



Councilmember Jack Evans

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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3 To amend Chapter 27B of Title 47 of the District of Columbia Official Code to provide for the
4 refund of overpaid ballpark fees.

5 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
6 act may be cited as the “Ballpark Fee Overpayment Act of 2017.”

7 Sec. 2. Section 47-2762.01 of the District of Columbia Code is added as follows:

8 (a) There is established a non-lapsing fund, the Ballpark Fee Overpayment Fund (the
9 “Fund”), which shall be administered by the Chief Financial Officer and used for the purpose set
10 forth in section (c).

11 (b) There shall be deposited into the Fund an appropriation of \$500,000.

12 (c) When any entity that is directly or indirectly majority owned by a Real Estate
13 Investment Trust (“REIT”), or any partnership of which such REIT is the direct or indirect
14 majority owner, has paid a ballpark fee based upon the entity’s annual District gross receipts for
15 the preceding year, any other such direct or indirect majority-owned entity that pays a second,
16 equal ballpark fee for the same property (the “Overpaid Fee”), may apply for a refund of such
17 Overpaid Fee from the Fund.

18 (d) If Overpaid Fees requested by entities described in subsection (c) exceed the amounts
19 available in the Fund, the refunds shall be ratably reduced in proportion to the amount of each
20 entity’s Overpaid Fee.

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

5 Sec. 3. Fiscal impact statement.

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

9 Sec. 4. Effective date.

10 This act shall take effect following approval by the Mayor (or in the event of veto by the
11 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
12 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
13 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
14 Columbia Register.