision of law limiting the use of funds in the Universal Paid
3886 Leave Fund (“Fund”), established by section 1152 of the Universal Paid Leave Implementation
3887 Fund Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-
3888 551.01), the Chief Financial Officer shall transfer in Fiscal Year 2022 \$114,490,000 from the
3889 certified fund balance and other revenue in the Fund to the District Unemployment Fund,
3890 established by section 2 of the District of Columbia Unemployment Compensation Act,
3891 approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-102).

3892 (c) The total amounts identified in subsections (a) and (b) of this section shall be made
3893 available as set forth in the approved Fiscal Year 2022 Budget and Financial Plan.

3894 Sec. 8003. Applicability.

3895 This subtitle shall apply as of September 1, 2021.

3896 **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

3897 Sec. 9001. Applicability.

3898 Except as otherwise provided, this act shall apply as of October 1, 2021.

3899 Sec. 9002. Fiscal impact statement.

3900 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
3901 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
3902 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

3903 Sec. 9003. Effective date.

3904 This act shall take effect following approval by the Mayor (or in the event of veto by the
3905 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
3906 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

3907 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
3908 Columbia Register.



MURIEL BOWSER
MAYOR

June 24, 2021

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

The purpose of this letter is to request that the Council of the District of Columbia ("Council") make the following corrections and amendments to the proposed FY 2022 Budget and Financial Plan, both of which were submitted to the Council on May 27, 2021. This is the first errata letter I will be submitting for your consideration.

Economic Development and Regulation

1. Office of the Deputy Mayor for Planning and Economic Development

(a) Remove \$17,875,000 in ARPA State Funds in each of the fiscal years 2023 and 2024 for the Housing Preservation Fund.

The funding above was inadvertently placed in Deputy Mayor for Planning and Economic Development (DMPED) rather than the Department of Housing and Community Development (DHCD) due to a drafting error when submitting the budget. The funding is requested to be added to DHCD in the same amount and years below.

2. Department of Housing and Community Development

(a) Add \$17,875,000 in ARPA State Funds for the Housing Preservation Fund in each of the fiscal years 2023 and 2024.

The funding above was included in the Office of the Deputy Mayor for Planning and Economic Development rather than in DHCD due to a drafting error when submitting the budget.

3. District of Columbia Housing Authority

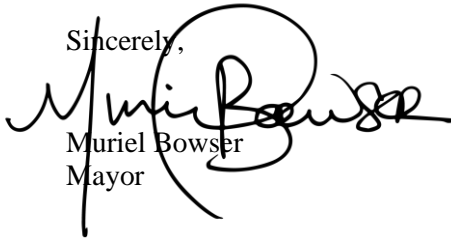
(a) Remove \$57,000,000 from the Claridge Towers Rehabilitation sub-project within the Development and Rehabilitation capital project (DHA21) with \$22,000,000 being removed from FY 2022, \$20,000,000 being removed from FY 2023, and \$15,000,000 being removed from FY 2024.

- (b) Add \$21,724,000 to the Highland Addition Rehabilitation sub-project within the Development and Rehabilitation capital project (DHA21) with \$10,724,000 being added in FY 2022, \$8,000,000 being added in FY 2023, and \$3,000,000 being added in FY 2024.
- (c) Add \$31,906,000 to the Langston Terrace Rehabilitation sub-project within the Development and Rehabilitation capital project (DHA21) with \$7,906,000 being added in FY 2022, \$12,000,000 being added in FY 2023, and \$12,000,000 being added in FY 2024.
- (d) Add \$3,370,000 to the Woodland Terrace sub-project within the Development and Rehabilitation capital project (DHA21) in FY 2022.

At the time of transmission of the FY 2022 Budget and Financial Plan, the Claridge Towers Rehabilitation was one of DCHA's top priority projects requested for funding. In early June, after the budget was submitted, DCHA learned that the Claridge Towers Rehabilitation project could be covered completely with federal funds. As a result, the agency has proposed a new set of priority projects within the proposed budget amounts. We support this change and urge the Council include these new projects in the final FY 2022 budget and financial plan.

Thank you for consideration of these changes.

Sincerely,



Muriel Bowser
Mayor



MURIEL BOWSER
MAYOR

June 25, 2021

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

The purpose of this letter is to request that the Council of the District of Columbia (“Council”) make the following corrections and amendments to the proposed FY 2021 Supplemental Budget, the FY 2021 Revised Local Budget Emergency and Temporary Acts, the FY 2022 Budget and Financial Plan, the FY 2022 Local Budget Act, and the FY 2022 Budget Support Act, all of which were submitted to the Council on May 27, 2021. This is the second errata letter I am submitting for your consideration.

Government Direction and Support

1. Contract Appeals Board

(a) Add \$12,971 of local funds in FY 2022 to non-personal services to restore a reduction and add \$26,282 of local funds in FY 2022 to personal services to cover the cost of step increases.

The funding above was not included due to a drafting error when submitting the budget.

2. Department of Human Resources

(a) Add \$107,268 in one-time funding in FY 2022 using local funds and \$192,732 in one-time funding using American Rescue Plan Act (“ARPA”) revenue replacement funds to support the electronic official personnel folder project.

The funding above was not included due to a drafting error when submitting the budget.

3. Department of General Services

(a) Add \$200,000 in one-time funding in FY 2022 using ARPA revenue replacement funds to install a water connection for the Kingman Park-Rosedale Community Garden.

The funding above was not included due to a drafting error when submitting the budget.

4. Mayor's Office of Legal Counsel

(a) Add 1.0 FTE associated with the personal services enhancement of \$51,145 included in the proposed FY 2022 budget.

The FTE was inadvertently omitted due to a drafting error when submitting the budget.

5. Office of the Chief Technology Officer

(a) Add \$818,466 in one-time funding in FY 2021 using ARPA funds to cover increased telecommunications costs associated with the COVID-19 pandemic.

The funding above was not included due to a drafting error when submitting the supplemental budget.

6. Office of Employee Appeals

(a) Add \$97,275 to personal services in FY 2022 using local funds to cover the cost of step and fringe benefit increases.

The funding above was not included due to a drafting error when submitting the budget.

7. Office of the Inspector General

(a) Add \$271,457 to personal services in FY 2022 using ARPA revenue replacement funds to fully fund the agency request.

The funding above was not included due to a drafting error when submitting the budget.

Economic Development and Regulation

1. Department of Small and Local Business Development

(a) Add \$6,900,000 in FY 2022 and \$2,300,000 in FY 2023 using ARPA Metro City funding to provide technical assistance to small businesses.

The funding above was included in the budget of the Office of the Deputy Mayor for Planning and Economic Development due to a drafting error when submitting the budget. This increase reflects

a redistribution from the Office of the Deputy Mayor for Planning and Economic Development to the Department of Small and Local Business Development.

2. Office of the Deputy Mayor for Planning and Economic Development

(a) Remove \$6,900,000 in FY 2022 and \$2,300,000 in FY 2023 of ARPA Metro City funding provided to cover the cost of technical assistance to small businesses.

The funding above was included in the budget of the Office of the Deputy Mayor for Planning and Economic Development due to a drafting error when submitting the budget. This reduction reflects a redistribution of the funding from the Office of the Deputy Mayor for Planning and Economic Development to the Department of Small and Local Business Development.

(b) Add \$500,000 in FY 2022 and \$500,000 in FY 2023 of ARPA County funding to support the Good Food/Nourish DC Fund.

The funding above was included in the budget of the Office of Planning due to a drafting error when submitting the budget. This increase reflects a redistribution from the Office of Planning to the Office of the Deputy Mayor for Planning and Economic Development.

(c) Shift \$1,000,000 in paygo capital funding provided for the LGBTQ Community Center in FY 2022 into the FY 2022 operating budget as local funds.

The funding above was included as the incorrect funding type due to a drafting error when submitting the budget.

(d) Remove \$2,500,000 from the MLK Gateway (Anacostia Gateway) capital project in FY 2022 and remove \$2,500,000 from the MLK Gateway (Anacostia Gateway) capital project in FY 2023.

The funding was incorrectly included in the MLK Gateway (Anacostia Gateway) project due to a drafting error when submitting the budget. This reduction reflects a redistribution to a new capital project for 1234 Good Hope Road.

(e) Create a new capital project with the title 1234 Good Hope Road, add \$2,500,000 in FY 2022 and \$2,500,000 in FY 2023, and create a description page in the budget book with the following text:

EB0 - 1234 Good Hope Rd

Agency: DEPUTY MAYOR FOR PLANNING AND ECON DEV (EB0)

Implementing Agency: DEPUTY MAYOR FOR PLANNING AND ECON DEV (EB0)

Project No: --

Ward: 8

Location: 1234 Good Hope Rd SE

Facility Name or Identifier: 1234 Good Hope Rd SE

Status: New

Useful Life of the Project: 60

Estimated Full Funding Cost: \$5,000,000

Description: Property is conveniently located at the gateway entrance to historic Anacostia and highly accessible to I-295 I-695/I-395, the Navy Yard, the Capitol Riverfront, and Capitol Hill.

Justification: This mixed-use development will bring additional commercial space to Historic Anacostia and complement the nearby MLK Gateway development.

Progress Assessment: Project Award Fall 2021

Related Projects: None

Milestone Dates

Milestone Data	Projected
Environmental Approvals	6/1/2023
Design Start (FY)	9/1/2022
Design Complete (FY)	6/1/2023
Construction Start (FY)	3/1/2024
Construction Complete (FY)	6/1/2028
Closeout (FY)	12/1/2028

The funding was included in the incorrect project due to a drafting error when submitting the budget. This increase reflects a redistribution from the other capital project.

(f) Add \$23,000,000 for the Park Morton Redevelopment Initiative (EB016) capital project in FY 2023.

The proposed FY 2022 budget increased last year's allocation to \$14 million to ensure sufficient funding to start the horizontal infrastructure on Park Morton to prepare the site to start vertical construction in 2022. The additional \$23 million is necessary to provide the community, the District of Columbia Housing Authority, and their development partner the certainty that the redevelopment is fully funded to complete the design and pre-development tasks necessary to close on the construction phase without delay in 2022. The original Park Morton redevelopment initiative identified an off-site location as the build first site, but with that location tied up in zoning appeals, the Office of the Deputy Mayor for Planning and Economic Development worked to restructure the project to start on Park Morton first and had been allocating funding on an as-needed basis in order to implement that plan. Funding the infrastructure and new construction of phase one of Park Morton will give the community and residents the confidence that building Park Morton on site first will happen under Mayor Bowser's leadership.

(g) Revise the project narrative for the Park Morton Redevelopment Initiative (EB016) capital project by replacing the existing project description with the following language:

DMPED

Capital Title – PARK MORTON REDEVELOPMENT INITIATIVE

Background: The Park Morton Redevelopment Initiative is part of the District’s New Communities Initiative (NCI), designed to revitalize subsidized housing into vibrant mixed-income communities. The addition of \$14.8M in FY22 and \$23M in FY23 reflects Mayor Bowser’s pledge to fully fund the substantial and complete redevelopment of Park Morton and continue her commitment to provide high quality public housing to our most vulnerable residents at NCI project sites. Whereas other jurisdictions have turned away from public housing as the federal government’s support for it has dwindled, Mayor Bowser has reiterated—with investments and with action—her commitment to revitalize the District’s public housing units.

Since taking office, Mayor Bowser has funded, broken ground on and/or completed the following New Communities projects:

- Sheridan Phase II: Completed 2015 - 133 units (40 replacement units and 93 affordable)
- Residences at Hayes: Completed 2018 - 150 units (50 replacement units and 100 affordable)
- Strand Development: Estimated Completion 2021 - 86 units (28 replacement units and 58 affordable)
- Providence Place: Estimated Completion 2021 – 93 units (35 replacement units and 58 affordable)
- Northwest One Phase I: Estimated Completion 2022 – 220 units (65 replacement units, 85 affordable units and 70 market rate units)
- Additionally, in this FY22 Fair Shot Budget, invested:
 - Barry Farm with \$10M in FY22 and \$11M in FY23
 - Northwest One with \$20M in FY22

In addition to the above physical properties, projects and units, Mayor Bowser has also provided over \$20,000,000 in Human Capital Services that have provided economic opportunities, recreation, education and wrap-around services to public housing residents over the same period.

The vision for the New Communities Initiative is for vibrant mixed-income neighborhoods that address both the physical architecture and human capital needs, where residents have quality affordable housing options, economic opportunities, and access to appropriate human services.

This additional investment will help the District continue to meet the vision and necessity of this initiative.

The proposed changes in language more accurately reflect the project and its status as well as reflect the additional \$23 million being requested to add to the Park Morton project.

(h) Add the words “Shop in the District” after “Food Access Fund, Destination DC, BID Vibrant Places Fund” in table EB0-5 on page B-84 in volume 2 of the budget book.

The language above was excluded due to a drafting error when submitting the budget.

3. Office of Planning

(a) Remove \$500,000 in FY 2022 and \$500,000 in FY 2023 of ARPA County funding provided to support the Good Food/Nourish DC Fund.

The funding above was included in the budget of the Office of Planning due to a drafting error when submitting the budget. This reduction reflects a redistribution from the Office of Planning to the Office of the Deputy Mayor for Planning and Economic Development.

(b) Shift \$5,000,000 and 1.0 FTE in FY 2022 from the Citywide Systems activity (7010) to the Design activity (3020).

The funding above was included in the incorrect activity line due to a drafting error when submitting the budget.

(c) Shift \$10,000 from the Neighborhood Planning activity (3010), CSG 11 (“Regular Pay – Continuing Full Time), OBJ 111 to the Neighborhood Planning activity (3010), CSG 15 (“Overtime Pay”), OBJ 133.

The funding above was included in the incorrect comptroller source group due to a drafting error when submitting the budget.

4. Office of Zoning

(a) Shift \$185,658 in capital funding for the Zoning Information Technology Systems (JM102) project from FY 2023 to FY 2022.

The funding above was included in the incorrect fiscal year due to a drafting error when submitting the budget.

Public Safety and Justice

1. Department of Corrections

(a) Shift \$500,000 in FY 2022 local funds from the Facility Services activity to the Technology Support activity.

The funding above, which is for the tablet contract enhancement, was included in the wrong activity due to a drafting error when submitting the budget.

2. Metropolitan Police Department

(a) Add \$359,000 in FY 2022 using ARPA funds to fund the Opioid Overdose Prevention Act of 2019.

The funding above was not included due to a drafting error when submitting the budget.

3. Mayor's Office on Returning Citizens Affairs

(a) Shift \$118,000 within the Returning Citizens Affairs activity (1100) from CSG 50 ("Subsidies and Transfers") to CSG 40 ("Other Services and Charges") to support the Paralegal and Access to Jobs programs.

The funding above was included in the incorrect comptroller source group due to a drafting error when submitting the budget.

4. Office of Human Rights

(a) Add \$241,000 in FY 2022 using ARPA revenue replacement funds to fund the Bella Evangelista and Tony Hunter Panic Defense Prohibition and Hate Crimes Response Amendment Act of 2020.

The funding above was not included due to a drafting error when submitting the budget.

Public Education System

1. D.C. Public Charter School Board

(a) Reduce ARPA State funding provided for lead testing and removal by \$2,400,000 in FY 2022, \$1,500,000 in FY 2023, and \$1,500,000 in FY 2024.

The funding included for lead testing and removal in the submitted budget for the D.C. Public Charter School Board was based on the fiscal impact statement issued for the Childhood Lead Exposure Act of 2017 when that law was passed. Since that time, the cost projections for meeting the requirements of the law have been reduced. This change will maintain the funding necessary to fulfill the requirements of the Childhood Lead Exposure Act of 2017 based on current projections of the Public Charter School Board and the Office of the Chief Financial Officer.

2. D.C. Public Library

(a) Add capital funding of \$4,223,532 in FY 2025 and \$20,277,039 in FY 2026 to fund the renovation of the Rosedale Library (ROS37).

The funding above was not included due to a drafting error when submitting the budget.

3. Department of Employment Services

(a) Reduce \$500,000 of FY 2022 ARPA County funding provided within the Rapid Reskilling Fund for the costs of recruiting training providers (fund detail 8157, org code 4000, program code 4000, activity code 4250, comp object 0506).

The funding above was included in the budget of the Department of Employment Services due to a drafting error when submitting the budget. This reduction reflects a redistribution of the funding to the Workforce Investment Council within the Office of the Deputy Mayor for Education.

(b) Reduce \$6,388,806 of FY 2022 ARPA State funding provided for the Earn & Learn initiative to support training partnerships (fund detail 8153, org code 4000, program code 4000, activity code 4900, comp object 0507).

The funding above was included in the budget of the Department of Employment Services due to a drafting error when submitting the budget. This reduction reflects a redistribution to the Workforce Investment Council within the Office of the Deputy Mayor for Education.

(c) Add 62.0 FTEs to support the Earn & Learn expansion and 4.0 FTEs to support the Rapid Reskilling Fund.

The FTEs above were not included due to a drafting error when submitting the budget. The personnel services funding for these enhancements was included while the FTEs it supported were not.

(d) Establish eight grants in Fund 8231 (Federal Grant Funds) to streamline the receipt of grant funding. The grants and phases to be added are:

EUFPU/21
EUPEUC/20
EUPEUC/21
EUPUAP/20
EUPUAP/21
EUMEUC/21
EUSTCA/20
FEMLWA/20

These grants were not included due to a drafting error when submitting the budget.

4. Office of the Deputy Mayor for Education

(a) Add \$500,000 for the Workforce Investment Council using FY 2022 ARPA County funds provided within the Rapid Reskilling Fund to cover the costs of recruiting training providers.

The funding above was not included in the budget of the Office of the Deputy Mayor for Education due to a drafting error when submitting the budget. This increase reflects a redistribution from the Department of Employment Services to the Office of the Deputy Mayor for Education.

(b) Add \$6,388,806 for the Workforce Investment Council using FY 2022 ARPA State funding provided within the Earn & Learn initiative to support training partnerships.

The funding above was not included in the budget of the Office of the Deputy Mayor for Education due to a drafting error when submitting the budget. This increase reflects a redistribution from the Department of Employment Services to the budget of the Office of the Deputy Mayor for Education.

5. Office of the State Superintendent of Education

(a) Reduce ARPA State funding for DC Futures tuition assistance by \$1,636,800 in FY 2022, \$1,712,140 in FY 2023, and \$1,791,247 in FY 2024.

The funding above was included in the budget of the Office of the State Superintendent of Education due to a drafting error when submitting the budget. This reduction reflects a redistribution from the Office of the State Superintendent of Education to the University of the District of Columbia Subsidy Account.

6. University of the District of Columbia Subsidy Account

(a) Increase ARPA State funding for DC Futures tuition assistance by \$1,636,800 in FY 2022, \$1,712,140 in FY 2023, and \$1,791,247 in FY 2024. Add 3.0 FTEs in FY 2022 under this fund source to administer the program.

The funding and FTEs above were not included due to a drafting error when submitting the budget. The increase reflects a redistribution from the Office of the State Superintendent of Education to the University of the District of Columbia Subsidy Account.

Human Support Services

1. Department of Behavioral Health

(a) Reduce the number of FTEs associated with the FY 2022 – FY 2024 ARPA County funding for Intensive Care Coordination Management of \$1,148,000 per year from 20 to 10.

The additional FTEs were included due to a drafting error when submitting the budget.

2. Department on Disability Services

(a) Shift \$2,200,000 in FY 2021 local funding from the Developmental Disability Administration (program/activity code 6000) to the Rehabilitation Services Administration (program/activity code 7000).

The funding above was included in the incorrect program/activity due to a drafting error when submitting the budget. This change will enable the agency to meet the maintenance of effort requirement for the vocational rehabilitation grant administered by the Rehabilitation Services Administration.

3. Department of Health

(a) Add \$48,000 in FY 2022 using local funds to fund the Opioid Overdose Prevention Act of 2019.

The funding above was not included due to a drafting error when submitting the budget.

4. Department of Health Care Finance

(a) Shift \$8,000,000 in FY 2022 local funding for healthcare services for vulnerable residents from Health Care Finance Program (Prog 5000), Alliance Provider Payment (Activity F7000), Hospital Support Services (Service F700), Comp Object 0502 to Health Care Finance Program (Prog 5000), Medicaid Provider Payment (Prog 5001), Hospital Support (Service F192), Comp Object 0506, because the funds will be issued as a grant and not as a provider payment.

The funding above was included in the wrong object code due to a drafting error when submitting the budget.

(b) Add Federal and Intra-District funding to support DCAS in the following areas in federal grants - Program 300A (DCAS- O&M Vendor contract) \$6,636,082.32, program 300A (Maximus contract) \$2,142,000. Intra-District – Program 300A (DCAS- O&M Vendor contract) \$2,054,025.48 and program 300A (Maximus contract) \$663,000.

The funding above was not included due to a drafting error when submitting the budget. This adjustment supports federal and intra district funding participation for the DCAS local enhancement of \$9,594,755.

Operations and Infrastructure

1. Department of Consumer and Regulatory Affairs

(a) Increase FY 2021 local funding by \$253,000 to replace the loss of corporate recordation revenue.

The funding above was not included due to a drafting error when submitting the budget. This increase will be offset by removing a current reduction in general revenues, as the reduction will instead occur in special purpose revenue.

2. Department of Energy and Environment

(a) Reduce \$4,179,649 in Fiscal Year 2023 and reduce \$4,179,649 in Fiscal Year 2023 in ARPA State funding provided to fund Building Energy Performance Standards construction loans.

The funding above was included in due to a drafting error when submitting the budget.

(b) Increase funding for the existing lead pipe replacement program in FY 2022 by \$1,574,431 of ARPA funding.

The funding above became available with the reduction of funds necessary to remediate and test for lead in DC public charter schools.

3. Department of For-Hire Vehicles

(a) Shift \$1,845,388 from non-personal services to personal services and increase FTE authority by 31 for the DC Schools Connect microtransit program, supported with ARPA Local Revenue

Replacement funds in FY 2022. This will support the hiring of 26 bus monitors, four bus monitor supervisors, and one program manager. Additionally, shift \$275,000 from CSG 50 to CSG 40 to support consultant services needed to fully launch the program.

The funding above was not included due to a drafting error when submitting the budget.

4. District Department of Transportation

(a) Add \$3,380,000 in budget authority to Fund 8200 for indirect costs to support new capital projects supported by ARPA Federal funding.

The budget authority above was not included due to a drafting error when submitting the budget.

Financing and Other

1. Debt Service

(a) Add \$1,770,000 in FY 2024 and \$1,770,000 in FY 2025 to DS0 using local funds to pay for the necessary debt service that accompanies the \$23 million increase in funding for the Park Morton Redevelopment Initiative project.

The increases above reflect the request to add the additional \$23 million to the Park Morton Rehabilitation Initiative capital project for FY 2023.

2. Non-Departmental Funds

(a) Increase FY 2022 budget authority for ARPA State funds by \$74,624,583 to cover non-reimbursable costs associated with the District's COVID-19 response.

The budget authority above was not included due to a drafting error when submitting the budget. ARPA State funds are available to support this allocation of funds because this allocation was included when calculating the total use of available federal funds in the Mayor's proposed budget.

The funds will be allocated to the following agencies in the following amounts to continue necessary programs and services to respond to COVID-19 throughout FY 2022:

- Department of General Services: \$12,098,902
- Department of Employment Services: \$3,332,368
- Department of Forensic Sciences: \$4,599,804
- District of Columbia Public Schools: \$3,603,663
- Department of Human Services: \$27,103,950
- Office of Contracting and Procurement: \$19,400,167
- Child and Family Services Agency: \$333,333
- Department of Behavioral Health: \$2,080,883
- Office of the Chief Technology Officer: \$2,071,513

3. Repay Contingency Reserve

(a) Remove from SV0 \$5,059,825 that was used to repay a contingency cash allocation for the Department of Employment Services in FY 2021.

These local funds are no longer needed as the proposed budget includes ARPA funding for this expense.

Enterprise and Other

1. Housing Production Trust Fund

(a) Shift \$3,020,000 in FY 2022 in ARPA State funding from the Affordable Housing Project Financing activity (2100), comptroller source group 50 ("Subsidies and Transfers"), object 524 to the following four destinations in the amounts designated:

(1) \$20,000 to the Single-Family Rehabilitation – Project activity (3600), comptroller source group 41 ("Contractual Services – Other"), object 409;

(2) \$1,000,000 to the Property Acquisition Disposition – Project activity (4110), comptroller source group 41 ("Contractual Services – Other"), object 409;

(3) \$1,000,000 to the Single-Family Rehabilitation – Project activity (3600), comptroller source group 50 ("Subsidies and Transfers"), object 506; and

(4) \$1,000,000 to the Single-Family Rehabilitation – Project activity (3600), comptroller source group 50 ("Subsidies and Transfers"), object 524

The funding above was included in the incorrect activity lines due to a drafting error when submitting the budget.

2. Unemployment Insurance Trust Fund

(a) Establish a grant in Fund 8231 to streamline the receipt of grant funding. The grant and phase to be added is EUSTCB/20.

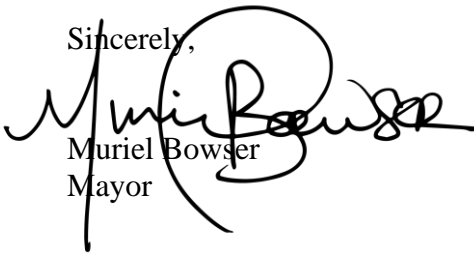
This grant was not included due to a drafting error when submitting the budget.

Budget Support Act

Please refer to Attachment A for the requested errata changes to the FY 2021 Revised Local Budget Emergency and Temporary Acts, FY 2022 Local Budget Act, and FY 2022 Budget Support Act.

Thank you for your consideration of these changes.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is fluid and cursive, with a large loop at the end. It is positioned over the printed name and title.

Muriel Bowser
Mayor


Government of the District of Columbia
Office of the Chief Financial Officer



Fitzroy Lee
Interim Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Fitzroy Lee
Interim Chief Financial Officer 

DATE: May 27, 2021

SUBJECT: Fiscal Impact Statement – “Fiscal Year 2022 Budget Support Act of 2021”

REFERENCE: Draft Bill as provided to Office of Revenue Analysis, May 26, 2021

Conclusion

Funds are sufficient in the proposed fiscal year 2022 through fiscal year 2025 budget and financial plan to implement the Fiscal Year 2022 Budget Support Act of 2021.

The District’s proposed fiscal year 2022 budget includes \$9.1 billion in Local fund spending supported by \$9.1 billion of local resources, with an operating margin of \$0.5 million. The estimated expenditures for the proposed General Fund budget, which includes dedicated taxes and special purpose fund revenue in addition to Local funds, are \$10.5 billion.

The proposed budget and financial plan accounts for the expenditure and revenue implications of the bill.

The bill, the “Fiscal Year 2022 Budget Support Act of 2021,” is the legislative vehicle for adopting statutory changes needed to implement the District’s proposed budget and financial plan for the fiscal years 2022 through 2025. The following pages summarize the purpose and the impact of each subtitle.

Contents

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TITLE I – GOVERNMENT DIRECTION AND SUPPORT

Subtitle (I)(A) – Inspector General Support Fund Establishment Amendment Act of 2021

Background

The subtitle establishes a non-lapsing fund called the Office of the Inspector General (OIG) Support Fund to collect 25 percent of restitutions and recoupments resulting from the OIG’s law enforcement efforts, and 25 percent of District revenue received from recaptured overpayments resulting from an OIG audit. Money in the fund must be used to support the operations of the OIG. Deposits are capped at \$1 million annually, and the total balance of the fund is capped at \$2.5 million. Any additional collections beyond these limits will revert to local funds.

The subtitle requires that the first \$284,000 in revenues collected from restitutions, recoupments and overpayments continue to go to local funds.

Financial Plan Impact

The subtitle has no impact on the budget and financial plan. The subtitle ensures that sufficient revenues remain in local funds to cover current forecasted local fund revenues. Collections above that amount will be directed to the new fund and reserved for OIG use.

TITLE II – ECONOMIC DEVELOPMENT AND REGULATION

Subtitle (II)(A) – Qualified High Technology Company Transparency Act of 2021

Background

The subtitle requires all Qualified High Technology Companies (QHTCs) to register with the Mayor to be eligible for tax benefits provided to QHTCs.¹ The subtitle requires QHTCs to file a copy of its registration along with its tax returns.

Financial Plan Impact

The subtitle has no impact on the budget and financial plan. There were approximately 94 QHTCs reported in 2020. The Office of the Deputy Mayor for Planning and Economic Development will manage the registration process and provide a certificate of registration to applicants that meet the requirements of a QHTC.

Subtitle (II)(B) – Great Streets Amendment Act of 2021

Background

The Deputy Mayor for Planning and Economic Development (DMPED) supports over a dozen retail areas in the District to promote small businesses, expand retail opportunities, and grow job opportunities. The subtitle amends the eligible boundaries for two of the retail priority areas to open access to grants to more businesses. The subtitle allows any business located on a parcel, lot, or square abutting the H Street/Bladensburg Road/Benning Road, N.E.² and the Ward 4 Georgia Avenue³ Retail Priority Areas. Currently, only businesses located within the enumerated boundaries for these retail priority areas can avail themselves of DMPED’s funding opportunities.

All other retail priority areas allow businesses both within and abutting the enumerated boundaries to participate in DMPED funding opportunities.

Financial Plan Impact

The fiscal year 2022 budget includes approximately \$7 million to support all the District’s retail priority areas. Expanding these two areas to include parcels, lots, and squares abutting the enumerated boundaries does not change the amount of funding available, but increases the number of businesses that can compete for that funding.

¹ See D.C. Official Code § 47-1801.01 through § 47-1817.08 for details on tax benefits granted to QHTCs.

² Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-158; D.C. Official Code § 2-1217.73(g)).

³ D.C. Official Code § 2-1217.73(o).

Subtitle (II)(C) – Supermarket Tax Incentives Amendment Act of 2021

Background

A supermarket may be eligible for ten-year property and sales and use tax exemptions⁴ if it is in a one of five codified census tracts or in a Historically Underutilized Business Zone (“HUBZone”).⁵ HUBZone boundaries are defined by the United States Small Business Administration (SBA) and subject to change regularly.

The subtitle changes the definition of eligible area and removes the specific census tract numbers from the definition. An eligible area will now include:

- Properties within or abutting Opportunity Zones;
- Neighborhoods with over 20 percent participation in Supplemental Nutrition Assistance Program (SNAP) or other public assistance programs as designated in the District of Columbia Health Equity Report;
- Areas determined by the Mayor to be underserved by supermarkets or any development project determined by the Mayor to be important to achieving the goal of equitable development in the District; and
- Properties in low-income census tracts where residents are more than a half mile from the nearest supermarket as defined by the United States Department of Agriculture Food Access Research Atlas. The Mayor may exclude tracts that are low income primarily due to the proximity to a college or university.

The Mayor is required to review the definition of “eligible area” at least once every five years to determine it reflects the areas of the District where this tax incentives is needed. The subtitle allows supermarkets under construction in the current eligible areas as of January 1, 2021 to be eligible for the incentives, provided they are issued a Certificate of Occupancy prior to September 30, 2022.

To be eligible for the incentive, the subtitle requires at least five percent of a store’s selling area must be dedicated to selling at least six of these seven categories of food: fresh and uncooked meats; poultry and seafood; dairy products; canned foods; frozen foods; dry groceries and baked goods; and non-alcoholic beverages. In addition, at least 50 percent of the store’s square footage of selling area or a total of 6,000 square feet, must be dedicated to selling the six categories.

Lastly, the subtitle requires applicants for the incentive to agree to accept as payment SNAP benefits and Special Supplemental Nutrition Program for Women, Infants, and Children benefits. The applicant must also conduct “community listening sessions” on the store’s product offerings and operations once every two years.

Financial Plan Impact

The subtitle has no impact on the budget and financial plan. The Deputy Mayor for Planning and Economic Development (DMPED) has determined that 76 census tracts will be eligible under the new definitions. This is a decrease of 20 census tracts that are eligible under the current definitions. DMPED indicates there are two supermarkets under construction in the current eligible areas that will remain eligible for the credit provided they are issued a Certificate of Occupancy before September 30, 2022. DMPED is unaware of any planned supermarkets in the new eligible areas.

⁴ D.C. Official Code § 47-3802.

⁵ For more information on the Supermarket Incentive Program visit:
<https://dmped.dc.gov/page/supermarket-tax-incentives>.

We cannot know if the change in eligible locations will affect the business decision of a given store to open. However, because the monetary value of the tax incentive is not changing, and because of the lead time it takes to plan and open a supermarket, the subtitle is not likely to significantly change the number of supermarkets taking advantage of the credit during the financial plan period.

Subtitle (II)(D) – Real Property Tax Appeals Commission Membership Amendment Act of 2021

Background

The subtitle authorizes the Real Property Tax Appeals Commission (“the Commission”) and authorizes to hire up to eight Hearing Examiners with a term not to exceed six months each year. Currently this role is performed by contracted part-time Commissioners, which will be abolished.

The subtitle also requires the Chairperson of the Commission to have at least three years’ experience as a certified District appraiser, or at least five years’ experience in commercial real estate property appraisal. Currently, a person cannot serve as Chairperson without five years of experience as a certified District appraiser. The subtitle also amends the Commission’s conflict of interest provisions.

Financial Plan Impact

The subtitle has no impact on the budget and financial plan. Funding currently utilized for part-time Commissioners will be used to fund the hearing examiner positions.

Subtitle (II)(E) – Local Rent Supplement Program Enhancement Amendment Act of 2021

Background

The District has a locally-funded Rent Supplement Program to provide housing assistance to extremely low-income District residents, including those who are homeless and those in need of supportive services. The Program, which is subject to appropriation, may be used for operating subsidies to particular housing buildings (“project-based voucher assistance”), housing providers (“sponsor-based voucher assistance”), or for rental assistance awarded directly to individuals (“tenant-based voucher assistance”). The subtitle clarifies the roles of the District of Columbia Housing Authority (DCHA) and the Department of Housing and Community Development (DHCD) regarding this locally-funded housing assistance, providing that DHCD will award project-based voucher assistance while DCHA will award sponsor-based and tenant-based assistance. The subtitle also allows the program to be used for a new category of capital gap financing (“capital-based assistance”) for housing development projects receiving project-based or sponsor-based vouchers.

The subtitle repeals the Rent Supplement Fund and establishes three new, non-lapsing special funds. The Rent Supplement Program Project-Based Allocation Fund will receive amounts appropriated for new project-based voucher assistance and will be administered by DHCD. The Rent Supplement Program Tenant-Based Allocation Fund will receive amounts appropriated for new tenant-based voucher assistance and will be administered by the Department of Human Services (DHS). The Housing Authority Rent Supplement Program Fund (Program Fund) will be administered by DCHA and will receive monies appropriated for sponsor-based voucher assistance, capital-based assistance, ongoing tenant-based voucher assistance, and project-based voucher assistance previously awarded by DHCD. The Program Fund will also receive any monies remaining in the Rent Supplement Fund at the end of fiscal year 2021. Finally, the Program Fund will receive monies

transferred to it by DHCD from the Project-Based Allocation Fund once projects receive their Certificate of Occupancy and from DHS from the Tenant-Based Allocation Fund once DHS determines DCHA requires such amount to fund tenant-based vouchers it has awarded.

The subtitle updates the District Code to refer to Program assistance for individuals as well as families. The subtitle requires DCHA to submit, to the Mayor and Council, a quarterly report on the Program, including spending from, and balance of, the Program Fund; the allocations between the different types of Program assistance; and any spending on administrative expenses. For project-based and sponsor-based assistance, reporting must include occupancy status, contract rent including tenant-paid and subsidized portions, and income level of households occupying each unit. Reporting on project-based awards must include contract end date and expected contract start date if the project has received an award but the contract has not yet been finalized. Reporting on tenant-based assistance must include total number of households (broken out by individuals and families) receiving assistance, average monthly rent paid, and amounts paid for security deposits and other non-rental expenses.

Financial Plan Impact

There are no costs to the District to implementing the subtitle. The subtitle creates new non-lapsing funds in the District’s General Fund, which will hold at the end of a fiscal year any unspent funds and maintain them for the Rent Supplement Program. Currently the program is funded with Local Funds but operates from a fund outside of the District’s General Fund.

Subtitle (II)(F) – Housing Production Trust Fund Pipeline Advancement Amendment Act of 2021

Background

The subtitle allows⁶ the Department of Housing and Community Development (DHCD) to enter into contracts for the Housing Production Trust Fund (HPTF) in the year prior to which funding is appropriated. Currently, DHCD can solicit proposals and rank recipients in the year prior to which funding is appropriated but it cannot enter into contracts.

The purpose of the subtitle is to allow DHCD to send HPTF projects forward to the D.C. Council for approval prior to the start of a new fiscal year. Currently the projects must wait until the new fiscal year starts for approval, resulting in projects piling up and not closing until November or December of the new fiscal year. Under the subtitle, the projects would be sent to the D.C. Council for approval subject to appropriations. Each agreement has an anti-deficiency clause.

Financial Plan Impact

The subtitle has no impact on the budget and financial plan. HPTF contracts sent to the D.C. Council prior to appropriation of funding will be approved subject to appropriations and include anti-deficiency clauses. Therefore, funding will still be limited annually by the HPTF budget.

⁶ By repealing Section 3(f)(2) of the Housing Production Trust Fund Act of 1989, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(f)(2)).

Subtitle (II)(G) – Property Tax Relief for Low Income Housing Harmonization Act of 2021

Background

An exemption from deed, recordation, real property tax, and payment-in-lieu-of-taxes (PILOT) is currently available to property financed with Low Income Housing Tax Credits if the owner is organized as a nonprofit entity or if the owner is controlled by a nonprofit member⁷. Such exemptions are available during the property’s development, the LIHTC period, and any extended use period during which property covenants restrict the income of residents leasing the property’s affordable housing units. The subtitle extends these exemptions to properties that are leased to a nonprofit entity or an entity controlled by a nonprofit, as long as the property owner certifies that the benefit of the exemption is passed through to the lessee.

The subtitle further provides a deed, recordation, real property tax, and PILOT exemption to certain properties receiving, after the effective date of the subtitle, a grant or loan from the Housing Production Trust Fund (HPTF) or other District government low income housing assistance program designated by the Mayor to provide housing affordable to households earning not in excess of 80 percent of the median family income. Eligible properties would need to be owned by a nonprofit entity, a limited liability company controlled by a nonprofit entity⁸, or a limited equity cooperative, or the properties would need to be leased to a nonprofit entity or entity controlled by a nonprofit (with the proof of the benefits of the exemption flowing through to the lessee). The exemption is available during development and while property covenants restrict the income of residents leasing the property’s affordable housing units.

The subtitle also expands the Nonprofit Workforce Housing tax exemption⁹ to include new limited equity cooperatives as eligible properties. Under the subtitle, new limited equity cooperatives could claim the Nonprofit Workforce Housing real property and deed and recordation tax exemptions, provided they meet all of the exemption’s requirements other than being owned or controlled by a nonprofit entity.

Financial Plan Impact

The subtitle’s proposed exemptions are expected to exempt limited equity cooperatives that are undergoing substantial rehabilitation with the assistance of the District’s HPTF and reduce District revenue by \$50,000 in fiscal year 2022 and \$411,000 over the financial plan. Other types of projects assisted by the HPTF generally either meet the conditions to qualify for one of the nonprofit affordable housing exemptions available under current law or would not benefit from the subtitle because of they do not have a nonprofit owner or controlling nonprofit member. The subtitle’s leased property provisions are not expected to change the status of any currently taxed properties. New limited equity cooperatives have an existing five-year tax exemption available¹⁰, so the impact of expanding the Nonprofit Workforce Housing tax exemption to new LECs falls outside of the financial plan period.

⁷ D.C. Office Code § 47-1005.02

⁸ With a determination letter issued by the Internal Revenue Service providing for recognition under Section 501(c)(3) of the Internal Revenue Code.

⁹ D.C. Official Code § 47-1005.03.

¹⁰ D.C. Official Code § 47-3503.

Property Tax Relief for Low Income Housing Harmonization Act of 2021					
Subtitle (II)(G)					
Fiscal Year 2022 – Fiscal Year 2025					
(\$ thousands)					
	FY 2022	FY 2023	FY 2024	FY 2025	Total
Property Tax Revenue Loss	(\$50)	(\$93)	(\$120)	(\$148)	(\$411)

Subtitle (II)(H) – Section 108 Debt Reserve Account Establishment Act of 2021

Background

The subtitle requires the Office of the Chief Financial Officer (OCFO) to create a fund or account, either within the District government or at an outside financial institution, to hold money in reserve in case of default on a Section 108 loan. The Section 108 Loan Guarantee Program, run by the U.S. Department of Housing and Urban Development (HUD), allows jurisdictions to leverage their Community Development Block Grants to secure low-interest loans from HUD to finance development projects that meet certain criteria. The Department of Housing and Community Development (DHCD) is working with HUD to secure Section 108 loans, which it will use for affordable housing acquisition and rehabilitation projects.

Financial Plan Impact

The subtitle will not impact the budget and financial plan. DHCD will make debt service payments for the Section 108 loans from its Community Development Block Grants until it has program income from the loans it makes to projects. A portion of this money will be held in reserve in the new account in case of default. The OCFO estimates the amount needed in reserve to be approximately \$2.5 million, based on \$38.8 million of Section 108 loans. As of now, we do not expect any debt service payments to be due in fiscal year 2021, but the reserve account must be established in fiscal year 2021.

Subtitle (II)(I) – DC Low Income Housing Tax Credit Amendment Act of 2021

Background

The District of Columbia Low-Income Housing Tax Credit Clarification Amendment Act of 2020¹¹ allowed District investors in housing properties receiving federal Low Income Housing Tax Credits (LIHTC) (allocated after October 1, 2021) to also receive a credit against District franchise tax liability or insurance premium taxes, in the amount of 25 percent of the federal LIHTC allocation. The fiscal year 2021 through fiscal year 2024 budget and financial plan estimated that District taxpayers would claim \$1 million of tax credit in fiscal year 2023, \$6 million in fiscal year 2024, and that amounts in the following years would add \$5 million additional for each year beyond fiscal year 2024. Recently, the federal government made changes to LIHTC¹² which will have the effect of increasing the amount of federal credits available to developers and therefore the estimate of corresponding District credits that will be taken. The federal changes are estimated to add approximately \$500,000 in District tax credits taken through the financial plan period.

¹¹ Fiscal Year 2021 Budget Support Act of 2020, Subtitle VII-R, effective December 3, 2020 (D.C. Law 23-149; 67 DCR 14601).

¹² The Consolidated Appropriations Act, 2021, approved December 27, 2020 (P.L. 116-260), sets a minimum credit (or “floor”) of 4 percent for the housing tax credit typically used for the rehabilitation of affordable housing or used with private activity bond financing

The subtitle makes the allocation of District credits subject to the Mayor’s approval of a project, based on a financial feasibility analysis of the project.

Financial Plan Impact

The subtitle has no impact on the budget or financial plan. It is unlikely that the application requirement will deter eligible projects from applying for the District credits and the Department of Housing and Community Development is already underwriting many LIHTC projects for additional District subsidy. DHCD can absorb any new feasibility analysis required by the subtitle.

Subtitle (II)(J) – Office of Cable Television, Film, Music, and Entertainment Amendment Act of 2021

Background

The subtitle clarifies¹³ the Office of Cable Television, Film, Music, and Entertainment’s (OCTFME) responsibilities and content platforms to align with current practice. Additionally, the subtitle requires¹⁴ OCTFME to implement the plan to support, preserve, and archive Go-Go Music and its history.

Financial Plan Impact

OCTFME’s fiscal year 2022 budget includes \$900,000 in local funds to implement the plan to preserve Go-Go Music and history. There is no cost to clarifying the responsibilities and content platforms to align with current practice.

Subtitle (II)(K) – Emory Beacon of Light Tax Exemption and Equitable Tax Relief Act of 2021

Background

The Emory Beacon of Light Center is a mixed-used facility¹⁵ owned by Emory United Methodist Church that includes affordable housing, church offices, and community space. The community space is used by the church’s service arm to offer a food pantry and an immigration clinic, among other services. There are also plans to open a commercial restaurant staffed by returning citizens, a youth leadership academy, and a health clinic. Project financing involved multiple sources¹⁶, including Department of Housing and Community Development’s Housing Production Trust Fund, low-income housing tax credits, Neighborhood Investment Funds from the Office of the Deputy Mayor for Planning and Economic Development, and New Market tax credits.

The subtitle exempts real property¹⁷, transfer¹⁸, and recordation¹⁹ taxes on the portion of the development not attributed to the affordable housing. (The affordable housing portion of the

¹³ By amending Section 201(a) of the Office of Cable Television, Film, Music, and Entertainment Amendment Act of 2015, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1252.01(a)).

¹⁴ Pursuant to section 3 of the Go-Go Official Music of the District of Columbia Designation Act of 2020, effective April 11, 2020 (D.C. Law 23-71; D.C. Official Code § 1-167.02).

¹⁵ <http://emorybeaconoflight.org/index.php/beacon-center-mixed-use-project/>.

¹⁶ <https://www.bizjournals.com/washington/news/2017/04/27/the-beacon-center.html>

¹⁷ D.C. Official Code Title 47, Chapters 7-10, 13, 13a.

¹⁸ D.C. Official Code Title 42, Chapter 9.

¹⁹ D.C. Official Code Title 42, Chapter 11.

development does not have a tax obligation.) The exemptions will apply to new tax lots created at the start of construction that have never received an administrative exemption. The exemption will apply only while the property is owned by the church or entities controlled by the church; leased to (if leased) Beacon Center QALICB LLC or a nonprofit organization, and used by or held for use by one of these entities for affordable housing or a community-serving purpose²⁰.

The subtitle allows for separate leases to other business entities to occur, but if any transfer of interest or lease of the property occurs to an entity not eligible for administrative exemption, then that portion will become taxable.

The subtitle also forgives all recordation and transfer taxes, interest, and penalties assessed to the property since 2016, including those associated with the long-term leases.

Please refer to the separate Tax Abatement Financial Analysis for further detail on the development project and the abatement.

Financial Plan Impact

The subtitle reduces real property tax revenue and deed and recordation tax revenue by \$1.1 million in fiscal year 2022, and by \$1.8 million over the four year financial plan. Approximately \$230,000 in paid taxes since 2016 will be refunded and the remaining cost is for taxes forgiven or foregone.

Emory Beacon of Light Tax Exemption and Equitable Tax Relief Act of 2021					
Subtitle (II)(K)					
Fiscal Year 2022 – Fiscal Year 2025					
(\$ thousands)					
	FY 2022	FY 2023	FY 2024	FY 2025	Total
Property Tax Revenue	(\$971)	(\$223)	(\$226)	(\$231)	(\$1,651)
Recordation and Deed Tax Revenue	(\$149)	\$0	\$0	\$0	(\$149)
TOTAL	(\$1,120)	(\$223)	(\$226)	(\$231)	(\$1,800)

Subtitle (II)(L) – Targeted Historic Preservation Assistance Amendment Act of 2021

Background

The subtitle authorizes condominium and residential cooperative buildings²¹ to apply for and receive grant funding from the Historic Homeowner Grant Program²². The program, managed by the Office of Planning, gives grants for exterior repairs, rehabilitation, and structural work on historic properties to low and moderate income households living in eligible historic districts. The maximum grant given is \$25,000, except in the Anacostia Historic District where the maximum is \$35,000.

Financial Plan Impact

The subtitle has no impact on the budget or financial plan. Total grants cannot exceed available budget for the program.

²⁰ Including a church, gymnasium, classroom, food pantry, community or incubator kitchen, immigration clinic, small-business services, restaurant staffed by returning citizens, youth leadership academy, or health clinic

²¹ As defined by D.C. Official Code § 42-2071(3).

²² <https://planning.dc.gov/service/historic-homeowner-grant-program>

Subtitle (II)(M) – Redevelopment of the Center Leg Freeway (Interstate 395) Amendment Act of 2021

Background

The subtitle extends a payment-in-lieu-of-taxes (PILOT)²³ due for the Capitol Crossing project through 2037 and reduces the required payment by 75 percent from fiscal year 2026 through the end of the PILOT. Under current law, the PILOT will end in fiscal year 2023 and the required PILOT is equivalent to the real property taxes for the properties. Under the subtitle, beginning October 1, 2027, only 25 percent of the real property taxes will be due in the form of a PILOT. Please see the separate Tax Abatement and Financial Analysis for more information on this proposal.

Financial Plan Impact

The subtitle has no impact on the budget and financial plan. However, beginning in fiscal year 2027, which is outside the current financial plan, the subtitle will result in reduced real property tax revenue through 2037. The total amount of real property taxes that may be abated is capped at \$100 million.

Subtitle (II)(N) – COVID-19 Robust Economic Recovery Initiatives Act of 2021

Background

The subtitle authorizes the Deputy Mayor for Planning and Economic Development (DMPED) to issue several grants using both Local Funds and DMPED’s Economic Development Special Account²⁴ to support the District’s economic recovery from the COVID-19 public health emergency. The subtitle authorizes DMPED to issue grants to Business Improvement Districts (BID) and Main Street corridors to support the development and implementation of neighborhood brand identities, marketing campaigns, wayfinding infrastructure, public shuttles, market studies, and public space improvements. The subtitle authorizes specific grants to three BIDs. DMPED can issue a grant to the Anacostia BID to support an art and culture district, a grant to the Southwest Waterfront BID to support autonomous vehicle shuttles, and a grant to the Golden Triangle BID to develop an innovation district. The subtitle authorizes DMPED to issue grants to local business enterprises²⁵ to support activities that will increase business’ revenue, help those businesses hire more employees, and enhance the short- and long-term viability of those businesses. The subtitle authorizes DMPED to issue grants, loans, and other financial assistance, including fee waivers, to support the reopening, recovery, and long-term viability of arts, cultural, and entertainment venues and other special events. The subtitle authorizes DMPED to issue grants to attract large companies in designated industries that can attract additional businesses to the District. The subtitle enumerates what information must be included and considered by DMPED when reviewing grant applications, which entities are eligible for grants, and how grant funds can be spent.

The subtitle also waives certain fees for public vehicles-for-hire and their operators during fiscal year 2022. The subtitle waives Department of For-Hire Vehicles (DFHV) fees for any annual operator ID renewals, the per vehicle registration cost, and certificate of operating authority fees for independent

²³ The Center Leg Freeway (Interstate 395) PILOT and Air Rights Amendment Act, effective October 26, 2010 (D. C. Law 18-257; D.C. Official Code § 47-4640).

²⁴ National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.21).

²⁵ Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31).

taxicab owners, taxicab companies, fleets, associations, and out-of-state independent luxury vehicle businesses. The subtitle also waives certain Department of Motor Vehicles (DMV) fees for public vehicles-for-hire and their operators. The waived DMV fees include fees for operator records, vehicle inspections, and vehicle registrations.

The subtitle reduces the cost for obtaining or renewing a general business license by eliminating the application fee for a license or an endorsement and reducing general license fees from \$200 to \$90, employment services license fees from \$1,300 to \$90, and Limited Liability Partnership filing fees from \$220 to \$99.²⁶ The technology enhancement fee remains at 10 percent of total license costs, but because total license costs will be reduced, the enhancement fee will also be proportionally reduced.

The subtitle also temporarily reduces the cost of obtaining or renewing professional and non-health occupation licenses²⁷ during fiscal year 2022, by eliminating the application fee for a license or exam, and reduces the license fee (which varies by profession) to \$99 for all professions.

The subtitle authorizes the Mayor to implement a fee forgiveness program for corporate entity filing requirements²⁸. The Department of Consumer and Regulatory Affairs (DCRA) plans to implement a two to three-month amnesty program in fiscal year 2021 for businesses with 50 employees or fewer whose corporate registration was revoked at any time due to a failure to file a biennial report. The amnesty period will allow businesses to file the most recent report without having to pay filing or late fees for past due reports. Fees will still apply for the current report.

Financial Plan Impact

The fiscal year 2022 through fiscal year 2025 budget and financial plan includes approximately \$50 million to support DMPED grants, loans, and other financial assistance for each of the new grant programs authorized in the subtitle. DMPED will review grant, loan, and other assistance program applications and provide support to eligible businesses and entities.

The subtitle also waives or reduces other fees charged across several District agencies. The subtitle waives various fees expected to be paid in fiscal year 2022 by the owners and operators of public vehicles-for-hire at both DFHV and DMV. The DFHV license, registration, and certificate of operating authority fee waivers will reduce DFHV special purpose revenues in fiscal year 2022 by approximately \$1.8 million. The DMV inspection, registration, and document request fees for this will reduce both local fund revenues and special purpose revenues in fiscal year 2022 by approximately \$745,000. The subtitle reduces some DCRA business and occupational licensing fees and filing fees, reducing both local fund revenue and special purpose revenues by \$3 million in fiscal year 2021 and approximately \$26 million over the fiscal year 2021 to fiscal year 2025 budget and financial plan period. The subtitle also authorizes a three-month amnesty program in fiscal year 2021 that will reduce local fund revenues by \$231,000 in fiscal year 2021.

²⁶ See 17 DCMR 513.1, 500.2, 516.1(c), 602(a)(1), 606.1(a), 607.1(a), 608.1(a), and 611.1(a) for fees being adjusted.

²⁷ See 17 DCMR 3500.6.

²⁸ D.C. Official Code 29-102.12

COVID-19 Robust Economic Recovery Initiatives Act of 2021					
Subtitle (II)(N)					
Fiscal Year 2022 – Fiscal Year 2025					
(\$ thousands)					
	FY 2022	FY 2023	FY 2024	FY 2025	Total
Waive certain DFHV license, registration, and certificate of operating authority fees	(\$1,811)	\$0	\$0	\$0	(\$1,811)
Waive DMV inspection, document request, and registration fees for public vehicles-for-hire	(\$745)	\$0	\$0	\$0	(\$745)
Reduced business and occupational licensing fees	(\$6,155)	(\$4,942)	(\$5,654)	(\$6,506)	(\$23,256)
Total Revenue Reductions	(\$8,711)	(\$4,942)	(\$5,654)	(\$6,506)	(\$25,812)

Subtitle (II)(O) – Local Food Access Grants Amendment Act of 2021

Background

The subtitle authorizes the Deputy Mayor for Planning and Economic Development (DMPED) to issue grants and loans that support the equitable distribution of food businesses in Wards 7 and 8. The subtitle authorizes grants and loans to assist in start-up, growth, and long-term sustainability of these businesses and grants for technical assistance to individuals looking to start a food business. These businesses must be located within eligible areas.²⁹

Financial Plan Impact

The fiscal year 2022 through fiscal year 2025 budget and financial plan includes approximately \$34 million for DMPED to issue grants and loans in support of food businesses in Wards 7 and 8. Approximately \$27.2 million of the budgeted funding will be available for grants and loans in fiscal year 2022.

²⁹ Food, Environmental, and Economic Development in the District of Columbia Act of 2010, effective April 8, 2011 (D.C. Law 18-353; D.C. Official Code § 47-3801(1D)).

TITLE III – PUBLIC SAFETY AND JUSTICE

Subtitle (III)(A) – Emergency Transportation and Pre-Hospital Medical Service Fees Amendment Act of 2021

Background

The Fire and Emergency Medical Services Department (FEMS) collects fees to offset the cost of providing emergency medical transportation (EMT) to patients in the District. FEMS charges a flat fee for basic life support transportation³⁰ and advanced life support transportation³¹ and charges a fee for each mile traveled from an incident location to a receiving hospital. The actual cost³² of transporting each patient is more expensive than what is collected in fees. The current fee schedule has not been adjusted since 2009. The table below shows the actual costs per EMT compared to what is currently billed by FEMS.

	Actual Cost	FEMS EMT Fee Schedule
Basic Life Support	\$2,446	\$428
Advanced Life Support - Level 1	\$2,446	\$508
Advanced Life Support - Level 2	\$2,446	\$735
Cost per mile of Transportation	\$30.06	\$6.55

On March 1, 2021, FEMS was approved as a Medicaid provider, allowing the Department of Health Care Finance (DHCF) to provide Medicaid reimbursements to FEMS based on the actual cost of providing EMT to fee-for-service (FFS) Medicaid patients rather than a set fee schedule. EMT patients insured through Medicaid Managed Care Organizations (MCOs), Medicare, private insurance, auto insurance, workers compensation, as well as those who self-pay, continue to be billed using the 2009 fee schedule.

Even though FEMS bills MCOs, Medicare, and private insurers at the same rate, actual payment varies considerably from payor to payor. MCOs negotiate payment rates directly with FEMS that are at or below current billing fees. Medicare pays FEMS at rates that are set by the federal Centers for Medicare and Medicaid Services. Private insurers pay at rates that depend on whether FEMS is a preferred provider and whether agreements require or prohibit FEMS from billing patients directly for deductibles and copays.

The subtitle gradually increases³³ the EMT fee schedule to align the fee amount more closely with actual costs. The subtitle sets specific rates for basic life support transportation, advanced life support transportation, and mileage fees for calendar years 2021 through 2026. Each year the transport fee is increased by \$250 and the mileage fee by \$3.75 per mile. The subtitle allows³⁴ FEMS to revise these fees through rulemaking. The table below summarizes each fee and each fee increase over the course of the next six years.

³⁰ Basic life support includes minimal or basic treatment and vital signs monitoring. In some cases, oxygen may also be given. Reasons for transport are usually considered non-life threatening.

³¹ Advanced life support includes breathing tube insertion, CPR, multiple medications, or other extended care. Reasons for transport are usually considered immediately life threatening.

Fee Schedule Implementation Timeline			
Fee start date:	Basic Life Support	Advance Life Support	Cost per mile
1/1/2021	\$750	\$750	\$11.25
1/1/2022	\$1,000	\$1,000	\$15.00
1/1/2023	\$1,250	\$1,250	\$18.75
1/1/2024	\$1,500	\$1,500	\$22.50
1/1/2025	\$1,750	\$1,750	\$26.25
1/1/2026	\$2,000	\$2,000	\$30.00

Financial Plan Impact

The fee increase will allow FEMS to negotiate payment rates in fiscal year 2022 that are more closely aligned with actual costs. Until possible preferred provider agreements are negotiated with private insurers, the Office of Revenue Analysis will not adjust revenue estimates for fee revenue from privately insured patients. Negotiated payment rates are not expected to apply until calendar year 2023.

Subtitle (III)(B) – Office of Resiliency and Recovery Amendment Act of 2021

Background

The fiscal year 2021 budget moved the Office of Resiliency and Recovery (ORR) from the Office of the City Administrator (OCA) to the Homeland Security and Emergency Management Agency (HSEMA). The subtitle changes the agency statutorily responsible for overseeing the ORR to reflect this transition.

Financial Plan Impact

The fiscal year 2022 ORR program budget is included in HSEMA fiscal year 2022 budget. The subtitle does not have a financial impact.

Subtitle (III)(C) – Concealed Pistol Licensing Review Board Stipend Amendment Act of 2021

Background

In 2015, the District established a Concealed Pistol Licensing Review Board (Board).³⁵ The Board hears appeals related to the denial of a new or renewal application for a license to carry a concealed pistol, the suspension or limitation of a concealed carry license, and the revocation of a concealed carry license. The Board is comprised of eleven members, including three federal or local government

³² As calculated in the fiscal year 2019 FEMS Cost Report Audit.

³³ By amending Section 502 of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law 1-124; D.C. Official Code § 5-416).

³⁴ Pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.).

³⁵ License to Carry a Pistol Amendment Act of 2014, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08).

officials, a former sworn law enforcement officer, three members of the public,³⁶ and four District residents.³⁷

The subtitle establishes³⁸ a compensation rate of \$250 per week, \$1,000 monthly, for each member of the Board except for members that are District or federal government employees.

Financial Plan Impact

Nine members of the Board will qualify for stipend payments in fiscal year 2022. Each member will receive an annual stipend of \$12,000. The Board’s fiscal year 2022 budget includes \$108,000 in local funds to support the subtitle’s implementation.

Subtitle (III)(D) – Emergency Medical Services Reform Fund Amendment Act of 2021

Background

The Fire and Emergency Medical Services Department (FEMS) collects fees to offset the cost of providing emergency medical transportation (EMT) to patients in the District. Revenues collected from these fees that are in excess of \$24.7 million are deposited into the Emergency Medical Services Reform Fund (Fund). The subtitle clarifies³⁹ that only ambulance fees collected from non-Medicaid sources will be deposited into the Fund.

Financial Plan Impact

Federal Medicaid payments are treated by the Department of Health Care Finance (DHCF) as revenue, therefore FEMS cannot book Medicaid reimbursement for ambulance fees as special purpose revenue. Limiting the Fund deposits to non-Medicaid revenue sources prevents double counting of Medicaid revenue. Medicaid payments will be transferred from DHCF to FEMS through an intra-district transfer in fiscal year 2022.

Subtitle (III)(E) – Gun Violence Prevention Housing Support Act of 2021

Background

The subtitle establishes⁴⁰ a housing voucher and financial assistance program to assist victims, individuals, and families at risk of gun violence. Eligible residents will be provided assistance in relocating from their current housing and will be provided short-term and mid-term housing support. The Mayor may provide counseling services to individuals eligible for assistance.

³⁶ These members currently include one mental health professional and two District residents with experience in the operation, care, and handling of firearms.

³⁷ Residents with mental health, victim services or advocacy, violence prevention, law, or firearms experience.

³⁸ By amending Section 908(b)(4) of the Firearms Control Regulations Act of 1975, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08(b)(4)).

³⁹ By amending Section 502(c)(2) of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law 1-124; D.C. Official Code § D.C. Code § 5-416(c)(2)).

⁴⁰ By amending The Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 et seq.).

The Honorable Phil Mendelson

Fiscal Impact Statement for the "Fiscal Year 2022 Budget Support Act of 2021," Draft bill as provided to Office of Revenue Analysis, May 26, 2021

Financial Plan Impact

The Office of Victim Services and Justice Grants fiscal year 2022 budget includes \$2.2 million in federal funding to support the implementation of the subtitle. In total, \$6.6 million in federal funding is allocated over the financial plan.

TITLE IV – PUBLIC EDUCATION SYSTEMS

Subtitle (IV)(A) – Funding for Public Schools and Public Charter Schools Increase Amendment Act of 2021

Background

The subtitle sets⁴¹ the base level funding for the Uniform Per Student Funding Formula (UPSFF) at \$11,720. This is a 3.6 percent increase over fiscal year 2021. Base level funding is multiplied by the weighting for each grade level or add-on services to determine the per student funding at that level or for those services. The subtitle also increases the weighting for the alternative program add-on from 1.445 to 1.52 and the at-risk add on from 0.2256 to 0.24. The subtitle establishes three new general education add-ons that include Elementary ELL, Secondary ELL, and At-risk High School Over-age Supplement. These additional weights were included in the recommendations of the 2020 UPSFF Working Group.⁴²

The subtitle also excludes⁴³ from the UPSFF formula stabilization funding allocated to DCPS schools to meet the requirement that schools be provided with not less than 95 percent of the prior year’s allocation.

The following tables show the base level funding at each grade level and the various add-ons:

Weightings applied to counts of students enrolled at certain grade levels		
Grade Level	Weighting	Per Student Allocation in FY 2021
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

Special Education Add-ons			
Level/ Program	Definition	Weighting	Per Student Supplemental Funds
Level 1: Special Education	Eight hours or less per week of specialized services.	0.97	\$11,368

⁴¹ By amending The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2903 et seq.).

⁴² See: <https://osse.dc.gov/page/2020-21-uniform-student-funding-formula-upsff-working-group>

⁴³ By amending D.C. Official Code § 38-2902(b).

Special Education Add-ons			
Level/ Program	Definition	Weighting	Per Student Supplemental Funds
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 which may include instruction in a self-contained (dedicated) special education school other than residential placement.	3.49	\$40,903
Special Education Compliance Funding	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.099	\$1,160
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	DCPS 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

General Education Add-ons			
Level / Program	Definition	Weighting	Per Student Supplemental Funds
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	0.75	\$8,790
At-Risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.24	\$2,813
At-risk High School Over-age Supplement	Additional funding beyond the existing at-risk weight for students who are behind grade level in high school.	0.06	\$703

Residential Add-ons			
Level/ Program	Definition	Weighting	Per Student Supplemental Funds
Level 1: Special Education - Residential	Additional funding to support the after-hours Level 1 special education needs of students living in a DCPS 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 DCPS 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 DCPS 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 DCPS 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 DCPS or public charter school that provides students with room and board in a residential setting.	0.668	\$7,829

Special Education Add-ons for Students with Extended School Year (ESY) Indicated in Their Individualized Education Programs (IEPs)			
Level/ Program	Definition	Weighting	Per Student Supplemental Funds
Special Education Level 1 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.063	\$738

Special Education Add-ons for Students with Extended School Year (ESY) Indicated in Their Individualized Education Programs (IEPs)			
Level/ Program	Definition	Weighting	Per Student Supplemental Funds
Special Education Level 2 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.227	\$2,660
Special Education Level 3 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.491	\$5,755
Special Education Level 4 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs	0.491	\$5,755

Financial Plan Impact

The 3.6 percent UPSFF increase will increase formula-driven local fund expenditures. The proposed fiscal year 2022 budget includes approximately \$1.86 billion for instructional budgets: \$1.01 billion for the District of Columbia Public Schools (including \$12.32 million in stabilization funding), and \$851 million for the public charter schools. Charter schools will receive \$158.8 million for facilities allowances in fiscal year 2022, bringing the collective public charter school local budget to \$1.01 billion.

Subtitle (IV)(B) – Predictable Pathways in Education Amendment Act of 2021

Background

The subtitle establishes⁴⁴ an enrollment preference for students enrolled in a dual language, language immersion, International Baccalaureate, or Montessori program, as designated in the common lottery system, at a public charter school or a District of Columbia Public Schools school who are applying for enrollment in the same type of program at a higher school level.

Financial Plan Impact

There is no cost to implement this subtitle. The My School DC common lottery algorithm will be updated to include the specialized program preference at no additional cost to the District.

⁴⁴ By amending Section 2206(c) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.06(c)).

Subtitle (IV)(C) – DCPS Intra-School Reprogramming Flexibility Amendment Act of 2021

Background

District agencies must allocate their non-personal expenditures to specific object classes such as supplies and materials, contractual services, utilities, rent, and other fixed costs. School budgets follow this practice, too. Under current practices, any time a school chooses to spend their non-personal funds differently, in an amount over \$10,000, DCPS must request a budget reprogramming from the Office of the Chief Financial Officer (OCFO). The subtitle increases⁴⁵ this amount to \$25,000. DCPS must follow rules established by the OCFO to reallocate funding.

Financial Plan Impact

Increasing the maximum amount that can be reallocated within non-personal expenditure objected classes without OCFO approval does not have a cost. DCPS can implement the subtitle without additional resources.

Subtitle (IV)(D) – Parks and Recreation Grant-Making Authority Amendment Act of 2021

Background

The subtitle allows⁴⁶ the Department of Parks and Recreation (DPR) to issue grants to qualified individuals and non-profit organizations who provide programming to DPR.

Financial Plan Impact

The budget and financial plan includes \$200,000 in local funds to provide grants to organizations that provide programming.

Subtitle (IV)(E) – Parks and Recreation Sponsorship Amendment Act of 2021

Background

The subtitle creates⁴⁷ a Department of Parks and Recreation (DPR) Sponsorship Fund to collect revenue generated from sponsorships and advertisements. Money in the Sponsorship Fund must be used to support the events, programs, activities, recreation centers, fields, pools, play courts, and other assets and facilities of DPR, as provided in the sponsorship or advertising agreement. Money in the Sponsorship Fund may also be used to support any other DPR activities or facilities and to purchase food, snacks, and non-alcoholic beverages for the general public, DPR program participants, and District government employees.

Financial Plan Impact

DPR expects to collect a small amount of revenue from sponsorships and advertisements in fiscal year 2022, but the proposed budget and financial plan does not rely on deposits into the Fund. DPR

⁴⁵ By amending Section 4012(a) of the DCPS Contracting and Spending Flexibility Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 38-2955(a)).

⁴⁶ In accordance with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

⁴⁷ By amending The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq.*).

will raise sponsorship funds in fiscal year 2022 and spend those funds during the same fiscal year to support DPR programming.

Subtitle (IV)(F) – Apprenticeship Fines Amendment Act of 2021

Background

The subtitle requires⁴⁸ that fines for violating the District’s apprenticeship requirement law⁴⁹ be remitted to the Department of Employment Services (DOES) instead of the District of Columbia Public Schools, as current law requires. The apprenticeship requirement law requires certain contractors of the District of Columbia government⁵⁰ and beneficiaries of large projects funded by the District of Columbia government⁵¹ to register an apprenticeship program with the District of Columbia Apprenticeship Council. Those violating the law will be subject to a fine imposed by DOES equal to 5 percent of the direct and indirect labor costs of the contract. Fine revenue is to be used solely for the support of vocation education programs.

Financial Plan Impact

The subtitle will not have an impact on the budget and financial plan since it will align the D.C. Code with current practice. Currently, DOES collects the fines and the fines are included in the DOES budget as revenue collections. In recent years, about \$30,000 a year has been collected. The fines are deposited as “Other Revenue” for the DOES Office of Apprenticeship and Trainings. The subtitle will allow DOES to use the money for vocational education programs.

Subtitle (IV)(G) – Scholarship and Tuition Assistance Payment Method Amendment Act of 2021

Background

The subtitle authorizes⁵² the Office of the State Superintendent for Education (OSSE) to award scholarships and financial assistance for tuition, fees, room, board, dual enrollment programs, and other cost of post-secondary education. OSSE can also pay for scholarships and financial assistance through direct vouchers issued to institutions of higher education.

Financial Plan Impact

The fiscal year 2022 budget includes \$2.4 million and the financial plan includes \$7.79 million to implement the subtitle. These funds will be used to support scholarships and financial assistance for post-secondary education.

⁴⁸ By amending Section 5(c)(3) of the Amendments to An Act To Provide For Voluntary Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-156; D.C. Official Code § 32-1431(c)(3)).

⁴⁹ An Act To Provide For Voluntary Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-156; D.C. Official Code § 32-1431(c)(3)).

⁵⁰ Contractors and subcontractors who contract with the District of Columbia government to perform construction, renovation work, or information technology work with a single contract, or cumulative contracts, of at least \$500,000 within a 12-month period.

⁵¹ Those in excess of \$1 million funded in whole or in part with funds which, in accordance with a federal grant or otherwise, the District of Columbia government administers, and in which the District of Columbia is a signatory to any agreement of a contractual nature.

⁵² By amending Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(29)).

Subtitle (IV)(H) – Universal Paid Leave Amendment Act of 2021

Background

Under the District’s Universal Paid Leave Program (“Program”)⁵³, administered by the Department of Employment Services, eligible workers in the District can receive eight weeks of paid leave to bond with a new child, six weeks to care for a family member with a serious health condition, and two weeks to care for a worker’s own serious health condition. The amount of benefit depends on a given eligible worker’s earnings during the previous five quarters and is currently capped at \$1,000 per week. The program is funded by a 0.62 percent payroll tax on covered District employers.

The tax rate was set to generate sufficient revenue to cover the rate at which eligible workers having a qualifying event will utilize the program instead of (or in addition to) their employer’s benefit offerings. The Program began paying benefits on July 1, 2020, and benefit expenses have been significantly lower than projections for the maximum operations. Prior to the pandemic, revenues had also been slightly higher than anticipated due to faster than forecasted wage increases since 2016. This has resulted in a one-time projected surplus of \$400 million in the Program fund through fiscal year 2022. Fiscal year 2022 benefits are currently forecasted to remain below those originally projected but to return to forecasted levels by fiscal year 2023.

The subtitle lowers the payroll tax rate to 0.27 percent for fiscal year 2022 only to account for lower than forecasted expenditures.

The subtitle also establishes, for fiscal year 2022, three new benefits for eligible workers in the District’s Universal Paid Leave Program. First, workers experiencing a qualifying domestic violence, sexual abuse, or stalking leave event will be eligible to receive two weeks of benefits in a 52-week period to obtain services, seek medical treatment, obtain counseling, seek legal advice, or to relocate to a new residence. Second, pregnant workers will be eligible to receive two weeks of prenatal leave benefits for any reason in the four weeks before their expected due date. Third, the subtitle clarifies that a pregnancy ending in stillbirth is considered an eligible parental leave event, eligible for parental leave of eight weeks of benefits. The new benefits will sunset at the end of fiscal year 2022.

Financial Plan Impact

There is an estimated \$400 million surplus in the Program fund through fiscal year 2022. The one year of new benefits established by the subtitle will cost \$46 million. Subtitle VIII-A and the proposed Fiscal Year 2021 Supplemental Budget Support Act of 2021 will transfer \$185.7 million of surplus out of the fund for other uses. The tax rate reduction through fiscal year 2022 will reduce revenues in the Fund by \$168.2 million. The reduced tax rate will generate \$128 million of revenue in fiscal year 2020. Following these actions, the balance of the fund is estimated to be at nine months of benefits and, therefore, to remain above the threshold that would require the OCFO to request a policy change in the fund⁵⁴.

⁵³ <https://does.dc.gov/page/dc-paid-family-leave>

⁵⁴ DC Code, § 32–551.01(i).

TITLE V – HUMAN SUPPORT SERVICES

Subtitle (V)(A) – Medicaid Hospital Outpatient Payment Amendment Act of 2021

Background

The Department of Health Care Finance (DHCF) assesses a fee on District hospitals’ outpatient gross revenue. The outpatient fee revenues are deposited in the Hospital Provider Fee Fund (Fund). The Fund is used to make Medicaid outpatient hospital access payments to private hospitals in the District for services provided to Medicaid fee-for-service (FFS) patients. The Fiscal Year 2021 Budget Support Act changed how money in the Fund could be used and permitted DHCF to provide direct outpatient supplemental payments to managed care organizations (MCOs). The statutory language in the Fiscal Year 2021 Budget Support Act inadvertently limited the use of the Fund balance to only provide supplemental payments to MCOs. The subtitle corrects how money in the Fund can be spent to again include FFS payments directly to hospitals.

Financial Plan Impact

The subtitle allows DHCF to use Fund balance in a way that conforms with existing practice. DHCF will be able to provide direct outpatient supplemental payments to MCOs and hospital access payments for FFS patients.

Subtitle (V)(B) – Medical Assistance and Immigrant Children’s Program Amendment Act of 2021

Background

The District of Columbia’s Immigrant Children’s Program (Program) is administered by the Department of Health Care Finance (DHCF) and provides health coverage to approximately 4,000 children under the age of twenty-one who are not eligible for Medicaid. Services covered under the Program are identical to those covered under Medicaid, but eligibility criteria differ between the two programs.

The subtitle increases⁵⁵ the Program’s eligible household income threshold from 300 percent of the federal poverty level to 319 percent for children 18 years old or younger and 216 percent for children ages 19 and 20. This increase creates uniform eligibility thresholds across both Medicaid and the Program. The subtitle allows DHCF to implement an income disregard amount, based on family size, of up to five percent of the federal poverty level or higher percentages as authorized by the federal government as an income disregard for the determination of eligibility for Medicaid.

Residents that are determined to be eligible for the Program will be automatically enrolled in a health maintenance organization by DHCF. Program enrollees have 30 days to choose a different maintenance organization if they wish to do so.

The subtitle allows DHCF to modify the standards for eligibility to enroll in a program to increase the number of District residents who would be eligible to enroll in the program, to the extent such expansion is consistent with the District’s budget and financial plan.

⁵⁵ By amending Section 2202 of the Medical Assistance Expansion Program Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 1-307.03).

Financial Plan Impact

DHCF projects that expanding eligibility criteria will increase the number of Program beneficiaries by nine. Recurring funding of \$28,527 is included in DHCF’s fiscal year 2022 budget to cover the costs of these additional beneficiaries.

Subtitle (V)(C) – Medicaid Reserve Fund Amendment Act of 2021

Background

The subtitle eliminates⁵⁶ the Medicaid Reserve Fund which is a paper agency of the Department of Health Care Finance. The Fund is used to pay for expenses associated with increased Medicaid enrollment or service utilization as a result of the public health emergency.

Financial Plan Impact

The fiscal year 2022 budget does not include funding in the Medicaid Reserve Fund and there is no fiscal impact to its removal.

Subtitle (V)(D) – Unjust Convictions Amendment Act of 2021

Background

Any person unjustly convicted of, and subsequently imprisoned for, a felony offense contained in the District of Columbia Official Code may present a claim for damages against the District of Columbia or petition the District for compensation. If an unjustly convicted person petitions the District for compensation and the Office of Victim Services and Justice Grants approves the petition, the petitioner is eligible to receive cash payments from the District for each year of incarceration and each year of probation. The petitioner is also eligible to receive health care for life through the D.C. Health Care Alliance program, among other benefits.

The subtitle allows the Department of Health Care Finances (DHCF) to deliver health care and mental health benefits to eligible unjustly convicted and imprisoned individuals using a fee-for-service (FFS) model instead of only the using the D.C. Health Care Alliance (Alliance) program.

Financial Plan Impact

There is currently only one individual that has been awarded health benefits for unjust imprisonment that will be transferred from the Alliance program to the FFS model. The annual cost difference between the Alliance program and the FFS model is \$34,000 per person. The proposed DHCF fiscal year 2022 budget includes recurring funding to implement the subtitle.

⁵⁶ By amending The Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*).

Subtitle (V)(E) – Department of Health Care Finance Support Act of 2021

Background

The bill establishes the date of the District's acceptance of subcontracting plans with respect to certain Department of Health Care Finance (DHCF) solicitations.⁵⁷ The bill is applicable to solicitations issued on or before August 20, 2020 and specifies that the District is deemed to have accepted subcontracting plans when the District receives the best and final offer from an offeror.

Financial Plan Impact

There is no cost to implement this subtitle, however the fiscal year 2022 budget includes budgetary savings that result from this subtitle. Specifically, the subtitle allows DHCF to avoid costs that would result from delaying the procurement of Medicaid Management Information System upgrades; contracting with an enrollment broker to reapportion Managed Care Organization patients; and losing federal funding for District of Columbia Access System upgrades. In total, retroactively approving subcontracting plans amounts to budgetary savings of \$5.4 million in fiscal year 2022.

Subtitle (V)(F) – Howard University Hospital Centers of Excellence Fund Amendment Act of 2021

Background

In 2020, the District authorized operating support, subject to available funding, for five Centers of Excellence at Howard University Hospital (Centers) through fiscal year 2025 and a tax abatement for property being redeveloped by Howard University, beginning no earlier than fiscal year 2025 subject to conditions including operation of the Centers.⁵⁸ The five Centers will focus on sickle cell disease, women's health, substance use and co-occurring disorders, trauma care and violence prevention, and oral health.

The subtitle establishes a non-lapsing Howard University Hospital Centers of Excellence Fund (Fund) to collect unspent local funds that were appropriated in the fiscal year 2021 to support the Centers and will serve as a repository for funds appropriated in fiscal year 2022 or later. The Fund will be administered by the Department of Health.

Financial Plan Impact

The approved fiscal year 2021 budget includes \$4.2 million in one-time funding to support the Centers of Excellence at Howard University Hospital. Any unspent money from this appropriation will be deposited into the newly established Fund to be spent in fiscal year 2022 or later.

⁵⁷ Including solicitations related to healthcare and pharmacy services for District residents in the Medicaid managed care program, services for the District's Medicaid management information system, and application development for the District's health and human services solution (District of Columbia Access System, or DCAS).

⁵⁸ D.C. Code § 47-4673(f)(1).

Subtitle (V)(G) – SNAP Reinvestment Fund Establishment Amendment Act of 2021

Background

Each year the Department of Human Services (DHS) submits Supplemental Nutrition Assistance Program (SNAP) quality control reports to the United States Department of Agriculture’s Food and Nutrition Service (FNS) for independent review. If the District’s SNAP program is found to have an excessive benefit payment error rate, a penalty is assessed, and the program is required to take corrective action. The penalty must be repaid in full to the U.S. Treasury or half of the penalty amount can be reinvested in program enhancements that reduce errors.

The District’s SNAP program was issued a \$1.95 million penalty for fiscal year 2018 payment errors and \$1.68 million for fiscal year 2019 payment errors. The District negotiated a settlement agreement to invest half of the 2018 penalty amount towards program enhancements and is in the process of negotiating an agreement for the fiscal year 2019 penalty. SNAP error reduction settlement agreements typically extend over multiple fiscal years.

The subtitle establishes a non-lapsing SNAP Reinvestment Fund to collect unspent local funds remaining in the operating budget of DHS at the end of each fiscal year in an amount necessary to meet SNAP excessive payment error rate liability settlement agreements.

Financial Plan Impact

Creating a non-lapsing SNAP Reinvestment Fund will allow DHS to implement error reduction program enhancements without limitation to fiscal year. The amount of surplus local funds deposited into the Fund at the end of each fiscal year will be equal to the outstanding penalty balance as determined through settlement agreements with FNS.

TITLE VI – OPERATIONS AND INFRASTRUCTURE

Subtitle (VI)(A) – Highway Trust Fund Reprogramming Amendment Act of 2021

Background

Since fiscal year 2012, the District Department of Transportation (DDOT) allocated funding for federally funded capital projects through the Highway Trust Fund in “master” projects with associated “related” projects. DDOT does not spend directly from the master projects, but transfers the funds to approved related projects. In fiscal year 2019,⁵⁹ the Council granted flexibility for DDOT to reallocate funds between master projects and related projects or between related projects under the same master project without going through the Council reprogramming process.⁶⁰

The subtitle further exempts from the Council reprogramming processes transfers of funds between master projects. The subtitle requires that any transfers be consistent with the District’s State Transportation Improvement Plan and makes this change effective July 1, 2021.

Financial Plan Impact

The subtitle does not change the amount of authorized funding and exempting these transfers from Council’s reprogramming approval processes has no impact on the District’s budget or financial plan.

Subtitle (VI)(B) – Utility Relocation Reimbursement Amendment Act of 2021

Background

The District Department of Transportation (DDOT) pays 50 percent of the cost of relocating, replacing, or abandoning utility company infrastructure that overlaps with a local DDOT construction project and requires the utility company to pay the remaining 50 percent of the cost. DDOT pays the full costs of these actions associated with federal highway funded transportation projects.

The subtitle limits DDOT’s cost on federal highway funded projects to 50 percent, consistent with the treatment of non-federal highway funded projects..

Financial Plan Impact

Under the subtitle, DDOT will no longer have to pay the full cost of utility infrastructure relocation, replacement, or abandonment for federal highway funded projects. DDOT does not expect any significant savings within the federal capital program over the budget and financial plan period from this change.

⁵⁹ Master Capital Projects Funding Reallocation Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168; D.C. Official Code § 47-310).

⁶⁰ D.C. Official Code § 47-363.

Subtitle (VI)(C) – Vehicle Inspection Officer Amendment Act of 2021

Background

In 2016, the Council reorganized for-hire vehicle oversight in the District with the establishment of the Department of For-Hire Vehicles (DFHV). Through these efforts, Council required DFHV to always staff at least twenty vehicle inspection officers.⁶¹

The subtitle eliminates the requirement that DFHV employ at least twenty vehicle inspection officers.

Financial Plan Impact

The subtitle gives DFHV flexibility to have fewer than twenty vehicle inspection officers when the Department determines that fewer are appropriate. The fiscal year 2022 through fiscal year 2025 budget and financial plan includes twenty vehicle inspection officers.

Subtitle (VI)(D) – Sustainable Energy Trust Fund Amendment Act of 2021

Background

The Department of Energy and Environment (DOEE) imposes a fee on the District’s electricity, natural gas, and oil providers. The fees, whose rates were increased in fiscal year 2020,⁶² are deposited into the Sustainable Energy Trust Fund (SETF). SETF resources are used to support the District’s energy efficiency efforts through grants, loans, bill support and weatherization for the District’s low-income residents, and to support job training in energy efficiency fields. The fiscal year 2020 changes also dedicated \$70 million of the SETF resources to the Green Finance Authority (Authority) from fiscal year 2020 to fiscal year 2025. This Authority funding commitment was in addition to a \$35 million commitment (\$7 million annually) from fiscal year 2018 through fiscal year 2022 from the Renewable Energy Development Fund (REDF) made when the Authority was first established.⁶³

The subtitle maintains the \$70 million transfer to the Authority through fiscal year 2025, but gives DOEE more flexibility to transfer between \$10 million and \$15 million annually from fiscal year 2022 to fiscal year 2025. Currently, DOEE is only authorized to transfer \$10 million per year over those fiscal years.

Financial Plan Impact

Through fiscal year 2020, DOEE has transferred \$14 million from REDF and \$12 million from SETF. DOEE was expected to fund the Authority from SETF at \$15 million in each of fiscal year 2020 and fiscal year 2021, but was unable to meet that level of funding in FY 2020 and plans to meet that level in fiscal year 2021. The subtitle gives DOEE flexibility to transfer between \$10 million and \$15 million from fiscal year 2022 through fiscal year 2025 so that DOEE can still meet its planned commitment of \$70 million by fiscal year 2025.

⁶¹ Transportation Reorganization Amendment Act of 2016, effective June 22, 2016 (D.C. Law 21-124; D.C. Official Code § 50-301.07).

⁶² Clean Energy Implementation Amendment Act of 2019, effective March 22, 2019 (D.C. Law 22-257; D.C. Official Code § 8-1774.10).

⁶³ Green Finance Authority Establishment Act of 2018, effective August 22, 2018 (D.C. Law 22-155; D.C. Official Code § 8-173.01 et seq.).

Subtitle (VI)(E) – WMATA Dedicated Funding Amendment Act of 2021

Background

In 2018, the District passed the Dedicated Funding for the Washington Metropolitan Transit Authority (WMATA) Act of 2018⁶⁴, providing for a dedication of sales tax revenue to be used for a grant to WMATA for the purposes of WMATA capital improvements. The Act provided for an initial annual dedication of \$178.5 million, to be increased by three percent annually, beginning in fiscal year 2021. At that time, the District expected a funding compact with surrounding jurisdictions which would require such annual increase, but these jurisdictions have not increased their funding allocations annually.

The subtitle will eliminate the three percent annual increase in the sales tax dedication.

Financial Plan Impact

The District’s revenue estimates included the annual increase provided for in the Act; the subtitle increases sales tax revenue available for general fund purposes by \$5.35 million in fiscal year 2021 and \$83.6 million through fiscal year 2025.

Local Fund Revenue Increase from WMATA Dedicated Funding Amendment Act of 2021 (\$ thousands)						
	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Total
Additional sales taxes remaining in Local Funds	\$5,355	\$10,871	\$16,552	\$22,403	\$28,430	\$83,611

Subtitle (VI)(F) – Direct Shipment of Alcoholic Beverages Amendment Act of 2021

Background

The subtitle establishes two new categories of license or endorsement to be regulated by the Alcoholic Beverage Control Board (Board) and the Alcoholic Beverage Regulation Administration (ABRA). A direct shipper license or endorsement will allow its holder to ship alcoholic beverages or alcohol-infused products directly to consumers through a common carrier. The subtitle authorizes a Board-licensed manufacturer, off-premises retailer, or a pub endorsement holder to apply for the direct shipper endorsement for products it produced at the licensed premises, manufactured or produced in collaboration with another manufacturer, that are manufactured under a written agreement with another manufacturer, that are produced or bottled for the licensee, or that is authorized for resale by an off-premises retailer. For eligible products not produced on the licensed premises, the licensed establishment can collaborate with or enter into an agreement with any manufacturer, regardless of that manufacturer’s jurisdiction. The subtitle also allows a manufacturer or off-premises retailer located outside the District to apply for a direct shipper license if it is properly licensed in its home jurisdiction. The subtitle limits the quantities of alcohol products that can be shipped to any one consumer to three cases of wine per month, three cases of beer per month, and 10 liters of spirits per month. The subtitle requires direct shippers to submit a quarterly report to ABRA and the Office of Tax and Revenue detailing the amount of alcoholic beverages shipped, the names and addresses of consumers, the purchase prices and taxes charged, and the name and address

⁶⁴ Fiscal Year 2019 Budget Support Act of 2018, Subtitle VI-A.

of the common carrier used. A direct shipper should impose taxes based on the jurisdiction of the consumer where the purchase occurs. The subtitle sets a minimum fee of \$100 for a direct shipper license.

The second category of license the subtitle establishes is a common carrier license. A direct shipper licensee must use the holder of a common carrier license to ship their alcoholic beverages to consumers. The Board must provide common carrier licensees with a list of approved direct shipper licensees and endorsees on a quarterly basis. A common carrier licensee must verify that the recipient of an alcohol shipment is 21 years of age or older and receive a consumer signature for the delivery. If the common carrier is unable to complete the shipment, the beverages must be returned to the sender. A common carrier must report quarterly to the Board with information on whether it made deliveries during the prior quarter, the date of the deliveries, and the name and address of both the shippers and consumers for each delivery. The subtitle sets a minimum fee of \$200 for a common carrier license.

The subtitle amends the District’s rules related to holding conflicting licenses to ensure that a manufacturer, off-premises retailer, or holder of a pub endorsement can also hold a direct shipper license, but it prohibits these licensees from holding a common carrier license.

Financial Plan Impact

The subtitle establishes two new license categories for a direct shippers and common carriers. The direct shipper license will allow District-based manufacturers, off-premises retailers, and holders of a pub endorsement and non-District manufacturers and off-premises retailers to ship alcoholic beverages directly to consumers. A direct shipper licensee shipping to a District resident must use a licensed common carrier. There are nearly 2,200 ABRA licensed facilities, but the number of qualified establishments that will seek a direct shipper or common carrier license will not be known until the program launches. Any new license fees will be deposited in the Alcoholic Beverage Regulation Administration Fund.⁶⁵ The Office of Revenue Analysis has determined that alcohol shipments will in most cases substitute for local or in-person purchases and therefore no additional sales tax revenues are included in the budget and financial plan due to the subtitle’s implementation.

Subtitle (VI)(G) – Extended Hours of Alcoholic Beverage Sales and Delivery Amendment Act of 2021

Background

The Alcoholic Beverage Control Board (Board) and the Alcoholic Beverage Regulation Administration (ABRA) license and regulate retailers who sell and provide for the consumption of alcoholic beverages on-premises. In fiscal year 2021, the District expanded the standard allowable hours for on-premises retailers to begin providing alcoholic beverages from 8 a.m. to 6 a.m.⁶⁶ The Board and ABRA also allow establishments to serve alcoholic beverages until 4 a.m. and operate 24-hours per day around certain enumerated holidays or special events.

The subtitle expands the number of holidays and special events where approved on-premises retailers can serve alcoholic beverages until 4 a.m. and operate 24-hours per day. The subtitle

⁶⁵ Title 25, D.C. Code Enactment and Related Amendments Act of 2001, effective May 3, 2001 (D.C. Law 13-298; D.C. Official Code § 25-210).

⁶⁶ Alcoholic Beverage Sales and Delivery Amendment Act of 2020, effective December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 25-723).

authorizes this expansion for the Saturday and Sunday preceding October 31st; the Saturday preceding the National Football League’s Super Bowl, the day of the Super Bowl, and the Monday following the Super Bowl; the nine day period beginning on the Saturday preceding the first day of the Annual Legislative Conference of the Congressional Black Caucus Foundation and ending on, and including, the Sunday following the first day of the conference;⁶⁷ the seventeen day period beginning on February 4, 2022 and ending on February 20, 2022 for the Winter Olympics; and the twenty-eight day period beginning on November 21, 2022 and ending on December 18, 2022 for the World Cup tournament.

Financial Plan Impact

The District has authorized several expanded opportunities in recent years for licensed on-premises alcoholic beverage retailers to serve beverages to customers.⁶⁸ The Office of Revenue Analysis has determined that while the subtitle’s expansions provide for additional hours during certain holidays or special events, any sales that occur during the expanded hours will be shifts from other sales opportunities. Therefore, there are no additional sales tax revenues included in the budget and financial plan due to the subtitle’s implementation.

Subtitle (VI)(H) – Department of Motor Vehicles Kiosk Fund Amendment Act of 2021

Background

The Department of Motor Vehicles (DMV) is developing a 24/7, self-service kiosk program for residents to interact with DMV and obtain services. DMV expects to launch the program late in fiscal year 2022. DMV expects to provide services such as duplicate REAL ID requests, REAL ID renewals, vehicle registrations, driver record requests, and other vehicle sticker renewals. Residents who utilize one of the self-service kiosks will pay a small convenience fee for the service.

The subtitle establishes the Department of Motor Vehicles Kiosk Fund (Fund) as a nonlapsing special purpose revenue fund. DMV will deposit the convenience fees collected by the kiosks into the Fund to support the installation, rent, operating, maintenance, and related supplies costs associated with operating the kiosks.

Financial Plan Impact

The convenience fees that DMV will charge for use of the kiosks will be determined as DMV finalizes negotiations with the kiosk vendor. DMV will deposit the fees into the new Fund, but the budget and financial plan does not include any revenues for the Fund. The Mayor will need to seek budget authority to spend any revenues that are received once the program is underway.

Subtitle (VI)(I) – DC Circulator Amendment Act of 2021

Background

The District Department of Transportation (DDOT) manages the six-line intracity DC Circulator bus network. Riders currently pay \$1 per trip to ride a DC Circulator bus and those fees are deposited

⁶⁷ The Board must announce and publish the specific dates of this expansion at least 48-hours prior to prior to the beginning of the expansion period.

⁶⁸ Recent expansions include during professional sports team postseason games, the authorization to begin on-premise sales at 6:00 a.m., Martin Luther King, Jr.’s Birthday, Columbus Day, Washington’s Birthday, the days following Thanksgiving, and the weekends adjacent to Christmas, Emancipation Day, and Veterans Day.

into the DC Circulator Fund.⁶⁹ One of the routes, along the National Mall, is also partially funded by parking meter revenues from meters installed along the National Mall. Those fees are deposited into the DC Circulator Fund, but they are accounted for separately as they are dedicated to the operations of the National Mall route.

The subtitle eliminates DDOT’s authorization to charge fares for DC Circulator trips.

Financial Plan Impact

The subtitle eliminates DDOT’s ability to charge fares for DC Circulator trips, so DDOT will no longer be able to off-set some operating expenses with farebox revenues. The subtitle reduces DC Circulator Fund revenues by approximately \$1.6 million annually. The budget and four-year financial plan period include additional local operating funds of \$1.4 million annually to maintain DC Circulator operations despite the lost farebox revenues.⁷⁰

Subtitle (VI)(I) – Low-Income Weatherization Assistance Amendment Act of 2021

Background

The Department of Energy and Environment (DOEE) charges an assessment on gas and electric utility companies to support low-income residents with their home heating and electrical bills through the Low Income Home Energy Assistance Program (LIHEAP). These assessments are deposited into DOEE’s Energy Assistance Trust Fund (EATF).⁷¹ LIHEAP is also supported by federal grants.

The subtitle authorizes DOEE to expend EATF resources in fiscal year 2022 for low-income weatherization programs.

Financial Plan Impact

DOEE plans to spend approximately \$1 million of EATF resources on low-income weatherization programs in fiscal year 2022. DOEE does not expect this expenditure to have a negative impact on DOEE’s ability to provide utility payment support to low-income residents through LIHEAP.

⁶⁹ District Department of Transportation DC Circulator Amendment Act of 2006, effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-921.33).

⁷⁰ DDOT will also recognize savings of approximately \$200,000 now that it does not need to collect fares.

⁷¹ Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.11).

TITLE VII – FINANCE AND REVENUE

Subtitle (VII)(A) – Revised Uniform Unclaimed Property Act of 2021

Background

The subtitle changes requirements for how some unclaimed property⁷² must be managed by the District. Unclaimed property consists of money and other personal assets (but not real estate) that are lost or abandoned when an owner cannot be located after an established period. Examples of unclaimed property include checking accounts, uncashed checks, death benefits, dividends, insurance payments, and stocks. Under current law most property is considered unclaimed if it has been inactive for three years, at which point a custodian is required to transfer the property to the District’s Unclaimed Property Unit within the Office of Finance and Treasury (OFT). Cash is deposited in the District’s general fund, although an owner may come forward to retrieve his or her property at any time. If the abandoned property is a marketable security or stock, current law requires the District to hold that security for three years from when it was transferred to the District. OFT generally sells such securities after three years.

The subtitle reduces the amount of time a security must be held by the District from three years to 60 days. After 60 days, the District may sell the security and deposit sales proceeds in the general fund. The subtitle also expands the type of properties that may be considered unclaimed and entities must transfer to the Unclaimed Property Unit to include virtual currency, payroll cards, stored-value cards, municipal bonds, health savings accounts, commissions, employee reimbursements, and custodial accounts for minors.

The subtitle makes several other changes to the requirements of the Unclaimed Property Program operations. It provides rules for managing confidential information; it authorizes the use of electronic/internet notifications rather than traditional paper publications; it provides rules for cooperation among states to locate owners; it sets a cap on the fee a third-party contract auditor may receive to ten percent of the value of the property; it allows the District to offset against proceeds of unclaimed property to a given owner, including for taxes and child support; and, it increases civil penalties for egregious conduct of holders who have unreasonably refused transfer of abandoned property to the District.

Lastly the subtitle obligates life insurance companies to undertake periodic comparisons of their insureds with the Death Master File maintained by the Social Security Administration to ensure unclaimed proceeds from life insurance policies are transferred to the custody of the District.

Financial Plan Impact

The subtitle increases nontax revenue in fiscal year 2022 by \$6.9 million, and \$7.7 million over the four-year financial plan. Because much unclaimed property goes unclaimed, the District can record some revenue for the general fund even though OFT is holding property and cash proceeds on behalf of the owner. Revenue is recorded for non-cash assets when they are converted to cash. Two provisions in the subtitle will therefore increase revenue in the financial plan period: changing the required holding period for securities, and expanding the types of unclaimed property. Decreasing the required holding period for securities will shift revenue that would have previously been recognized after a three-year delay and increase revenue by \$6.2 million in fiscal year 2022 only.

⁷² <https://cfo.dc.gov/page/unclaimed-property-frequently-asked-questions>

Expanding the types of unclaimed property that must be transferred to the District will increase revenue by \$600,000 in fiscal year 2022, and \$120,000 in subsequent years. Additionally, by shortening the period that securities must be held by third party asset managers, the subtitle will reduce costs in the Unclaimed Property Contingency Fund⁷³ by \$120,000 annually. This is a special purpose revenue fund for unclaimed property operations, and excess funds are transferred to the District’s local fund at the end of each fiscal year.

Revised Uniform Unclaimed Property Act of 2021					
Subtitle (VII)(A)					
Fiscal Year 2022 – Fiscal Year 2025					
(\$ thousands)					
	FY 2022	FY 2023	FY 2024	FY 2025	Total
Increased Revenue by reducing required securities hold time	\$6,200	\$0	\$0	\$0	\$6,200
Increased Revenue from expanded property types	\$600	\$120	\$120	\$120	\$960
Special Purpose Revenue Cost Savings	<u>\$120</u>	<u>\$120</u>	<u>\$120</u>	<u>\$120</u>	<u>\$480</u>
Total available for Local Fund	\$6,920	\$240	\$240	\$240	\$7,640

Subtitle (VII)(B) – Paygo Capital Funding Amendment Act of 2021

Background

Current law⁷⁴ requires a minimum amount of funding from local revenue sources to be allocated annually to the Capital Improvements Program. This “Paygo” funding requirement is equal to \$58,950,000 plus 25% of the amount by which the projected local funds revenue for that fiscal year exceeds the local funds revenue included in the budget and financial plan approved for Fiscal Year 2020. The subtitle revises the required Paygo capital funding for fiscal year 2025 to be a minimum of \$206 million. The subtitle also clarifies that local sales taxes dedicated to WMATA capital improvements are included to meet the funding requirements.

Financial Plan Impact

The subtitle’s revised required minimum amount of 2025 local source Paygo capital funding is included in the proposed financial plan, with \$206.5 million allocated in 2025. In total, the proposed financial plan includes \$714 million for WMATA capital improvements and approximately \$332 million of additional Paygo funds for District capital improvements.

Subtitle (VII)(C) – Subject-to-Appropriations Amendment Act of 2021

Background

The subtitle authorizes expenditures for ten laws (see table below) which were passed subject to appropriations. Each required expenditures or revenue reductions that have now been included in the proposed budget and financial plan.

⁷³ D.C. Official Code § 42-223

⁷⁴ D.C. Official Code § 47-392.02(f)(2)

The Honorable Phil Mendelson

Fiscal Impact Statement for the “Fiscal Year 2022 Budget Support Act of 2021,” Draft bill as provided to Office of Revenue Analysis, May 26, 2021

Financial Plan Impact

The expenditures and revenue reductions that have been funded in the budget and financial plan are listed below for each law or act that will become effective under the subtitle.

Subtitle (VII)(C), Subject-to-Appropriations Amendment Act of 2021 Fiscal Impact Fiscal Year 2022 – Fiscal Year 2025					
	FY 2022	FY 2023	FY 2024	FY 2025	Total
FUNDED					
Public Restroom Facilities Installation and Promotion Act of 2018	\$66,000	\$62,000	\$62,000	\$62,000	\$252,000
Care for LGBTQ Seniors and Seniors with HIV Amendment Act of 2020	\$108,000	\$108,000	\$108,000	\$108,000	\$432,000
The Autonomous Vehicles Testing Program Amendment Act of 2020	\$1,198,000	\$800,000	\$802,000	\$802,000	\$3,602,000
Dementia Training for Direct Care Workers Support Amendment Act of 2020	\$170,000	\$0	\$0	\$0	\$170,000
Helping Children Impacted by Parental Incarceration Amendment Act of 2020	\$0	\$0	\$0	\$0	\$0
MLK Gateway Real Property Tax Abatement Amendment Act of 2019	\$550,000	\$300,000	\$306,000	\$312,000	\$1,468,000
Restore the Vote Amendment Act of 2020	\$532,000	\$262,000	\$262,000	\$264,000	\$1,320,000
Diverse Washingtonians Commemorative Works Amendment Act of 2020	\$30,000	\$0	\$0	\$0	\$30,000
Psychology Interjurisdictional Compact Act of 2020	\$25,000	\$0	\$25,000	\$0	\$50,000
Shared Fleet Devices Amendment Act of 2020	\$161,000	\$161,000	\$161,000	\$0	\$483,000

TITLE VIII

Subtitle (VIII)(A) – Designated Fund Transfer Act of 2021

Background

The subtitle allows the District to use fund balance available in twenty-one funds as a source of funding for the proposed fiscal year 2022 through fiscal year 2025 budget and financial plan. The affected funds and transfer amounts are listed in the chart below:

Fund Name	Amount (\$)
Recorder of Deeds Surcharge	\$1,587,489
Disability Compensation Fund	\$6,674,750
DC Jobs Trust Fund	\$158,008
Fair Elections Fund	\$668,173
Real Estate Guaranty and Education Fund	\$352,749
Real Estate Appraisal Fee	\$101,041
Student Residency Verification	\$91,162
Child Development Facilities	\$180,248
Enterprise Fund Account	\$402,388
Pharmacy Protection	\$30,923
Board of Medicine	\$2,487,363
ICF/MR Fees and Fines	\$239,376
Medicaid – Third Party Liability	\$129,101
Bill of Rights – Grievance/Appeals	\$692,366
MPD Reimbursable Subsidy Program	\$650,000
Subrogation Fund	\$386,825
Captive Insurance Fund	\$580,509
Securities and Banking Fund	\$1,444,934
DC Net Services Support	\$181,835
SERV US Program	\$48,761
Universal Paid Leave Fund	\$28,886,145

The subtitle further transfers \$114.5 million from the Universal Paid Leave Fund to the District’s Unemployment Insurance Trust Fund.

Financial Plan Impact

The subtitle provides approximately \$46 million to balance the proposed fiscal year 2022 through fiscal year 2025 budget and financial plan and \$114.5 million for the District’s Unemployment Insurance Trust Fund.