


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

**MEMORANDUM**

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**To:** Members of the Council  
  
**From:** Nyasha Smith, Secretary to the Council  
**Date:** April 10, 2017  
**Subject:** Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Tuesday, April 4, 2017. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Fiscal Year 2018 Budget Support Act of 2017", B22-244

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
E	EDUCATION
FR	FINANCE AND REVENUE
GO	GOVERNMENT OPERATIONS
H	HEALTH
HCD	HOUSING AND NEIGHBORHOOD REVITALIZATION
HS	HUMAN SERVICES
JPS	JUDICIARY AND PUBLIC SAFETY
LWD	LABOR AND WORKFORCE DEVELOPMENT
TE	TRANSPORTATION AND THE ENVIRONMENT

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SUBTITLE B. OFFICE OF THE INSPECTOR GENERAL OPERATIONAL PROJECTS FUND  
ESTABLISHMENT ..... GO  
SUBTITLE C. COMPENSATION FOR UNJUST IMPRISONMENT AMENDMENT  
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cc: General Counsel  
Budget Director  
Legislative Services



2017 APR -4 PM 5:33

OFFICE OF THE  
SECRETARY

MURIEL BOWSER  
MAYOR

April 4, 2017

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW, Suite 504  
Washington, DC 20004

Dear Chairman Mendelson:

On behalf of the residents of the District of Columbia, I am pleased to submit to you the District of Columbia Fiscal Year 2018 Budget and Financial Plan, "DC Values in Action." Included in the submission, you will find the "Fiscal Year 2018 Local Budget Act of 2017," the "Fiscal Year 2018 Federal Portion Budget Request Act of 2017," the "Fiscal Year 2018 Budget Support Act of 2017," the "Fiscal Year 2017 Revised Budget Request Emergency Adjustment Act of 2017," the "Fiscal Year 2017 Revised Budget Request Temporary Adjustment Act of 2017," and the "Fiscal Year 2017 Revised Budget Request Adjustment Emergency Declaration Resolution of 2017."

This proposal is the District of Columbia's twenty-second consecutive balanced budget. It invests in residents ensuring they have a *roadmap to inclusive prosperity*. For the third year, I heard from residents before I finalized my budget: through a series of budget engagement forums, residents shared their ideas and concerns about education, public safety, affordable housing, jobs and economic development, and health and human services. From these discussions I finalized the FY 2018 Budget and Financial Plan.

The budget before you reflects the ideas and priorities of District residents and delivers on the commitment of a *roadmap to inclusive prosperity*. From again investing \$100 million in the Housing Production Trust Fund to allocating over \$1 billion in full-scale school modernizations, this budget continues to move the District of Columbia forward. This budget also maintains critical investments to build a safer, stronger DC and to ensure our residents have access to job training programs that keep them on the pathway to the middle class. Below, I have highlighted a few of the key investments proposed in the FY 2018 Budget and Financial Plan.

## **High-Quality Education**

Rising enrollment in our traditional public and public charter schools, and increasing student achievement, demonstrate that school reform in the District is working. The FY 2018 budget makes the largest investment in public education in the history of the District of Columbia:

- Committing an additional \$105 million to increase the per student rate and meet the needs of a growing student body;
- Increasing charter school facilities by 2.2% to \$3,193/student for non-residential charter programs and \$8,580/student for residential charter schools;
- Improving technology to help parents navigate and engage in public education, specifically the parent portal for DCPS; extending MySchoolDC for mid-year entries and transfers; and, launching a new MyChildCareDC site;
- Increasing University of the District of Columbia (UDC) and the Community College of the District of Columbia funds for the staff and programs by \$5.7 million;
- Expanding and improving Child Care by \$15 million. Potential sites include UDC's Flagship Campus (4200 Connecticut Ave NW), UDC's Community College Campus (5171 S. Dakota Ave NE), UDC's Community College Campus Headquarters (801 North Capitol St NE), and the Deanwood Recreation Center (1350 49<sup>th</sup> St NE);
- Transferring \$4.9 million of former DC Children and Youth Investment Trust Corporation (CYITC) funds to the Office of the Deputy Mayor for Education (DME) for out-of-school-time programming; and,
- Investing \$1.3 billion for school modernization over 6 years to ensure that schools in line for modernization under established, defined criteria are budgeted for necessary improvements.

## **Safer, Stronger DC**

The District is committed to ensuring that those in all neighborhoods feel—and are—safe, providing an environment in which residents and businesses can thrive. To that end, the FY 2018 budget includes the following investments:

- \$11.7 million in enhancements focused on recruiting and retaining MPD officers, as well as ensuring that as many officers as can be are returned to patrol-related duties. This will be accomplished through: a new public relations campaign; expansion of the police cadet program; expanded housing assistance and student loan forgiveness for officers; and further civilianization of administrative positions;
- \$2.3 million for the creation of a *Returning Citizens Portal* to be managed by the Department of Corrections. This will be a physical office offering services from various agencies to help returning citizens successfully transition back into the community. Vital post-release services include: housing, employment, education, health care, job training and placement, and substance use/mental health;
- \$1 million for the establishment of a nurse triage collaborative pilot program between Fire and Emergency Medical Services (FEMS) and the Office of Unified Communications (OUC) with a goal to improve access to medical services for callers into

911 by offering nurses who can speak to non-emergency callers and help them make an appointment at a same-day clinic;

- \$20 million for essential upgrades to 311/911 hardware and software, including major upgrades to our secondary facility on McMillan Drive NW;
- \$42.2 million for the purchase of new MPD fleet vehicles; and,
- \$87.7 million for the purchase of new FEMS fleet vehicles, and \$45 million for the construction of a new fleet maintenance facility.

### **Affordable Housing**

My Administration is committed to producing, preserving and protecting affordable housing in the District of Columbia. This is demonstrated in this budget through the commitment of another \$100 million contribution to the Housing Production Trust Fund. This investment will continue our shared goal to support grants and loans, thus yielding more affordable housing for DC families.

Additionally, this budget provides additional funds for the below projects' affordable housing components:

- \$14 million for the redevelopment of Walter Reed;
- \$103 million for the redevelopment of St. Elizabeths; and,
- \$85 million for the New Communities initiative.

### **Pathways to the Middle Class**

Maintaining a strong, diverse, and resilient District of Columbia requires that every resident has a fair shot, and a pathway to the middle class. We accomplish this by supporting our most vulnerable families and residents; providing job training that leads to real employment opportunities; and by nurturing our small businesses to ensure their growth and success. Some ways the FY 2018 Budget provides Pathways to the Middle Class are:

- Continuing the District's investment in our youth through the Mayor Marion Barry Summer Youth Employment Program by budgeting more than \$20 million;
- Serving as a regional leader by again fully funding the District's share of the WMATA budget, adding a new express bus line on 14<sup>th</sup> Street NW in Wards 1 and 4, and expanding capacity of existing bus service in Wards 7 and 8;
- Ensuring that the Department of Small and Local Business Development's Certified Business Enterprise system continues to help our local businesses grow and obtain government contracts, and work on government funded projects by fully funding the program with \$0.9 million;
- Funding \$16.8 million towards the Washington D.C. Infrastructure Academy at Saint Elizabeths East Campus. This new facility will focus on occupational skills training and work-based learning initiatives related to the infrastructure industry, including utility, energy efficiency, transportation, and logistics sectors. At the Academy, industry partners, training providers such as UDC, labor unions and trade associations, will offer a



diverse skills training allowing District residents the tools to begin and sustain careers in the infrastructure industry;

- Implementing recommendations from the Housing Preservation Strikeforce through \$10 million in funding; and,
- Advancing DDOT's Vision Zero goals through \$4.5 million for (45) new Traffic Control Operators along with (26) new School Crossing Guards.

### **Health and Human Services**

Investing in the health and well-being of District residents remains a priority of my Administration. Ensuring residents are able to provide for their families, and connecting these families with valuable care and supportive programs when they need it most, ensures they have a fair shot at success in the future. The FY 2018 budget includes:

- Funding the next phase of the Homeward DC plan with \$15.2 million, including \$6.3 million for the Housing Authority;
- Funding \$8.1 million for a new Temporary Assistance for Needy Families (TANF) policy that will help the District's neediest families;
- Supplementing the Department of Health's budget with \$0.9 million to reduce the number of active opioid users in the District, reduce overdoses and overdose fatalities, and improve health and economic outcomes for District residents with a history of substance use;
- Funding the Alternatives to Court Experience (ACE) and Parent and Adolescent Support Services (PASS) programs with \$3.3 million; and,
- Providing \$1 million for the Joyful Foods initiative.

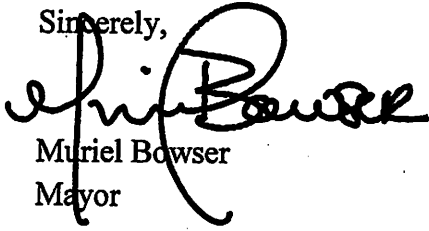
### **Government Operations**

Building a government that works for the residents of the District Columbia streamlines processes and improves efficiency. The FY 2018 budget supports these improvements by:

- Ensuring that the District's share of WMATA's operating and capital subsidies are fully funded;
- Right-sizing the District's snow budget with a \$3.8 million budget increase;
- Expanding the Department of Public Works' rush-hour towing, grounds maintenance, and leaf collection efforts by \$3.2 million; and,
- Allocating \$1.5 million to the Office of the Chief Technology Officer for a District Continuity of Operations and Disaster Recovery Task Force which will evaluate District-wide critical applications to prepare and test Disaster Recovery Plans.

In a city as prosperous as ours, we can and should make all of these critical investments to ensure that residents in all 8 wards can share in **inclusive prosperity**.

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 of the last name.

Muriel Bowser  
Mayor

  
Chairman Phil Mendelson  
at the request of the Mayor

A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To enact and amend provisions of law necessary to support the Fiscal Year 2018 budget.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2018 Budget Support Act of 2017”.

**TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

**SUBTITLE A. USE OF OFFICIAL VEHICLES DURING AN EMERGENCY**

Sec. 1001. Short title.

This subtitle may be cited as the “Use of Official Vehicles During an Emergency Amendment Act of 2017”.

Sec. 1002. Section 3602(e) of the Restrictions on the Use of Official Vehicles Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(e)), is amended to read as follows:

“(e)(1) Notwithstanding any other provision of this section, during an emergency declared pursuant to section 5 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), or due to unusual circumstances that present a threat to the health, safety, or welfare of the public or property

1 (referred to collectively in this subsection as “emergency circumstances”) the Mayor may  
2 authorize an officer or employee of the District of Columbia government to use an official  
3 vehicle for travel between the officer’s or employee’s residence and workplace when the use of  
4 an official vehicle is necessary for that officer or employee to assist the District in responding to  
5 the emergency circumstances.

6 “(2) Authorization provided pursuant to this subsection shall expire concurrent with the  
7 end of the emergency circumstances, provided that if an employee who has taken a vehicle home  
8 pursuant to this subsection is not on duty when the emergency circumstances end, when the  
9 employee next returns to work, he or she may take the vehicle from his or her residence to his or  
10 her work location or any other location specified by the agency that provided the vehicle.

11 “(3) No later than 30 days after the end of the emergency circumstances, the Mayor shall  
12 submit to the Council a report listing the following information for each officer or employee  
13 whom the Mayor authorized to use an official vehicle pursuant to this subsection:

14 “(A) The officer or employee’s name;

15 “(B) The officer or employee’s title and agency;

16 “(C) The length of time for which the officer or employee used an official vehicle;

17 and

18 “(D) A detailed justification of the necessity for the officer or employee to have  
19 access to and use an official vehicle.”.

20 **SUBTITLE B. OFFICE OF THE INSPECTOR GENERAL OPERATIONAL**

21 **PROJECTS FUND ESTABLISHMENT**

22 Sec. 1011. Short title.

1           This subtitle may be cited as the “Office of the Inspector General Operational Projects  
2 Fund Establishment Act of 2017”.

3           Sec. 1012. (a) There is established as a special fund the Office of the Inspector General  
4 Operational Projects Fund (OIG Support Fund), which shall be administered by the Office of the  
5 Inspector General. All funds deposited into the OIG Support Fund shall not revert to the  
6 unrestricted fund balance of the General Fund of the District of Columbia at the end of the fiscal  
7 year or at any other time, and subject to authorization in an approved budget and financial plan,  
8 shall be continually available for the uses and purposes identified without regard to fiscal year  
9 limitation.

10           (b) The OIG Support Fund shall be used for capital or operating expenses incurred to  
11 carry out OIG’s statutory functions, including facilities upgrades, technology maintenance and  
12 upgrades, and training.

13           (c) All excess funds remaining in the operating budget for the Office of the Inspector  
14 General at the end of each fiscal year shall be deposited into the OIG Support Fund.

15           **SUBTITLE C. COMPENSATION FOR UNJUST IMPRISONMENT**  
16 **AMENDMENT**

17           Sec. 1021. Short title.

18           This subtitle may be cited as the “Unjust Conviction and Imprisonment Compensation  
19 Amendment Act of 2017”.

20           Sec. 1022. The District of Columbia Unjust Imprisonment Act of 1980, effective March  
21 5, 1981 (D.C. Law 3-143; D.C. Official Code § 2-421 *et seq.*), is amended as follows:

22           (a) Section 2 (D.C. Official Code § 2-421) is amended as follows:

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

1 (2) Strike the phrase “present a claim for damages against the District of  
2 Columbia” and insert the phrase “may petition the District of Columbia for compensation as  
3 provided under this act.” in its place.

4 (3) Add new subsections (b), (c), and (d) to read as follows:

5 “(b) A person is entitled to compensation under this act if:

6 “(1) The person served a sentence, in whole or in part, following conviction for a  
7 felony offense under the laws of the District of Columbia;

8 “(2) The conviction for the offense has been reversed or set aside on the ground  
9 that he or she is not guilty of such offense, or he or she has been pardoned upon the stated  
10 ground of innocence and unjust conviction; and

11 “(3) The person has obtained a certificate of innocence from the court.

12 “(c) Notwithstanding subsection (b) of this section, a person is not entitled to  
13 compensation under this act for any part of a sentence served, whether incarcerated, on parole,  
14 on probation, or as a registered sex offender, if that person was also serving a concurrent  
15 sentence for another crime to which subsection (b) does not apply.

16 “(d) Any person seeking compensation under this act shall file an application as provided  
17 under section 3 of this act no later than 3 years following the date the person received a  
18 certificate of innocence from the court.”.

19 (b) Section 3 (D.C. Official Code § 2-422) is amended to read as follows:

20 “Sec. 3. Petitions for compensation

21 (a) Any person that petitions the District for compensation under this act shall file the  
22 following with the Office of Risk Management:

1                   “(1) An application for compensation as devised by the Office of Risk  
2 Management;

3                   “(2) A copy of the certificate of innocence issued by the court pertaining  
4 to the conviction on which the petition for compensation is based;

5                   “(3) A statement from the United States Bureau of Prisons or the  
6 Department of Corrections verifying the length of incarceration pertaining to the conviction on  
7 which the petition for compensation is based;

8                   “(4) A statement from the Court Supervision and Offender Services  
9 Agency verifying the length of time spent on parole, if applicable; and

10                   “(5) Any additional documents deemed necessary by the Office of Risk  
11 Management and listed as a requirement for a petition on the application for compensation.

12                   “(b) The Chief Risk Officer shall make a determination to approve or disapprove the  
13 petition for compensation filed under this section within 45 days after the date the petition was  
14 submitted. For the purposes of this act, a petition shall not be deemed to have been submitted  
15 until all required documents under subsection (a) of this section have been filed with the Office  
16 of Risk Management.

17                   “(c)(1) If the Chief Risk Officer approves the petition for compensation filed under this  
18 section, he or she shall include in the approval a determination of the amount owed to the  
19 petitioner pursuant to section 4 of this act.

20                   “(2) If the Chief Risk Officer denies the petition for compensation filed under  
21 this section, the petitioner may bring an action in court for mandamus relief.”.

22                   (c) Section 4 (D.C. Official Code § 2-423) is amended to read as follows:

23                   “Sec. 4. Compensation and other benefits

1           “(a) A petitioner that meets the requirements under this act for compensation for unjust  
2 imprisonment shall be entitled to compensation from the District as follows:

3                   “(1) For the physical injury of wrongful conviction and incarceration of the  
4 petitioner, the District shall provide or the court shall order damages as follows:

5                           “(A) \$200,000 for each year of incarceration, to include a pro-rated  
6 amount for partial years served; and

7                           “(B) \$40,000 for each year served either on parole, probation, or as a  
8 registered sex offender, to include a pro-rated amount for partial years served; and

9                   “(2) Upon the approval of a petition for compensation under section 3 of this act,  
10 the Office of Risk Management shall provide the petitioner with a grant in the amount of  
11 \$10,000 to assist in securing immediate services as follows:

12                           “(A) Housing;

13                           “(B) Transportation;

14                           “(C) Subsistence;

15                           “(D) Re-integrative services; and

16                           “(E) Mental and physical health care.

17           “(b) Notwithstanding any other provision of this act, compensation awarded pursuant to  
18 subsection (a) of this section shall not be subject to any taxes or treatment as gross income under  
19 District law.

20           (d) A new section 7 is added to read as follows:

21                   “Sec.7. Required notification

22                   “Upon release from incarceration because a conviction for the offense has been reversed  
23 or set aside on the ground that the person is not guilty of such offense, or after a person has been



1 pardoned upon the stated ground of innocence and unjust conviction, and upon the person’s  
2 compliance with the requirements of Section 3(a), the Office of Risk Management shall provide  
3 information to the person, orally and in writing, that includes guidance on how to obtain  
4 compensation under this act, and a list of nonprofit advocacy groups that assist individuals that  
5 have been wrongfully convicted and imprisoned.”.

6 **SUBTITLE D. D.C. ACCESS SYSTEM AMENDMENT**

7 Sec. 1031. Short title.

8 This subtitle may be cited as the “D.C. Access System Amendment Act of 2017”.

9 Sec. 1032. Section 1814 of the Office of the Chief Technology Establishment Act of  
10 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 1-1403), is amended by  
11 adding a new paragraph (9A) to read as follows:

12 “(9A) Manage the development, establishment, implementation, and ongoing operations  
13 of the information technology supporting the DC Access System (DCAS), which shall be an  
14 integrated portal for certain health and human service programs and benefits, including at a  
15 minimum: DC Health Link; the General Assistance for Children program, established by section  
16 505a of the District of Columbia Public Assistance Act of 1982, effective August 17, 1991 (D.C.  
17 Law 9-27; D.C. Code § 4-205.05a); the HealthCare Alliance, referred to in section 7 of the  
18 Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18;  
19 D.C. Official Code § 7-1405); the Interim Disability Assistance program, referred to in section  
20 201(7) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C.  
21 Law 4-101; D.C. Code § 4-202.01(7)); the Medicaid program, referred to in Title IV of the  
22 District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101;  
23 D.C. Code § 4-204.01 *et seq.*); the Program on Work, Employment, and Responsibility,

1 established by section 572 of the District of Columbia Public Assistance Act of 1982, effective  
2 April 20, 1999 (D.C. Law 12-241; D.C. Code § 4-205.72); Refugee Cash Assistance, part of the  
3 Refugee Resettlement Assistance program, referred to in section 904(a)(6) of the District of  
4 Columbia Public Assistance Act of 1982, effective April 20, 1999 (D.C. Law 12-241; D.C.  
5 Official Code § 4-209.04(a)(6)); the SNAP Employment and Training program (also referred to  
6 as the Food Stamp Employment and Training program), funded in part pursuant to section 16(h)  
7 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)); the Supplemental Nutrition Assistance  
8 Program, established by the Food and Nutrition Act of 2008 (7 U.S.C. § 2011 *et seq.*); and the  
9 Temporary Assistance for Needy Families program, referred to in section 201(5) of the District  
10 of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code  
11 § 4-202.01(5)); provided, that the management and oversight of the programs and benefits  
12 themselves, and the oversight of associated federal funds, shall be consistent with federal law  
13 and remain with the agencies responsible for the implementation of the programs and benefits.  
14 Notwithstanding the foregoing, there shall be maintained as websites separate from DCAS, to the  
15 extent required by the Patient Protection and Affordable Care Act, approved March 23, 2010  
16 (124 Stat. 162; 42 U.S.C. § 18001 *et seq.*) (“Affordable Care Act”) and its implementing  
17 regulations, a website through which enrollees and prospective enrollees of qualified health  
18 plans, as such term is defined in section 1301 of the Patient Protection and Affordable Care Act,  
19 approved March 23, 2010 (124 Stat 162; 42 U.S.C. § 18021), may obtain standardized  
20 comparative information on such plans, a website for the American Health Benefit Exchange  
21 referred to in section 5(a)(1) of the Health Benefit Exchange Authority Establishment Act of  
22 2011, March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.04(a)(1)), and a website  
23 for the SHOP Exchange, referred to in section 5(a)(2) of the Health Benefit Exchange Authority

1 Establishment Act of 2011, March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-  
2 3171.04(a)(2)). The Office of the Chief Technology Officer shall have authority to develop,  
3 implement, integrate, and operate the information technology supporting the separate websites;  
4 provided, the Health Benefits Exchange Authority shall retain program management and  
5 oversight responsibility over such information technology in order to ensure compliance with the  
6 requirements of the Affordable Care Act and its implementing regulations . Each of the separate  
7 websites shall be integrated with DCAS, and the Health Benefits Exchange Authority shall assist  
8 the Office of the Chief Technology Officer in implementing such integration.;

9 **SUBTITLE E. PUBLIC-PRIVATE PARTNERSHIPS**

10 Sec 1041. Short title.

11 This subtitle may be cited “Public-Private Partnerships Amendment Act of 2017”.

12 Sec. 1042. The Public-Private Partnerships Act of 2014, effective March 11, 2015 (D.C.  
13 Law 20-228; D.C. Official Code § 2-271.01 *et seq.*), is amended as follows:

14 (a) Section 101(10) (D.C. Official Code § 2-271.01 (10)) is amended by striking the word  
15 “mail” and inserting “written notice” in its place.

16 (b) Section 113 (D.C. Official Code § 2-273.08) is amended by inserting a new  
17 subsection (a-1) to read as follows:

18 “(a-1) District-owned property subject to a public-private partnership agreement under  
19 this act shall be exempt from An Act Authorizing the sale of certain real estate in the District of  
20 Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C.  
21 Official Code § 10-801 *et seq.*).”.

22 **SUBTITLE F. CLASSIFICATION AMENDMENT**

23 Sec. 1051. Short title.

1 This subtitle may be cited as the “Classification Clarification Amendment Act of 2017”.

2 Sec. 1052. Section 1101 of the District of Columbia Government Comprehensive Merit  
3 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code 1-611.01  
4 *et seq.*)), is amended as follows:

5 (a) Section 1101(c) (D.C. Official Code § 1-611.01(c)) is amended to read as follows:

6 “(c) Classification systems or proposals developed under the authority of this subchapter  
7 shall be published in the District of Columbia Register at least 30 days prior to their proposed  
8 effective date.”

9 (b) Section 1102(d) (D.C. Official Code § 1-611.02(d)) is amended to read as follows:

10 “(d) Classification systems or proposals developed under the authority of this section  
11 shall be published in the District of Columbia Register at least 30 days prior to their proposed  
12 effective date.”

13

14 **SUBTITLE G. DEFERRED COMPENSATION PROGRAM ENROLLMENT**

15 Sec. 1061. Short title.

16 This subtitle may be cited as the “Deferred Compensation Program Enrollment Act of  
17 2017”.

18 Sec. 1062. Section 1117 of the District of Columbia Government Comprehensive Merit  
19 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
20 611.17), is amended as follows:

21 (a) The existing text is designated as subsection (a).

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

1           “(b) The personnel authority shall automatically enroll all new employees in the District  
2 government’s deferred compensation program. All newly hired employees’ contributions to the  
3 program shall be no less than 5% of their base salary upon hire.

4           “(c) An employee may increase, reduce, or eliminate his or her contributions to the  
5 deferred compensation program at any time.

6           “(d) The Mayor shall issue rules to implement this section.”.

7           **SUBTITLE H. EXECUTIVE SERVICE PAY SCHEDULE CONFORMITY ACT**

8           Sec. 1071. Short title

9           This subtitle may be cited as the “Executive Service Pay Schedule Conformity  
10 Amendment Act of 2017”.

11           Sec. 1072. Section 1052(b)(3)(A) of the District of Columbia Government  
12 Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C.  
13 Official Code § 1-601.01 et seq.), is amended by striking the phrase “paragraph (2)” and  
14 inserting the phrase “paragraphs (2)(A) and (D)” in its place.

15           Sec. 1073. Applicability.

16           This subtitle shall apply as of July 20, 2016.

17           **TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

18           **SUBTITLE A. HISTORIC ONLY PERMIT FEE AMENDMENT**

19           Sec. 2001. Short title.

20           This subtitle may be cited as the “Historic Only Permit Fee Reduction Amendment Act of  
21 2017.”

1           Sec. 2011. The chart set forth in paragraph (a) of section 101.1 (Building Permit Fees) of  
2 Title 12M (Fees) of the District of Columbia Municipal Regulations is amended by adding the  
3 following row after the row labeled “Grandstand”:

“Historic only permits	Permits issued pursuant to 12A DCMR 105.2.5	\$33
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4

5           **SUBTITLE B. GOVERNMENT EMPLOYER-ASSISTED HOUSING PROGRAM**  
6 **AMENDMENT**

7           Sec. 2011. Short title.

8           This subtitle may be cited as the "Government Employer-Assisted Housing Program  
9 Amendment Act of 2017".

10          Sec. 2012. The Government Employer-Assisted Housing Amendment Act of 1999,  
11 effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2501 *et seq.*), is amended as  
12 follows:

13          (a) Section 3(2) (D.C. Official Code § 42-2502(2)) is amended by striking the phrase “up  
14 to \$10,000” and inserting the phrase “up to \$20,000” in its place.

15          (b) Section 6(a) (D.C. Official Code § 42-2505(a)) is amended by striking the phrase “up  
16 to \$10,000” and inserting the phrase “up to \$20,000” in its place.

17           **SUBTITLE C. HOUSING PRODUCTION TRUST FUND AMENDMENT**

18          Sec. 2021. Short title.

19          This subtitle may be cited as the "Housing Production Trust Fund Amendment Act of  
20 2017".

21          Sec. 2022. Section 3(b)(10) of the Housing Production Trust Fund Act of 1988, effective  
22 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(b)(10)), is amended by

1 inserting the phrase “; except, that an additional 5% of the fund balance carried forward in fiscal  
2 year 2017, fiscal year 2018, and fiscal year 2019 may be used for administration of the Fund”  
3 after the phrase “pursuant to subsection (c) of this section”.

4 **SUBTITLE D. HOUSING PRESERVATION FUND ESTABLISHMENT**

5 Sec. 2031. Short title.

6 This subtitle may be cited as the "Housing Preservation Fund Establishment Act of  
7 2017".

8 Sec. 2032. Housing Preservation Fund.

9 (a) There is established as a special fund the Housing Preservation Fund (“Preservation  
10 Fund”), which shall be administered by the Department of Housing and Community  
11 Development in accordance with subsections (c) and (d) of this section.

12 (b) In fiscal year 2018, \$10 million from local appropriations shall be deposited into the  
13 Preservation Fund.

14 (c) Money in the Preservation Fund shall be used to provide debt and/or equity to  
15 finance housing preservation activities including acquisition bridge loans, predevelopment  
16 expenses (earnest money deposits, third party reports such as architectural, engineering, title  
17 reports, surveys), environmental remediation, critical repairs and other activities necessary to  
18 preserve the affordability of housing units; provided, that projects that receive funding from the  
19 Preservation Fund shall execute an affordability covenant with terms and conditions as  
20 determined by the Mayor.

21 (d) (1) The money deposited into the Preservation Fund, and interest earned, shall not  
22 revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end  
23 of a fiscal year, or at any other time.

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

3  
4 **SUBTITLE E. ST. ELIZABETHS EAST CAMPUS REDEVELOPMENT FUND**

5 Sec. 2041. Short title.

6 This subtitle may be cited as the “St. Elizabeths East Campus Redevelopment Fund  
7 Establishment Act of 2017.”

8 Sec. 2042. St. Elizabeths East Campus Redevelopment Fund.

9 “(a) There is established as a special fund the St. Elizabeths East Campus Redevelopment  
10 Fund ("Fund"), which shall be administered by the Office of the Deputy Mayor for Planning and  
11 Economic Development and used solely for the purposes set forth in subsection (f) of this section.

12 “(b) For the purposes subsections (c), (d), and (e) of this section, St. Elizabeths East Campus  
13 Entertainment and Sports Arena Site means that portion of the St. Elizabeth’s East Campus, located  
14 at 1100 Alabama Ave., SE, in Washington, D.C., comprised of approximately 1.76116 acres of real  
15 property (approximately 76,716 square feet) which is part of the St. Elizabeth’s East Campus  
16 designated under the District Zoning Code as Parcel StE-12, more specifically known for tax and  
17 assessment purposes as Lot No. 815, together with such portion of Parcel StE-9 located on the St  
18 Elizabeth’s East Campus, or specifically known for tax and assessment purposes as Lot No. 819.

19 “(c) From the tax year commencing October 1, 2018 through the tax year ending September  
20 30, 2021, the Chief Financial Officer shall deposit into the Fund funds received pursuant to D.C.  
21 Official Code § 47-1005.01 and D.C. Official Code § 47-2002 attributable to taxable revenue  
22 generated from the St. Elizabeths East Campus Entertainment and Sports Arena Site, as defined in  
23 subsection (b) of this section, in the amount not to exceed \$855,000 per fiscal year.



1 “(d) From the tax year commencing October 1, 2018 through the tax year ending September  
2 30, 2021, taxes imposed on the Entertainment and Sports Arena Site pursuant to D.C. Official Code §  
3 47-1005.01 shall be abated to the extent that they exceed \$855,000.

4 “(e) Beginning with the tax year commencing on October 1, 2021 the Chief Financial Officer  
5 shall deposit into the Fund all funds received pursuant to D.C. Official Code § 47-1005.01 and D.C.  
6 Official Code § 47-2002 attributable to taxable revenue generated from the St. Elizabeths East  
7 Campus Entertainment and Sports Arena Site, as defined in subsection (b) of this section, for the  
8 period ending on the last day of the tax year that the ground lease is in effect, in accordance with the  
9 requirements of the Development Finance Agreement.

10 “(f) The Fund shall be used solely to support the maintenance, operation, and construction  
11 activities on the St. Elizabeths East Campus Redevelopment Site..

12 “(g) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective  
13 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Office of the Deputy  
14 Mayor for Planning and Economic Development shall have the authority to make grants from the  
15 Fund to recipients in furtherance of the purposes set forth in subsection (f) of this section.

16 “(h)(1) The money deposited into the Fund shall not revert to the unrestricted fund balance  
17 of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

20 **SUBTITLE F. DMPED LIMITED GRANT-MAKING AUTHORITY**

21 Sec. 2051. Short title.

22 This subtitle may be cited as the “Deputy Mayor for Planning and Economic  
23 Development Limited Grant-Making Authority Amendment Act of 2017”.

1           Sec. 2052. Section 2032 of the Deputy Mayor for Planning and Economic Development  
2 Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168;  
3 D.C. Official Code § 1-328.04), is amended as follows:

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

5                   (1) Paragraph (2) is amended by striking the word “and” at the end.

6                   (2) Paragraph (3) is amended by striking the period at the end and inserting a  
7 semicolon in its place.

8                   (3) New paragraphs (4), (5), and (6) are added to read as follows:

9                           “(4) Funds for Qualified High Technology Companies as defined in D.C.  
10 Official Code § 47-1817.01(5)(A);

11                           “(5) Funds to support real estate projects developed or to be developed on  
12 properties disposed of pursuant to District law; and

13                           “(6). Funds as may be necessary to support business development in the  
14 District.”.

15           (b) Subsection (e) is amended by inserting the phrase “or grant” after the phrase  
16 “Memorandum of Agreement or Memorandum of Understanding”.

1           **SUBTITLE G. LAND DISPOSITION TRANSPARENCY AMENDMENT**

2           Sec. 2061. Short title.

3           This subtitle may be cited as the “Land Disposition Transparency Amendment Act of  
4 2017”.

5           Sec. 2062. Section 1 of An Act Authorizing the sale of certain real estate in the District of  
6 Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C.  
7 Official Code § 10-801), is amended by adding a new subsection (b-5) to read as follows:

8           (a)     “(b-5) Notwithstanding subsections (a-1)(4) and (b-2) of this section, for the  
9 following projects, the Mayor shall hold at least one public hearing on the finding that the real  
10 property is no longer required for public purposes before submitting the proposed surplus  
11 resolution and proposed disposition resolution to Council, which shall be held on an accessible  
12 evening or weekend time and in an accessible location in the vicinity of the real property and for  
13 which the Mayor shall provide at least 30 days written notice of the public hearing to the affected  
14 Advisory Neighborhood Commission and publicize notice of the hearing in the District of  
15 Columbia Register at least 15 days before the hearing:

16                     “(1) Franklin School (Ward 2);

17                     “(2) Grimke School (Ward 1);

18                     “(3) Parcel 42 (Ward 6);

19                     “(4) Water Front Station II (Ward 6);

20                     “(5) Crummell School (Ward 5);

21                     “(6) Truxton Circle (Ward 5);

22                     “(7) MLK Gateway (Ward 8);

23                     “(8) 1125 Spring Road, N.W. (Ward 4);

1 “(9) 200 K Street, N.W. (Parking Deck) (Ward 6); and  
2 “(10) Northwest One (New Communities) (Ward 6).”.

3 Sec. 2063. Section 2(d)(4) of the Land Disposition Transparency and Clarification  
4 Amendment Act of 2016, enacted on February 17, 2017 (D.C. Act 21-685; 64 DCR 2152), is  
5 amended by striking the phrase “with this resolution, unless” and inserting the phrase “with this  
6 resolution in accordance with subsection (b-1)(2) of this section, unless” in its place.

7 **SUBTITLE H. MARION S. BARRY SUMMER YOUTH EMPLOYMENT**  
8 **PROGRAM AMENDMENT**

9 Sec. 2071. Short title.

10 This subtitle may be cited as the “Marion S. Barry Summer Youth Employment Program  
11 Amendment Act of 2017”.

12 Sec. 2072. Section 2(a)(1) of the Youth Employment Act of 1979, effective January 5,  
13 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)) is amended as follows:

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

15 (1) Sub-subparagraph (i) is amended as follows:

16 (A) Strike the phrase “21 years” and insert the phrase “24 years” in its  
17 place.

18 (B) Strike the phrase “program.” and insert the phrase “program; provided,  
19 that the program may not provide for the employment or training of more than 1,000 youth  
20 between 22 and 24 years of age on the date of enrollment in the program.” in its place.

21 (2) A new sub-subparagraph (iv) is added to read as follows:

22 “(iv) Youth ages 22 through 24 years of age at the date of  
23 enrollment shall be compensated at an hourly rate equal to the minimum wage in the District of

1 Columbia, specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective  
2 March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003)."

3 (b) Subparagraph (A-i) is amended to read as follows:

4 "“(A-i) Registration for the summer youth jobs program shall occur  
5 annually.”.

6 **SUBTITLE I. BUSINESS LICENSE TECHNOLOGY FEE REAUTHORIZATION**  
7 **AMENDMENT**

8 Sec. 2081. Short title.

9 This subtitle may be cited as the “Business License Technology Fee Reauthorization  
10 Amendment Act of 2017”.

11 Sec. 2082. Section 500.4 of Chapter 5 (Basic Business License Schedule of Fees) of Title  
12 17 (Business, Occupations, and Professions) of the District of Columbia Municipal Regulations  
13 is amended to read as follows:

14 “500.4 Starting on October 1, 2010, the Director shall charge an additional fee of  
15 ten percent (10%) of the total cost of each basic business license to cover the costs of enhanced  
16 technological capabilities of the basic business licensing system.”.

17 **TITLE III. PUBLIC SAFETY AND JUSTICE**

18 **SUBTITLE A. DEPARTMENT OF FORENSIC SCIENCES LABORATORY**

19 **FUND ESTABLISHMENT**

20 Sec. 3001. Short title.

21 This subtitle may be cited as the “DFS Laboratory Fund Establishment Act of 2017”.

1           Sec. 3002. The Department of Forensic Sciences Establishment Act of 2011, effective  
2 August 17, 2011 (D.C. Law 19-18; D.C. Official Code 5-1501.01 *et seq.*), is amended by adding  
3 a new section 7a to read as follows:

4           “Sec. 7a. DFS Laboratory Fund

5           “(a) There is established as a special fund the DFS Laboratory Fund (“Fund”), which  
6 shall be administered by the Director in accordance with subsections (c) and (d) of this section.

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

8                   “(1) To the extent consistent with federal law and governing memoranda of  
9 understanding, annual funds transferred from the United States Department of Homeland  
10 Security for the BioWatch program; and

11                   “(2) All other fee revenue received for services that the Department laboratories  
12 provide.

13           “(c) Money in the Fund shall be used to fund Department laboratories, including the  
14 funding of services, materials, non-grant funded research, equipment, laboratory staff, and  
15 trainings of Department staff.

16           “(d)(1) The money deposited into the Fund shall not revert to the unrestricted fund  
17 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
18 other time.

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

21           **SUBTITLE B. DFS LABORATORY TESTING AND EXPERT WITNESS FEES**  
22 **ESTABLISHMENT**

23           Sec. 3011. Short title.

1 This subtitle may be cited as the “DFS Laboratory Testing and Expert Witness Fees  
2 Establishment Act of 2017”.

3 Sec. 3012. Section 16(a) of the Department of Forensic Sciences Establishment Act of  
4 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code 5-1501.15(a)), is amended  
5 to read as follows:

6 “(a) The Mayor, pursuant to Title I of the District of Columbia Administrative  
7 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.),  
8 may issue rules to implement the provisions of this act. The rules may include:

9 “(1) A fee schedule for environmental testing services provided by  
10 laboratories of the Department, which may account for the provision of bulk services and may be  
11 developed on a sliding scale based on a recipient’s ability to pay for services; and

12 “(2) A fee schedule for services related to the cost of expert witness  
13 testimony that is provided by employees of the Department to entities not listed in section 7(b),  
14 which shall be reasonably related to the cost of providing expert testimony, the cost of any travel,  
15 and the cost of related administrative functions.”.

16 **SUBTITLE C. CHIEF MEDICAL EXAMINER AMENDMENT**

17 Sec. 3021. Short title.

18 This subtitle may be cited as the “Chief Medical Examiner Amendment Act of 2017”.

19 Sec. 3022. The Establishment of the Office of the Chief Medical Examiner Act of 2000,  
20 effective October 19, 2000 (D.C. Law 13-173; D.C. Official Code § 5-1401 *et seq.*), is amended  
21 by adding a new section 2907a to read as follows:

22 Sec. 2907a. Mass Fatality.

1 (a) The Office of the Chief Medical Examiner shall serve as the lead agency for the  
2 District’s mass fatality management and mass fatality incident response.

3 (b) The CME shall create a District mass fatality management response plan.

4 (c) The CME may enter into, request, or provide assistance under mutual aid agreements  
5 with states or local jurisdictions within the national capital region or with the federal government  
6 for the purpose of mass fatality management or mass fatality incident response.

7 (d) For the purposes of this section, the term:

8 (1) “Mass fatality incident” means a situation resulting in more human remains to  
9 be investigated, recovered, and examined than can be managed using District resources, or any  
10 other exceptional circumstance that results in the inability to process human remains under  
11 routine conditions.

12 (2) “Mass fatality management” means the training of and cooperation among  
13 governmental and nongovernmental agencies, organizations, associations, and other entities to  
14 ensure the accomplishment of the following in mass fatality incidents: the proper recovery,  
15 handling, identification, transportation, tracking, storage, and certification of cause and manner  
16 of death of victims; and facilitating access to mental and behavioral health services to family  
17 members, responders, and survivors.”.

18 **SUBTITLE D. AFFORDABLE EMERGENCY TRANSPORTATION AND PRE-**  
19 **HOSPITAL MEDICAL SERVICES AMENDMENT**

20 Sec. 3031. Short title.

21 This subtitle may be cited as the “Affordable Emergency Transportation and Pre-Hospital  
22 Medical Services Amendment Act of 2017.”



1           Sec. 3032. (a) Section 3 of the Access to Emergency Medical Services Act of 1998,  
2 effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802) is amended by  
3 adding a new subsection (e) to read as follows:

4           “(e) All health insurers, hospital or medical services corporations, or health maintenance  
5 organizations shall provide reimbursement for emergency ambulance and pre-hospital medical  
6 services delivered pursuant to section 1(b) of An Act To classify the officers and members of the  
7 fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34  
8 Stat. 314; D.C. Official Code § 5-401(b)) at the fee rate authorized by the Council pursuant to  
9 section 502 of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law 1-124; Official  
10 Code § 5-416(a)) whether provided by the Fire and Emergency Medical Services Department or  
11 any third-party vendor contracted by the District to provide such services.”

12           (b) Section 502 of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law 1-124;  
13 D.C. Official Code § 5-416) is amended by adding a new subsection (c) to read as follows:

14           “(c) There is established as a special, non-lapsing fund, the Fire and Emergency Medical  
15 Services Department EMS Reform Fund (“Fund”), which shall be administered by the Fire and  
16 Emergency Medical Services Department in accordance with this subsection.

17           “(1) The following revenue shall be deposited in the Fund:

18                   “(A) Any additional revenue that results from the enactment of section  
19 2(a) of the Affordable Emergency Transportation and Pre-Hospital Medical Services  
20 Amendment Act of 2017 (D.C. Official Code § 31-2802(e)); and

21                   “(B) Any revenue that is in excess of the fiscal year 2016 revenue  
22 collected in accordance with this section.

1           “(2) The Fund shall be used for the purpose of reform and improvement of the  
2 delivery of emergency medical services in the District of Columbia.

3           “(3) The money deposited into the Fund shall not revert to the unrestricted fund  
4 balance of the General Fund of the District of Columbia at the end of any fiscal year or at any  
5 other time.

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

9           Sec. 3043. Applicability.

10          This act shall apply to all health benefit plans issued or renewed in the District 90 or  
11 more days after the effective date of this act.

12           **SUBTITLE E. EMERGENCY AND NON-EMERGENCY NUMBER**  
13 **TELEPHONE CALLING SYSTEMS AMENDMENT**

14          Sec. 3041. Short title.

15          This subtitle may be cited as the “Emergency and Non-Emergency Telephone Calling  
16 Systems Fund Amendment Act of 2017.”

17          Sec. 3042. The Emergency and Non-Emergency Telephone Calling Systems Fund Act of  
18 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1801 et seq.), is  
19 amended as follows:

20          (a) Section 602 (D.C. Official Code § 34-1801) is amended by adding a new paragraph  
21 (3A) to read as follows:

1           “(3A) “Hotel” means a building or part of a building in which habitable rooms or  
2 suites are reserved exclusively for transient guests who rent the rooms or suites on a daily  
3 basis.”.

4           (b) Section 603(a) (D.C. Official Code § 34-1802(a)) is amended by striking the phrase  
5 “a tax imposed” and inserting the phrase “taxes imposed” in its place.

6           (c) Section 604 (D.C. Official Code § 34-1803) is amended as follows:

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

8                 “(a-1) There is imposed upon all hotels, as defined in section 602(3A), a tax of \$0.50 per  
9 room or suite rental, per night.”

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

11                “(b) As prescribed by the Mayor by rule:

12                “(1) Each local exchange carrier shall submit to the Mayor the tax imposed under  
13 subsection (a) of this section;

14                “(2) Each hotel shall submit to the Mayor the tax imposed under subsection (a-1)  
15 of this section; and

16                “(3) The form that the Mayor prescribes by rule shall be filed.”.

17                (3) Subsection (c) is amended by striking the word “tax” and inserting the word  
18 “taxes” in its place.

19                (4) Subsection (d) is amended by striking the word “carrier” and inserting the  
20 phrase “carrier and hotel” in its place.

21           (d) Section 605a (D.C. Official Code § 34-1805) is amended by striking the word “tax”  
22 and inserting the word “taxes” in its place.

23           **SUBTITLE F. RETIRED POLICE OFFICER REDEPLOYMENT AMENDMENT**

1           Sec. 3051. Short title

2           This subtitle may be cited as the “Retired Police Officer Redeployment Amendment Act  
3 of 2017”.

4           Sec. 3052. Section 2(h) of the Retired Police Officer Redeployment Amendment Act of  
5 1992, effective September 29,1992 (D.C. Law 9-163 D.C. Official Code § 5-761(h)), is amended  
6 as follows:

7           “(a) Subparagraph (2) is amended to read as follows:

8           “(2) The authority of the Metropolitan Police Department to rehire a police officer under  
9 this subsection shall expire 3 years after the effective date of this Act.

10          “(b) A new subparagraph (3) is added to read as follows:

11          “(3) A retired officer rehired under this subsection shall serve for a length of time not to  
12 exceed 5 years.”.

13

14           **SUBTITLE G. NEIGHBORHOOD ENGAGEMENT ACHIEVES RESULTS**

15           **AMENDMENT**

16           Sec. 3061. Short title.

17           This subtitle may be cited as the “Neighborhood Engagement Achieves Results  
18 Amendment Act of 2017”.

19           Sec. 3062. The Neighborhood Engagement Achieves Results Act of 2016, effective June 30,  
20 2016 (D.C. Law 21-125; to be codified at D.C. Official Code § 7-2411 et seq.), is amended as follows:

21           (a) Section 101 is amended to read as follows:

22           “Sec. 101. Office of Community Engagement and Neighborhood Safety establishment;  
23 appointment of Executive Director.

1           “(a) There is established an Office of Community Engagement and Neighborhood Safety  
2 (“OCENS”).

3           “(b)(1) The OCENS shall include the following programs:

4                       “(A) The Community Stabilization Program, which shall be transferred to the  
5 OCENS from the Office of the Deputy Mayor for Public Safety and Justice, along with all functions  
6 assigned, authorities delegated, positions, personnel, property, records, and unexpended balances of  
7 appropriations, allocations, and other funds available or to be made available for the purposes of the  
8 program; and

9                       “(B) The Safer, Stronger DC Community Partnerships Program, which shall  
10 be transferred to the OCENS from the Office of the Deputy Mayor for Health and Human Services,  
11 along with all functions assigned, authorities delegated, positions, personnel, property, records, and  
12 unexpended balances of appropriations, allocations, and other funds available or to be made available  
13 for the purposes of the program.

14                      “(2) The Mayor may transfer some or all of the Roving Leaders Program, along with  
15 some or all of and all functions assigned, authorities delegated, positions, personnel, property, records,  
16 and unexpended balances of appropriations, allocations, and other funds available or to be made  
17 available for the purposes of the program, from the Department of Parks and Recreation to the  
18 OCENS.

19           “(b) The OCENS shall be responsible for:

20                      “(1) Coordinating the District’s overall violence prevention strategy and programs,  
21 with a focus on utilizing public health approaches to responding to and preventing violence;

22                      “(2) Identifying, recruiting, and engaging individuals determined to be at high risk of  
23 participating in, or being a victim of, violent crime;

1           “(3) Collaborating with other District agencies and nonprofit organizations to provide  
2 immediate wrap-around services to victims and families affected by homicides and violent crime;

3           “(4) Identifying priority neighborhoods and Metropolitan Police Department police  
4 service areas with high trends of violent crime and connecting residents to services through a  
5 streamlined approach;

6           “(5) Developing positive relationships with youth and young adults using recreational  
7 and other positive behavior reinforcement activities; and

8           “(6) Coordinating with District agencies and community-based organizations to  
9 develop programs that focus on employment and job-training opportunities for individuals residing in  
10 high priority areas or who are most at risk of being involved with violent crime, including the use of  
11 financial incentives for participation.

12           “(c) The OCENS shall be headed by an Executive Director who shall report to the Deputy  
13 Mayor for Public Safety and Justice. The Executive Director shall have at least 3 years of relevant  
14 experience in criminal justice and public health approaches to violence, including matters affecting the  
15 deterrence of violent criminal behavior.

16           “(d) Beginning on January 31, 2018, and by January 31 of each year thereafter, the OCENS  
17 shall provide a report to the Mayor and Council, that excludes personally identifiable information and  
18 includes the following information from the reporting period and in the aggregate:

19           “(1) The number of individuals successfully recruited and engaged;

20           “(2) The duration of individuals’ participation;

21           “(3) The status of participants’ progress; and

22           “(4) The participants’ age, race or ethnicity, gender, and ward of residence.

1           “(e) The OCENS shall have grant-making authority for the purpose of providing funds that  
2 seek to reduce and prevent violent criminal activities. Grants made pursuant to this subsection shall be  
3 administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective  
4 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.).

5           “(f) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
6 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue rules to  
7 implement the provisions of this subtitle.”.

8           (b) Section 102 is amended to read as follows:

9           “Sec. 102. Duties of the Executive Director.

10          “(a) The duties of the Executive Director shall include:

11                 “(1) Identifying individuals who pose a high risk of participating in, or being a victim  
12 of, violent crime;

13                 “(2) Recruiting such individuals, as feasible, to participate in programs incorporating  
14 mental or behavioral health counseling, designed to discourage violent crime;

15                 “(3) Coordinating with District agencies to develop programs with the goal of the  
16 participants obtaining and maintaining stable employment; and

17                 “(4) Producing reports as required under subsection (c) of this section.

18          “(b)(1) The Executive Director shall ensure that any personally identifiable information that  
19 the OCENS collects or maintains concerning existing or potential participants in its programs remains  
20 confidential.

21                 “(2) The Executive Director shall regularly conduct assessments and evaluations, to be  
22 performed by a qualified research entity, of outcomes for participants in OCENS programs.”.

23          (c) Section 103 is amended to read as follows:

1           “Sec. 103. Community Engagement and Neighborhood Safety Fund.

2           “(a) There is established as a special fund the Community Engagement and Neighborhood  
3 Safety Fund (“Fund”), which shall be administered by the Mayor in accordance with subsections (c)  
4 and (d) of this section.

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

6                   “(1) Funds appropriated by the District;

7                   “(2) Grants; and

8                   “(3) Donations from public or private entities.

9           “(c) Money in the Fund shall be used to fund the activities of the OCENS, including:

10                   “(1) Providing grants to eligible community organizations; and

11                   “(2) Appropriate overhead or administrative expenses related to the OCENS and the  
12 Fund.

13           “(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
14 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or  
15 at any other time.

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

18           (d) Section 901 is amended by striking the phrase “101, 102, 103.”.

19           **TITLE IV. PUBLIC EDUCATION**

20           **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC**  
21 **SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT**

22           Sec. 4001. Short title.



1 This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools  
2 Amendment Act of 2017".

3 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public  
4 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §  
5 38-2903 *et seq.*), is amended as follows:

6 (a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase  
7 "\$9,682 per student for fiscal year 2017" and inserting the phrase "\$9,827 per student for Fiscal  
8 Year 2018" in its place.

9 (b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array  
10 and inserting the following tabular array in its place:

11

"Grade Level	Weighting	Per Pupil Allocation in FY 2018	12 13 14
"Pre-Kindergarten 3	1.34	\$ 13,168	15
"Pre-Kindergarten 4	1.30	\$ 12,775	16
"Kindergarten	1.30	\$ 12,775	17
"Grades 1-5	1.00	\$ 9,827	18
"Grades 6-8	1.08	\$ 10,613	19
"Grades 9-12	1.22	\$ 11,989	20
"Alternative program	1.44	\$ 14,151	21
"Special education school	1.17	\$ 11,498	22
"Adult	0.89	\$ 8,746	23 24

."

25 (c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

26  
27 "(c) The supplemental allocations shall be calculated by applying weightings to the  
28 foundation level as follows:

29 "Special Education Add-ons:

30

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,532
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$ 11,793
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$ 19,360
“Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$ 34,297
“Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.069	\$ 678
“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	\$ 875
“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	\$ 16,411

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“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
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“ELL	Additional funding for English Language Learners.	0.49	\$ 4,815
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$ 2,152

1  
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4

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
“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	0.368	\$ 3,616
“Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.337	\$ 13,139
“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	2.891	\$ 28,411

"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	2.891	\$ 28,411
"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	\$ 6,565

1  
2 "Special Education Add-ons for Students with Extended School Year ("ESY") Indicated  
3 in Their Individualized Education Programs ("IEPs"):

4

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
"Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$ 619
"Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.227	\$ 2,231

"Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.491	\$ 4,825
"Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.491	\$ 4,825

1 (d) Section 109 (D.C. Official Code § 38-2908) is amended as follows:

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

3 "(a) Except as provided in subsections (b), (b-1), and (b-2) of this section, the fiscal year  
4 facility allowance for Public Charter Schools shall be determined as follows: DCPS approved  
5 capital budget shall be divided by the previous school year ("SY") DCPS total pupil count, as  
6 defined in section 107 of the Uniform Per Student Funding Formula for Public School and Public  
7 Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26,  
8 1999 (D.C. Law 12-207; D.C. Official Code § 38-2906), to determine the DCPS per pupil  
9 facility cost."

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

11 (A) Paragraph (2) is amended by striking the phrase "and succeeding fiscal  
12 years,".

13 (B) New paragraphs (2A), (2B), (2C), and (2D) are added to read as  
14 follows:

15 "(2A) For Fiscal Year 2018 the per pupil facility allowance for Public Charter Schools  
16 shall be \$3,193.

1           "(2B) For Fiscal Year 2019 the per pupil facility allowance for Public Charter Schools  
2 shall be \$3,263.

3           "(2C) For Fiscal Year 2020 the per pupil facility allowance for Public Charter Schools  
4 shall be \$3,335.

5           "(2D) For Fiscal Year 2021 and succeeding fiscal years, the per pupil facility allowance  
6 for Public Charter Schools shall be \$3,408."

7                       (C) Paragraph (3) is amended by striking the phrase "(1) and (2)" and  
8 inserting the phrase "(1), (2), (2A), (2B), (2C), and (2D) " in its place.

9                       (3) A new subsection (f) is added to read as follows:

10           “(f) Facilities Allowance:

11

Description	Formula	Per Pupil Facilities Allotment FY2018
Non-Residential Facilities Allotment		\$3,193
Residential Facilities Allotment		\$8,580

13    ".

14           **SUBTITLE B. CHILD AND YOUTH, SAFETY AND HEALTH OMNIBUS**

15    **AMENDMENT**

16           Sec. 4011. Short title.

17           This subtitle may be cited as the “Child and Youth, Safety and Health Omnibus  
18 Amendment Act of 2017”.

19           Sec. 4012. Section 202(3) of the Child and Youth, Safety and Health Omnibus  
20 Amendment Act of 2004, effective April 13, 2005 (D.C. Law 15-353; D.C. Official Code § 4-  
21 1501.02(3)), is amended by striking the phrase "any private entity that contracts with" and

1 inserting the phrase "any private entity that is licensed by the District government or contracts  
2 with" in its place.

3 **SUBTITLE C. CHILD DEVELOPMENT FACILITIES REGULATION FUND**

4 Sec. 4021. Short title.

5 This subtitle may be cited as the Child Development Facilities Regulation Fund  
6 Amendment Act of 2017.

7 Sec. 4022. The Child Development Facilities Regulation Act of 1998, effective April 13,  
8 1999 (D.C. Law 12-530; D.C. Code § 7-2031 *et seq.*) is amended by adding a new section 7a to  
9 read as follows:

10 “Sec. 7a. Child Development Facilities Fund.

11 “(a) There is established as a special fund the Child Development Facilities Fund  
12 (“Fund”), which shall be administered by the Office of the State Superintendent of Education in  
13 accordance with subsections (c) and (d) of this section.

14 “(b) Revenue from all payments, fees, and fines collected pursuant to this act shall be  
15 deposited in the Fund:

16 “(c) Money in the Fund shall be used to fund activities regulating child development  
17 facilities, including the enforcement and monitoring activities concerning the licensure of child  
18 development facilities, pursuant to this act.

19 “(d) (1) The money deposited in the Fund shall not revert to the unrestricted fund  
20 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
21 other time.

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

1  
2 consist of the revenue from all payments, fees, and fines collected pursuant to this  
3 chapter.”.

4 **SUBTITLE D. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC**  
5 **SCHOOLS AND PUBLIC CHARTER SCHOOLS TECHNICAL CLARIFICATION**

6 Sec. 4031. Short title.

7 This subtitle may be cited as the “Uniform Per Student Funding Formula for Public  
8 Schools and Public Charter Schools Technical Clarification Amendment Act of 2017”.

9 Sec. 4032. Section 106(c) of Uniform Per Student Funding Formula for Public Schools  
10 and Public Charter Schools Act of 1998, effective March 26, 1999 (DC Law 12-207; DC Code §  
11 38-2905(c)) is amended by striking the phrase “Blackman Jones Compliance” wherever it  
12 appears and inserting the phrase “Special Education Compliance” in its place.

13 **SUBTITLE E. PUBLIC CHARTER SCHOOL ASSETS AND FACILITIES**  
14 **PRESERVATION**

15 Sec. 4041. Short title.

16 This subtitle may be cited as the “Public Charter School Assets and Facilities  
17 Preservation Amendment Act of 2017”.

18 Sec. 4042. Section 2213a of the District of Columbia School Reform Act of 1995,  
19 effective March 14, 2007 (D.C. Law 16-268; D.C. Official Code § 38-1802.13a), is amended as  
20 follows:

21 (a) Subsection (b) is amended by striking the phrase “with § 29-301.48 and”.

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



1 (1) The lead-in language is amended by striking the phrase “require that” and  
2 inserting the phrase “provide that” in its place.

3 (2) Subparagraph (A) is amended by striking the phrase “relinquished; and” and  
4 inserting the phrase “relinquished;” in its place.

5 (3) Subparagraph (B) is amended to read as follows:

6 “(B) Any assets to be distributed pursuant to a plan of distribution in  
7 accordance with subsection (d)(2), shall be transferred to the District of Columbia Office of the  
8 State Superintendent of Education to be controlled and used solely for educational or similar  
9 purposes; and”.

10 (4) A new subparagraph (C) is amended to read as follows:

11 “(C) Notwithstanding subparagraph (B), assets, including cash, may be  
12 transferred to another charter school, in a transaction overseen by the chartering authority, if the  
13 acquiring charter school agrees to enroll in the acquiring school students from the closing school  
14 for the following school year.”.

15 (c) Subsection (d) is amended as follows:

16 (1) Paragraph (1)(C) is amended to read as follows:

17 “(C) Distributing assets in accordance with subsection (d)(2) of this  
18 section.”.

19 (2) Paragraph (2)(A) is amended to read as follows:

20 “(A) Provide that:

21 “(1) Equipment and supplies, as defined in 2 C.F.R. § 200.33 and  
22 200.94, purchased with funds appropriated from the District of Columbia general fund, including  
23 uniform per student funding in accordance with § 38-1804.01, be transferred or conveyed to the

1 District of Columbia, to be controlled by and subject to the disposition instructions of the Office  
2 of the State Superintendent of Education and used solely for educational purposes; and

3 “(2) Any remaining assets be transferred or conveyed to the  
4 District of Columbia, to be controlled by and subject to the disposition instructions of the Office  
5 of the State Superintendent of Education and used solely for educational purposes; and”.

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

7 “(2A) Notwithstanding any other provision of this section, a closing  
8 charter school may transfer assets, including cash, to another charter school, in a transaction  
9 overseen by the chartering authority if the acquiring charter school agrees to enroll in the  
10 acquiring school students from the closing school for the following school year.”.

11 **SUBTITLE F. ACADEMIC CERTIFICATION AND TESTING FUND**

12 **CLARIFICATION**

13 Sec. 4051. Short title.

14 This subtitle may be cited as the “Academic Certification and Testing Fund Clarifying  
15 Technical Amendment Act of 2017.”

16 Sec. 4052. Section 3b(c)(1) of the State Education Office Establishment Act of 2000,  
17 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(c)(1)) is amended  
18 by striking the phrase “nonlapsing”.

19 **SUBTITLE G. POSTSECONDARY AND CAREER GRANT MAKING**

20 Sec. 4061. Short title.

21 This subtitle may be cited as the “Postsecondary and Career Grant Making Authority  
22 Amendment Act of 2017.”

1           Sec. 4062. Section 3(b) of the State Education Office Establishment Act of 2000,  
2 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)) is amended as  
3 follows:

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

6           (b) Subparagraph (28) is amended by striking the period and inserting the phrase “; and”  
7 in its place.

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

9           “(25) Have the authority to issue grants, from funds under its administration, to local  
10 education agencies, institutions of higher education, nonprofit organizations, and other education  
11 service providers to increase access to postsecondary and career education opportunities,  
12 including:

13           “(A) Programs implementing career and technical education;

14           “(B) SAT or ACT preparation programs;

15           “(D) Dual enrollment programs; and

16           “(D) Programs focused on a successful transition to college and careers.”.

17           **SUBTITLE H. HEALTHY TOTS ACT WAIVER**

18           Sec. 4071. Short title.

19           This subtitle may be cited as the “Healthy Tots Amendment Act of 2017”.

20           Sec. 4072. Section 4073a(c) of the Healthy Tots Act of 2014, effective February 26, 2015  
21 (D.C. Law 20-155; D.C. Official Code § 38-282.01(c) *et seq.*), is amended by striking the phrase  
22 “September 30, 2017” and inserting the phrase “September 30, 2018” in its place.

23           **SUBTITLE I. AT-RISK DEFINITION CLARIFICATION**

1           Sec. 4081. Short title.

2           This subtitle may be cited as the “At-Risk Definition Amendment Act of 2017”.

3           Sec. 4082. Section 102 of the Uniform Per Student Funding Formula for Public Schools  
4 and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C.  
5 Official Code § 38-2901(2A)) is amended by striking the phrase “Qualifies for” and inserting the  
6 phrase “Certified to receive or is receiving assistance through” in its place.

7           **SUBTITLE J. VERIFICATION OF ENROLLMENT PROCEDURES**

8           Sec. 4091. Short title.

9           This subtitle may be cited as the “Per Capita District of Columbia Public School and  
10 Public Charter School Funding Amendment Act of 2017”.

11           Sec. 4092. Section 2402 of the District of Columbia School Reform Act of 1995,  
12 approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.02) is amended as  
13 follows:

14           (a) Paragraph (b) is amended to read as follows:

15           “(b) *Determination of number of students enrolled.* Not later than 30 days after April 26,  
16 1996, and on a date specified by the Office of the State Superintendent of Education but not  
17 later than October 15 of each year thereafter. The Office of the State Superintendent of  
18 Education shall collect from local education agencies:

19           “(1) The number of students, including nonresident students and students with  
20 special needs, enrolled in each grade from kindergarten through grade 12 of the District of  
21 Columbia public schools and in public charter schools, and the number of students whose tuition  
22 for enrollment in other schools is paid for with District of Columbia funds;

1           “(2) The number of students, including nonresident students, enrolled in preschool  
2 and prekindergarten in the District of Columbia public schools and in public charter schools;

3           “(3) The number of full time equivalent adult students enrolled in adult,  
4 community, continuing, and vocational education programs in the District of Columbia public  
5 schools and in public charter schools;

6           “(4) The number of students, including nonresident students, enrolled in nongrade  
7 level programs in District of Columbia public schools and in public charter schools;

8           “(5) The number of enrolled students who have dropped out since the date of the  
9 previous report.”

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

11           “(c) Verification of local education agencies’ enrollment. The Office of the State  
12 Superintendent of Education shall:

13           “(1) Verify the accuracy of the local education agencies’ enrollment described in  
14 subsection (b) of this subsection;

15           “(2) Determine the amount of fees and tuition assessed and collected from the  
16 nonresident students described in subsection (b) of this subsection; and

17           “(3) Fund the verification solely from amounts appropriated to the Office of the  
18 State Superintendent of Education for staff, stipends, and non-personnel services of the Office of  
19 the State Superintendent of Education by an act making appropriations for the District of  
20 Columbia.

21           (c) Paragraph (d) is amended to read as follows:

22           “(d) Annual reports. —

1                   “(1) Not later than December 31 of each year the Office of the State  
2 Superintendent of Education shall report to the Mayor, the Council, and make publicly available,  
3 a report on the verified enrollment for each local education agency, as conducted pursuant to  
4 subsection (c).”.

5                   Sec. 4093. Section 702 of the Public School Enrollment Census Act of 1998, effective  
6 March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 38-159), is amended as follows:

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

8                   “(a) The Office of the State Superintendent of Education shall conduct either a census or  
9 a statistically significant sampling of the enrolled students in the D.C. Public Schools and public  
10 charter schools which shall include the information specified in § 38-1804.02(b).

11                   (b) Subsections (b) and (c) are repealed.

12                   **SUBTITLE K. UDC PATRICIA R. HARRIS FACILITY EXCLUSIVE USE**

13                   **REPEAL**

14                   Sec. 4101. Short title.

15                   This subtitle may be cited as the "UDC Patricia R. Harris Facility Exclusive Use  
16 Amendment Act of 2017".

17                   Sec. 4102. Section 422 of the Fiscal Year 2011 Supplemental Budget Support Act of  
18 2010, effective April 8, 2011 (D.C. Law 18-370; 58 DCR 1008), is repealed."

19                   **SUBTITLE L. DPR PARKS ADOPTION AND SPONSORSHIP AMENDMENT**

20                   Sec. 4111. Short title

21                   This subtitle may be cited as the “The Department of Parks and Recreation Parks  
22 Adoption and Sponsorship Amendment Act of 2017 ”.

1           Sec. 4112. Section 5 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law  
2 10-246, D.C. Official Code § 10-304), is amended as follows:

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

4           “(b) The Department may enter into written agreements with business improvement  
5 district corporations, as defined in section 2(4) of the Business Improvement Districts Act of  
6 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(4)), to  
7 authorize the business improvement district corporation to perform maintenance and operations  
8 of a park within the boundaries of the business improvement district and to enter into contracts,  
9 including contracts for concessions and programs, with third parties to generate revenue to fund  
10 the maintenance and operations of the park.”

11           (b) New subsection (c) is added to read as follows:

12           “(c) The Department may make grants in accordance with the Grant Administration Act  
13 of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.)..  
14 to business improvement district corporations for maintenance and operations of parks under the  
15 jurisdiction of the Department.”

16           **TITLE V. HEALTH AND HUMAN SERVICES**

17           **SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES**

18           **AMENDMENT**

19           Sec. 5001. Short title.

20           This subtitle may be cited as the “Temporary Assistance for Needy Families Time Limit  
21 Elimination Amendment Act of 2017”.

22           Sec. 5002. The District of Columbia Public Assistance Act of 1982, effective April 6,  
23 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

1 (a) A new section 205(e) (D.C. Official Code § 4-202.05(e)), is added to read as  
2 follows:

3 “(e) To ensure that needy families with children maintain financial resources for the  
4 benefit of their children, regardless of a non-exempt TANF recipient’s level of participation in  
5 work activities and compliance with the TANF recipient’s individual responsibility plan, the  
6 Mayor, pursuant to Title I of the District of Columbia Administrative Procedures Act, approved  
7 October 21, 1968 (82 Stat. 1204; D.C. Official Code §2-501 *et seq.*), shall issue rules to  
8 implement the provisions of the Temporary Assistance for Needy Families Time Limit  
9 Elimination Amendment Act of 2017, effective October 1, 2017 (D.C. Law \_\_\_\_\_, section  
10 \_\_\_\_\_), and to further clarify TANF sanction requirements for needy families with children. ”.

11 (b) Section 511b (D.C. Official Code § 4-205.11b) is repealed.

12 (c) Section 518(e) (D.C. Official Code § 4-205.18(e)) is amended by striking the phrase  
13 “chapter.” and inserting the phrase “chapter; provided, that no sanction shall exceed 50% of the  
14 TANF benefit.” in its place.

15 (d) Section 519f (D.C. Official Code § 4-205.19f), is amended by adding a new  
16 subsection (g) to read as follows:

17 “(g) No sanction under this section shall exceed 50% of the assistance unit’s TANF  
18 benefit to ensure that financial resources remain in the household for the benefit of the  
19 children.”.

20 (e) Section 552(c-2) and (c-3) (D.C. Official Code § 4-205.52(c-2) and (c-3)) are  
21 repealed.

22 (f) Section 553(a) (D.C. Official Code § 4-205.53(a)), is amended to read as follows:



1           “(a) All public assistance grants made under this act shall be reconsidered by the Mayor  
2 as frequently as the Mayor may deem necessary, but in every case the Mayor shall make such  
3 reconsiderations at least once annually. After such further investigation as the Mayor may deem  
4 necessary, the amount of public assistance may be changed, or may be entirely withdrawn, if the  
5 Mayor finds that any such grant has been made erroneously, if the recipient’s circumstances have  
6 altered sufficiently to warrant such action, or if the recipient has not timely completed the  
7 recertification process. If at any time during the continuance of public assistance the recipient  
8 obtains possession of resources in excess of the amount previously reported by the recipient, or if  
9 other changes occur in the nonfinancial circumstances previously reported by the recipient that  
10 would alter either the recipient’s need or eligibility, it shall be the recipient’s duty to notify the  
11 Mayor of this information immediately upon the receipt or possession of the additional  
12 resources, or upon the change in circumstances. A recipient shall inform the Mayor whenever the  
13 recipient begins to receive earned income, if the recipient did not earn income previously, and  
14 whenever the recipient ceases to receive earned income. The recipient shall inform the Mayor as  
15 soon as the recipient becomes aware that a change will occur, rather than waiting to inform the  
16 Mayor in the periodic report required under section 554.”.

17           **SUBTITLE B. DEPARTMENT OF BEHAVIORAL HEALTH IMPROVEMENT**

18           **AMENDMENT**

19           Sec. 5011. Short title.

20           This subtitle may be cited as the “Behavioral Health Improvement Amendment Act of  
21 2017”.

1           Sec. 5012. Section 103 of the Office of Administrative Hearings Establishment Act of  
2 2001, effective March 6, 2002 (D.C. Law 14-76, D.C. Official Code § 2-1831.03), is amended by  
3 adding a new subsection (b-10) to read as follows:

4           “(b-9) In addition to those adjudicated cases listed in subsections (a), (b), (b-1), (b-2), (b-  
5 3), (b-4), (b-5), (b-6), (b-7), and (b-8) of this section, this act shall apply to the following  
6 categories of adjudicated cases under the jurisdiction of the Department of Behavioral Health:

7           “(1) Denial, suspension, conversion, or termination of a license or certification of  
8 a mental health rehabilitation services provider, substance abuse provider, or mental health  
9 community residence facility pursuant to Chapters 34 or 63 of Title 22-A of the District of  
10 Columbia Municipal Regulations or Chapter 31 of Title 22-B of the District of Columbia  
11 Municipal Regulations;

12           “(2) Imposition of a civil fine on a mental health community residence facility or  
13 mental health and substance abuse provider pursuant to Chapter 35 of Title 16 of the District of  
14 Columbia Municipal Regulations;

15           “(3) Reduction, suspension, or termination of a supported housing subsidy  
16 pursuant to Chapter 22 of Title 22-A of the District of Columbia Municipal Regulations;

17           “(4) Discharge or transfer from a mental health community residence facility  
18 pursuant to the Nursing Home and Community Residence Facility Residents’ Protections Act of  
19 1985, effective April 18, 1986 (D.C. Law 6-108; D.C. Code § 44-1003.01 *et seq.*); and

20           “(5) Non-Medicaid recoupment action against a mental health and substance  
21 abuse provider.”.

22           Sec. 5013. The Mental Health Service Delivery Reform Act of 2001, effective December  
23 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1231.01 *et seq.*), is amended as follows:

1 (a) Section 201 (D.C. Official Code § 7-1231.01) is amended as follows:

2 (1) Paragraph (7) is amended to read as follows:

3 “(7) “Department of Behavioral Health” or “Department” means the Department  
4 of Behavioral Health established pursuant to section 5113 of the Department of Behavioral  
5 Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official  
6 Code §§ 7-1141.02)”.

7 (2) Paragraph (8) is amended to read as follows:

8 “(8) “Director” means the Director of the Department of Behavioral Health.”.

9 (b) Section 208(c)(7) (D.C. Official Code § 7-1231.08(7)) is amended to read as follows:

10 “(7) The right to appeal the decision of the neutral party to an independent panel  
11 consisting of 3 persons appointed by the provider and convened within 72 hours. No person  
12 currently involved in the consumer’s treatment or diagnosis shall serve as a member of the panel.  
13 The panel shall include:

14 “(A) A board-certified psychiatrist;

15 “(B) A licensed practitioner; and

16 “(C) A consumer, or if unavailable, a consumer advocate; and”.

17 (c) Section 212(b)(4) (D.C. Official Code § 7-1231.12(b)(4)) is amended to read as  
18 follows:

19 “(4) Any party who is dissatisfied with the outcome of the external review process  
20 may request a fair hearing if the subject matter of the grievance meets the definition of a  
21 contested case in section 3(8) of the District of Columbia Administrative Procedure Act,  
22 effective October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-502(8)) (“Administrative  
23 Procedure Act”). A fair hearing for a grievance that meets the requirements of a contested case

1 shall be conducted in accordance with the contested case requirements in section 10 of the  
2 Administrative Procedure Act (D.C. Official Code § 2-509).”.

3 Sec. 5014. Section 21-582(a) of Title 21 of the District of Columbia Official Code is  
4 amended as follows:

5 (a) Paragraph (2) is amended by striking the phrase “Is financially interested in the  
6 hospital in which the person is to be detained; or” and inserting the phrase “Has a professional  
7 arrangement with a hospital that does not comply with the federal limitation on certain physician  
8 referrals, established by section 1877 of the Social Security Act, approved December 19, 1989  
9 (103 Stat. 2106; 42 U.S.C. § 1395nn), and its implementing regulations.” in its place.

10 (b) Paragraph (3) is repealed.

11 Sec. 5015. Section 6 of An Act To provide for the treatment of sexual psychopaths in the  
12 District of Columbia, effective June 9, 1948 (62 Stat. 349; D.C. Official Code § 22-3808), is  
13 amended as follows:

14 (a) The existing text is designated as subsection (a).

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

16 “(b) A person ordered confined and the person’s estate shall be charged with the  
17 expense of the person’s treatment and support in the institution or hospital.”.

18 Sec. 5016. The Nursing Home and Community Residence Facility Residents’  
19 Protections Act of 1985, effective April 18, 1986 (D.C. Law 6-108, D.C. Official Code § 44-  
20 1001.01 *et seq.*), is amended as follows:

21 (a) Section 303(b) (D.C. Official Code § 44-1003.03(b)) is amended by striking the  
22 sentence “The Mayor shall hold a hearing at the resident's facility within 5 calendar days, and  
23 shall render a decision within 7 calendar days, after a timely hearing request is received.” and

1 inserting the sentences “The Mayor shall hold a hearing at the Office of Administrative Hearings  
2 within 10 calendar days, and OAH shall render a decision within 21 calendar days, after a timely  
3 hearing request is received. If the resident is unable to travel to the Office of Administrative  
4 Hearings due to a physical or mental disability, the resident shall be offered the opportunity to  
5 participate remotely through telephone or other means.” in its place.

6 (b) Section 309(a) (D.C. Official Code § 44-1003.09(a)) is amended by striking the  
7 sentence “When a hearing request is submitted by a resident, the hearing shall be held at a  
8 location convenient to the resident.”.

9 **SUBTITLE C. MEDICAL ASSISTANCE PROGRAM RELIEF AMENDMENT**

10 Sec. 5021. Short title.

11 This subtitle may be cited as the “Medical Assistance Program Relief Amendment Act of  
12 2017”.

13 Sec. 5022. Section 1(a)(2) of an Act To enable the District of Columbia to receive  
14 Federal financial assistance under title XIX of the Social Security Act for a medical assistance  
15 program, and for other purposes, approved December 27, 1967 (81 Stat. 744: D.C. Official Code  
16 § 1-307.02(a)), is repealed.

17 **SUBTITLE D. DHCF ESTABLISHMENT AMENDMENT**

18 Sec. 5031. Short title.

19 This subtitle may be cited as the “Department of Health Care Finance Establishment  
20 Amendment Act of 2017”.

21 Sec. 5032. The Department of Health Care Finance Establishment Act of 2007, effective  
22 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 et *seq.*), is amended by  
23 adding a new section 13 to read as follows:

1           “Sec. 13. Rules.

2           “The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
3 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.),, may issue  
4 rules to implement the provisions of this chapter.”.

5           **SUBTITLE E. ANIMAL CONTROL AMENDMENT**

6           Sec. 5041. Short title.

7           This subtitle may be cited as the Animal Control Act of 1979 Amendment Act of 2017.

8           Sec. 5042. The District of Columbia Animal Control Act of 1979, effective October 18,  
9 1979 (D.C. Law 3-30; D.C. Official Code § 8-1801 *et seq.*) is amended as follows:

10           (a) Section 2 (D.C. Official Code § 1801) is amended by adding a new paragraph (2A) to  
11 read as follows:

12           “(2A) The term “common cage bird” means a small bird typically kept in a cage in a  
13 home such as a parakeet, parrot, cockatiel, canary, and cockatoo. This term shall not include  
14 birds typically kept in a coop such as pigeons, doves, or fowl, including chickens, geese, ducks,  
15 guinea fowl, and peafowl.”.

16           (b) A new section 2a is added to read as follows:

17           “Sec. 2a. General authority.

18           “The Mayor may regulate the keeping of dogs, fowls, and other animals in the District of  
19 Columbia so as to protect the public health, safety, and welfare; to protect the health, safety, and  
20 welfare of dogs, fowls, and other animals; and to protect public and private property. In  
21 exercising this authority, the Mayor may, in accordance with section 13a, amend or repeal  
22 regulations previously promulgated pursuant to the sixth and seventh paragraphs of section 1 of  
23 An act to authorize the Commissioners of the District of Columbia to make police regulations for

1 the government of said District, approved January 26, 1887 (24 Stat. 368; D.C. Official Code §  
2 1-303.01(5) and (6)), any provision of the Police Regulations applicable to this subject area, and  
3 any regulation currently codified in chapter 9 of title 24 the District of Columbia Municipal  
4 Regulations.

5 (c) Section 3 (D.C. Official Code § 8-1802) is amended by striking the phrase “Agency;  
6 provided, that only a sworn member of the Metropolitan Police Department may serve a notice  
7 of violation with respect to §9(a) outside the premises of the animal shelter.” and inserting the  
8 phrase “Agency.” in its place.

9 (d) Section 4(a) (D.C. Official Code § 8-1803(a)) is amended to read as follows:

10 “(a) An owner of a dog or a cat over the age of 4 months shall have the dog or cat  
11 vaccinated against rabies and distemper.”.

12 (e) Section 5 (D.C. Official Code § 8-1804) is amended as follows:

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

14 “(b) An owner who has a dog or cat over the age of 4 months shall before July 1st of each  
15 year, or within 10 days of acquiring the dog or cat, or within 10 days after the dog or cat  
16 becomes 4 months of age, obtain an annual license. An owner shall ensure that the dog or cat  
17 wears a collar and a license.

18 “(c) Before any annual license may be issued, the owner of the dog or cat shall have the  
19 dog or cat vaccinated against rabies and distemper, and shall pay any outstanding fines.”.

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

21 “(d-1) The annual license fee for a cat shall be \$15 for a male or female cat certified by a  
22 licensed veterinarian as neutered or spayed or incapable of enduring neutering or spaying and  
23 \$50 for all other cats.”.

1 (3) Subsection (g) is amended to read as follows:

2 “(g) No license may be transferred from one dog to another or from one cat to another.”.

3 (f) Section 8 (D.C. Official Code § 8-1807) is amended as follows:

4 (1) Subsection (a) is amended by striking the word “dog” in each place it appears  
5 and inserting the phrase “dog or cat” in each place.

6 (2) Subsection (b) is amended by striking the word “animal” in each place it  
7 appears and inserting the phrase “dog or cat” in each place.

8 (g) Section 9 (D.C. Official Code §8-1808) is amended as follows:

9 (1) Subsection (d) is amended by striking the phrase “a baby chicken, duckling,  
10 other fowl or rabbit.” and inserting the phrase “any animal.” in its place.

11 (2) Subsection (f) is repealed.

12 (3) Subsection (g) is amended by striking the phrase “16 weeks or a chick or duck  
13 under the age of 8 weeks except for agricultural or scientific purposes.” and inserting the phrase  
14 “16 weeks.” in its place.

15 (4) Subsection (h)(1) is amended to read as follows:

16 “(h)(1) Except as provided in this subsection, no person shall import into the District,  
17 possess, display, offer for sale, trade, barter, exchange, or adoption, or give as a household pet  
18 any living member of the animal kingdom, including those born or raised in captivity, except the  
19 following captive-bred animals: domestic dogs (excluding hybrids with wolves, coyotes, or  
20 jackals), domestic cats (excluding hybrids with ocelots, margays, caracals, or servals),  
21 domesticated rodents and rabbits, common cage birds, nonvenomous snakes of no more than 3  
22 feet in length, nonvenomous reptiles that are not crocodylians of no more than 3 feet in length,



1 amphibians of no more than 3 feet in length, fish, turtles, and ferrets. Pigeons and doves may be  
2 kept in coops or dovecotes according to permit requirements.”.

3 (5) Subsection (h)(3) is amended by striking the phrase “This section” and  
4 inserting the phrase “This subsection” in its place.

5 (6) New subsections (l), (m), and (n) are added to read as follows:

6 "(l) No person shall herd, drive, conduct, or allow to run at large, horses, ponies, mules,  
7 goats, sheep, swine, or cattle, or any other large quadruped or bird, singly or in herds, droves, or  
8 flocks, in the District of Columbia. This subsection shall not apply to any person who holds a  
9 license to operate a horse-drawn carriage and possesses an identification card for the horse  
10 drawing the carriage pursuant to section 3 of the Regulation of the Horse-Drawn Carriage Trade  
11 Act of 1990, effective March 7, 1991 (D.C. Law 8-224; D.C. Official Code § 8-2002).

12 “(m) No person shall allow animal excrement to remain exposed on private property for  
13 more than 24 hours.

14 “(n) No person shall chain, tie, or tether an animal to a fixed or stationary object on  
15 public space.”.

16 (h) Section 10 (D.C. Official Code § 8-1809) is amended by striking the phrase “7 or  
17 more” and inserting the phrase “5 or more” in each place the phrase appears.

18 (i) Section 12 (D. C. Official Code § 8-1811) is amended as follows:

19 (1) The existing text is designated as subsection (a).

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

21 “(b) A violation of this act shall be a civil infraction for the purposes of Chapter 18 of  
22 Title 2. Civil fines, penalties, and fees may be imposed as sanctions for any infraction of the act,

1 or the rules issued under authority of the act, pursuant to Chapter 18 of Title 2. Adjudication of  
2 any infractions shall be pursuant to Chapter 18 of Title 2.”.

3 (j) Section 13 (D.C. Official Code § 8-1813) is repealed.

4 (k) A new section 13a is added to read as follows:

5 “Sec. 13a. Rules.

6 “The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
7 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue  
8 rules to implement this act.”

9 Sec. 5043. Conforming amendments.

10 (a) Section 1(6) and (7) of An act to authorize the Commissioners of the District of  
11 Columbia to make police regulations for the government of said District, approved January 26,  
12 1887 (24 Stat. 368; D.C. Official Code § 1-303.01(5) and (6)), are repealed.

13 (b) Sections 902 and 906 of Title 24 of the District of Columbia Municipal Regulations  
14 (24 DCMR §902), are repealed in their entirety.

15 **SUBTITLE F. MEDICAL MARIJUANA PROGRAM FUND ESTABLISHMENT**

16 Sec. 5051. Short title.

17 This subtitle may be cited as the “Medical Marijuana Program Fund Establishment  
18 Amendment Act of 2017”.

19 Sec. 5052. The Legalization of Marijuana for Medical Treatment Initiative of 1998,  
20 effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01 et seq.), is amended  
21 follows:

22 (a) Section 11(b) (D.C. Official Code § 7-1671.10) is repealed.

23 (b) A new section 11b is added to read as follows:

1           “Sec. 11b. Medical Marijuana Program Fund.

2           “(a) There is established as a special fund the Medical Marijuana Program Fund (“Fund”),  
3           which shall be administered by the Department of Health in accordance with subsections (c) and  
4           (d) of this section.

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

6                   “(1) Annual appropriations;

7                   “(2) Fees, penalties, and fines collected pursuant to this act; and

8                   “(3) The unexpended balance in fund 0641 for the Medical Marijuana Program as  
9           of the earlier of September 30, 2017 or the effective date of this act.

10           “(c) Money in the Fund shall be used for non-personnel and personnel costs of  
11           administering the Medical Marijuana Program.

12           “(d)(1) The money deposited into the Fund shall not revert to the unrestricted fund  
13           balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
14           other time.”

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

17           **SUBTITLE G. CFSA REPORTING REQUIREMENTS AMENDMENT**

18           Sec. 5061. Short title

19           This subtitle may be cited as the “Child and Family Services Agency Reporting  
20           Requirements Amendment Act of 2017”.

21           Sec. 5062. Section 374(b)(3) of the Prevention of Child Abuse and Neglect Act of 1977,  
22           effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.74(b)(3)), is

1 amended by striking the phrase “and every January 31st thereafter” and inserting the phrase  
2 “and every February 28th thereafter” in its place.

3 Sec. 5063. Section 107 of the Newborn Safe Haven Amendment Act, effective May 27,  
4 2010 (D.C. Law 18-158; D.C. Official Code § 4-1451.07) is amended by striking the phrase “on  
5 January 1 of each year thereafter” and inserting the phrase “on January 31st of each year  
6 thereafter” in its place.

7 Sec. 5064. Section 105 of the Grandparent Caregivers Pilot Program Establishment Act  
8 of 2005, effective March 8, 2006 (D.C. Law 16–69; D.C. Official Code § 4–251.05) is amended  
9 by striking the phrase “no later than January 1 of each year” and inserting the phrase “no later  
10 than February 28th of each year” in its place.

11 Sec. 5065. Section 384(b)(1)(D) of the Prevention of Child Abuse and Neglect Act of  
12 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.74(b)(1)(D)),  
13 is amended by striking the phrase “and every January 31st thereafter” and inserting the phrase  
14 “and every February 28th thereafter” in its place.

15 **TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**  
16 **SUBTITLE A. PRODUCT STEWARDSHIP PROGRAM**

17 Sec. 6001. Short title.

18 This subtitle may be cited as the “Product Stewardship Program Amendment Act of  
19 2017.”

20 Sec. 6002. Section 5 of the Paint Stewardship Act of 2014, effective March 11, 2015  
21 (D.C. Law 20-205; D.C. Official Code § 8-233.04) is amended by adding a new subsection (f) to  
22 read as follows:

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

1 “(f) Permit fees collected pursuant to this section shall be deposited in the Product  
2 Stewardship Fund established by section 118a of the Sustainable Solid Waste Management  
3 Amendment Act of 2014.”.

4 Sec. 6003. The Sustainable Solid Waste Management Amendment Act of 2014, effective  
5 February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1041.01 *et seq.*) is amended as  
6 follows:

7 (a) Section 118(d) (D.C. Official Code § 8-1041.04) is amended to read as follows:

8 “(d) Fees collected under this section and revenue generated from the enforcement of  
9 this Chapter shall be deposited in the Product Stewardship Fund established by section 118a.”.

10 (b) A new section 118a is added to read as follows:

11 “Section 118a. Product Stewardship Fund.

12 “(a) There is established as a special fund the Product Stewardship Fund (“Fund”), which  
13 shall be administered by the Mayor in accordance with subsections (c) and (d) of this section.

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

15 “(1) The registration and shortfall fees charged under section 118; and

16 “(2) The permit fees collected pursuant to section 5 of the Paint Stewardship Act  
17 of 2014, effective March 11, 2015 (D.C. Law 20-205; D.C. Official Code § 8-233.04).

18 “(d) Money in the Fund shall be used for the purposes of supporting and administering  
19 product stewardship programs in the District.

20 “(e)(1) The money deposited into the Fund shall not revert to unrestricted fund balance of  
21 the General Fund of the District of Columbia at the end of a fiscal year, or any other time.

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

1           **SUBTITLE B. SOLAR FOR ALL PROGRAM EXPANSION**

2           Sec. 6011. Short title.

3           This subtitle may be cited as the “Solar for All Program Expansion Act of 2017.”

4           Sec. 6012. Section 3(b) of the Renewable Portfolio Standard Expansion Amendment Act  
5 of 2016, effective October 8, 2016 (D.C. Law 21-154; 63 DCR 12926) is amended by striking  
6 the phrase “reduce by at least 50% the electric bills of at least 100,000 of the District’s low-  
7 income households with high energy burdens by December 31, 2032” and inserting the phrase  
8 “provide the benefits of solar energy to at least 100,000 of the District’s low-income individuals  
9 by December 31, 2032.” in its place.

10           **SUBTITLE C. LIHEAP HEAT AND EAT PROGRAM**

11           Sec. 6021. Short title.

12           This subtitle may be cited as the “LIHEAP Heat and Eat Amendment Act of 2017.”

13           Sec. 6022. Section 5083(b) of the Food Stamp Expansion Act of 2009, effective March 3,  
14 2010 (D.C. Law 18-111; D.C. Official Code § 4-261.03(b)), is amended by striking the phrase “shall  
15 be automatically enrolled in the LIHEAP Heat and Eat initiative” and inserting the phrase “who will  
16 qualify for the maximum standard utility allowance as a result of a LIHEAP benefit shall be  
17 automatically enrolled in the LIHEAP Heat and Eat initiative.” in its place.

18           **SUBTITLE D. AIR QUALITY CONSTRUCTION PERMIT FUND**

19           Sec. 6031. This subtitle may be cited as the “Air Quality Program Amendment Act of 2017.”

20           Sec. 6032. The District of Columbia Air Pollution Control Act of 1984, effective March  
21 15, 1985 (D.C. Law 5–165; D.C. Official Code § 8-101.01 *et seq.*), is amended by adding a new  
22 section 5i to read as follows:

23           “Sec. 5i. Air Quality Construction Permits Fund.

1           “(a) There is established as a special fund, the Air Quality Construction Permits Fund  
2 (“Fund”), which shall be administered by the Director of the Department of Energy and  
3 Environment in accordance with subsections (c) and (d) of this section.

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

5                   “(1) Fees collected pursuant to this act; and

6                   “(2) Revenue generated by enforcement of this act.

7           “(c) Money in the Fund shall be used to support and administer the air quality programs  
8 of the Department of Energy and Environment.

9           “(d)(1) The money deposited into the Fund shall not revert to the unrestricted fund  
10 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
11 other time.

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

14           **SUBTITLE E. SOIL EROSION AND SEDIMENT CONTROL FUND**

15           Sec. 6041. This subtitle may be cited as the “Soil Erosion and Sediment Control Program  
16 Amendment Act of 2017.”

17           Sec. 6042. The Water Pollution Control Act of 1984, effective March 16, 1985 (D.C. Law  
18 5-188; D.C. Official Code § 8-103.01 *et seq.*), is amended by adding a new section 10c as  
19 follows:

20                   “Sec. 10c. Soil Erosion and Sediment Control Fund.

21           “(a) There is established as a special fund the Soil Erosion and Sediment Control Fund,  
22 which shall be administered by the Director of the Department of Energy and Environment in  
23 accordance with subsections (c) and (d) of this section.

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

2 “(1) Fees collected under this act from the Department of Energy and  
3 Environment’s review of construction and grading plans for erosion and sediment control;

4 “(2) Other revenue generated from the Department of Energy and Environment’s  
5 review of construction and grading plans for erosion and sediment control.

6 “(c) Money in the Fund shall be used for the purposes of supporting and administering  
7 the soil erosion and sediment control programs of the Department of Energy and Environment.

8 “(d)(1) The money deposited into the Fund shall not revert to the General Fund of the  
9 District of Columbia at the end of a fiscal year, or at any other time.

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

12 **SUBTITLE F. STORMWATER MANAGEMENT PROGRAM FUND**

13 Sec. 6051. This subtitle may be cited as the “Stormwater Management Program Amendment  
14 Act of 2017.”

15 Sec. 6052. The Water Pollution Control Act of 1984, effective March 16, 1985 (D.C. Law  
16 5-188; D.C. Official Code § 8-103.01 *et seq.*), is amended by adding a new section 10d as  
17 follows:

18 “Sec. 10d. Stormwater Fees Fund.

19 “(a) There is established as a special fund the Stormwater Fees Fund, which shall be  
20 administered by the Director of the Department of Energy and Environment in accordance with  
21 subsections (c) and (d) of this act.

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



1           “(1) Fees collected under this act from the Department of Energy and  
2 Environment’s review of construction and grading plans for stormwater management;

3           “(2) Other revenue generated from the Department of Energy and Environment’s  
4 review of construction and grading plans for stormwater management.

5           “(c) Money in the Fund shall be used for the purposes of supporting and administering  
6 the stormwater management programs of the Department of Energy and Environment.

7           “(d)(1) The money deposited into the Fund shall not revert to the General Fund of the  
8 District of Columbia at the end of a fiscal year, or at any other time.

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

11           Sec. 6053. The money deposited into the Stormwater Fees Fund during Fiscal Year 2017  
12 shall not revert to the General Fund of the District of Columbia at the end of a fiscal year, or at  
13 any other time.

14           **SUBTITLE G. WETLAND FUND**

15           Sec. 6061. Short title.

16           This subtitle may be cited as the “Wetland Fund Amendment Act of 2017.”

17           Sec. 6062. Section 10(d)(1) of the Water Pollution Control Act of 1984, effective March 16,  
18 1985 (D.C. Law 5-188; D.C. Official Code § 8-103.09(d)(1)), is amended by striking the phrase  
19 “Excluding monies collected in the current year, any money deposited in the Wetland Fund in the year  
20 prior to the current year and the interest earned on that money remaining in the Fund after the payment  
21 of the costs accrued in the prior year, less 10% of the remainder amount that shall be retained as a  
22 reserve operating balance, shall be transferred or revert to the General Fund of the District of  
23 Columbia” and inserting the phrase “The money deposited into the Fund shall not revert to the

1 General Fund of the District of Columbia at the end of a fiscal year, or at any other time. Subject to  
2 authorization in an approved budget and fiscal plan, any funds appropriated in the Fund shall be  
3 continually available without regard to fiscal year limitation” in its place.

4 **SUBTITLE H. PRIVATE SPONSORSHIP OF DC CIRCULATOR AND**  
5 **STREETCAR AMENDMENT**

6 Sec. 6071. Short title.

7 This subtitle may be cited as the “Private Sponsorship of DC Circulator and Streetcar  
8 Amendment Act of 2017”.

9 Sec. 6072. The Department of Transportation Establishment Act of 2002, effective May  
10 21, 2002 (D.C. Law 14–137; D.C. Official Code §§ 50–921.01 et seq.), is amended as follows:

11 (a) Section 5(a)(3)(H) (D.C. Official Code § 50-921.04(a)(3)(H)) is amended by  
12 striking the phrase “Enter into agreements” in the lead-in language and inserting the phrase,  
13 “Notwithstanding DC Code §§ 50-921.32 and 921.72, enter into agreements” in its place.

14 (b) Section 11b (D.C. Official Code § 50-921.32) is amended by adding a new  
15 paragraph (4) to read as follows:

16 “(4) Enter into agreements to allow the private sponsorship of vehicles, equipment,  
17 and facilities used in the DC Circulator program, and the placement of a corporate logo, slogan,  
18 or other indicia of sponsorship on the vehicles or facilities, and on related websites and social  
19 media.”.

20 (c) Section 11n (D.C. Official Code § 50-921.72) is amended by adding a new  
21 paragraph (5) to read as follows:

22 “(5) Enter into agreements to allow the private sponsorship of vehicles, equipment, and  
23 facilities used in the DC Streetcar program, and the placement of a corporate logo, slogan, or

1 other indicia of sponsorship on the vehicles or facilities, and on related websites and social  
2 media.”.

3 **SUBTITLE I. DMV AUTOMATED TRAFFIC ENFORCEMENT SYSTEM FUND**  
4 **ESTABLISHMENT**

5 Sec. 6081. Short title.

6 This subtitle may be cited as the “Automated Traffic Enforcement System Fund  
7 Establishment Act of 2017”.

8 Sec. 6082. Title IX of the Fiscal Year 1997 Budget Support Act of 1996, effective April  
9 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01 et seq.), is amended by adding a  
10 new sections 905 and 906 to read as follows:

11 “Sec. 905. Automated Traffic Enforcement Fund.

12 “(a) There is established as a special fund the Automated Traffic Enforcement Fund  
13 (“Fund”), which shall be administered by the Department of Motor Vehicles in accordance with  
14 subsections (c) and (d) of this section.

15 (b) A portion of the revenue generated by of the fines and associated fees paid as a  
16 result of violation of traffic safety laws detected by the automated traffic enforcement (“system”)  
17 shall be deposited in the Fund. The portion of the fines and associated fees that shall be  
18 deposited into the Fund shall be established using the following formula:

19  $[(\text{number of tickets issued}) \times (\text{ticket processing fee})] + [(\text{number of warning tickets}$   
20  $\text{issued}) \times (\text{warning ticket processing fee})] + [(\text{number of tickets issued}) \times (\text{postage})] + [(\text{number}$   
21  $\text{of tickets issued}) \times (\text{credit card merchant fee})] + [(\text{number of tickets issued}) \times (\text{adjudication}$   
22  $\text{cost})] + [\text{flat rate project management and information technology support staff fee}] + [(\text{number}$

1 of tickets issued) x (cashier in-person fee)] + [flat rate programming fee] + [flat rate handheld  
2 ticket stock fee]

3 (c) Money in the Fund shall be used to fund the services used to maintain the system  
4 that includes ticket processing, adjudication costs, hearing examiners and support staff,  
5 information technology support staff, and credit card merchant fees.

6 (d) (1) The money deposited into the Fund shall not revert to the unrestricted fund  
7 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
8 other time.

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

11 "Sec. 906. Short title."This title may be cited as the "Traffic Safety and Automated  
12 Enforcement Act of 1996".

13 **SUBTITLE J. MOVING VIOLATION ENFORCEMENT FUND**  
14 **ESTABLISHMENT**

15 Sec. 6091. Short title.

16 This subtitle may be cited as the "Moving Violation Enforcement Fund Establishment  
17 Act of 2017".

18 Sec. 6092. Moving Violation Enforcement Fund.

19 (a) There is established as a special fund the Moving Violation Enforcement Fund  
20 ("Fund"), which shall be administered by the Department of Motor Vehicles in accordance with  
21 subsections (c) and (d) of this section..

22 (b) A portion of the revenue generated by the fines and associated fees paid as a  
23 result of moving infractions ("enforcement") shall be deposited into the Fund. The portion of

1 the fines and associated fees that shall be deposited into the Fund shall be determined using the  
2 following formula: [(number of tickets issued) x (ticket processing fee)] + [(number of tickets  
3 issued) x (postage)] + [(number of tickets issued) x (credit card merchant fee)] + [(number of  
4 tickets issued) x (adjudication cost)] + [flat rate project management and information technology  
5 support staff fee] + [(number of tickets issued) x (cashier in-person fee)] + [flat rate  
6 programming fee] + [flat rate handheld ticket stock fee]

7 (c) Money in the Fund shall be used to fund the services used to maintain  
8 enforcement that includes ticket processing, adjudication costs, hearing examiners and support  
9 staff, information support staff, and credit card merchant fees.

10 (d) All money deposited into the Fund shall not revert to the unrestricted fund balance of  
11 the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

#### 14 **SUBTITLE K. PARKING, STANDING, STOPPING AND PEDESTRIAN**

#### 15 **VIOLATION ENFORCEMENT FUND ESTABLISHMENT**

16 Sec. 6101. This subtitle may be cited as the “Parking, Standing, Stopping and Pedestrian  
17 Violation Enforcement Fund Establishment Act of 2017”.

18 Sec. 6102. Parking, Standing, Stopping and Pedestrian Violation Enforcement Fund .

19 (a) There is established as a special fund the Parking, Standing, Stopping and Pedestrian  
20 Violation Enforcement Fund (“Fund”) (which may be referred to as the Non-Moving Violation  
21 Enforcement Fund), which shall be administered by the Department of Motor Vehicles  
22 (“Department”) in accordance with subsections (c) and (d) of this section.

1 (b) A portion of the revenue generated by the fines and associated fees paid as a  
2 result of parking, standing, stopping and pedestrian infractions shall be deposited in the Fund.  
3 The portion of the fines and associated fees that shall be deposited into the Fund shall be  
4 established using the following formula: [(number of tickets issued) x (ticket processing fee)] +  
5 [(number of tickets issued) x (postage)] + [(number of tickets issued) x (credit card merchant  
6 fee)] + [(number of tickets issued) x (adjudication cost)] + [flat rate project management and IT  
7 support staff fee] + [(number of tickets issued) x (cashier in-person fee)] + [flat rate  
8 programming fee] + [flat rate handheld ticket stock fee]

9 (c) Money in the Fund shall be used to fund the services used to maintain  
10 enforcement that includes ticket processing, adjudication costs, hearing examiners and support  
11 staff, information technology support staff, and credit card merchant fees.

12 (d) (1) The money deposited into the Fund shall not revert to the unrestricted fund  
13 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
14 other time.

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

17 **TITLE VII. FINANCE AND REVENUE**

18 **SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS**

19 Sec. 7001. Short title.

20 This subtitle may be cited as the “Subject to Appropriations Amendment Act of 2017”.

21 Sec. 7002. Section 18 of the Death with Dignity Act of 2016, effective February 18, 2017  
22 (D.C. Law 21-182; 64 DCR 2691), is repealed.

1           Sec. 7003. Section 3(a)(2), (b), and (c) of the Metro Safety Commission Interstate  
2 Compact Establishment Act of 2016, enacted February 10, 2017, projected to be effective April  
3 7, 2017 (D.C. Act 21-666; 64 DCR 1635), is repealed.

4           Sec. 7004. Section 301 of the District of Columbia State Athletics Consolidation Act of  
5 2016, enacted February 15, 2017, projected to be effective April 7, 2017 (D.C. Act 21-681; 64  
6 DCR 2110), is repealed.

7           Sec. 7005. Section 4 of the Medical Marijuana Omnibus Amendment Act of 2016,  
8 effective February 18, 2017 (D.C. Law 21-209; 64 DCR 2718), is repealed.

9           Sec. 7006. Section 4 of the Department of Consumer and Regulatory Affairs Community  
10 Partnership Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-213; 64 DCR  
11 2722), is repealed.

12           Sec. 7007. Section 4 of the Fair Credit in Employment Amendment Act of 2016, enacted  
13 February 15, 2017, projected to be effective April 7, 2017 (D.C. Act 21-673; 64 DCR 2045), is  
14 repealed.

15           Sec. 7008. Section 901 of the Bicycle and Pedestrian Safety Amendment Act of 2016,  
16 effective October 8, 2016 (D.C. Law 21-155; 63 DCR 12927), is repealed.

17           Sec. 7009. Section 4 of the Youth Suicide Prevention and School Climate Survey  
18 Amendment Act of 2016, effective June 17, 2016 (D.C. Law 21-120; 63 DCR10565), is repealed.

19           Sec. 7010. Section 3 of the Continuing Care Retirement Community Exemption  
20 Amendment Act of 2016, enacted January 26, 2017, projected to be effective April 28, 2017  
21 (D.C. Act 21-649; 64 DCR 951), is repealed.

22           Sec. 7011. Section 3 of the Carcinogenic Flame Retardant Prohibition Amendment Act of  
23 2016, effective May 12, 2016 (D.C. Law 21-108; 63 DCR 363), is repealed.

1           Sec. 7012. Section 4 of the Health-Care Decisions Amendment Act of 2015, effective  
2 February 27, 2016 (D.C. Law 21-72; 63 DCR 3935), is repealed.

3           Sec. 7013. Section 18 of the Building Service Employees Minimum Work Week Act of  
4 2016, effective October 8, 2016 (D.C. Law 21-157; 63 DCR 12929), is repealed.

5           **SUBTITLE B. PRIOR BUDGET ACT AMENDMENTS**

6           Sec. 7011. Short title

7           This subtitle may be cited as the “Prior Budget Act Amendments of 2017”.

8           Sec. 7012. The Fiscal Year 2017 Budget Support Act of 2016, effective October 8, 2016  
9 (D.C. Law 21-160; 63 DCR 12932), is amended as follows:

10           (a) Section 7022(c) is amended to read as follows:

11           “Section 6193 is repealed”.

12           Sec. 7013. The lead-in language of section 1042 of the Fiscal Year 2016 Budget Support  
13 Act of 2015, effective October 22, 2015 (D.C. Law 21-36, 62 DCR 10905), is amended as  
14 follows:

15           (a) Strike the phrase “shall submit quarterly reports” and insert the phrase “shall submit  
16 bi-annual reports” in its place.

17           (b) Strike the phrase “within 30 days after the end of each quarter, beginning October 1,  
18 2015” and insert the phrase “within 30 days after the end of the 2nd and 4th quarters of each  
19 fiscal year, beginning October 1, 2017” in its place.

20           **SUBTITLE C. OUR LADY OF PERPETUAL HELP REAL PROPERTY TAX**  
21 **FORGIVENESS**

22           Sec. 7021. Short title.



1 This subtitle may be cited as the “Our Lady of Perpetual Help Equitable Real Property  
2 Tax Relief Act of 2017”.

3 Sec. 7022. The Council of the District of Columbia orders that all unpaid real property  
4 taxes, interest, penalties, fees and other related charges assessed through February 1, 2017  
5 against the real property known as Parcel 226, Lot 37, be forgiven.

6 **SUBTITLE D. INTERNATIONAL SPY MUSEUM TAX ABATEMENT**

7 Sec. 7031. Short title.

8 This subtitle may be cited as the “International Spy Museum Tax Abatement Act of  
9 2017.”

10 Sec.7032. Chapter 46 of Title 47 of the District of Columbia Code is amended as follows:

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

13 “47-46\_\_\_. The International Spy Museum, Lot 7006, Square 387.

14 (b) A new section 47-46\_\_\_ is added to read as follows:

15 “47-46\_\_\_. The International Spy Museum, Lot 7006, Square 387.

16 “(a) Except as provided in subsection (b), the tax imposed by chapter 8 of this title on the  
17 real property (and any improvements thereon) described for assessment and taxation purposes as  
18 Lot 7006 in Square 387 (herein after referred to as the “Property”), currently owned by the  
19 International Spy Museum, shall be abated as follows:;

20 “(1) Real property taxes imposed on the Property for the real property tax year  
21 commencing October 1, 2016 shall be abated in the amount of \$30,000;

22 “(2) Real property taxes imposed on the Property for the real property tax year  
23 commencing October 1, 2017 shall be abated to the extent that they exceed \$115,000;

1           “(3) Beginning with the real property tax year commencing October 1, 2018  
2 through the real property tax year ending September 30, 2021, annual real property taxes  
3 on the Property shall be abated to the extent that they exceed \$200,000 per year; and

4           “(4) Beginning with the real property tax year commencing October 1, 2021, all  
5 real property taxes on the Property shall be abated.

6           “(b) The abatement provided under subsection (a) shall terminate at the beginning of the  
7 month following the date on which:

8           “(1) the Property is no longer being developed or used as a museum of the history  
9 of espionage, including other ancillary uses related thereto, that is open to the public  
10 generally; or

11           “(2) The International Spy Museum, or a successor owner of the Property, is no  
12 longer exempt from District of Columbia income and franchise taxation under subchapter  
13 II of chapter 18 of this title.

14           “(c) The Property and its owner shall be subject to the provisions of §§ 47-1005, 47-1007  
15 and 47-1009 as if the Property had been administratively exempted from real property taxation  
16 under chapter 10 of this title.

17           “(d) The abatement provided by subsection (a) for any real property tax year may be  
18 allocated between half tax years at the discretion of the Office of Tax and Revenue.

19           “(e) The abatement provided under this section shall be in addition to, and not in lieu of,  
20 any other tax relief or assistance from any other source applicable to the Property, provided,  
21 however, that no appeal of the Property’s proposed assessed value for tax years 2017 through  
22 2021 shall be allowed and no claim for refund of real property tax paid for real property tax years

1 2016 through 2021 shall be allowed, except that the Property owner may seek enforcement of the  
2 abatement provided by this section.

3 **SUBTITLE E. REVISED REVENUE CONTINGENCY LIST**

4 Sec. 7041. Short title.

5 This subtitle may be cited as the “Revised Revenue Contingency List Act of 2017”.

6 Sec. 7042. (a) If the Chief Financial Officer of the District of Columbia certifies  
7 increased local funds in the June 2017 and September 2017 revenue estimates, these additional  
8 revenues shall be allocated equally into the Workforce Investments account and the Non-  
9 Departmental account.

10 (b) The allocation to Workforce Investments account shall be available to fund costs to be  
11 incurred to pay for salary increases or other items required by the terms of collective bargaining  
12 agreements that will become effective in fiscal year 2018.

13 (c) The allocation to the Non-Departmental account shall be available to replace federal  
14 funds that the District included in its Fiscal Year 2018 Local Budget Act of 2017 and the Fiscal  
15 Year 2018 Federal Portion Budget Act of 2017 but which will not be available because they are  
16 not included in a Congressionally enacted fiscal year 2018 appropriations act.

17 **SUBTITLE F. SUPERMARKET TAX INCENTIVES CLARIFICATION**

18 Section 7051. Short title.

19 This subtitle may be cited as the “Supermarket Tax Incentives Clarification Act of 2017”

20 Sec. 7052. Section 47-3801(1D) of the District of Columbia Official Code is amended as  
21 follows:

22 (a) Subparagraph (A) is amended by striking the word “or” at the end.

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

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

4 “(C) Square 2960.”

5 **TITLE VIII. CAPITAL BUDGET**

6 **SUBTITLE A. FISCAL YEAR 2018 CAPITAL PROJECT FINANCING**

7 **REALLOCATION APPROVAL**

8 Sec. 8001. Short title.

9 This subtitle may be cited as the "Fiscal Year 2018 Capital Project Reallocation Approval  
10 Act of 2017".

11 Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of  
12 Columbia Official Code, the Council approves the Mayor's request to reallocate \$62,442,212 in  
13 general obligation bond proceeds from District capital projects listed in Table A to the District  
14 capital projects, in the amounts specified, listed in Table B.

15 (b) The current allocations were made pursuant to the Fiscal Year 2012 Income Tax  
16 Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2011,  
17 effective December 6, 2011 (R19-315; 58 DCR 10556), the Fiscal Year 2013 Income Tax  
18 Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2012,  
19 effective October 16, 2012 (R19-635; 59 DCR 12818), the Fiscal Year 2014 Income Tax  
20 Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2013,  
21 effective November 5, 2013 (R20-321; 60 DCR 15794), the Fiscal Year 2015 Income Tax  
22 Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2014,  
23 effective November 18, 2015 (R20-687; 61 DCR 12738), and the Fiscal Year 2017 Income Tax

1 Secured Revenue Bond, General Obligation Bond and General Obligation and Income Tax  
 2 Secured Revenue Bond Anticipation Note Issuance Approval Resolution of 2016, effective  
 3 November 1, 2016 (R21-635; 63 DCR 14387).

4

TABLE A.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Department of General Services	BC4	DGS	Hill E Relocation of Government Fac. & Function	2014C G.O.	500,000
Department of General Services	PL4	DGS	Electronic Security Communications Standardization	2016A G.O.	2,000,000
Office on Aging	A05	DGS	Senior Centers	2016A G.O.	6,451
D.C. Public Library	ITM	DCPL	DCPL Information Technology Modernization	2016A G.O.	253,015
Deputy Mayor for Planning and Economic Development	AWR	DMPED	Saint Elizabeths E Campus Infrastructure	2014C G.O.	4,852,856
Deputy Mayor for Planning and Economic Development	EDP	DMPED	Economic Development Pool	2014C G.O.	51,869
Metropolitan Police Department	PEQ	MPD	Specialized Vehicles - MPD	2016A G.O.	1,758,961
Department of Corrections	CR1	DGS	General Renovations - DC Jail	2014C G.O.	1,643,027
D.C. Public Schools	JOH	DGS	Johnson Middle School Renovation/Modernization	2014C G.O.	464,841
D.C. Public Schools	JOH	DGS	Johnson Middle School Renovation/Modernization	2015A G.O.	4,320,962
D.C. Public Schools	NX3	DGS	Cardozo High School	2016A G.O.	3
Office of the State Superintendent of Education	SFF	DGS	Evans Campus	2012C I.T.	2,000,000
Department of Parks and Recreation	URA	DGS	Urban Agriculture - DPR	2014C G.O.	152,746
Department of Parks and Recreation	URA	DGS	Urban Agriculture - DPR	2016A G.O.	250,000
Department of Parks and Recreation	SQ2	DGS	Square 238 DPR Facility	2016A G.O.	500,000
Department of Parks and Recreation	WBR	DGS	Edgewood Recreation Center	2016A G.O.	11,000,000
Department of Parks and Recreation	WD3	DGS	Hearst Park Pool - Ward 3 Outdoor Pool	2016A G.O.	500,000
Department of Parks and Recreation	THP	DGS	Therapeutic Recreation Center	2016A G.O.	500,000
Department of Healthcare Finance	AP1	DHCF	Predictive Analytic System - I.T. DHCF	2016A G.O.	125,000
Department of Healthcare Finance	CM1	DHCF	Case Management System - DHCF	2016A G.O.	125,000
District Department of Transportation	CG3	DDOT	Local Roadside Improvements	2016A G.O.	5,432,000
District Department of Transportation	ED3	DDOT	Local Street Parking Studies	2014C G.O.	466,108
District Department of Transportation	ED3	DDOT	Local Street Parking Studies	2015A G.O.	500,000
District Department of Transportation	ED3	DDOT	Local Street Parking Studies	2016A G.O.	533,892
District Department of Transportation	EDS	DDOT	Great Streets Initiatives	2015A G.O.	1,331,583
District Department of Transportation	EDS	DDOT	Great Streets Initiatives	2016A G.O.	1,574,147
District Department of Transportation	PM0	DDOT	Materials Testing Lab	2015A G.O.	315,762
District Department of Transportation	PM0	DDOT	Materials Testing Lab	2016A G.O.	684,238
District Department of Transportation	PM3	DDOT	Planning and Management System	2014C G.O.	429,393
District Department of Transportation	SR0	DDOT	Streetscapes	2016A G.O.	1,000,000
District Department of Transportation	CIR	DDOT	Circulator	2015A G.O.	4,307,439
District Department of Transportation	CIR	DDOT	Circulator	2016A G.O.	1,692,561
District Department of Transportation	FLD	DDOT	Prevention of Flooding in Bloomingdale/Ledroit Park Neighborhoods	2016A G.O.	1,592,000
District Department of Transportation	TRL	DDOT	Trails	2014C G.O.	420,714
District Department of Transportation	TRL	DDOT	Trails	2015A G.O.	500,000
District Department of Transportation	TRL	DDOT	Trails	2016A G.O.	1,079,286
District Department of Transportation	TRF	DDOT	Traffic Operations Center	2015A G.O.	500,000
District Department of Transportation	CE3	DDOT	Street Restoration & Rehabilitation	2014C G.O.	664,745
District Department of Transportation	CE3	DDOT	Street Restoration & Rehabilitation	2016A G.O.	1,335,255
Department of Energy and Environment	SWM	DOEE	Stormwater Management	2016A G.O.	1,000,000
Department of Energy and Environment	SUS	DOEE	Sustainable DC Fund-2	2014C G.O.	1,157,257
Department of Behavioral Health	XA6	DBH	Avatar Upgrade	2016D G.O.	169,704
Office of the Chief Technology Officer	ZA1	OCTO	DC GIS Capital Investment	2014C G.O.	176,640
Office of the Chief Technology Officer	ZA1	OCTO	DC GIS Capital Investment	2015A G.O.	300,000
Office of the Chief Technology Officer	N31	OCTO	Data Management and Publication Platform	2015A G.O.	159,921
Office of the Chief Technology Officer	N31	OCTO	Data Management and Publication Platform	2016A G.O.	1,608,954
Office of the Chief Technology Officer	N38	OCTO	Procurement System - GO Bond	2016D G.O.	2,155,882
Office of the Chief Technology Officer	N93	OCTO	Enterprise Computing Device Management	2016A G.O.	350,000
<b>TOTAL</b>					<b>\$62,442,212</b>

5

1

TABLE B.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
District of Columbia Public Schools	YY1	DGS	DC Public Schools Modernization/Renovations	N/A	62,442,212
<b>TOTAL</b>					<b>\$62,442,212</b>

2

3

4

**SUBTITLE B. CAPITAL PROJECT REVIEW AND RECONCILIATION**

5

Sec. 8011. Short title.

6

This subtitle may be cited as the “Capital Project Review and Reconciliation Amendment

7

Act of 2017”.

8

Sec. 8012. The Capital Project Support Fund Establishment Act of 2009, effective March

9

3, 2010 (D.C. Law 18-111; D.C. Official Code § 1-325.151 *et seq.*), is amended as follows:

10

(a) Section 1261(D.C. Official Code § 1-325.151) is amended by adding new paragraphs

11

(4A) and (7A) to read as follows:

12

“(4A) “Encumbered funds” means funds that have been committed for the

13

payment of goods or services ordered but not yet received.

14

“(7A) “Pre-encumbered funds” means funds that are not legally committed but

15

are being held with the intent of entering into a contract or agreement for goods or services not

16

yet ordered.”.

17

(b) Section 1262(b) (D.C. Official Code § 1-325.152(b)) is amended by striking the

18

phrase “sections 1263a, and 1263b” and inserting the phrase “sections 1263a, 1263b, and

19

1263c” in its place.

20

(c) Section 1263b(a) (D.C. Official Code § 1-325.153b(a)) is amended to read as

21

follows:

1           “(a) If a department, office, or agency has a capital project with an unexpended balance  
2 of more than \$250,000 for which no funds have been expended, encumbered, or pre-encumbered  
3 for 2 consecutive years, the OCFO shall provide 30 days written notice to the department, office,  
4 or agency of the CFO’s intent to transfer the surplus capital funds to the Capital Project Support  
5 Fund. The CFO shall make this transfer unless the department, office, or agency to which the  
6 funds have been budgeted or allotted:

7           “(1) Certifies to the Mayor, Council, and CFO, within the 30-day notice period  
8 that it intends to use the funds to implement the capital project within 18 months of the  
9 certification; and

10           “(2) Submits a satisfactory activity report to the OCFO describing the status of the  
11 implementation within 180 days from the date of certification.”.

12           (d) A new section 1263c is added to read as follows:.

13           “Sec. 1263c. Release of encumbered or pre-encumbered funds; transfer of surplus capital  
14 funds.

15           “(a) If a department, office, or agency has a capital project with \$250,000 or less in  
16 encumbered or pre-encumbered funds that have been in an encumbered or pre-encumbered status  
17 for 2 consecutive years, the OCFO shall provide written notice to the department, office, or  
18 agency of the OCFO’s identification of such funds.

19           “(b) Within 30 days of receipt on this notice, the department, office, or agency to which  
20 the funds have been budgeted or allotted shall:

21           “(1) Notify the OCFO in writing of its intent to expend the funds and provide a  
22 spending plan for the funds; or

23           “(2) Release the funds.”.

1 (e) Section 1265 (D.C. Official Code § 1-325.155) is amended as follows:

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

3 “(2) For a capital project with a balance of more than \$250,000, no funds have  
4 been expended, encumbered, or pre-encumbered, for 2 consecutive years and the agency has not  
5 complied with the requirements of section 1263b(a)(1) and (2) after receiving a notice from the  
6 OCFO pursuant to that section.”.

7 (2) Paragraph (a)(3) is amended by striking the number “3” and inserting the  
8 number “2” in its place.

9 **SUBTITLE C. ANTI-DEFICIENCY AMENDMENT FOR CAPITAL PROJECTS**

10 Sec. 8021. Short title.

11 This subtitle may be cited as the “Anti-Deficiency Act Clarification Amendment Act of  
12 2017”.

13 Sec. 8022. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as  
14 follow:

15 (a) Section 47-355.02(8) is amended by striking the phrase “regardless of percentage,”  
16 and inserting the phrase “regardless of percentage, or, for capital projects, 5% of the project’s  
17 budget or \$ 1 million, regardless of the percentage.”.

18 (b) Section 47-355.04 is amended as follows:

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

20 (A) Strike the phrase “budget submitted to Congress” and insert the phrase  
21 “finally enacted annual budget” in its place.

22 (B) Strike the phrase “after Congressional submission” and insert the  
23 phrase “final enactment” in its place.

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



1           “(a-1) By October 20th of each year, each agency head and agency fiscal officer shall jointly  
2 submit to the Chief Financial Officer a monthly spending plan for each capital project based on the  
3 budget submitted to Congress. If a project’s budget is changed after final enactment of the budget, the  
4 agency head and agency fiscal officer shall submit a revised project spending plan to the Chief Financial  
5 Officer within one month of final approval of the project’s budget.”.

6           (3) Subsection (b) is amended by striking the phrase “approved operating budget” and  
7 inserting the phrase “approved operating budget or approved budget for a capital project” in its place.

8           (c) Section 47-355.05 is amended as follows:

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

10          “(a) The Chief Financial Officer shall submit reports to the Council and the Mayor on a  
11 quarterly basis indicating each agency's actual operating expenditures, obligations, and  
12 commitments, each by source of funds, and the expenditures for each capital project, compared  
13 to their approved spending plans. This report shall be accompanied by the CFO's observations  
14 regarding spending patterns and steps being taken to assure spending remains within the  
15 approved budget.”.

16          (2) Subsection (e)(2)(A) is amended to read as follows:

17          “(2)(A) The summary shall set forth clearly and concisely each budget category affected  
18 by the reprogramming, intra-District transfer, or other budget modification, as described in paragraph (1)  
19 of this subsection, as follows:

20                 “(i) For the operating budget, by:

21                         “(I) Agency;

22                         “(II) Object category; and

23                         “(III) Comptroller source group; and

24                 “(ii) For capital projects, by:

25                         “(I) Agency; and

1 “(II) Project and subproject.”

2  
3  
4 **SUBTITLE D. DDOT DIRECTOR LOCAL STREETS PROJECTS**

5 **CLARIFICATION**

6 Sec. 8031. Short title.

7 This subtitle may be cited as the “DDOT Director Local Streets Projects Clarification Act  
8 of 2017”.

9 Sec. 8032. Section 3(e) of the Department of Transportation Establishment Act of 2002,  
10 effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)) is amended as  
11 follows:

12 (a) Paragraph (1) of this subsection is amended by adding the phrase “or from the Master  
13 local streets projects created and recognized as such in fiscal year 2018 or later” after the phrase  
14 “established under section 102 of the Highway Trust Fund Establishment Act of 1996, effective  
15 April 9, 1997 (D.C. Law 11-184; D.C. Official Code § 9-111.01).” .

16 (b) Paragraph (2) of this subsection is amended to read as follows:

17 “The Director may submit requests to the Office of Budget and Planning of the  
18 Office of the Chief Financial Officer (“OBP”) to allocate funds for the Related Projects, as  
19 submitted annually by DDOT through the approved Transportation Improvement Program as  
20 part of the budget request for each capital project created in fiscal year 2012 or later funded from  
21 the District of Columbia Highway Trust Fund. The Director may also submit requests to allocate  
22 to the Related Projects of each Master local streets project created in fiscal year 2018 or later.  
23 The Director, following allocation of funds by OBP to Related Projects, shall have the authority  
24 to obligate and spend the funds.”

1 (c) Paragraph 3 of this subsection is amended to read as follows:

2 “(3) The Director may submit requests to OBP to re-allocate funds from any  
3 Related Project to the applicable capital project created in Fiscal Year 2012 or later funded from  
4 the District of Columbia Highway Trust Fund. The Director may also submit requests to allocate  
5 from any Related Project to the applicable capital Master local streets project created in fiscal  
6 year 2018 or later. The Director, following re-allocation of funds by OBP from a Related Project  
7 to its applicable capital project, shall have the authority to submit requests to OBP to allocate  
8 these funds to another Related Project.

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

10 “(4) The Director may request OBP to re-allocate any available fund balances in  
11 associated projects to the respective new Master local streets projects established pursuant to  
12 section 102 to align the associated projects with the Master local streets projects. This paragraph  
13 shall expire on January 31, 2018.”

#### 14 **SUBTITLE E. DC HIGHWAY TRUST FUND CLARIFICATION**

15 Sec. 8041. Short title.

16 This subtitle may be cited as the “District of Columbia Highway Trust Fund Clarification  
17 Act of 2017”.

18 Sec. 8042. The Highway Trust Fund Establishment Act of 1996, effective April 9, 1997  
19 (D.C. Law 11-184; D.C. Official Code § 9-111.01 *et. seq.*), is amended as follows:

20 (a) Section 102(d) (D.C. Official Code § 9-111.01(d)) is amended as follows:

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

22 “(2) After the requirements of section 3 of the District of Columbia Emergency Highway  
23 Relief Act, approved August 4, 1995 (109 Stat. 257; D.C. Official Code § 9-109.02) have been

1 met, the monies in the Fund may be used to comply with the local match needed for the Federal  
2 Transit Administration (FTA) formula grants.”

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

4 “(3) As of October 1, 2011, all monies in the Fund designated to be used to comply with  
5 the requirements of section 3 of the District of Columbia Emergency Highway Relief Act,  
6 approved August 4, 1995 (109 Stat. 257; D.C. Official Code § 9-109.02) shall not exceed 22% of  
7 the proposed total of the annual federal-aid highway project planned expenditures and the  
8 Federal Transit Administration grants planned expenditures.

9 (b) Section 102(e) (D.C. Official Code § 9-111.01(e)) is amended as follows:

10 (1) Paragraph (1) is amended by striking the phrase “§ 9-109.02” and inserting the phrase  
11 “subsection (d) of this section” in its place.

12 (2) Paragraph (2) is amended by adding the phrase “and the expenses referenced in  
13 subsection (d) of this section,” after the phrase “issued pursuant to section 3 of the District of  
14 Columbia Emergency Highway Relief Act, approved August 4, 1995 (109 Stat. 257; D.C.  
15 Official Code § 9-109.02).”.

16 **SUBTITLE F. REVERSE PAYGO REPROGRAMMING CLARIFICATION**

17 Sec. 8051. Short title.

18 This subtitle may be cited as the “Reverse Paygo Reprogramming Clarification Act of  
19 2017.”

20 Sec. 8052. Chapter 3 of Title 47 of the District of Columbia Code is amended as follows:

21 (1) Section 47-361 is amended as follows:

22 (a) A new subsection (15) is added to read as follows:

1                   “(15) “Reverse Paygo” means the movement of authorized Paygo capital budget  
2 back to the operating budget.

3                   **TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND**  
4 **AMENDMENTS AND TRANSFERS**

5                   **SUBTITLE A. DESIGNATED FUND TRANSFERS**

6                   Sec. 9011. Short title.

7                   This subtitle may be cited as the “Designated Fund Transfer Act of 2017”.

8                   Sec. 9012. Notwithstanding any provision of law limiting the use of funds in the accounts  
9 listed in the following chart, the Chief Financial Officer shall transfer the identified amounts  
10 from certified fund balances in those accounts to the General Fund as described below:

- 11                   (a) \$13,000,000 shall be made available in fiscal year 2017;
- 12                   (b) \$35,777,018 shall be made available in fiscal year 2018;
- 13                   (c) \$28,160,508 million shall be made available in fiscal year 2019;

## Fund Balance - Overview

Code	Agency	Fund Name	Proposed Sweep
<b>Fixed Cost Commodity Reserve:</b>			
		Commodities Cost Reserve Fund	5,000,000
		<b>Total</b>	<b>5,000,000</b>
<b>Dedicated Taxes:</b>			
HT0	DHCF	Healthy DC Fund	11,589,623
		<b>Total</b>	<b>11,589,623</b>
<b>Other Special Purposes:</b>			
AT0	OCFO	Recorder of Deeds Surcharge	920,173
CB0	OAG	Litigation Support	617,179
CR0	DCRA	Real Estate Appraisal	1,578,354
CR0	DCRA	OPLA - Special Account	288,657
CR0	DCRA	Board of Engineers Fund	643,180
CR0	DCRA	Green Building Fund	218,771
CR0	DCRA	Corporate Recordation Fund	1,572,054
CR0	DCRA	Vending Regulations Fund	149,674
DB0	DHCD	Unified Fund	765,545
EB0	DMPED	Industrial Revenue Bond Program	1,893,807
EB0	DMPED	AWC & NCRC Development (Ed Special Acct)	1,106,193
GD0	OSSE	Student Residency Verification Fund	300,000
HC0	DOH	SHPDA Fees	192,000
JA0	DHS	SSI Payback	500,000
KA0	DDOT	DDOT Enterprise Fund-Non Tax Revenues	825,298
KE0	WMATA	WMATA Operations Fund	48,777,018
		<b>Total</b>	<b>60,347,903</b>
<b>1</b>	<b>TOTAL</b>		<b>76,937,526</b>

2           Sec. 9044. Applicability date.

3           This subtitle shall apply as of September 30, 2017.

### 4           **TITLE X. FISCAL IMPACT AND EFFECTIVE DATE**

5           Sec. 1001. Fiscal impact statement.

6           The Council adopts the fiscal impact statement of the Chief Financial Officer 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. 1002. Effective date.

1           This act shall take effect following approval by the Mayor (or in the event of veto by the  
2 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
3 provided in 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973  
4 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia  
5 Register.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL  
KARL A. RACINE

Legal Counsel Division

**MEMORANDUM**

**TO:** Lolita S. Alston  
Director  
Office of Legislative Support

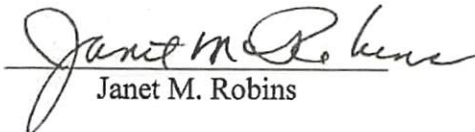
**FROM:** Janet M. Robins  
Deputy Attorney General  
Legal Counsel Division

**DATE:** April 4, 2017

**SUBJECT:** Legal Sufficiency Review of Proposed Bill, the "Fiscal Year 2018 Budget Support Act of 2017"  
(AE-17-202 A through 000)

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**This is to Certify that** this Office has reviewed the above-referenced legislation and has found it to be legally sufficient. If you have any questions regarding this certification, please do not hesitate to contact me at 724-5524.

  
Janet M. Robins

JMR/jmr