

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To enact and amend, on an emergency basis, due to congressional review, provisions of law necessary to support the Fiscal Year 2019 budget.

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BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2019 Budget Support Congressional Review Emergency Act of 2018”.

**TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

**SUBTITLE A. FAIR ELECTIONS IMPLEMENTATION**

Sec. 1001. Short title.

This subtitle may be cited as the “Fair Elections Implementation Congressional Review Emergency Amendment Act of 2018”.

Sec. 1002. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

(a) Section 101(22A) (D.C. Official Code § 1-1161.01(22A)) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase “per calendar year” and inserting the phrase “per election cycle” in its place.

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

(A) Sub-subparagraph (i) is amended by striking the phrase “per calendar year” and inserting the phrase “per election cycle” in its place.

(B) Sub-subparagraph (ii) is amended by striking the phrase “per calendar year” and inserting the phrase “per election cycle” in its place.

(b) Section 310a (D.C. Official Code § 1-1163.10a) is amended as follows:

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

(2) The newly designated subsection (a) is amended by striking the phrase “Except as provided in section 332h, within” and inserting the word “Within” in its place.

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

“(b) This section shall not apply to subtitle C-i.”

(c) Section 332b(c) (D.C. Official Code § 1-1163.32b(c)) is amended by striking the phrase “per seat per covered office” and inserting the phrase “per candidate” in its place.

(d) Section 332f (D.C. Official Code § 1-1163.32f) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “each election cycle” and inserting the phrase “each election cycle, excluding election cycles for special elections,” in its place.

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

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

“(ii) The election is an uncontested election, subtracts the total amount of the expended contributions, up to the base amount to which the participating candidate would have been eligible under section 332d if the election were a contested election, from the matching payments to which the candidate would be eligible under section 332e.”

(B) Paragraph (2) is amended by striking the phrase “to which the candidate would be eligible under section 332d” and inserting the phrase “to which a candidate for the seat for that covered office would be eligible under section 332d if the election were a contested election” in its place.

(e) Section 332i(e)(1) (D.C. Official Code § 1-1163.32i(e)(1)) is amended as follows:

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

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

(3) Subparagraph (C) is repealed.

(4) Subparagraph (D) is repealed.

(f) Section 332j (D.C. Official Code § 1-1163.32j) is amended as follows:

(1) The section heading is amended by striking the phrase “by the Director of Campaign Finance.” and inserting a period in its place.

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

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

“(b) No later than December 31, 2021, the District of Columbia Auditor shall prepare and submit to the Mayor and Council a report on the Fair Elections Program’s operations during the election cycle beginning on November 7, 2018, and ending on November 3, 2020. The report shall include:

“(1) An evaluation of the extent to which the Fair Elections Program and participating candidates met the requirements of the Fair Elections Amendment Act of 2018, effective May 5, 2018 (D.C. Law 22-94; 65 DCR 2847);

“(2) A financial audit of the Fair Elections Program; and

“(3) Recommendations for improving the Fair Elections Program.”.

(g) Section 332k (D.C. Official Code § 1-1163.32k) is repealed.

Sec. 1003. Section 3 of the Fair Elections Amendment Act of 2018, effective May 5, 2018 (D.C. Law 22-94; 65 DCR 2847), is amended to read as follows:

“Sec. 3. Applicability.

“This act shall apply as of November 7, 2018.”.

## **SUBTITLE B. CONTINUATION OF CERTAIN PPRA EXEMPTIONS**

Sec. 1011. Short title.

This subtitle may be cited as the “Procurement Practices Reform Exemption Congressional Review Emergency Amendment Act of 2018”.

Sec. 1012. Section 3 of the Procurement Practices Reform Exemption Amendment Act of 2014, effective March 14, 2014 (D.C. Law 20-94; 61 DCR 963), is amended by striking the phrase “at the end of fiscal year 2018” and inserting the phrase “on September 30, 2023” in its place.



**SUBTITLE C. PROJECT LABOR AGREEMENT PROCUREMENT FUNDING**

Sec. 1021. Short title.

This subtitle may be cited as the “Project Labor Agreements in Construction Procurement Congressional Review Emergency Amendment Act of 2018”.

Sec. 1022. Section 47-339.01(a) of the District of Columbia Official Code is amended by adding a new paragraph (3) to read follows:

“(3)(A) For a capital project meeting the requirements of § 2-356.06(a)(3), the estimated fully funded cost information provided pursuant to paragraph (1)(C) of this subsection shall account for the cost of compliance with the requirements of § 2-356.06 in an amount equal to 10% of the total estimated cost of the project or some other amount determined to be sufficient by the Mayor.

“(B) This paragraph shall apply to capital projects for which construction costs will be incurred beginning in or after Fiscal Year 2020.”

Sec. 1023. Section 606 of the Procurement Practices Reform Act of 2010, effective October 8, 2016 (D.C. Law 21-158; D.C. Official Code § 2-356.06), is amended as follows:

(a) Subsection (a)(3) is amended by striking the phrase “total cost, not including ongoing” and inserting the phrase “total construction costs, not including planning or ongoing” in its place.

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

“(d) This section shall not apply to a capital project that includes multiple public betterments or improvements pursuant to D.C. Official Code § 47-339.01(a)(2)(A); provided, that it shall apply to any public betterment or improvement that independently meets the requirements of subsection (a) of this section.”

Sec. 1024. Section 5 of the Procurement Integrity, Transparency, and Accountability Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-158; 63 DCR 10752), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “Amendatory sections 205(c)(3) and 606 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), within section 3(e) and (m), respectively, each” and inserting the phrase “Amendatory section 205(c)(3) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), within section 3(e)” in its place.

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

(1) Strike the phrase “fiscal effect for each provision specified in subsection (a) of this section” and insert the phrase “fiscal effect” in its place.

(2) Strike the phrase “each certification” and insert the phrase “the certification”

in its place.

(c) Subsection (c) is amended by striking the phrase “of each certification” both times it appears and inserting the phrase “of the certification” in its place.

**SUBTITLE D. OTHER POST-EMPLOYMENT BENEFITS FUND**

Sec. 1031. Short title.

This subtitle may be cited as the “Other Post-Employment Benefits Fund Administrative Costs Congressional Review Emergency Amendment Act of 2018”.

Sec. 1032. Beginning in Fiscal Year 2019, the Chief Financial Officer shall assign an individual agency-level code for Other Post-Employment Benefits Trust Administration in the District’s financial system. The agency-level code shall be used to track the operating budget for the administrative expenses of the District’s Other Post-Employment Benefits Fund for purposes of section 2109(d-3) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-621.09(d-3)).

Sec. 1033. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

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

(1) Subsection (c) is amended by striking the phrase “other fund of the District.” and inserting the phrase “other fund of the District and, subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.” in its place.

(2) A new subsection (d-3) is added to read as follows:

“(d-3) All expenses incurred by the Chief Financial Officer in administering the Fund, including hiring staff for the Office of the Chief Financial Officer, shall be paid out of the Fund, subject to appropriation. The budget prepared and submitted by the Mayor pursuant to section 442 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42), shall include recommended expenditures at a reasonable level for the forthcoming fiscal year for the administrative expenses of the Fund. The budget enacted pursuant to section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.46), may designate the portion of the Fund to be allocated for the administrative expenses of the Fund; provided, that it shall not specify the specific manner in which, or the specific purposes for which, the Chief Financial Officer may expend such portion of the Fund.”.

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

(1) Subsection (a)(1) is amended by striking the phrase “enrolled actuary,” and inserting the phrase “enrolled actuary, to be paid for out of the Fund,” in its place.

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

(3) Subsection (c)(1) is amended by striking the phrase “shall engage and pay for an enrolled actuary” and inserting the phrase “shall engage an enrolled actuary” in its place.

(c) Section 2109d(2) (D.C. Official Code § 1-621.09d(2)) is amended by striking the phrase “Rebid its contract with an enrolled actuary” and inserting the phrase “Rebid the contract for the enrolled actuary” in its place.

(d) Section 2109e (D.C. Official Code § 1-621.09e) is amended by striking the phrase “auditing standards.” and inserting the phrase “auditing standards. The annual audit of the Fund shall be conducted by a contracted auditor as part of the Comprehensive Annual Financial Report. The cost of the financial statement preparation shall be paid for out of the Fund.” in its place.

(e) Section 2116 (D.C. Official Code § 1-621.16) is repealed.

(f) Section 2153(a)(1)(F) (D.C. Official Code § 1-621.53(a)(1)(F)) is amended by striking the phrase “Selection of other” and inserting the phrase “Review the selection of other” in its place.

#### **SUBTITLE E. STREET HARASSMENT PREVENTION**

Sec. 1041. Short title.

This subtitle may be cited as the “Street Harassment Prevention Congressional Review Emergency Act of 2018”.

Sec. 1042. Definitions.

For the purposes of this subtitle, the term:

(1) “ACSH” means the Advisory Committee on Street Harassment established by section 1043.

(2) “High-risk area” means:

(A) The enclosed area within any Metrorail car, Metrobus, MetroAccess vehicle, DC Circulator bus, DC Streetcar, or any other commercial vehicle capable of carrying more than 6 passengers;

(B) The area within 25 feet of any Metrorail station, Metrobus stop, DC Circulator stop, DC streetcar stop, or a location designated for the loading and unloading of a commercial vehicle capable of carrying more than 6 passengers;

(C) The enclosed area within any private vehicle-for-hire, as that term is defined in section 4(16A) of the Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1985 (D.C. Law 6-97; D.C. Official Code § 50-301.03(16A)), or public vehicle-for-hire, as that term is defined in section 4(17) of the Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1985 (D.C. Law 6-97; D.C. Official Code § 50-301.03(17));

(D) A food service entity, as that term is defined in section 401(4) of the Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531(4)), hotel, as that term is defined in D.C. Official Code § 25-101(25), nightclub, as that term is defined in D.C. Official Code § 25-101(33), tavern, as that term is defined in D.C. Official Code § 25-101(52), and any other establishment that serves food or alcohol;

(E) Any school, library, or other building primarily used for the instruction of students, including a day care center, nursery, elementary school, secondary school, college, and university;

(F) Any bank, health care facility, laundromat, retail store, shopping mall, sports arena, music venue, and theater;

(G) All the publicly owned property between property lines shown on the records of the District, including any roadway, sidewalk, or parking between such property lines; and

(H) All buildings or land that are owned, leased, or occupied by the District government.

(3) “OHR” means the Office of Human Rights established by section 202 of the Office of Human Rights Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1411.01).

(4) “Street harassment” means disrespectful, offensive, or threatening statements, gestures, or other conduct directed at an individual in a high-risk area without the individual’s consent and based on the individual’s actual or perceived ethnicity or housing status, or a protected trait identified in the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*).

Sec. 1043. Advisory Committee on Street Harassment.

(a) There is established an Advisory Committee on Street Harassment, which shall be composed of 17 members as follows:

(1) The Director of OHR, or the Director’s designee;

(2) The Director of the Office of Victim Services and Justice Grants, or the Director’s designee;

(3) The Director of the Mayor’s Office of Lesbian, Gay, Bisexual, Transgender and Questioning Affairs, or the Director’s designee;

(4) The Director of the District Department of Transportation, or the Director’s designee;

(5) The Chief of the Metropolitan Police Department, or the Chief’s designee;

(6) The Chairman of the Council, or the Chairman’s designee;

(7) The General Manager of the Washington Metropolitan Area Transit Authority, or the General Manager’s designee;

(8) The Director of the Alcoholic Beverage Regulation Administration, or the Director's designee; and

(9) Nine community representatives, appointed by the Mayor pursuant to section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), who are District residents or members of organizations that engage in policy, advocacy, or direct service within the District related to:

- (A) Street harassment;
- (B) Gender-based violence;
- (C) Gender equity;
- (D) LGBTQ rights;
- (E) Racial equity;
- (F) Religious tolerance;
- (G) Poverty or homelessness; or
- (H) Immigrant rights.

(b) The Director of OHR, or the Director's designee, shall serve as the ACSH's chairperson.

(c) One community representative shall be selected by a majority vote of the community representatives of the ACSH to serve as vice-chairperson.

(d) The ACSH shall meet at least on a quarterly basis, at times to be determined by the chairperson at the ACSH's first meeting.

(e) Meetings of the ACSH shall be subject to the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*).

#### Sec. 1044. Survey.

No later than April 1, 2019, OHR, in consultation with the ACSH, shall conduct a survey regarding the incidence of street harassment in the District. The specific data elements to be collected in the study shall be determined by the ACSH.

#### Sec. 1045. Street harassment prevention report; model policies; public information campaign.

(a) No later than September 30, 2019, the ACSH shall submit a report to the Mayor and Council that:

(1) Identifies categories of District employees and District residents most at risk of street harassment;

(2) Proposes model policies and training materials to be adopted by District agencies for preventing and responding to street harassment, including model policies and training materials for public-facing employees;

(3) Proposes strategies to improve public awareness and understanding of street harassment;

(4) Discusses the need, if any, for a process by which victims and witnesses of street harassment can report instances of street harassment to District agencies; and

(5) Summarizes any actions taken by the ACSH after the effective date of this subtitle.

(b) No later than April 1, 2020, all District agencies shall:

(1) Implement the model policies developed pursuant to subsection (a) of this section; and

(2) Integrate training materials developed pursuant to subsection (a) of this section into the training of District employees.

(c) OHR shall:

(1) Monitor District agencies' implementation of the model policies developed pursuant to subsection (a) of this section; and

(2) No later than September 30, 2019, conduct a public information campaign about street harassment and resources available in the District for victims of street harassment.

**Sec. 1046. Implementation report.**

No later than September 30, 2020, the ACSH shall submit a report to the Mayor and Council that:

(1) Summarizes the work of the ACSH after the effective date of this subtitle;  
(2) Discusses District agencies' implementation of model policies developed pursuant to section 1045(a); and

(3) Summarizes elements of OHR's public information campaign, required by section 1045(c)(2).

**Sec. 1047.** Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended by adding a new paragraph (64) to read as follows:

“(64) The Advisory Committee on Street Harassment, established by section 1043 of the Street Harassment Prevention Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_).”.

**Sec. 1048. Sunset.**

This subtitle shall expire on October 1, 2020.

## **SUBTITLE F. VOTER REGISTRATION AGENCY**

**Sec. 1051. Short title.**

This subtitle may be cited as the “Voter Registration Agency Congressional Review Emergency Amendment Act of 2018”.

Sec. 1052. Section 7(d) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 700; D.C. Official Code § 1-1001.07(d)), is amended as follows:

(a) Paragraph (1)(B) is amended by striking the phrase “and the Office of Aging shall be designated as voter registration agencies” and inserting the phrase “the Office on Aging, the District of Columbia Public Library, and the District of Columbia Public Schools shall be designated as voter registration agencies; provided, that access to voter registration services at District of Columbia Public Schools shall be restricted to District of Columbia Public Schools students and employees” in its place.

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

“(15) The Board shall transmit an annual report to the Mayor and Council providing the number of voter registration applications received and the number of voter registration applications approved at each voter registration agency.”.

**SUBTITLE G. ADVISORY NEIGHBORHOOD COMMISSIONS TRAVEL REIMBURSEMENT CLARIFICATION**

Sec. 1061. Short title.

This subtitle may be cited as the “Advisory Neighborhood Commissions Travel Reimbursement Clarification Congressional Review Emergency Amendment Act of 2018”.

Sec. 1062. Section 16(l-1) of the Advisory Neighborhood Councils Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.13(l-1)), is amended by adding a new paragraph (4) to read as follows:

“(4) Notwithstanding this subsection, the OANC may approve Commission reimbursements to Commissioners for local transportation expenses, other than qualifying travel expenses, pursuant to subsection (l)(1) of this section.”.

**SUBTITLE H. OFFICE OF ADMINISTRATIVE HEARINGS JURISDICTION CLARIFICATION**

Sec. 1071. Short title.

This subtitle may be cited as the “Office of Administrative Hearings Jurisdiction Clarification Congressional Review Emergency Amendment Act of 2018”.

Sec. 1072. The Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Official Code § 2-1831.01) is amended as follows:

(1) Paragraph (5) is amended by striking the phrase ““Commission”” and inserting the phrase ““COST”” in its place.

(2) Paragraph (8) is amended by striking the phrase “the Commission” and inserting the phrase “COST” in its place.

(b) Section 6 (D.C. Official Code § 2-1831.03) is amended as follows:

(1) The lead-in language of subsection (c) is amended to read as follows:

“(c) Any agency, board, or commission not referenced in this section may:”.

(2) Subsection (h) is amended by striking the phrase “covered in subsections (a), (b), (b-1), (b-2), or (b-3) of” and inserting the phrase “referenced in” in its place.

(c) Section 8(b)(6) (D.C. Official Code § 2-1831.05(b)(6)) is amended by striking the phrase “the Commission” and inserting the phrase “COST” in its place.

(d) Section 9 (D.C. Official Code § 2-1831.06) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “The Commission’s” and inserting the phrase “COST’s” in its place.

(2) Subsection (b) is amended by striking the phrase “The Commission” and inserting the phrase “COST” in its place.

(3) Subsection (c) is amended by striking the phrase “the Commission” both times it appears and inserting the phrase “COST” in its place.

(4) Subsection (d) is amended by striking the word “Commission” and inserting the phrase “COST” in its place.

(e) Section 10 (D.C. Official Code § 2-1831.07) is amended as follows:

(1) The section heading is amended by striking the word “Commission” and inserting the phrase “COST” in its place.

(2) Strike the phrase “the Commission” wherever it appears and insert the phrase “COST” in its place.

(3) Subsection (a) is amended by striking the phrase “The Commission” and inserting the phrase “COST” in its place.

(4) Subsection (b) is amended by striking the phrase “the Commission’s” and inserting the phrase “COST’s” in its place.

(f) Section 11 (D.C. Official Code § 2-1831.08) is amended by striking the phrase “the Commission” wherever it appears and inserting the phrase “COST” in its place.

(g) Section 13 (D.C. Official Code § 2-1831.10) is amended by striking the phrase “the Commission” wherever it appears and inserting the phrase “COST” in its place.

(h) Section 14(b) (D.C. Official Code § 2-1831.11(b)) is amended as follows:

(1) Strike the phrase “the Commission” both times it appears and insert the phrase “COST” in its place.

(2) Strike the phrase “The Commission” and insert the phrase “COST” in its place.



**SUBTITLE I. BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**

Sec. 1081. Short title.

This subtitle may be cited as the “Board of Ethics and Government Accountability Congressional Review Emergency Amendment Act of 2018”.

Sec. 1082. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 301 (D.C. Official Code § 1-603.01) is amended as follows:

(1) Paragraph (13) is amended by striking the phrase “Board of Elections and Ethics” and inserting the phrase “Board of Elections, Board of Ethics and Government Accountability” in its place.

(2) Paragraph (14A)(I) is amended by striking the phrase “Ethics Board” and inserting the phrase “Board of Ethics and Government Accountability” in its place.

(b) Section 404(g) (D.C. Official Code § 1-604.04(g)) is amended by striking the phrase “Board of Elections and Ethics” and inserting the phrase “Board of Elections” in its place.

(c) Section 406(b) (D.C. Official Code § 1-604.06(b)) is amended by adding a new paragraph (4A) to read as follows:

“(4A) For employees of the Board of Ethics and Government Accountability, the personnel authority is the Board of Ethics and Government Accountability.”.

(d) Section 908(3) (D.C. Official Code § 1-609.08(3)) is amended by striking the phrase “Board of Elections and Ethics” and inserting the phrase “Board of Elections” in its place.

(e) Section 1108(c)(5) (D.C. Official Code § 1-611.08(c)(5)) is amended by striking the phrase “District of Columbia Board” and inserting the word “Board” in its place.

(f) Section 1801(a-2)(2) (D.C. Official Code § 1-618.01(a-2)(2)) is amended by striking the phrase “District of Columbia Board” both times it appears and inserting the word “Board” in its place.

Sec. 1083. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 1-1161.01) is amended as follows:

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

“(1) “Administrative decision” means any activity directly related to action by an executive agency or official in the executive branch to:

“(A) Make any contract, grant, reprogramming, or procurement of goods or services;

“(B) Issue a Mayor’s order;

“(C) Cause to be undertaken a rulemaking proceeding (which does not include a formal public hearing) under the Administrative Procedure Act; or

“(D) Propose legislation or make nominations to the Council, the President, or Congress.”.

(2) Paragraph (3A) is redesignated as paragraph (3B).

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

“(3A) “Board” means the Board of Ethics and Government Accountability established by section 202.”.

(4) A new paragraph (13A) is added to read as follows:

“(13A) “Director of Open Government” means the Director of Open Government created by section 206.”.

(5) Paragraph (19) is repealed.

(6) Paragraph (21)(B) is amended by striking the phrase “Ethics Board” and inserting the phrase “the Board of Ethics and Government Accountability” in its place.

(7) Paragraph (31) is amended by striking the phrase “any legislation in the Council.” and inserting the phrase “any legislation in the Council, including measures that review or consider any contract, grant, reprogramming, or procurement decision.” in its place.

(8) Paragraph (39) is repealed.

(9) Paragraph (47)(I) is amended by striking the phrase “Ethics Board” and inserting the phrase “Board of Ethics and Government Accountability” in its place.

(b) Section 202 (D.C. Official Code § 1-1162.02) is amended as follows:

(1) The section heading is amended by striking the phrase “District of Columbia Board” and inserting the word “Board” in its place.

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

(A) The lead-in language is amended by striking the phrase “established a District of Columbia Board of Ethics and Government Accountability” and inserting the phrase “established, as an independent agency of the District government, a Board of Ethics and Government Accountability” in its place.

(B) Paragraph (2) is amended by striking the phrase “Director of the Open Government Office” and inserting the phrase “Director of Open Government” in its place.

(C) Paragraph (3) is amended by striking the phrase “Director of the Ethics Board;” and inserting the phrase “Director of Government Ethics;” in its place.

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

“(b) By December 31 of each year, the Board shall submit a report to the Mayor and Council with recommendations on improving the District’s government ethics and open government and transparency laws, including:

“(1) An assessment of ethical guidelines and requirements for employees and public officials;

“(2) A review of national and state best practices in open government and transparency; and

“(3) Amendments to the Code of Conduct, the Open Meetings Act, and the Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*)”.

(c) Section 203 (D.C. Official Code § 1-1162.03) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

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

(A) Paragraph (1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(B) Paragraph (2) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(3) Subsection (c) is amended by striking the phrase “Chairperson of the Ethics Board” and inserting the phrase “Board’s Chairperson” in its place.

(4) Subsection (d) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

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

“(g)(1) When appointing and confirming a member of the Board, the Mayor and Council shall consider whether the individual:

“(A) Possesses demonstrated integrity, independence, and public credibility; and

“(B) Has particular knowledge, training, or experience in government ethics or in open government and transparency.

“(2) At least one member of the Board shall have particular experience in open government and transparency.”.

(6) Subsection (h) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(7) Subsection (i) is amended as follows:

(A) The lead-in language is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(B) Paragraph (5) is amended by striking the phrase “Ethics Board’s” and inserting the word “Board’s” in its place.

(C) Paragraph (6) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(8) Subsection (j) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(d) Section 204 (D.C. Official Code § 1-1162.04) is amended as follows:

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(1) Subsection (a) is amended by striking the phrase “Ethics Board” wherever it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(e) Section 205 (D.C. Official Code § 1-1162.05) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(f) New sections 205a, 205b, and 205c are added to read as follows:

“Sec. 205a. Establishment of the Office of Government Ethics.

“There is established within the Board an Office of Government Ethics. The Office of Government Ethics shall be headed by the Director of Government Ethics, who shall report directly to the Board.

“Sec. 205b. Establishment of the Office of Open Government.

“There is established within the Board an Office of Open Government to promote open governance in the District. The Office of Open Government shall be headed by the Director of Open Government, who shall report directly to the Board.

“Sec. 205c. Director of Open Government.

“(a) The Director of Open Government shall:

“(1) Issue advisory opinions pursuant to section 409(g) of the Open Meetings Act;

“(2) Provide training related to the Open Meetings Act pursuant to section 410 of the Open Meetings Act; and

“(3) Pursuant to Title I of the Administrative Procedure Act, issue rules to implement the provisions of the Open Meetings Act.

“(b) The Office of Open Government may bring suit to enforce the Open Meetings Act pursuant to section 409 of the Open Meetings Act.

“(c)(1) If an advisory opinion regarding the Open Meetings Act is issued by the Director of Open Government pursuant to a request for an advisory opinion, the requesting employee or public official may appeal the opinion for consideration by the Board.

“(2) If the Director of Open Government issues an advisory opinion regarding the Open Meetings Act on his or her own initiative, any person aggrieved by the opinion may appeal the opinion for consideration by the Board.

“(d) The Office of Open Government may issue advisory opinions on the implementation of the Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).”.

(g) Section 206 (D.C. Official Code § 1-1162.06) is amended as follows:

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

“(a)(1) The Board shall select, employ, and fix the compensation for a Director of Government Ethics, a Director of Open Government, and such staff as the Board considers necessary, subject to the pay limitations of section 1117 of the Merit Personnel Act. The Director of Government Ethics and the Director of Open Government shall serve at the pleasure of the Board.

“(2) Notwithstanding any other law, an employee assigned to:

“(A) The Office of Government Ethics shall be under the Director of Government Ethics’ direction and control and may not be transferred to the Office of Open Government without the concurrence of the Director of Government Ethics; and

“(B) The Office of Open Government shall be under the Director of Open Government’s direction and control and may not be transferred to the Office of Government Ethics without the concurrence of the Director of Open Government.”.

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

“(b) The Director of Government Ethics and the Director of Open Government shall be District residents throughout their term and failure to maintain District residency shall result in forfeiture of the position.”.

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

(A) Strike the phrase “the Ethics Board” both times it appears and insert the phrase “the Board” in its place.

(B) Strike the phrase “an Ethics Board” and insert the phrase “a Board” in its place.

(h) Section 207 (D.C. Official Code § 1-1162.07) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(i) Section 208 (D.C. Official Code § 1-1162.08) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Two members of the Ethics Board” and inserting the phrase “A majority of the sitting members of the Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(j) Section 209 (D.C. Official Code § 1-1162.09) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

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

(A) Paragraph (1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(B) Paragraph (2) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(k) Section 210 (D.C. Official Code § 1-1162.10) is amended to read as follows:

“Sec. 210. Ethics Fund.

“(a) There is established as a special fund the Ethics Fund (“Fund”), which shall be administered by the Board in accordance with this section.

“(b) Revenue from all fines collected under section 221 and Subtitle E of Title II shall be deposited into the Fund.

“(c) Money in the Fund shall be used for the operations and personnel of the Office of Government Ethics.

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

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

(l) A new section 210a is added to read as follows:

“Sec. 210a. Open Government Fund.

“(a) There is established as a special fund the Open Government Fund (“Fund”), which shall be administered by the Board in accordance with this section.

“(b) Revenue from all fines collected pursuant to section 409 of the Open Meetings Act shall be deposited in the Fund.

“(c) Money in the Fund shall be used for the operations and personnel of the Office of Open Government.

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

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

(m) Section 211 (D.C. Official Code § 1-1162.11) is amended as follows:

(1) The lead-in language is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

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

(A) Strike the phrase “Ethics Board’s” and insert the word “Board’s” in its place.

(B) Strike the phrase “Ethics Board” and insert the word “Board” in its place.

(n) Section 212 (D.C. Official Code § 1-1162.12) is amended as follows:

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

(A) The lead-in language is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(B) Paragraph (3) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(3) Subsection (c) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(4) Subsection (d) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(o) Section 213 (D.C. Official Code § 1-1162.13) is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (e) is amended by striking the phrase “Ethics Board” wherever it appears and inserting the word “Board” in its place.

(p) Section 214(a) (D.C. Official Code § 1-1162.14(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Paragraph (2) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(q) Section 215 (D.C. Official Code § 1-1162.15) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(r) Section 216 (D.C. Official Code § 1-1162.16) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(s) Section 217 (D.C. Official Code § 1-1162.17) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(t) Section 218 (D.C. Official Code § 1-1162.18) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(u) Section 219 (D.C. Official Code § 1-1162.19) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (a-1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

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

(A) Paragraph (1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(B) Paragraph (2) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(v) Section 220(a) (D.C. Official Code § 1-1162.20(a)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Paragraph (3) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(3) Paragraph (4) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(w) Section 221 (D.C. Official Code § 1-1162.21) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(B) Paragraph (2) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(C) Paragraph (3) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

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

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

(I) Sub-subparagraph (ii) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(II) Sub-subparagraph (iv) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(III) Sub-subparagraph (v) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

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

(E) Paragraph (5) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

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

(I) Strike the phrase “Ethics Board” both times it appears and insert the word “Board” in its place.

(II) Strike the phrase “Ethics Board’s” and insert the word “Board’s” in its place.

(2) Subsection (b)(2)(B) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.



(3) Subsection (d) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(x) Section 222 (D.C. Official Code § 1-1162.22) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(y) Section 223 (D.C. Official Code § 1-1162.23) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(B) Paragraph (3) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

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

(A) Paragraph (1)(B) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(B) Paragraph (2)(C) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(z) Section 224 (D.C. Official Code § 1-1162.24) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(B) Paragraph (2) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(3) Subsection (c-1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(4) Subsection (d) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(5) Subsection (e) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(6) Subsection (g) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(7) Subsection (i) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(aa) Section 225 (D.C. Official Code § 1-1162.25) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (c) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(bb) Section 227(c) (D.C. Official Code § 1-1162.27(c)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Paragraph (2) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(cc) Section 229(c) (D.C. Official Code § 1-1162.29(c)) is amended by striking the phrase “Ethics Board’s” and inserting the word “Board’s” in its place.

(dd) Section 230 (D.C. Official Code § 1-1162.30) is amended as follows:

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

(A) The lead-in language is amended by striking the phrase “Each registrant shall file with the Director of Government Ethics between the 1st and 10th day of July and January of each year a report signed under oath concerning the registrant’s lobbying activities during the previous 6-month period.” and inserting the phrase “Each registrant shall file with the Director of Government Ethics between the 1st and 15th day of January, April, July, and October of each year a report signed under oath concerning the registrant’s lobbying activities during the previous quarter.” in its place.

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

“(5) The name, position, and agency or office of each official in the executive or legislative branch and member of the official’s staff with whom the registrant has had written or oral communications during the reporting period related to lobbying activities conducted by the registrant;”.

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

“(5A) A precise description of the subject matter, including the title of any bill, proposed resolution, contract, reprogramming, or other legislation, of all written or oral communications related to lobbying activities conducted by the registrant with any official in the executive or legislative branch or member of the official’s staff during the reporting period;”.

(D) Paragraph (7) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

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

“(d) The Board shall make the information reported under this section available to the public on its website and sortable by various fields, including by:

“(1) Reporting period;

“(2) Registrant name;

“(3) Name of each person who lobbies on the registrant’s behalf;

“(4) Name of each official lobbied;

“(5) The agency or office of each official lobbied;

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“(6) The subject of the communications (such as a specific administrative decision, bill, proposed resolution, contract, reprogramming, or other legislative action); and

“(7) A listing of each political expenditure, loan, gift, honorarium, or contribution of \$50 or more required to be reported by subsection (a)(3) of this section.”.

(ee) Section 232 (D.C. Official Code § 1-1162.32) is amended as follows:

(1) Subsection (c) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (d) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(ff) Section 601 (D.C. Official Code § 1-1164.01) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

Sec. 1084. The District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-501 *et seq.*), is amended as follows:

(a) Section 208 (D.C. Official Code § 2-538) is amended by adding a new subsection (e) to read as follows:

“(e) A public body may seek an advisory opinion from the Office of Open Government regarding compliance with this title.”.

(b) Section 404(2) (D.C. Official Code § 2-574(2)) is amended to read as follows:

“(2) “Office of Open Government” means the Office of Open Government established by section 205b of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_).”.

(c) Section 409 (D.C. Official Code § 2-579) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Open Government Office” and inserting the phrase “Office of Open Government” in its place.

(2) Subsection (g) is amended by striking the phrase “Open Government Office” and inserting the phrase “Office of Open Government” in its place.

(d) Section 410 (D.C. Official Code § 2-580) is amended by striking the phrase “The Office of Boards and Commissions, established December 19, 2001 (Mayor’s Order 2001-189), in coordination with the Open Government Office, shall” and inserting the phrase “The Mayor, in coordination with the Office of Open Government, shall” in its place.

(e) Title V (D.C. Official Code § 2-591 *et seq.*) is repealed.

Sec. 1085. Section 2(1) of the Prohibition on Government Employee Engagement in Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-335; D.C. Official Code §

1-1171.01(1)), is amended by striking the phrase “District of Columbia Board” and inserting the word “Board” in its place.

Sec. 1086. Applicability.

(a) Section 1083(i)(1) shall apply as of September 29, 2018.

(b) Amendatory section 230(a)(5) and (5A) contained within section 1083(dd)(1)(B) and (C) shall apply as of January 1, 2019.

**SUBTITLE J. USE OF PUBLIC SCHOOL BUILDING BY CIVIC ASSOCIATION**

Sec. 1091. Short title.

This subtitle may be cited as the “Use of a Public School Building by a Civic Association Congressional Review Emergency Act of 2018”.

Sec. 1092. Use of a public school building by a civic association.

(a) Notwithstanding any other provision of law, a civic association may enter into a use agreement to use a District of Columbia Public Schools school building for a regularly scheduled meeting at no charge; provided, that:

(1) The use of the school building does not impose a cost on the District, except for the costs of custodial and security services; and

(2) A civic association shall not enter into a use agreement to use a District of Columbia Public Schools school building for more than 12 regularly scheduled meetings in a calendar year.

(b) The Department of General Services shall reimburse a civic association for the costs of obtaining the liability insurance required under its use agreement if that insurance is purchased through a District-approved insurance partnership program.

(c) For the purposes of this section, the term “civic association” means:

(1) A nonprofit association, corporation, or other organization that is:

(A) Comprised primarily of residents of the community within which the school to be used is located;

(B) Operated for the promotion of social welfare and general neighborhood improvement and enhancement; and

(C) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3), (4)), or a member of the D.C. Federation of Civic Associations or the Federation of Citizens Associations of the District of Columbia; or

(2) A nonprofit association, corporation, or other organization that is:

(A) Comprised primarily of residents of a contiguous community that is defined by specific geographic boundaries, within which the school to be used is located; and

(B) Operated for the promotion of the welfare, improvement, and enhancement of that community.

Sec. 1093. Section 3504.5(b)(1) of Title 5-E of the District of Columbia Municipal Regulations (5-E DCMR § 3504.5(b)(1)) is amended to read as follows:

“(b)(1) Notwithstanding any other provision of law, a civic association may enter into a use agreement to use a District of Columbia Public Schools school building for a regularly scheduled meeting at no charge; provided, that:

“(A) The use of the school building does not impose a cost on the District, except for the costs of custodial and security services; and

“(B) A civic association shall not enter into a use agreement to use a District of Columbia Public Schools school building for more than 12 regularly scheduled meetings in a calendar year.”.

**SUBTITLE K. LENGTH OF TERM FOR CERTAIN INTERIM POSITIONS**

Sec. 1101. Short title.

This subtitle may be cited as the “Interim Terms of the Deputy Mayor for Education, Chancellor, Chief Technology Officer, and Director of the Department of Employment Services Congressional Review Emergency Act of 2018”.

Sec. 1102. Section 2(a)(1) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)(1)), shall not apply to individuals serving in an interim capacity as the Deputy Mayor for Education, the Chancellor of the District of Columbia Public Schools, the Chief Technology Officer of the Office of the Chief Technology Officer, or the Director of the Department of Employment Services on or between June 12, 2018, and January 31, 2019.

Sec. 1103. Applicability.

This subtitle shall apply as of September 29, 2018.

Sec. 1104. Sunset.

This subtitle shall expire on February 1, 2019.

**SUBTITLE L. EASTERN MARKET ENTERPRISE FUND**

Sec. 1111. Short title.

This subtitle may be cited as the “Eastern Market Enterprise Fund Congressional Review Emergency Amendment Act of 2018”.

Sec. 1112. Section 4 of the Eastern Market Real Property Asset Management and Outdoor Vending Act of 1998, effective April 16, 1999 (D.C. Law 12-228; D.C. Official Code § 37-103), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “an interest-bearing account.”.

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

“(b) The CPMO shall deposit into the Fund all revenues, proceeds, and moneys from whatever source derived that are collected or received by the CPMO on behalf of Eastern Market.”.

(c) New subsections (d), (e), and (f) are added to read as follows:

“(d) Money in the Fund shall be used for the following purposes:

“(1) To fund all expenses related to the management and maintenance of the Eastern Market Special Use Area; and

“(2) Up to \$5,000 per fiscal year to fund the operating expenses of the Eastern Market Community Advisory Committee, including the creation and preservation of meeting records, printing, copying, and other direct expenses related to their duties.

“(e) Money in the Fund may not be used to fund capital expenditures for Eastern Market and Eastern Market Special Use Area.

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

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

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

### **SUBTITLE A. SUPERMARKET TAX INCENTIVE**

Sec. 2001. Short title.

This subtitle may be cited as the “Supermarket Tax Incentive Technical Congressional Review Emergency Amendment Act of 2018”.

Sec. 2002. Section 47-3802 of the District of Columbia Official Code is amended by adding a new subsection (d) to read as follows:

“(d) A qualified supermarket certified by the Mayor pursuant to this section shall be eligible for the tax exemptions provided by subsection (a)(1) through (3) of this section throughout the 10-year tax abatement period even if, during the 10-year period, the boundary of the eligible area in which the qualified supermarket was located at the time of certification changes and, as a result of the boundary change, the supermarket is no longer located in an eligible area.”.

**SUBTITLE B. NEIGHBORHOOD PROSPERITY INITIATIVE**

Sec. 2011. Short title.

This subtitle may be cited as the “Neighborhood Prosperity Initiative Congressional Review Emergency Act of 2018”.

Sec. 2012. Establishment of the Neighborhood Prosperity Initiative.

(a) There is established the Neighborhood Prosperity Initiative (“Initiative”), which shall be administered by the Mayor and under which the Mayor may provide, on a competitive basis, grants for commercial, non-residential components of a qualifying project to applicants that:

- (1) Propose a qualifying project;
- (2) Have a deficit in funding for a commercial, non-residential component of the qualifying project;
- (3) Agree to commence construction on the qualifying project within 18 months of the award of an Initiative grant, or within such other time period as may be established by the Mayor;
- (4) Agree to enter into a First Source agreement, if applicable, and a Certified Business Enterprise agreement; and
- (5) Agree to use a grant provided under the Initiative only for the commercial, non-residential components of the project for which the grant is provided.

(b) For the purposes of this subtitle, the term:

(1) “Certified Business Enterprise agreement” means an agreement with the Department of Small and Local Business Development pursuant to the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(2) “First Source agreement” means an agreement with the Department of Employment Services governing certain obligations of the developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the property.

(3) “Qualifying project” means a mixed-use or retail real estate development project that is in a low-income community, as that term is defined in section 45D of the Internal Revenue Code of 1986, approved December 21, 2000 (114 Stat. 2763; 26 U.S.C. § 45D).

**SUBTITLE C. DMPED GRANT-MAKING AUTHORITY.**

Sec. 2021. Short title.

This subtitle may be cited as the “Deputy Mayor for Planning and Economic Development Grant-Making Authority Congressional Review Emergency Amendment Act of 2018”.

Sec. 2022. Section 2032(a) of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04(a)), is amended as follows:

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

(b) Paragraph (4) is amended by striking the period at the end and inserting a semicolon in its place.

(c) New paragraphs (5), (6), and (7) are added to read as follows:

“(5) Funds in support of the Retail Priority Areas (Great Streets Initiative) pursuant to the Retail Incentive Act of 2004, effective September 6, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.71 *et seq.*).

“(6) Funds in support of the redevelopment of the St. Elizabeths East Campus Redevelopment Site, as defined in section 2042(e)(3) of the St. Elizabeths East Campus Redevelopment Fund Establishment Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 1-325.361); and

“(7) Funds in support of the redevelopment of the Walter Reed Redevelopment Site, as defined in section 2(17) of the Walter Reed Development Omnibus Act of 2016, effective May 18, 2016 (D.C. Law 21-119; D.C. Official Code § 2-1227.01(17)).”.

**SUBTITLE D. WALTER REED GRANT-MAKING AUTHORITY**

Sec. 2031. Short title.

This subtitle may be cited as the “Walter Reed Grant-Making Authority Congressional Review Emergency Amendment Act of 2018”.

Sec. 2032. Section 7(d) of the Walter Reed Development Omnibus Act of 2016, effective May 18, 2016 (D.C. Law 21-119; D.C. Official Code § 2-1227.06(d)), is amended by striking the phrase “from the Fund to the Developer” and inserting the phrase “from the Fund” in its place.

**SUBTITLE E. ADMINISTRATION OF THE DISTRICT OF COLUMBIA JOBS TRUST FUND**

Sec. 2041. Short title.

This subtitle may be cited as the “Administration of the District of Columbia Jobs Trust Fund Congressional Review Emergency Amendment Act of 2018”.

Sec. 2042. Section 5c(a) of the First Source Employment Agreement Act of 1984, effective February 24, 2012 (D.C. Law 19-84; D.C. Official Code § 2-219.04c(a)), is amended by striking the phrase “Deputy Mayor for Planning and Economic Development” and inserting the phrase “Department of Employment Services” in its place.



**SUBTITLE F. EXTENDED HOURS OF ALCOHOLIC BEVERAGE SALES ON CERTAIN HOLIDAYS**

Sec. 2051. Short title.

This subtitle may be cited as the “Extended Hours for On-Premises Alcoholic Beverage Sales on Certain Holiday Weekends Congressional Review Emergency Amendment Act of 2018”.

Sec. 2052. Section 25-723(c)(1) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the phrase “Memorial Day and Labor Day, as set forth in § 1-612.02(a); and” and inserting the phrase “Martin Luther King, Jr.’s Birthday, Washington’s Birthday, Memorial Day, Labor Day, and Columbus Day, as set forth in § 1-612.02(a);” in its place.

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

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

“(D) The Friday, Saturday, and Sunday following Thanksgiving Day, as set forth in § 1-612.02(a)(9).”.

**SUBTITLE G. EXPEDITED BUILDING PERMIT REVIEW PROGRAM FUND**

Sec. 2061. Short title.

This subtitle may be cited as the “Expedited Building Permit Review Program Fund Congressional Review Emergency Amendment Act of 2018”.

Sec. 2062. The Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.*), is amended by adding a new section 6e to read as follows:

“Sec. 6e. Expedited Building Permit Review Program Fund.

“(a) There is established as a special fund the Expedited Building Permit Review Program Fund (“Fund”), which shall be administered by the Director of the Department in accordance with subsection (c) of this section.

“(b) Revenue from fees imposed by the Department for the expedited review of building permit applications shall be deposited in the Fund.

“(c) Money in the Fund shall be used to administer the expedited building permit review program at the Department. After all operational and administrative expenses of the expedited building permit review program are met, as certified by the Chief Financial Officer in the year-end close, the remaining balance shall revert to the General Fund.”.

**SUBTITLE H. ARTS AND HUMANITIES LICENSE PLATES**

Sec. 2071. Short title.

This subtitle may be cited as the “Arts and Humanities License Plates Congressional Review Emergency Amendment Act of 2018”.

Sec. 2072. Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01 *et seq.*), is amended as follows:

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

“Sec. 2e. Issuance of arts and humanities motor-vehicle identification tags.

“(a) The Mayor may make available for issue one or more arts and humanities motor-vehicle identification tags to enhance the public’s awareness of the District’s arts and humanities communities, works, and programming. At the request of the Mayor, the Commission on Arts and Humanities (“Commission”) shall provide to the Mayor proposed designs of the arts and humanities motor-vehicle identification tags, which the Commission may solicit from District residents.

“(b) A resident ordering an arts and humanities motor-vehicle identification tag designed and issued pursuant to subsection (a) of this section shall pay a one-time application fee and a display fee each year thereafter, in amounts to be determined by the Mayor by rule.

“(c) Application fees and annual display fees collected pursuant to subsection (b) of this section shall be deposited into the Arts and Humanities Enterprise Fund, established by section 6a of the Commission on the Arts and Humanities Act, effective January 29, 1998 (D.C. Law 12-42; D.C. Official Code § 39-205.01).”.

(b) Section 3 (D.C. Official Code § 50-1501.03) is amended as follows:

(1) Subsection (a)(1) is amended by adding a new subparagraph (I) to read as follows:

“(I) Any person ordering an arts and humanities motor-vehicle identification tag issued pursuant to section 2e(a) shall pay the fees established pursuant to section 2e(b).”.

(2) Subsection (d) is amended as follows;

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

(B) Paragraph (6) is amended by striking the period and inserting the phrase “; and” in its place.

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

“(7) The fees collected for arts and humanities motor-vehicle identification tags shall be deposited into the Arts and Humanities Enterprise Fund, established by section 6a of the Commission on the Arts and Humanities Act, effective January 29, 1998 (D.C. Law 12-42; D.C. Official Code § 39-205.01).”.

Sec. 2073. Section 6a(a-1) of the Commission on the Arts and Humanities Act, effective January 29, 1998 (D.C. Law 12-42; D.C. Official Code § 39-205.01(a-1)), is amended as follows:

(a) Paragraph (3) is amended by striking the phrase “; and” and inserting a semicolon in its place.

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

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

“(5) Fees collected pursuant to section 2e of Title IV of the District of Columbia Revenue Act of 1937, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_).”.

**SUBTITLE I. TAXICAB AND FOR-HIRE VEHICLE OPERATOR  
ASSESSMENT ELIMINATION**

Sec. 2081. Short title.

This subtitle may be cited as the “Taxicab and For-Hire Vehicle Operator Assessment Elimination Congressional Review Emergency Amendment Act of 2018”.

Sec. 2082. Section 20a(d) of the Department of For-Hire Vehicles Establishment Act of 1985, effective May 10, 1988 (D.C. Law 7-107; D.C. Official Code § 50-301.20(d)), is repealed.

**SUBTITLE J. LOCAL RENT SUPPLEMENT PROGRAM FLEXIBILITY**

Sec. 2091. Short title.

This subtitle may be cited as the “Local Rent Supplement Program Flexibility Congressional Review Emergency Amendment Act of 2018”.

Sec. 2092. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 26b (D.C. Official Code § 6-227) is amended by adding a new subsection (d-1) to read as follows:

“(d-1) Funds allocated for project-based or sponsor-based voucher assistance pursuant to this section may be used to cover the cost of a security deposit or application fee for a housing unit supported by a grant awarded under this section.”.

(b) Section 26c (D.C. Official Code § 6-228) is amended by adding a new subsection (g) to read as follows:

“(g)(1) In addition to the uses authorized by subsection (a) of this section, funds allocated for tenant-based assistance may be used to assist an eligible household in paying a security deposit and application fee for a housing unit the eligible household is leasing or intending to lease under the Authority’s Housing Choice Voucher Program.

“(2) For the purposes of this subsection, the term “eligible household” means a household determined by the Authority to be eligible to participate in the Authority’s Housing Choice Voucher Program.”.

**SUBTITLE K. AFRICAN AMERICAN CIVIL WAR MUSEUM GRANT IMPLEMENTATION**

Sec. 2101. Short title.

This subtitle may be cited as the “African-American Civil War Museum Grant Implementation Congressional Review Emergency Amendment Act of 2018”.

Sec. 2102. Section 2032 of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04), is amended by adding a new subsection (f) to read as follows:

“(f) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Deputy Mayor for Planning and Economic Development may make a grant in Fiscal Year 2018 to the African American Civil War Memorial Freedom Foundation, Inc. in an amount not to exceed \$500,000 for the purpose of redeveloping the African American Civil War Museum, located at 1925 Vermont Avenue, N.W.”.

Sec. 2103. Applicability.

This subtitle shall apply as of September 29, 2018.

**SUBTITLE L. NON-HEALTH PROFESSIONAL LICENSING FEES**

Sec. 2111. Short title.

This subtitle may be cited as the “Non-Health Professional Licensing Fees Adjustment Congressional Review Emergency Amendment Act of 2018”.

Sec. 2112. Section 3500.2 of Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 3500.2) is amended by adding new paragraphs (s), (t), and (u) to read as follows:

“(s) ELEVATOR CONTRACTOR, ELEVATOR MECHANIC, ELEVATOR INSPECTOR

Application	\$65.00
License (D.C. Official Code § 47-2853.99)	\$260.00

(t) TOUR GUIDE

Application \$65.00

(u) BODY ARTIST

Application \$65.00

License \$110.00”.

Sec. 2113. Applicability.

(a) The application fees imposed by section 2112 for elevator contractors, elevator mechanics, elevator inspectors, and tour guides shall apply beginning May 1, 2004. The collection of all such fees during the period from May 1, 2004, to the effective date of this act is ratified. Any such fees imposed for that period not already collected as of the effective date of this act shall be waived.

(b) The application and license fee imposed by section 2112 for body artists shall apply beginning October 1, 2012. The collection of all such fees during the period from October 1, 2012, to the effective date of this act is ratified. Any such fees imposed for that period not already collected as of the effective date of this act shall be waived.

**SUBTITLE M. RETAIL PRIORITY AREA**

Sec. 2121. Short title.

This subtitle may be cited as the “Retail Priority Area Congressional Review Emergency Amendment Act of 2018”.

Sec. 2122. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

(a) Subsection (f) is amended by striking the phrase “Fourth Street, N.E., and Franklin Street, N.E.,” and inserting the phrase “Fourth Street, N.E., and Franklin Street, N.E.; continuing on Franklin Street, N.E., to 8th Street, N.E.; thence north on Edgewood Street, N.E., continuing east on Monroe Street, N.E., to 10th Street, N.E.; thence north on 10th Street, N.E.; thence east on Otis Street, N.E.; continuing south along 12th Street, N.E., to Franklin Street, N.E.” in its place.

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

(1) The existing text is designated as paragraph (1).

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

“(2) In addition to the area described in paragraph (1) of this subsection, the New York Avenue, N.E., Retail Priority Area shall consist of the area beginning at the intersection of

New York Avenue, N.E. and Bladensburg Road, N.E., continuing east along New York Avenue, N.E., until Eastern Avenue, N.E., northwest along Eastern Avenue, N.E., until the intersection of Bladensburg Road, N.E., southwest along Bladensburg Road, N.E., to the intersection of New York Avenue, N.E., and Bladensburg Road, N.E.”.

**SUBTITLE N. LABOR LAW ENFORCEMENT AUTHORITY CLARIFICATION**

Sec. 2131. Short title.

This subtitle may be cited as the “Labor Law Enforcement Authority Clarification Congressional Review Emergency Amendment Act of 2018”.

Sec. 2132. Section 6 of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 977; D.C. Official Code § 32-1306), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “including conducting investigations of any violations and holding hearings and instituting actions for penalties” and inserting the phrase “including by conducting sua sponte and complaint-initiated investigations into whether violations have occurred, holding hearings, and instituting actions for penalties” in its place.

(b) Subsection (d)(2)(A) is amended by striking the phrase “Any records” and inserting the phrase “Pursuant to the investigative authority conferred upon the Mayor and the Attorney General in subsections (a) and (b)(2) of this section, respectively, and notwithstanding any other provision of law, any records an employer maintains pursuant to the requirements of this act, the Living Wage Act, the Sick and Safe Leave Act, and the Minimum Wage Revision Act” in its place.

**SUBTITLE O. MARION S. BARRY SUMMER YOUTH EMPLOYMENT PROGRAM PARTICIPANT RAISE**

Sec. 2141. Short title.

This subtitle may be cited as the “Marion S. Barry Summer Youth Employment Program Participant Raise Congressional Review Emergency Amendment Act of 2018”.

Sec. 2142. Section 2(a)(1)(A)(iii) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)(A)(iii)), is amended to read as follows:

“(iii) Youth ages 16 to 21 years at the date of enrollment shall be compensated at an hourly rate of not less than \$8.25.”.

**SUBTITLE P. DC CENTRAL KITCHEN GRANT**

Sec. 2151. Short title.

This subtitle may be cited as the “DC Central Kitchen Grants Congressional Review Emergency Amendment Act of 2018”.

Sec. 2152. Notwithstanding section 4(c) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), and the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2019, the Workforce Investment Council shall award DC Central Kitchen a grant in the amount of \$1 million for the purchase or build-out of a new facility providing culinary training services and community nutrition programming.

**SUBTITLE Q. EASTERN MARKET COMPETITIVE GRANT**

Sec. 2161. Short title.

This subtitle may be cited as the “Eastern Market Competitive Grant Congressional Review Emergency Act of 2019”.

Sec. 2162. In Fiscal Year 2019, the Deputy Mayor for Planning and Economic Development shall have granting-making authority for the purpose of providing funds to conduct a comprehensive study of and strategic plan for the development of Eastern Market (“Eastern Market plan”) that shall include an assessment of the challenges and opportunities in public market management and marketing, and recommendations of best practices for the management and marketing of Eastern Market, and shall award a grant, on a competitive basis, in an amount not to exceed \$300,000 for the Eastern Market plan.

**SUBTITLE R. MINORITY AND WOMEN-OWNED BUSINESS ASSESMENT**

Sec. 2171. Short title.

This subtitle may be cited as the “Minority and Women-Owned Business Assessment Congressional Review Emergency Amendment Act of 2018”.

Sec. 2172. Section 2 of the Minority and Women-Owned Business Assessment Act of 2008, effective March 26, 2008 (D.C. Law 17-136; D.C. Official Code § 2-214.01), is amended as follows:

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

“(b) The Department shall submit a report of its findings and recommendations of the Program to the Chairman of the Council committee with oversight of the Department of Small and Local Business Development (“Committee”). The report shall be submitted to the Committee no later than March 1 of each year and shall include specific steps for implementing the recommendations.”.

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

“(b-1)(1) In Fiscal Year 2019, the Department shall award a grant, on a competitive basis, in an amount not to exceed \$200,000, to a person or entity to conduct a District-based study (“disparity study”) to:

“(A) Evaluate if there is a specific evidentiary foundation of discrimination against minority and women-owned businesses;

“(B) Assess if there are disparities between the availability and utilization of minority and women-owned prime contractors and subcontractors and, if there are, describe and analyze the most-relevant causal factors; and

“(C) Determine if there are statistically significant disparities in the utilization of minority and women-owned businesses by prime contractors on government-assisted projects awarded pursuant to section 2346 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code 2-218.46).

“(2) The finalized disparity study shall be submitted to the Committee within 270 days after the effective date of the Minority and Women-Owned Business Assessment Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_).”.

#### **SUBTITLE S. LIVING WAGE CERTIFICATION GRANT PROGRAM**

Sec. 2181. Short title.

This subtitle may be cited as the “Living Wage Certification Grant Program Congressional Review Emergency Amendment Act of 2018”.

Sec. 2182. The Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2–218.01 *et seq.*), is amended as follows:

(a) The table of contents is amended as follows:

(1) Strike the phrase “Sec. 2313. Organization and functions of the Department.” and insert the phrase “Sec. 2313. Functions of the Department.” in its place.

(2) Strike the phrase “Sec. 2314. Reorganization of the Department.” and insert the phrase “Sec. 2314. Transfers from the Office of Local Business Development to the Department.” in its place.

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

“Sec. 2315. Living Wage Certification Grant Program.”.

(b) A new section 2315 is added to read as follows:

“Sec. 2315. Living Wage Certification Program.

“(a) There is established a Living Wage Certification Program (“program”) within the Department, which shall be administered by an organization selected in accordance with subsection (b) of this section (“administrator”) and funded by a grant from the Department, that



will certify employers that meet the requirements of the program established by this section and pursuant to this section.

“(b) The Department shall:

“(1) Select the administrator through the competitive bid process;

“(2) Establish the criteria to be eligible for the grant and the selection as administrator; provided, that the administrator shall be a nonprofit organization located in the District;

“(3) Issue a request for proposals no later than December 31, 2018; and

“(4) Enter into a grant agreement with the bid awardee to serve as administrator in accordance with the requirements of this section.

“(c)(1) Under the program, the administrator shall certify an employer that applies for certification and that shows, to the satisfaction of the administrator, that the employer:

“(A) Pays its employees, including independent contractors, a living wage;

“(B) Commits to paying its employees and independent contractors a living wage for the duration of the certification;

“(C) Maintains its primary office in the District;

“(D) Possesses a current license pursuant to Chapter 28 of Title 47; and

“(E) Certifies that at least a majority of its owners are District residents or that at least a majority of its employees are District residents.

“(2) The administrator shall develop criteria to verify that the employer meets each criterion set forth in this subsection.

“(d)(1) Certification shall be valid for 3 years.

“(2) To maintain certification and obtain recertification, a certified employer must demonstrate that it continues to meet the criteria set forth in subsection (c) of this section.

“(3) A certified employer shall have 3 months to increase its employees’ wages to match an increase in the living wage mandated under the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2–220.01 *et seq.*) (“Living Wage Act”).

“(e)(1) The administrator shall maintain a public list of all certified employers.

“(2) The administrator shall create a unique logo to designate an employer as certified under this section and shall provide the employer with digital and physical copies of the logo for display and promotional purposes.

“(f) The Department may consider combining the list maintained pursuant to subsection (e)(1) of this section with any similar list created under the Made in DC program, established in the Made in DC Program Establishment Act of 2016, effective July 1, 2016 (D.C. Law 21-135; D.C. Official Code § 2–1208.31 *et seq.*).

“(g) For the purposes of this section, the term “living wage” shall have the same meaning as provided in section 102(4) of the Living Wage Act.”.

**SUBTITLE T. RENTAL ASSISTANCE FOR UNSUBSIDIZED SENIORS**

Sec. 2191. Short title.

This subtitle may be cited as the “Rental Assistance for Unsubsidized Seniors Congressional Review Emergency Amendment Act of 2018”.

Sec. 2192. The District of Columbia Housing Authority Act of 1999, effective March 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) A new section 26e is added to read as follows:

“Sec. 26e. Rental Assistance for Unsubsidized Seniors Program.

“(a) The Authority shall establish and administer a Rental Assistance for Unsubsidized Seniors Program (“Program”) to provide partial rental subsidies for households headed by seniors who do not receive other District or federal rental assistance (“unsubsidized households”).

“(b) The Program shall provide rental assistance, subject to available funding, to unsubsidized households with incomes up to and including 60% of the Area Median Income (“AMI”) whose monthly lease rent exceeds 30% of their monthly income. Households shall receive a maximum of \$600 per month or the difference between 30% of the household’s monthly income and the household’s total monthly lease rent, whichever is less.

“(c) Nothing in this section may be interpreted as creating an entitlement to assistance.

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

“(1) “Rental assistance” means a subsidy that is authorized to be used solely for the payment of lease rent.

“(2) “Senior” means a District of Columbia resident who is 62 years of age or older.

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

(b) A new section 26f is added to read as follows:

“Sec. 26f. Tenant-Based Rental Assistance Fund.

“(a) There is established as a special fund the Tenant-Based Rental Assistance Fund (“Fund”), which shall be administered by the Authority in accordance with subsection (c) of this section.

“(b) Revenue from the rental unit fee, reserved pursuant to section 401(a)(2)(C) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3504.01(a)(2)(C)), shall be deposited into the Fund.

“(c) Money in the Fund shall be used to fund the Rental Assistance for Unsubsidized Seniors Program established by section 26e.

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

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

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

Sec. 2193. Applicability.

Section 2192(b) shall apply as of September 29, 2018.

**SUBTITLE U. HOUSING PRODUCTION TRUST FUND ADVANCED SOLICITATIONS**

Sec. 2201. Short title.

This subtitle may be cited as the “Housing Production Trust Fund Advanced Solicitation Congressional Review Emergency Amendment Act of 2018”.

Sec. 2202. Section 3 of the Housing Production Trust Fund Act of 1989, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802), is amended as follows:

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

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

“(2) File with the Chairperson of the Council committee with oversight jurisdiction over the Department of Housing and Community Development quarterly reports on activities and expenditures, which shall include a list of the Fund loan repayments due and paid during the reporting period and identify all developers who are not in compliance with loan agreement terms.”.

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

“(2A) Create and maintain a publicly available database of all Fund loans, which shall include loan agreements with the name of the developer, date of the award, loan amount, interest rate, number of affordable housing units created with the loan, income levels served by the housing units, period of time units shall remain affordable, and status of the developer’s compliance with the loan agreement.”.

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

“(d-1) All information included in the quarterly reports submitted pursuant to subsection (d)(2) of this section shall be consistent with the District’s internal accounting reporting systems and the Comprehensive Annual Financial Report.”.

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

“(f)(1) In the fiscal year before a fiscal year in which Fund dedicated tax revenues will be collected, the Department may solicit proposals and rank recipients in funding order for the expenditure of those tax revenues that will be dedicated to the Fund in the next fiscal year;

provided, that the dedicated tax revenues are not otherwise committed or appropriated for other purposes and are certified in the approved financial plan for the next fiscal year.

“(2) The Department may not enter into any contractual agreements, obligations, or commitments to provide funding until the fiscal year in which the funds are available and appropriated.”.

#### **SUBTITLE V. REVERSE MORTGAGE FORECLOSURE PREVENTION**

Sec. 2211. Short title.

This subtitle may be cited as the “Reverse Mortgage Foreclosure Prevention Congressional Review Emergency Amendment Act of 2018”.

Sec. 2212. The District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2701.01 *et seq.*), is amended by adding a new section 307a to read as follows:

“Sec. 307a. Reverse Mortgage Foreclosure Prevention Program.

“(a)(1) The Agency shall establish a Reverse Mortgage Foreclosure Prevention Program (“program”) as a pilot program that allows qualified homeowners to apply for and receive financial assistance for payment of past due property taxes and property insurance debts that have put the qualified homeowner at risk of foreclosure.

“(2) The financial assistance shall be made to qualified homeowners in the form of a zero-interest, non-recourse loan that shall become due and payable upon satisfaction of the first priority reverse mortgage or relinquishment of the subject property to the reverse mortgage lender.

“(3) The program shall run for 18 months, with a 6-month planning period and a 12-month implementation period.

“(b) The Agency shall establish a standardized application process and requirements for qualified homeowners in need of the program.

“(c) The Agency shall record a lien on the subject property in the amount of the financial assistance provided to the qualified homeowner. The lien shall be subordinate to the reverse mortgage lender in the first position.

“(d) No qualified homeowner may receive more than \$25,000 in assistance.

“(e) No more than \$500,000 in Fiscal Year 2019 shall be allocated to the program.

“(f) For the purposes of the section, the term:

“(1) “At risk of foreclosure” means:

“(A) A reverse mortgage lender has provided a homeowner with legal notice that the homeowner is in default on the terms of a reverse mortgage on the home in which the homeowner lives for failure to pay property taxes or insurance premiums; or

“(B) A homeowner and reverse mortgage lender have entered into an agreement to pay past due balances of property taxes and insurance premiums on a home in

which the homeowner lives, but the homeowner has demonstrated difficulty maintaining the agreement.

“(2) “Borrower income” means the combined annual income of all mortgagees on a reverse mortgage.

“(3) “Qualified homeowner” means a District homeowner who:

“(A) Is 62 years of age or older;

“(B) Has an annual borrower income of 80% or less of the area median income for a household of 4 persons in the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the U.S. Department of Housing and Urban Development;

“(C) Has executed a reverse mortgage with a lender financial institution, which has a recorded lien on the home in which the homeowner lives; and

“(D) Is at risk of foreclosure.

“(4) “Reverse mortgage” means a mortgage agreement between a lender financial institution and a homeowner in which the homeowner relinquishes equity in the homeowner’s home in exchange for tax-free payments from the lender until the total principal and interest of the loan reaches the credit limit of equity in the home and the lender is either repaid in full or the homeowner relinquishes the home to the lender.

“(5) “Subject property” means the home in which a homeowner who is at risk of foreclosure lives.”.

#### **SUBTITLE W. RENTAL UNIT FEE DISBURSEMENT**

Sec. 2221. Short title.

This subtitle may be cited as the “Rental Unit Fee Disbursement Congressional Review Emergency Amendment Act of 2018”.

Sec. 2222. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) Section 401(a) (D.C. Official Code § 42-3504.01(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the figure “\$25” and inserting the figure “\$30” in its place.

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

“(2)(A) \$21.50 of each rental unit fee shall be deposited in the fund established pursuant to section 1(b) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01(b)).

“(B) \$3.50 of each rental unit fee shall be deposited in the Rental Unit Fee Fund established pursuant to section 401a.

“(C) The remainder shall be deposited into the Tenant-Based Rental

Assistance Fund established pursuant to section 26f of the District of Columbia Housing Authority Act of 1999, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_).

Sec. 2223. The Rental Unit Fee Adjustment Amendment Act of 2018, effective July 3, 2018 (D.C. Law 22-113; 65 DCR 5026), is repealed.

Sec. 2224. Applicability.

This subtitle shall apply as of September 29, 2018.

**SUBTITLE X. COMMON INTEREST COMMUNITY REPAIRS**

Sec. 2231. Short title.

This subtitle may be cited as the “Common Interest Community Repairs Congressional Review Emergency Amendment Act of 2018”.

Sec. 2232. Definitions.

For the purposes of this subtitle, the term:

(1) “Board” means the executive and administrative entity, by whatever name denominated, designated in the organizing instruments of a common interest community to act for the unit owners’ association in governing and maintaining the common interest community.

(2) “Common elements” means all portions of the common interest community other than the units and as defined in the organizing instruments of the common interest community.

(3) “Common interest community” means a residential condominium, residential cooperative, or other residential real property with respect to which a person, by virtue of the person’s ownership of a parcel of real property, is obligated to pay property taxes or insurance premiums, or for maintenance, or improvement of other real property described in a recorded covenant that creates the common interest community.

(4) “DHCD” means the Department of Housing and Community Development.

(5) “Green Communities standard” means criteria for the sustainable design, construction, and operation of healthy, energy-efficient, and environmentally responsible affordable housing established and published by Enterprise Community Partners.

(6) “MFI” means the median family income for a household in the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the U.S. Department of Housing and Urban Development (“HUD”), adjusted for family size, without regard to any adjustments made by HUD for the purposes of the programs it administers.

Sec. 2233. Common Interest Community Repairs Program; establishment.

(a) The DHCD shall establish and administer a Common Interest Community Repairs Program (“Program”) for the purpose of repairing common elements of income-eligible common interest communities.

(b) For each common interest community, the value of services provided under the Program shall not exceed \$100,000.

(c) Repairs to common elements the Program may fund include:

- (1) Plumbing;
- (2) Electrical;
- (3) Roof maintenance, repairs, or replacement;
- (4) Entrance security and safety, including front door locks and common area lighting;
- (5) Elevators and shared stairways;
- (6) Shared porches and fire escapes; and
- (7) Other common elements of a building to cure building and housing code violations.

(d) Where applicable, repairs made under the Program shall meet or exceed the most recent Green Communities standard, or other substantially similar or more stringent standard for sustainable construction and operation of multi-unit housing.

(e) DHCD shall:

- (1) Develop a grant application form specific to the Program;
- (2) Provide written notification to the applicant of approval or denial of the application. If the grant application is denied, the notification shall include the reason for the denial and any process for reconsideration; and
- (3) Develop and administer a common interest community-stewardship course for board members, at no cost to the board or common interest community.

(f) DHCD shall not begin repairs on a common interest community until the common interest community’s board members have completed the common interest community stewardship course created pursuant to subsection (e)(3) of this section.

(g) DHCD may finance the Program using funds from the following sources:

(1) Pursuant to 2009(e)(1C)(C) of the Department of Housing and Community Development Unified Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 42-2857.01(e)(1C)(C)), revenue from the sale of property disposed of by DHCD; and

(2) Any other funding source available to DHCD for which the Program would qualify as an eligible use.

(h) Program spending, including spending to administer the Program, shall be limited to funds included in an approved budget and financial plan.

Sec. 2234. Common Interest Community Repairs Program; eligibility.

To be eligible for the Program, a common interest community shall meet the following requirements:

- (1) A common interest community shall have at least 5 units;
- (2) At least 2/3rds of a common interest community's owner-occupied or shareholder-occupied units shall be occupied by households with a household income, as defined by D.C. Official Code § 47-1806.09(4), of no greater than 60% of the MFI;
- (3) The board shall be registered with the Department of Consumer and Regulatory Affairs; and
- (4) A common interest community may not have received services under the Program in the past year.

**Sec. 2235. Rules.**

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this subtitle within 180 days after the effective date of this subtitle.

**SUBTITLE Y. AFFORDABLE HOUSING PRIORITIES**

**Sec. 2241. Short title.**

This subtitle may be cited as the "Affordable Housing Priorities Congressional Review Emergency Amendment Act of 2018".

**Sec. 2242.** Section 3(c-1)(2) of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-202(c-1)(2)), is amended as follows:

(a) Subparagraph (B) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Subparagraph (C) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(D) Pursuant to section 2009(e)(1C)(D) of the Department of Housing and Community Development Unified Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 42-2857.01(e)(1C)(D)), revenue from the sale of property disposed of by the Department of Housing and Community Development."

**Sec. 2243.** Section 2009 of the Department of Housing and Community Development Unified Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 42-2857.01), is amended as follows:

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



(1) Paragraph (15) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (16) is amended by striking the period at the end and inserting the phrase “; and” in its place.

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

“(18) In Fiscal Year 2019, \$500,000 for the Reverse Mortgage Foreclosure Prevention Program established pursuant to section 307a of the District of Columbia Housing Finance Agency Act, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_).”.

(b) Subsection (e) is amended by adding a new paragraph (1C) to read as follows:

“(1C) All local revenue derived from the sale of properties disposed of pursuant to DHCD’s disposition authority; provided, that, and notwithstanding subsection (c) of this section, such revenue, without regard to the fiscal year in which it is realized, is used for the following purposes in Fiscal Year 2019 in order of priority:

“(A) \$125,000 for purposes authorized by subsection (c) of this section;

“(B) \$5 million, as needed, for the contingency reserve fund established by section 450A(b) of the District of Columbia Home Rule Act, approved November 22, 2000 (114 Stat. 2478; D.C. Official Code § 1-204.50a(b)), to repay money withdrawn from that fund in Fiscal Year 2018 by the Mayor for the purpose of financing the Home Purchase Assistance Program;

“(C) \$2.5 million for the Common Interest Community Repairs Program established by the Common Interest Community Repairs Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_);

“(D) \$1 million for the DCHA Rehabilitation and Maintenance Fund established by section 3(c-1) of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-202(c-1));

“(E) \$1 million for the Emergency Rental Assistance Program, or any successor program by a different name, administered by the Department of Human Services; and

“(F) The remainder for other purposes authorized by this section;”.

Sec. 2244. Applicability.

Section 2243(b) shall apply as of September 29, 2018.

## **SUBTITLE Z. DISPOSAL OF ABANDONED AND DETERIORATED PROPERTY**

Sec. 2251. Short title.

This subtitle may be cited as the “Disposal of Abandoned and Deteriorated Property Congressional Review Emergency Amendment Act of 2018”.

Sec. 2252. Section 433 of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3171.03), is amended as follows:

(a) Subsection (a)(1) is amended by striking the phrase “notice; and” and inserting the phrase “notice; or” in its place.

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

“(d) If a property is disposed of pursuant to this section by means other than a proposed resolution pursuant to subsection (a)(2) of this section, the Mayor shall transmit to the Council within 10 business days of settlement a description of the property and a summary of the terms and conditions of the disposition.

Sec. 2253. Applicability.

This subtitle shall apply as of September 29, 2018.

**SUBTITLE AA. SECURITIES AND BANKING REGULATORY TRUST FUND**

Sec. 2261. Short title.

This subtitle may be cited as the “Securities and Banking Regulatory Trust Fund Congressional Review Emergency Amendment Act of 2018”.

Sec. 2262. Section 8(b-2) of the Department of Insurance and Securities Regulation Establishment Act of 1996, effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-107(b-2)), is amended to read as follows:

“(b-2)(1) There is established within the General Fund of the District of Columbia a trust fund designated as the Securities and Banking Regulatory Trust Fund (“Fund”), which shall be administered by the Mayor, through the Commissioner.

“(2) All licensing fees, fines, and any other fees imposed, assessed, and collected for securities regulation and banking regulation shall be deposited into the Fund.

“(3) Money in the Fund, in order of priority shall be:

“(A) Used for the expenses of the Securities and Banking Bureau in the discharge of its administrative and regulatory duties as prescribed by law; and

“(B) Beginning October 1, 2018 and on October 1 of each year thereafter, converted to local funds revenue in the amount of \$11.1 million.”.

**SUBTITLE BB. SECURITY OFFICER WAGE**

Sec. 2271. Short title.

This subtitle may be cited as the “Security Officer Wage Congressional Review Emergency Amendment Act of 2018”.

Sec. 2272. Section 4(h) of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003(h)), is amended to read as follows:

“(h) Beginning on July 1, 2019, and no later than July 1 of each successive year, an employer shall pay a security officer working in an office building in the District of Columbia wages, or any combination of wages and benefits, that are not less than the combined amount of the minimum wage and fringe benefit rate in effect on September 1 of the immediately preceding year for the guard 1 classification established by the United States Secretary of Labor pursuant to Chapter 67 of Title 41 of the United States Code (41 U.S.C. § 6701 *et seq.*), as amended.”.

**SUBTITLE CC. RENTAL HOUSING REGISTRATION UPDATE**

Sec. 2281. Short title.

This subtitle may be cited as the “Rental Housing Registration Update Congressional Review Emergency Amendment Act of 2018”.

Sec. 2282. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) Section 103 (D.C. Official Code § 42-3501.03) is amended as follows:

(1) Paragraph (29B) is redesignated as paragraph (29C).

(2) A new paragraph (29B) is added to read as follows:

“(29B) “Rent Stabilization Program” means the program and related requirements established by Title II.”.

(b) Section 203a (D.C. Official Code § 42-3502.03c) is amended as follows:

(1) The section heading is amended by striking the word “Clearinghouse” and inserting the word “Database” in its place.

(2) Subsection (a) is amended by striking the phrase “shall develop a demonstration project (“demonstration project”) to establish the initial framework of a” and inserting the phrase “shall develop and administer a” in its place.

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

“(b) The database shall include:

“(1) An online portal for housing providers located on the website of the Department of Housing and Community Development (“DHCD”), not accessible to the general public, which housing providers shall use to file all documents and data required by this title and all regulations promulgated pursuant to this title; and

“(2) An online portal accessible to the general public located on the DHCD website that provides information relevant to tenants seeking and living in rent-controlled accommodations populated from the documents submitted by housing providers pursuant to paragraph (1) of this subsection.”.

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

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

“(c) The portal accessible to the general public shall:”

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

“(1) Include the following real-time, searchable parameters:”

(C) Existing paragraphs (1) through (20) are redesignated a subparagraphs (A) through (T).

(D) Newly designated subparagraph (Q) is amended by striking the phrase “section 205(f)(6)” and inserting the phrase “section 205(f)(3)(D)(iv)” in its place.

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

“(2) Exclude any documentation submitted in support of a tenant’s application for elderly or disability status pursuant to section 208(h)(2), and any other information the Rent Administrator may deem necessary to exclude to protect the privacy and personal information of a tenant.”.

(5) Subsection (d) is repealed.

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

“(e) The database created pursuant to subsection (a) of this section shall be completed, tested, and operational by December 13, 2019.”.

(7) New subsections (e-1) and (e-2) are added to read as follows:

“(e-1)(1) Notwithstanding subsections (a) and (e) of this section, OTA shall develop and launch an online portal and database for filing registration statements and claims of exemption under section 205(f) within 180 days after the effective date of the Rental Housing Registration Update Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_), which it shall integrate into the database created pursuant to subsection (a) of this section by December 13, 2019.

“(2) The OTA may enter into a memorandum of understanding with one or more District agencies to facilitate timely completion and effective administration of the online portal and database for filing registration statements and claims of exemption.

“(e-2)(1) The OTA shall transfer administration and maintenance of the databases created pursuant to this section to RAD no later than December 13, 2019.

“(2) While OTA is administering the databases created pursuant to this section, RAD may access the databases and any data housed therein as necessary to carry out its duties under this title.”.

(8) Subsection (g) is amended to read as follows:

“(g) The OTA shall report to the Council regarding the progress of the database created pursuant to subsection (a) of this section on a quarterly basis.”.

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

“(h) Beginning January 2020, DHCD shall report to the Council monthly on database usage, including, for the relevant reporting period, the total number of filings housing providers made pursuant to this title, the number of new registrations and claims of exemption filed

pursuant to section 205, and the number of searches conducted by members of the general public. With the report, DHCD shall provide electronic spreadsheets of all data housing providers entered into the database during the relevant reporting period.”.

(c) New sections 203b and 203c are added to read as follows:

“Sec. 203b. Housing provider online filing and registration requirements.

“(a) Beginning 180 days after the effective date of the Rental Housing Registration Update Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_), and before December 13, 2019, a housing provider shall use the online provider portal developed pursuant to section 203a(e-1) to file a registration statement or claim of exemption required by section 205(f).

“(b) Beginning December 13, 2019, a housing provider shall use the online provider portal created pursuant to section 203a(b)(1) to file all documents and data required to be filed pursuant to this title and all regulations promulgated pursuant to this title.

“Sec. 203c. Rental Housing Registration Fund.

“(a) There is established as a special fund the Rental Housing Registration Fund (“Fund”), which shall be administered in accordance with subsections (c) and (d) of this section.

“(b) Revenue from penalties charged to a housing provider pursuant to section 205(f) shall be deposited into the Fund.

“(c) Money in the Fund shall be used for developing and maintaining the database created by section 203a(a).

“(d) While the Office of Tenant Advocate is developing and administering the database, it shall administer the Fund. The Office of Tenant Advocate shall transfer Fund administration to the Rent Administrator upon transferring administration and maintenance of the database to the Division pursuant to section 203a(e-2).

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

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

(d) Section 205 (D.C. Official Code § 42-3502.05) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Sections 205(f) through 219, except section 217, shall apply to each rental unit in the District except:” and inserting the phrase “Except as provided in subsection (e) of this section, sections 205(f) through 219 shall apply to each rental unit in the District; provided, that the following rental units shall be exempt from subsections (g) and (h)(2) of this section and sections 206 through 216, 218, and 219:” in its place.

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

“(f)(1) Within 240 days after the effective date of the Rental Housing Registration Update Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR

\_\_\_\_), each housing provider of a housing accommodation for which the housing provider is receiving rent or is entitled to receive rent shall file a new registration statement, and if applicable, a new claim of exemption.

“(2) A person who becomes a housing provider of a housing accommodation more than 240 days after the effective date of the Rental Housing Registration Update Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_), shall file a registration statement, and, if applicable, claim of exemption, within 30 days of becoming a housing provider.

“(3) A housing provider shall file a registration statement and, if applicable, a claim of exemption, with the Division in accordance with section 203c, which shall solicit, among the information required for registration, the following:

“(A) For all housing accommodations:

“(i) Address of the housing accommodation;

“(ii) Type of housing accommodation;

“(iii) Number of bedrooms in each unit of the housing accommodation; and

“(iv) Property owner’s business information.

“(B) For each housing accommodation required to obtain a housing business license, the dates and numbers of the housing business license and the certificates of occupancy, where required by law, issued by the District government, and a copy of each housing business license and certificate of occupancy;

“(C) For each housing accommodation not required to obtain a housing business license, the information contained therein and the dates and numbers of the certificates of occupancy issued by the District government, and a copy of each certificate;

“(D) Where the housing provider does not seek an exemption under subsection (a) of this section for the housing accommodation:

“(i) The current rent charged for each rental unit in the housing accommodation, the related services included, and the related facilities and charges;

“(ii) The current related and optional services and facilities provided as part of rent or the rental agreement;

“(iii) A list of any outstanding violations of the housing regulations applicable to the housing accommodation, or an affidavit of the housing provider stating that the housing provider duly inspected the housing accommodation within the 6 months prior to filing the registration, and that there are no outstanding violations known to the housing provider; and

“(iv) The rate of return for the housing accommodation and the computations made by the housing provider to arrive at the rate of return, by application of the formula provided in section 212.

“(E) Where the housing provider seeks an exemption under subsection (a) of this section for the housing accommodation, the date on which each unit first became exempt, and the rent charged for the period of tenancy immediately preceding the first exemption.

“(4)(A) No penalties shall be assessed against a housing provider who registers a housing accommodation under this section within 240 days after the effective date of the Rental Housing Registration Update Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_), for failure to previously register the housing accommodation.

“(B)(i) Beginning 241 days after the effective date of the Rental Housing Registration Update Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_), a housing provider, other than the federal government, who fails to register a housing accommodation under this section shall pay a penalty of \$100 per unit to the District government. The penalty shall be deposited into the Rental Housing Registration Fund established by section 203b.

“(ii) A housing provider, other than a housing provider exempt pursuant to subsection (a) of this section, who does not timely register under this section may not institute a rent increase authorized by section 208(a) until the housing provider registers and pays any associated penalty.”.

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

“(h)(1) Each registration statement filed under this section shall be available for public inspection through the website of the Department of Housing and Community Development.

“(2) Each housing provider shall keep a duplicate of the registration statement posted in a public place on the premises of the housing accommodation to which the registration statement applies. Each housing provider may, instead of posting in each housing accommodation comprised of a single rental unit, mail to each tenant of the housing accommodation a duplicate of the registration statement.”.

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

“(i) For the purposes of this section, the term “rent charged” means the entire amount of money, money’s worth, benefit, bonus, or gratuity a tenant must actually pay to a housing provider as a condition of occupancy or use of a rental unit, its related services, and its related facilities, pursuant to the Rent Stabilization Program.”.

(e) Section 213(a)(2) (D.C. Official Code § 42-3502.13(a)(2)) is amended by striking the phrase “section 205(d)” and inserting the phrase “section 205(f)” in its place.

(f) Section 401(a)(1) (D.C. Official Code § 42-3504.01(a)(1)) is amended by striking the phrase “Each housing provider required to register under this act, including those otherwise exempt from rental control and registration pursuant to section 205(a)(3)” and inserting the phrase “Each housing provider not exempt from rental control pursuant to section 205(a) or (e), except those exempt pursuant to section 205(a)(3),” in its place.

**SUBTITLE DD. REAL ESTATE GUARANTY AND EDUCATION FUND**

Sec. 2291. Short title.

This subtitle may be cited as the “Real Estate Guaranty and Education Fund Congressional Review Emergency Amendment Act of 2018”.

Sec. 2292. Section 30(l) of the District of Columbia Real Estate Licensure Act of 1982, effective March 10, 1983 (D.C. Law 4-209; D.C. Official Code § 42-1707(1)), is amended by striking the phrase “Whenever the amount deposited in the Fund is less than” and inserting the phrase “Should the Office of the Chief Financial Officer project that the year-end Fund balance for any fiscal year will be less than” in its place.

**TITLE III. PUBLIC SAFETY AND JUSTICE**

**SUBTITLE A. CRIMINAL CODE REFORM COMMISSION TERM**

**EXTENSION**

Sec. 3001. Short title.

This subtitle may be cited as the “Criminal Code Reform Commission Term Extension Congressional Review Emergency Amendment Act of 2018”.

Sec. 3002. The Criminal Code Reform Commission Establishment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-151 *et seq.*), is amended as follows:

(a) Section 3123(a) (D.C. Official Code § 3-152(a)) is amended by striking the date “October 1, 2018” and inserting the date “September 30, 2019” in its place.

(b) Section 3127 (D.C. Official Code § 3-156) is amended by striking the date “October 1, 2018” and inserting the date “October 1, 2019” in its place.

**SUBTITLE B. RETIRED POLICE OFFICER REDEPLOYMENT PROGRAM**

Sec. 3011. Short title.

This subtitle may be cited as the “Retired Police Officer Redeployment Congressional Review Emergency Amendment Act of 2018”.

Sec. 3012. Section 2(h) of the Retired Police Officer Redeployment Amendment Act of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761(h)), is amended as follows:

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

“(1) Notwithstanding subsection (d) of this section, a police officer who retired at a rank other than Officer who is rehired under subsection (a) of this section before October 1, 2019, shall be eligible to be paid for the duration of rehire a salary of no more than the salary paid at the following service steps:

“(A) Class 3 (Detective Grade 1) – Step 4; or



“(B) Class 4 (Sergeant) – Step 3.”

(b) Paragraph (2) is repealed.

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

“(3) A retired police officer rehired under subsection (a) of this section and paid under paragraph (1) of this subsection shall not be paid for more than 3 years from the date on which the officer was rehired.”

**SUBTITLE C. EMERGENCY AND NON-EMERGENCY NUMBER  
TELEPHONE CALLING SYSTEMS FUND**

Sec. 3021. Short title.

This subtitle may be cited as the “Emergency and Non-Emergency Number Telephone Calling Systems Fund Congressional Review Emergency Amendment Act of 2018”.

Sec. 3022. Section 603 of the Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1802), is amended to read as follows:

“Sec. 603. Emergency and Non-Emergency Number Telephone Calling Systems Fund.

“(a) There is established as a special fund the Emergency and Non-Emergency Number Telephone Calling Systems Fund (“Fund”), which shall be administered by the Office of Unified Communications in accordance with subsections (c) and (d) of this section.

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

“(1) The assessment imposed under section 604;

“(2) The prepaid wireless E911 charge imposed under section 604b; and

“(3) The sources identified in section 604c.

“(c) Money in the Fund shall be used to pay for personnel, technology hardware, software and software maintenance, contractual support, outreach, training, supplies, and equipment costs necessary to provide the 911 and 311 systems.

“(d) Money in the Fund may not be used to defray:

“(1) Non-personnel costs related to overhead, including energy, rentals, janitorial services, security, or occupancy costs; or

“(2) Direct costs incurred by wireless carriers in providing wireless E911 service.

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

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

“(f) The Mayor shall submit to the Council, as a part of the annual proposed budget and financial plan, a request for an appropriation for expenditures from the Fund.

“(g)(1) All revenue and expenditures of the Fund shall be audited annually by the Chief Financial Officer, who shall transmit the results of the annual audit to the Mayor and the Council.

“(2) The annual transmittal of the results of the audit to the Mayor and the Council shall include the following:

“(A) The assets, liabilities, fund balance, revenue, and expenditures of the Fund;

“(B) A detailed accounting of the Fund’s expenditures;

“(C) Recommendations to improve the Fund’s financial management processes;

“(D) Identification of any Fund expenditures that are not permitted under law;

“(E) Recommendations to improve the language of the Fund’s enabling statute to reflect best practices; and

“(F) Any other information considered important for inclusion by the Chief Financial Officer.”.

**SUBTITLE D. NEIGHBORHOOD ENGAGEMENT ACHIEVES RESULTS**

Sec. 3031. Short title.

This subtitle may be cited as the “Neighborhood Engagement Achieves Results Congressional Review Emergency Amendment Act of 2018”.

Sec. 3032. The Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended as follows:

(a) Section 101(a) (D.C. Official Code § 7-2411(a)) is amended as follows:

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

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

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

“(3) A portion of the Roving Leaders Program, as determined by the Mayor, which shall be transferred to the ONSE from the Department of Parks and Recreation, along with all functions assigned, authorities delegated, positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available for the purposes of the portion of the program transferred.”.

(b) Section 214(h) (D.C. Official Code § 7-2831(h)) is amended by striking the phrase “a monthly report to the Council” and inserting the phrase “an annual report to the Council by January 15 of each year and a monthly update on the website of the District government agency that administers the Program” in its place.

**SUBTITLE E. FATALITY REVIEW COMMITTEE**

Sec. 3041. Short title.

This subtitle may be cited as the “Fatality Review Committee Congressional Review Emergency Amendment Act of 2018”.

Sec. 3042. Establishment and duties.

(a) There is established a Violence Fatality Review Committee (“Committee”) within the Office of the Chief Medical Examiner (“OCME”). The OCME shall provide facilities, staffing, and other administrative support for the Committee.

(b) The Committee shall evaluate homicides and suicides.

(c) The Committee’s duties shall include:

- (1) Identifying and characterizing the scope and nature of homicides and suicides;
- (2) Coordinating with other District fatality review entities to minimize duplication of efforts;
- (3) Describing and recording any data or patterns that are observed surrounding homicides and suicides;
- (4) Performing a retrospective review of socioeconomic determinant risk and protective factors surrounding homicides and suicides;
- (5) Developing and revising, as necessary, operating rules and procedures for review of homicides and suicides, including identification of cases to be reviewed, establishment of sub-committees as necessary, and improvement of the identification, data collection, and record keeping of the causes of homicides and suicides;
- (6) Recommending systemic improvements to prevent and respond to homicides and suicides;
- (7) Recommending policies for improved access to employment, healthcare, mental and behavioral healthcare, housing, and education programs; and
- (8) Recommending training to improve the prevention of homicides and suicides and to identify risk factors and develop protective factors in the individual, family, and community response to violence.

(d)(1) By July 1 of each year, the Committee shall make publicly available and submit to the Council and Mayor an annual report of its findings, recommendations, and steps taken to evaluate the implementation of past recommendations, which includes the following information:

(A) A description of the causes of and contributing factors to the homicides and suicides the Committee reviewed during the preceding calendar year;

(B) A description of the state of homicides and suicides, including statistics; and

(C) Recommendations for systemic changes and legislation relating to the prevention of homicides and suicides.

(2) If a recommendation in the annual report is directed at a particular subordinate agency, the head of the subordinate agency shall respond in writing to the Committee within 30 days after the issuance of the annual report, describing the subordinate agency's plans to address the recommendation.

(3) The annual report submitted pursuant to paragraph (1) of this subsection shall not contain any personally identifiable information but may include aggregated data.

(e) For the purposes of this section, the phrase "homicides and suicides" means homicides and suicides of a person 19 years of age or older:

(1) That occurs in the District; or

(2) Is of District residents, regardless of the place of death.

Sec. 3043. Composition of the Committee; procedural requirements.

(a) The Mayor shall appoint one representative from each of the following District agencies:

(1) The Office of the Attorney General;

(2) The Office of the Chief Medical Examiner;

(3) The Metropolitan Police Department;

(4) The Office of Neighborhood Safety and Engagement;

(5) The Office of Victim Services and Justice Grants;

(6) The Fire and Emergency Medical Services Department;

(7) The Department of Behavioral Health;

(8) The Department of Human Services;

(9) The Department of Health; and

(10) The District of Columbia Housing Authority.

(b) The Mayor shall invite members from federal, judicial, and private agencies or entities with relevant expertise in homicide or suicide cases, to include one representative from each of the following:

(1) The Superior Court of the District of Columbia;

(2) The Office of the United States Attorney for the District of Columbia; and

(3) The Court Services and Offender Supervision Agency.

(c) The Mayor shall additionally appoint the following members in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)):

- (1) One representative from each hospital located in the District;
  - (2) Two representatives from organizations providing hospital-based violence intervention programs;
  - (3) Two representatives from organizations providing mental and behavioral health services;
  - (4) One representative from a college or university within the District conducting research in homicide and suicide prevention;
  - (5) One representative from an organization providing services to secondary victims of homicide or suicide; and
  - (6) Three community members who are not District government employees.
- (d)(1) Members appointed pursuant to subsections (a) and (b) of this section shall serve at the pleasure of the Mayor, or of the entity designating their availability for appointment.
- (2) Members appointed pursuant to subsection (c) of this section shall serve a 3-year term and may be removed by the Mayor for cause. Vacancies in membership shall be filled in the same manner in which the original appointment was made.
- (e) The Committee shall select a Chairperson according to procedures set forth by the Committee.
- (f) The Committee shall establish quorum and other procedural requirements as it considers necessary.
- (g) No member appointed pursuant to subsection (c) of this section shall serve in a hold-over capacity for longer than 180 days after the expiration of the term to which they were appointed.
- (h) The Committee may invite other stakeholders to attend or present at any relevant portion of a Committee meeting.

**Sec. 3044. Access to information.**

- (a) Notwithstanding any other provision of law, immediately upon the request of the Committee and as necessary to carry out the Committee purpose and duties, the Committee shall be provided, without cost and without authorization of the persons to whom the information or records relate to, access to:
- (1) All information and records of:
    - (A) Any District agency, or a District agency's contractors, including birth and death certificates, law enforcement investigation data, unexpurgated juvenile delinquency records and adult criminal records, intellectual and developmental disabilities records, autopsy reports, parole and probation information and records, school records, and records of human services, behavioral health, housing; and
    - (B) Health agencies that provided services to the victim, the victim's family, or an alleged or suspected perpetrator whose acts led to the death of the victim;

(2) All information and records of any healthcare providers located in the District, including providers of health and mental health services who provided services to the deceased victim, the deceased victim's family, or the alleged or suspected perpetrator whose acts led to the death of the victim;

(3) All information and records of any public or private child welfare agency, educational facility or institution, or child care provider doing business in the District who provided services to the victim, the victim's family, or the alleged or suspected perpetrator whose acts led to the death of the victim; and

(4) Information made confidential by sections 203 or 306 of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1302.03 or § 4-1303.06), section 124(o) of the Vital Records Modernization Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-438; 65 DCR \_\_\_\_), section 302 of the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-1203.02), section 512 of the Citizens with Intellectual Disabilities Constitutional Rights and Dignity Act of 1978, effective March 3, 1979 (D.C. Law 2-137; D.C. Official Code § 7-1305.12), D.C. Official Code §§ 16-2331, 16-2332, 16-2333, and 16-2335, and section 28 of the Health Maintenance Organization Act of 1996, effective April 9, 1997 (D.C. Law 11-235; D.C. Official Code § 31-3426).

(b) The Committee may seek information from entities and agencies outside the District by any legal means available to it.

(c)(1) Notwithstanding subsection (a)(1) of this section, information and records concerning a current law enforcement investigation may be withheld, at the discretion of the investigating authority, if disclosure of the information would compromise a criminal investigation or prosecution.

(2) If information or records are withheld under paragraph (1) of this section, a report on the status of the investigation shall be submitted to the Committee by the investigating authority every 3 months until the earliest of the following events occurs:

(A) The investigation is concluded and the information or records are provided to the Committee; or

(B) The investigating authority determines that providing the information will no longer compromise the investigation and the information or records are provided to the Committee.

(d) All records and information obtained by the Committee pursuant to subsections (a) and (b) of this section pertaining to a deceased victim or any other individual shall be destroyed immediately following the preparation of the Committee's annual report. All additional information concerning a review, except statistical data, shall be destroyed by the Committee one year after publication of the Committee's annual report.

Sec. 3045. Subpoena power.

(a) When necessary for the discharge of its duties, the Committee may issue subpoenas to compel witnesses to appear, testify, or produce books, papers, correspondence, memoranda, documents, medical records, or other relevant records.

(b) Except as provided in subsection (c) of this section, subpoenas shall be served personally upon the witness or the witness's designated agent, not fewer than 5 business days before the date the witness must appear or the documents must be produced, by a special process server, at least 18 years of age, engaged by the Committee.

(c) If, after a reasonable attempt, personal service on a witness or a witness's agent cannot be effected, a special process server identified in subsection (b) of this section may serve a subpoena by registered or certified mail not fewer than 8 business days before the date the witness must appear, testify, or produce documents.

(d) If a witness who has been personally summoned neglects or refuses to obey the subpoena issued pursuant to subsection (a) of this section, the Committee may report that fact to the Superior Court of the District of Columbia, and the court may compel obedience to the subpoena to the same extent as witnesses may be compelled to obey the subpoenas of the court.

Sec. 3046. Confidentiality of information and proceedings.

(a) Except as provided in this section, information and records obtained or created by the Committee are confidential and not subject to civil discovery or to disclosure pursuant to the Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

(b) Information and records presented to the Committee for review shall not be immune from subpoena, discovery, or prohibited from being introduced into evidence solely because they were presented to or reviewed by the Committee if the information and records have been obtained through other sources.

(c) Information required to be reported under section 2 or 3 of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02 or § 4-1321.03), shall be disclosed by the Committee to the Child and Family Services Agency.

(d) A person other than a Committee member who appears before or participates in the Committee's review of homicides or suicides shall sign a confidentiality agreement acknowledging that any information provided to the Committee is confidential; provided, that any such confidentiality agreement shall account for situations where disclosure is necessary for the person to comply with a request for information from the Committee.

(e) Committee meetings shall be subject to the Open Meetings Act, approved October 21, 1968 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*), except that Committee

meetings shall be closed when the Committee is discussing cases of individual homicides or suicides or where the identity of any person, other than a person who has expressly consented to be identified, can be ascertained.

(f) Information identifying a victim of homicide or suicide, the victim's family members, or the alleged or suspected perpetrator of the homicide or suicide shall not be disclosed by the Committee in any report that is available to the public.

(g) The Committee may disclose information to other entities when the Committee determines that disclosure is necessary to carry out the Committee's purpose and duties. The Committee may disclose Committee records to another District fatality review committee or board at the request of the District fatality review committee or board, if the other District fatality review committee or board is governed by confidentiality that is substantially similar to the confidentiality by which the Committee is governed.

(h) This section shall not be construed to prohibit a person from:

- (1) Disclosing information that the person obtained independently of the Committee; or
- (2) Disclosing information that is already public.

Sec. 3047. Immunity from liability for providing information to the Committee.

(a) Any person, hospital, or institution participating in good faith in providing information to the Committee pursuant to sections 3041 through 3049 shall have immunity from administrative, civil, or criminal liability that might otherwise be incurred or imposed with respect to the disclosure of the information. In any such proceeding, there shall be a rebuttable presumption that the person, hospital, or institution that provided information to the Committee acted in good faith.

(b) If acting in good faith, without malice, and within the parameters of the operating rules and procedures established by sections 3041 through 3049, members of the Committee are immune from civil liability for an activity related to reviews of homicides or suicides, as that term is defined in section 3042(e).

Sec. 3048. Unlawful disclosure of information; penalties.

Whoever knowingly discloses, receives, makes use of, or permits the use of information concerning a victim or other person in violation of sections 3041 through 3049 shall be subject to a civil fine of not more than \$1,000. Violations of sections 3041 through 3049 shall be prosecuted by the Office of the Attorney General or the Attorney General's designee in the name of the District of Columbia.

Sec. 3049. Rules.



The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of sections 3041 through 3049.

Sec. 3050. Section 203(a) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1302.03(a)), is amended as follows:

(a) Paragraph (8) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (9) is amended by striking the period and inserting the phrase “; and” in its place.

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

“(10) The Violence Fatality Review Committee, for the purpose of examining past events and circumstances surrounding homicides and suicides, as that term is defined in section 3042(e) of the Fatality Review Committee Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_). The Violence Fatality Review Committee shall be granted, upon request, access to information contained in the files maintained on any deceased child or on the parent, guardian, custodian, kinship caregiver, day-to-day caregiver, relative/godparent, caregiver, or sibling of a deceased child.”.

Sec. 3051. Section 306(a) of the Prevention of Child Abuse and Neglect Act of 1977, effective October 18, 1979 (D.C. Law 3-29; D.C. Official Code § 4-1303.06(a)), is amended as follows:

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

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

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

“(6) The investigation or review of homicides or suicides, as that term is defined in section 3042(e) of the Fatality Review Committee Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_), by representatives of the Violence Fatality Review Committee, established by section 3042 of the Fatality Review Committee Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_).”.

Sec. 3052. Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-311 is amended by striking the phrase “Child Fatality Review Committee for inspection if the adoptee is deceased and inspection of the records and papers is necessary for the discharge of the Committee’s” and inserting the phrase “Child Fatality Review Committee or

the Violence Fatality Review Committee for inspection if the adoptee is deceased and inspection of the records and papers is necessary for the discharge of the relevant Committee's" in its place.

(b) Section 16-1053(c) is amended to read as follows:

“(c) The Mayor shall additionally appoint 8 community representatives, none of whom shall be employees of the District, in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).”.

(c) Section 16-2331(c)(4) is amended as follows:

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

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

“(G) The Violence Fatality Review Committee for the purposes of examining past events and circumstances surrounding suicides and homicides, as that term is defined in section 3042(e) of the Fatality Review Committee Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_), or for the discharge of its official duties.”.

(d) Section 16-2332(c)(4) is amended as follows:

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

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

“(E) The Violence Fatality Review Committee for the purposes of examining past events and circumstances surrounding suicides and homicides, as that term is defined in section 3042(e) of the Fatality Review Committee Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_), or for the discharge of its official duties.”.

(e) Section 16-2333(b)(4) is amended as follows:

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

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

“(F) The Violence Fatality Review Committee when necessary for the discharge of its official duties; and”.

(f) Section 16-2335(d) is amended by striking the phrase “the Child Fatality Review Committee” and inserting the phrase “Child Fatality Review Committee and the Violence Fatality Review Committee” in its place.

Sec. 3053. Section 204(d) of the Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(d)), is amended by adding a new paragraph (3) to read as follows:

“(3) The provisions of this title shall not apply to:

**ENROLLED ORIGINAL**

“(A) The Violence Fatality Review Committee, established by section 3042 of the Fatality Review Committee Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_);

“(B) The Child Fatality Review Committee, established by section 4603 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.03);

“(C) The Maternal Mortality Review Committee, established by section 3 of the Maternal Mortality Review Committee Establishment Act of 2018, effective June 5, 2018 (D.C. Law 22-111; D.C. Official Code § 7-761.02); and

“(D) The Domestic Violence Fatality Review Board, established by section 2(c) of the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act of 2002, effective April 11, 2003 (D.C. Law 14-296; D.C. Official Code § 16-1052).”.

Sec. 3054. The Maternal Mortality Review Committee Establishment Act of 2018, effective June 5, 2018 (D.C. Law 22-111; D.C. Official Code § 7-761.01 *et seq.*), is amended as follows:

(a) Section 3(c)(4) (D.C. Official Code § 7-761.02(c)(4)) is amended by striking the phrase “coordination among the agencies and professionals involved” and inserting the phrase “coordination of records requests by the Committee, establishment of sub-committees as necessary” in its place.

(b) Section 7 (D.C. Official Code § 7-761.06) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “discovery or to disclosure pursuant” and inserting the phrase “discovery, or to disclosure from the Committee pursuant” in its place.

(2) Subsection (d) is amended to read as follows

“(d) Committee meetings shall be subject to the Open Meetings Act, approved October 21, 1968 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*), except that Committee meetings shall be closed when the Committee is discussing cases of individual maternal deaths or where the identity of any person, other than a person who has expressly consented to be identified, can be ascertained.”.

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

“(f) This section shall not be construed to prohibit a person from:

“(1) Disclosing information that the person obtained independently of the Committee; or

“(2) Disclosing information that is already public.”.

(c) Section 8(b) (D.C. Official Code § 7-761.07(b)) is amending by striking the phrase “protocols established by this act” and inserting the phrase “operating rules and procedures established pursuant to this act” in its place.

**ENROLLED ORIGINAL**

Sec. 3055. The Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.01 *et seq.*), is amended as follows:

(a) Section 4602 (D.C. Official Code § 4-1371.02) is amended by adding a new paragraph (3) to read as follows:

“(3) “Parental interview” means Committee interaction, either in person or through other means of communication, with a parent, caregiver, or guardian of a deceased child.”.

(b) Section 4604 (D.C. Official Code § 4-1371.04) is amended as follows:

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

(A) Paragraph (12) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Paragraph (13) is amended by striking the period and inserting the phrase “; and” in its place.

(C) A new paragraph (14) is added to read as follows:

“(14) Public Charter School Board.”.

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

“(c) The Mayor shall additionally appoint 8 community representatives, none of whom shall be employees of the District, in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).”.

(c) Section 4606 (D.C. Official Code § 4-1371.06) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase “of abuse which” and inserting the phrase “whose acts” in its place.

(B) Paragraph (2) is amended by striking the phrase “of abuse which” and inserting the phrase “whose acts” in its place.

(C) Paragraph (3) is amended by striking the phrase “of abuse or neglect which” and inserting the phrase “whose acts” in its place.

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

“(d-1) The Committee may conduct voluntary parental interviews as part of the fatality review process to identify and characterize the scope and nature of the child death.”.

(3) Subsection (e) is amended by striking the phrase “(a) and (b)” and inserting the phrase “(a), (b), and (d-1)” in its place.

Sec. 3056. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

(a) The second paragraph 57, added by the Interstate Medical Licensure Compact Enactment Act of 2018, effective June 5, 2018 (D.C. Law 22-109; 65 DCR 3809), is redesignated as paragraph (58).

(b) Paragraph (58), added by the Maternal Mental Health Task Force Establishment Act of 2018, effective July 17, 2018 (D.C. Law 22-139; D.C. Official Code § 7-1233.01 *et seq.*), is redesignated as paragraph (59).

(c) New paragraphs (60), (61), (62), and (63) are added to read as follows:

“(60) The Maternal Morality Review Committee, established by section 3 of the Maternal Mortality Review Committee Establishment Act of 2018, effective June 5, 2018 (D.C. Law 22-111; D.C. Official Code § 7-761.02);

“(61) The Child Fatality Review Committee, established by section 4603 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.03);

“(62) The Violence Fatality Review Committee, established by section 3042 of the Fatality Review Committee Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_);

“(63) The Domestic Violence Fatality Review Board, established by section 2(c) of the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act of 2002, effective April 11, 2003 (D.C. Law 14-296; D.C. Official Code § 16-1052); and”.

#### **SUBTITLE F. EMERGENCY MEDICAL SERVICES TRANSPORT CONTRACT AUTHORITY**

Sec. 3061. Short title.

This subtitle may be cited as the “Emergency Medical Services Transport Contract Authority Congressional Review Emergency Amendment Act of 2018”.

Sec. 3062. Section 1 of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), is amended as follows:

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

(1) The lead-in language is amended by striking the word “quarterly” and inserting the word “biannual” in its place.

(2) Paragraph (10) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(3) Paragraph (11) is amended by striking the period and inserting the phrase “; and” in its place.

(4) A new paragraph (12) is added to read as follows:

“(12) For each day of the reporting period, the number of minutes during the third-party contractor’s period of service that none of the third-party contractor’s ambulances were available.”.

(b) Subsection (e) is amended by striking the word “quarterly” and inserting the word “biannually” in its place.

(c) Subsection (f) is amended by striking the word “quarterly” and inserting the word “biannually” in its place.

Sec. 3063. Section 3073 of the Emergency Medical Services Transport Contract Authority Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR 10775), is amended by striking the phrase “September 30, 2019.” and inserting the phrase “September 30, 2021.” in its place.

**SUBTITLE G. RETURNING CITIZENS OPPORTUNITY TO SUCCEED**

Sec. 3071. Short title.

This subtitle may be cited as the “Returning Citizens Opportunity to Succeed Congressional Review Emergency Amendment Act of 2018”.

Sec. 3072. The Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 24-1302) is amended as follows:

(1) Subsection (a) is amended by striking the word “career” and inserting the word “workforce” in its place.

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

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

(i) Subparagraph (B) is amended by striking the phrase “the returning” and inserting the word “returning” in its place.

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

(iii) Subparagraph (I) is amended by striking the period and inserting the phrase “; and” in its place.

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

“(J) Establish a pilot program for Fiscal Year 2019 to provide transportation subsidies to returning citizens, pursuant to criteria to be developed by the Office, in the amount of \$60,000.”

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

“(4) The Director may communicate and coordinate with and seek information from the Federal Bureau of Prisons (“BOP”), including by:

“(A) Developing and maintaining a database containing the name, location of incarceration, and contact information for each District resident incarcerated by the BOP who is expected to be released within the next 6 months; and

“(B) Contacting each District resident incarcerated by the BOP who is expected to be released within the next 6 months to provide:

“(i) Information detailing available housing and employment resources, including any necessary application forms;  
“(ii) The Office’s contact information; and  
“(iii) The necessary information to apply for birth certificates and non-driver identification cards.”.

(b) Section 4(b)(1) (D.C. Official Code § 24-1303(b)(1)) is amended as follows:

(1) Subparagraph (I) is amended by striking the word “Rehabilitative” and inserting the word “Rehabilitation” in its place.

(2) Subparagraph (L) is amended by striking the word “Mental” and inserting the word “Behavioral” in its place.

Sec. 3073. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 7(a) (D.C. Official Code § 50-1401.01(a)) is amended as follows:

(1) Paragraph (1) is amended by adding a new subparagraph (A-ii) to read as follows:

“(A-ii)(i) Notwithstanding subparagraph (A-i) of this paragraph, a pilot program for Fiscal Year 2019 shall be established to waive the fee described in subparagraph (A-i) of this paragraph for:

“(I) An individual released from the custody of the Federal Bureau of Prisons (“BOP”), for one year after the individual is released from the custody of the BOP; and

“(II) An individual in the custody of the BOP at a halfway house in the District.

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

(2) Paragraph (2) is amended by adding a new subparagraph (A-i) to read as follows:

“(A-i)(i) Notwithstanding subparagraph (A) of this paragraph, a pilot program for Fiscal Year 2019 shall be established to waive the fee described in subparagraph (A) of this paragraph for:

“(I) An individual released from the custody of the Federal Bureau of Prisons (“BOP”), for one year after the individual is released from the custody of the BOP; and

“(II) An individual in the custody of the BOP at a halfway house in the District.

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

(3) Paragraph (2A) is amended by adding a new subparagraph (A-i) to read as follows:

“(A-i)(i) Notwithstanding subparagraph (A) of this paragraph, a pilot program for Fiscal Year 2019 shall be established to waive the fee described in subparagraph (A) of this paragraph for:

“(I) An individual released from the custody of the Federal Bureau of Prisons (“BOP”), for one year after the individual is released from the custody of the BOP; and

“(II) An individual in the custody of the BOP at a halfway house in the District.

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

(b) Section 8a(a) (D.C. Official Code § 50-1401.03(a)) is amended by adding a new paragraph (1B) to read as follows:

“(1B)(A) A pilot program for Fiscal Year 2019 shall be established to waive the application fee for a driver’s license or a special identification card issued pursuant to this section for:

“(i) An individual released from the custody of the Federal Bureau of Prisons (“BOP”), for one year after the individual is released from the custody of the BOP; and

“(ii) An individual in the custody of the BOP at a halfway house in the District.

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

## **SUBTITLE H. EXPANDING ACCESS TO JUSTICE**

Sec. 3081. Short title.

This subtitle may be cited as the “Expanding Access to Justice Congressional Review Emergency Amendment Act of 2018”.

Sec. 3082. Section 3053(b) of the Expanding Access to Justice Amendment Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 4-1802(b)), is amended by adding a new paragraph (3) to read as follows:



“(3) The grant shall be nonlapsing and interest earned by the Bar Foundation on grant funds shall remain available for use by the Bar Foundation for the purposes of the Program, without fiscal year limitation.”.

**SUBTITLE I. OFFICE OF THE ATTORNEY GENERAL INFORMATION TECHNOLOGY AUTHORITY AND HOUSING RECEIVERSHIP COSTS**

Sec. 3091. Short title.

This subtitle may be cited as the “Office of the Attorney General Information Technology Authority and Housing Receivership Costs Congressional Review Emergency Amendment Act of 2018”.

Sec. 3092. Section 1816a of the Office of the Chief Technology Officer Establishment Act of 1998, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 1-1406), is amended by striking the phrase “Council of the District of Columbia or the Office of the District of Columbia Auditor” and inserting the phrase “Council of the District of Columbia, the Office of the District of Columbia Auditor, or the Office of the Attorney General” in its place.

Sec. 3093. Section 12a(b) of the Drug-Related Nuisance Abatement Act of 1998, effective April 4, 2006 (D.C. Law 16-81; D.C. Official Code § 42-3111.01(b)), is amended by striking the phrase “pursuant to this act” and inserting the phrase “pursuant to this act. The Attorney General may also use the funds in the Fund to enforce Title V of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.01 *et seq.*), including all costs reasonably related to prosecuting and conducting investigations of housing receivership cases” in its place.

**SUBTITLE J. IMMIGRANT LEGAL SERVICES PROGRAM**

Sec. 3101. Short title.

This subtitle may be cited as the “Immigrant Legal Services Program Congressional Review Emergency Act of 2018”.

Sec. 3102. Immigrant Legal Services Program.

(a) For the purposes of this subtitle, the term:

(1) “District immigrant resident” means an immigrant individual who resides in the District of Columbia, regardless of their immigration status, and includes full-time students at post-secondary educational institutions located in the District.

(2) “Legal services” means:

(A) Legal representation of District immigrant residents, including through the provision of legal advice, brief services, and limited-scope representation; or

(B) Training of attorneys in immigration legal issues.

(3) "Legal services provider" means:

(A) A nonprofit organization;

(B) A private entity that partners with a nonprofit organization; or

(C) A private entity utilizing pro bono legal assistance.

(b) There is established an Immigrant Legal Services Program ("Program") to be administered by the Office of Victim Services and Justice Grants ("OVSJG") to provide grants to legal services providers that deliver legal services.

(c) OVSJG, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle, including rules governing the:

(1) Types of legal services projects eligible for grant funding;

(2) Application process and timing; and

(3) Monitoring of program performance and reporting requirements.

#### **SUBTITLE K. CLEMENCY BOARD ESTABLISHMENT**

Sec. 3111. Short title.

This title may be cited as the "Clemency Board Establishment Congressional Review Emergency Act of 2018".

Sec. 3112. Definitions.

For the purposes of this title, the term:

(1) "Board" means the Clemency Board established in section 203.

(2) "Clemency" means the power of the President of the United States to modify an individual's criminal sentence through either commutation or pardon.

(3) "Commutation" means a reduction in a sentence or fine imposed on an individual.

(4) "District offenders" means a person convicted of violating a District law or regulation.

(5) "EOM" means the Executive Office of the Mayor.

(6) "Pardon" means the removal of collateral consequences associated with the punishment imposed on an individual, usually granted to restore an individual's civil rights.

Sec. 3113. Establishment and duties.

(a) There is established a Clemency Board within the EOM to review the applications of District offenders and determine which applicants to recommend to the President of the United States for clemency. The EOM's General Counsel shall provide staff, office space, and administrative support to the Board.

(b) The Board shall:

(1) Develop criteria and an application for clemency recommendations and publicize the application procedure;

(2) Review each application and determine, within 6 months after a complete application is received, whether to recommend the application to the President of the United States;

(3) Consider both cases of actual innocence and cases of those who are remorseful and can show that they have been rehabilitated;

(4) Give special consideration to applicants who are terminally ill or elderly, or who no longer present a danger to the community;

(5) Develop criteria for the consideration of an applicant's background, which may include procedures by which the Board obtains information from outside organizations that the applicant has interacted with;

(6) Whenever feasible, conduct in-person, telephone, or video conference hearings with applicants;

(7) Allow applicants to have access to an attorney or non-attorney representative at any hearing before the Board;

(8) When the Board decides to recommend an application to the President of the United States, it shall:

(A) Send the application, along with a narrative describing why the Board recommended the application, to the Office of the Pardon Attorney and to the President of the United States; and

(B) Provide notification, to include the applicant's name, to the Chairman of the Council and the Chair of the Council Committee with jurisdiction over judiciary matters; and

(9) Track and publish the number of applications the Board grants and denies, including the number of applications recommended to the President of the United States, in an annual report to the Council and on the EOM's website; provided, that the annual report shall exclude personally identifiable information.

**Sec. 3114. Composition.**

(a) The Board shall consist of the following members:

(1) The Mayor shall appoint 5 individuals with the following qualifications pursuant to section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)):

(A) One member with a background in returning citizen issues;

(B) One mental-health professional;

(C) One member with a background in victim's rights;

(D) One member of the District of Columbia Bar in good standing, with experience in criminal law; and

- (E) One District resident community member;
- (2) The Attorney General for the District of Columbia, or the Attorney General's designee; and
- (3) The chairperson of the Council committee with jurisdiction over judiciary and public safety matters, or the chairperson's designee.

(b) In addition to the members described in subsection (a) of this section, the Mayor shall invite the Director of the Public Defender Service for the District of Columbia, or the Director's designee, and the United States Attorney for the District of Columbia, or the United States Attorney's designee, to participate as members of the Board.

(c) The Board shall select a chairperson from among the members appointed pursuant to subsection (a)(1) of this section.

(d)(1) At the first meeting of the Board, the Board shall determine what constitutes a quorum for the transaction of business.

(2) Applications for clemency shall be approved for recommendation to the President of the United States by a majority vote of the members present and voting.

(e)(1) Board members appointed pursuant to subsection (a)(1) of this section shall serve for terms of 4 years, except as provided in paragraph (2) of this subsection.

(2) Of the members initially appointed under subsection (a)(1) of this section, 3 members shall be appointed to serve for a 4-year term and 2 members shall be appointed to serve for a 3-year term. The terms of the members first appointed pursuant to subsection (a)(1) of this section shall begin on the date by which a majority of the members appointed pursuant to subsection (a)(1) of this section are sworn in, which shall become the anniversary date for all subsequent appointments.

**Sec. 3115. Eligibility for a clemency recommendation.**

(a) All District offenders shall be eligible to apply for a clemency recommendation from the Board.

(b) No application for a clemency recommendation shall be filed pursuant to this subtitle if other forms of judicial or administrative relief are available based on existing law and already-discovered evidence.

(c) The application criteria developed by the Board, pursuant to section 203(b)(1), for applicants seeking a pardon shall require the applicant to:

(1) Before applying, wait 5 years after the date of the release of the applicant from confinement or, in case no prison sentence was imposed, wait 5 years after the date of the conviction of the applicant;

(2) Not have been convicted of any other criminal offense that is relevant to the conviction for which the applicant seeks clemency, as determined by the Board;

(3) Not be subject to any pending criminal charge that is relevant to the conviction for which the applicant seeks clemency, as determined by the Board;

(4) Not be a party to a past or pending civil case that is relevant to the conviction for which the applicant seeks clemency, as determined by the Board;

(5) Demonstrate that the applicant has been rehabilitated; and

(6) Describe how the receipt of a pardon would help the applicant achieve his or her goals and contribute to the community.

(d) The application criteria developed by the Board, pursuant to section 203(b)(1), for applicants seeking a commutation shall require the applicant to:

(1) Demonstrate that the applicant has been rehabilitated; and

(2) Describe how commutation would help the applicant achieve his or her goals and contribute to the community.

(e) An applicant shall be given special consideration if the sentencing scheme, including a mandatory-minimum sentence, for the offense for which he or she was convicted was changed to provide for less severe penalties after the applicant was convicted under the sentencing scheme.

Sec. 3116. Confidentiality of proceedings.

(a) Proceedings of the Board shall be subject to the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*), except that the Board shall hold closed sessions when:

(1) Considering applications for clemency recommendations; or

(2) Discussing matters that would allow for the identity of any person who is a subject of the discussion, other than a person who has expressly consented to be identified, to be ascertained.

(b)(1) Persons other than Board members who attend any Board meeting that is closed to the public shall not disclose what occurred at the meeting to anyone who was not in attendance, except insofar as disclosure is necessary for that person to comply with a request for information from the Board.

(2) Board members who attend closed meetings shall not disclose what occurred with anyone who was not in attendance (except other Board members), except insofar as disclosure is necessary to carry out the duties of the Board.

Sec. 3117. Confidentiality of information.

(a) Except as provided by this section, information and records of the Board shall not be disclosed voluntarily, pursuant to a subpoena, in response to a request for discovery in any adjudicative proceeding, or in response to a request made under the Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), nor shall they be introduced into evidence in any administrative, civil, or criminal proceeding.

(b)(1) Information and records of the Board may be disclosed by members of the Board only as necessary to carry out the Board's duties and purposes.

(2) A member of the Board who discloses information pursuant to this act shall take all reasonable steps to ensure that the information disclosed, and the persons to whom the information is disclosed, are as limited as possible.

(c) Information and records presented to the Board shall not be immune from subpoena or request for discovery in an adjudicative proceeding or prohibited from being introduced into evidence solely because the information and records were presented to the Board, if the information and records have been obtained through sources other than the Board or its members.

**Sec. 3118. Rules.**

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

**Sec. 3119.** Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), is amended as follows:

(a) Paragraph (32) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (33) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new paragraph (34) is added to read as follows:

“(34) The Clemency Board, established by section 203 of the Youth Rehabilitation Amendment Act of 2018, enacted on September 6, 2018 (D.C. Act 22-451; 65 DCR \_\_\_\_).”.

**Sec. 3120.** Section 204(a) of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended as follows:

(a) Paragraph (15) is amended by striking the phrase “; and” and inserting a semicolon in its place.

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

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

“(17) Information exempt from disclosure pursuant to section 207(a) of the Youth Rehabilitation Amendment Act of 2018, enacted on September 6, 2018 (D.C. Act 22-451; 65 DCR \_\_\_\_).”.

**TITLE IV. PUBLIC EDUCATION**

**SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS INCREASES**

Sec. 4001. Short title.

This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools Increase Congressional Review Emergency Amendment Act of 2018”.

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

(a) Section 104 (D.C. Official Code § 38-2903) is amended as follows:

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

(2) The newly designated subsection (a) is amended by striking the phrase “\$10,257 per student for fiscal year 2018” and inserting the phrase “\$10,658 per student for Fiscal Year 2019” in its place.

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

“(b) By December 31, 2018, and annually thereafter, the Mayor shall transmit to the Council the algorithm that will be used to determine the next fiscal year’s Formula foundation level, which shall include variables for the cost of teachers and other classroom-based personnel and for both school-based and non-school-based administrative personnel. The Office of the State Superintendent of Education shall publish the algorithm on its website.”.

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

“Grade Level	Weighting	Per Pupil Allocation in FY 2019
“Pre-Kindergarten 3	1.34	\$14,282
“Pre-Kindergarten 4	1.30	\$13,855
“Kindergarten	1.30	\$13,855
“Grades 1-5	1.00	\$10,658
“Grades 6-8	1.08	\$11,511
“Grades 9-12	1.22	\$13,003
“Alternative program	1.44	\$15,348
“Special education school	1.17	\$12,470
“Adult	0.89	\$9,486

”.

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

**ENROLLED ORIGINAL**

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

“Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2019
“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$10,338
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$12,790
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$20,996
“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	\$37,196
“Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.099	\$1,055
“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	\$949



**ENROLLED ORIGINAL**

“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	\$17,799
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“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2019
“ELL	Additional funding for English Language Learners.	0.49	\$5,222
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.224	\$2,387

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2019
“Level 1: Special Education – Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.37	\$3,943

**ENROLLED ORIGINAL**

“Level 2: Special Education – Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.34	\$14,282
“Level 3: Special Education – Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$30,802
“Level 4: Special Education – Residential	Additional funding to support the after-hours level 4 special education needs of limited and non- English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$30,802
“LEP/NEP - Residential	Additional funding to support the after-hours limited- and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	\$7,120

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

**ENROLLED ORIGINAL**

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2019
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs.	0.063	\$671
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	\$2,419
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$5,233
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$5,233

”.

(d) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase “Fiscal Year 2020” and inserting the phrase “Fiscal Year 2022” in its place.

**SUBTITLE B. DISTRICT OF COLUMBIA STATE ATHLETICS**

Sec. 4011. Short title.

This subtitle may be cited as the “State Athletics Congressional Review Emergency Amendment Act of 2018”.

Sec. 4012. Section 104(g) of the District of Columbia State Athletics Consolidation Act of 2016, effective April 7, 2017 (D.C. Law 21-263; D.C. Official Code § 38-2661.12(g)), is repealed.

**SUBTITLE C. HIGHER EDUCATION INCENTIVE PROGRAM**

Sec. 4021. Short title.

This subtitle may be cited as the “Early Childhood Higher Congressional Review Education Incentive Emergency Amendment Act of 2018”.

Sec. 4022. The Pre-K Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 38-271.01) is amended as follows:

(1) Paragraph (2A) is repealed.

(2) Paragraph (3) is amended by striking the word “grant”.

(b) Section 401 (D.C. Official Code § 38-274.01) is amended as follows:

(1) The section heading is amended by striking the phrase “; workforce development plan; HEI scholarship program; career and compensation plan;” and inserting a semicolon in its place.

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

“(a) The University of the District of Columbia shall establish a Higher Education Incentive Program (“HEI Program”) for the purpose of increasing the number of early education teachers teaching in the District, including:

“(1) The number of pre-k teachers and assistant pre-k teachers, who meet the degree and credential requirements established by OSSE pursuant to section 201, working in elementary education in public schools, public charter schools, and CBOs; and

“(2) The number of infant and toddler lead and assistant teachers working in child development facilities, as defined in section 2(3) of the Child Development Facilities Regulation Act of 1998, effective April 13, 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031(3)), who meet the degree and credential requirements established by OSSE pursuant to section 7 of the Child Development Facilities Regulation Act of 1998, effective April 13, 1999 (D.C. Law 12-215; D.C. Official Code § 7-2036).”.

(3) New subsections (a-1) and (a-2) are added to read as follows:

“(a-1) As part of the HEI Program, the University of the District of Columbia may:

“(1) Award and administer grants to District of Columbia higher education institutions to increase the number of early education teachers with advanced learning degrees or credentials;

“(2) Establish and administer the HEI scholarship program described in section 402.

“(a-2) To assist in the establishment and implementation of the HEI Program, the University of the District of Columbia shall establish and convene a working group, which shall be referred to as the DC Collaborative, comprised of representatives of District of Columbia colleges and universities and the OSSE, and such other individuals as the University of the District of Columbia determines may be helpful to achieve the purposes of the HEI Program.”.

(4) Subsections (b), (c), and (d) are repealed.

(5) Subsection (e) is amended by striking the phrase “grant and scholarship programs” and inserting the word “Program” in its place.

(c) Section 401a (D.C. Official Code § 38-274.01a) is repealed.

(d) Section 402(a) (D.C. Official Code § 38-274.02(a)) is amended to read as follows:

“(a)(1) As part of the HEI Program, the University of the District of Columbia may establish and administer a scholarship-award program for qualified individuals who have an interest in the early childhood development field or pre-k education field.

“(2) In exchange for a commitment to teach in the early childhood development or the pre-k education system in the District for 3 years, the University of the District of Columbia may provide to a qualified applicant a scholarship, stipend, tuition assistance, or other financial assistance, including financial assistance for mentoring, tutoring, transportation, and child care expenses, to remove barriers to attaining or seeking to attain a higher education credential in the field of early childhood development or early childhood education.”.

(e) Section 403 (D.C. Official Code § 38-274.03) is amended as follows:

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

“Sec. 403. Higher Education Incentive Program Fund.”.

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

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

“(1) There is established as a special fund the Higher Education Incentive Program Fund (“HEIP Fund”), which shall be administered by the University of the District of Columbia in accordance with subsection (b) of this section.”.

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

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

“(b) Money in the HEIP Fund shall be used for the following purposes:

“(1) To fund awards issued pursuant to the HEI scholarship program; and

“(2) To pay for the costs of administering the HEI Program, not to exceed 10% of the balance of the HEIP Fund per fiscal year.”.

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

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

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

“(d) The HEIP Fund shall appear as a separate program line within the budget of the University of the District of Columbia.”.

**SUBTITLE D. HEALTHY SCHOOLS**

Sec. 4031. Short title.

This subtitle may be cited as the “Healthy Schools Congressional Review Emergency Amendment Act of 2018”.

Sec. 4032. Section 102(c) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.02(c)), is amended as follows:

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

“(6) To increase physical activity in schools, the Office of the State Superintendent of Education may issue grants through a competitive process or a formula grants process to public schools, public charter schools, or organizations that provide technical assistance to public schools or public charter schools to increase the amount of physical activity in schools; provided, that a school receiving a grant pursuant to this paragraph shall seek to:

“(A) Meet the requirements of section 402; and

“(B) Increase the amount of physical activity in which its students engage.”.

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

“(10) To increase cafeteria staff’s abilities to provide healthy meals for students, the Office of the State Superintendent for Education may issue grants through a competitive process or a formula grants process to public schools, public charter schools, or other organizations for the acquisition of school kitchen equipment and for providing training sessions on cooking skills and nutrition for school cafeteria workers and school food service vendors.”.

**SUBTITLE E. DISTRICT OF COLUMBIA PUBLIC SCHOOLS SALES AND LICENSING AUTHORITY**

Sec. 4041. Short title.

This subtitle may be cited as the “District of Columbia Public Schools Sales and Licensing Authority Congressional Review Emergency Amendment Act of 2018”.

Sec. 4042. Section 105a of the District of Columbia Public Schools Agency Establishment Act of 2007, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 38-174.01), is amended to read as follows:

“Sec. 105a. Event sponsorships, sales of intellectual property and tickets; establishment of special fund.

“(a) Notwithstanding any other provision of law, the Chancellor of the District of Columbia Public Schools may:

“(1) Contract for advertisements for and sponsorships of District of Columbia Public Schools athletics programs or events, community engagement events, educational programs, or facilities improvements for the purpose of generating resources for the District of Columbia Public Schools;

“(2) With the approval of the Mayor, sell or license intellectual property rights of the District for intellectual property created by the District of Columbia Public Schools for use by the District of Columbia Public Schools; and

“(3) Sell tickets to District of Columbia Public Schools athletic events and school performances.

“(b)(1) There is established as a special fund the District of Columbia Public Schools Sales and Sponsorship Fund (“Fund”), which shall be administered by the District of Columbia Public Schools in accordance with paragraph (3) of this subsection.

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

“(A) Contracts for advertisements for and sponsorships of athletics programs and events, community engagement events, educational programs, or facilities improvements entered into pursuant to subsection (a)(1) of this section;

“(B) The sale or license of intellectual property rights pursuant to subsection (a)(2) of this section; and

“(C) The sale of tickets to District of Columbia Public Schools athletic events and school performances pursuant to subsection (a)(3) of this section.

“(3) Money in the Fund shall be used to support the operations of the District of Columbia Public Schools, including instruction, education programs, human resources, athletics, the arts, and community engagement.

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

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

**SUBTITLE F. DCPL LEASE AND PERMITTING AUTHORITY**

Sec. 4051. Short title.

This subtitle may be cited as the “District of Columbia Public Library Lease and Permitting Authority Congressional Review Emergency Amendment Act of 2018”.

Sec. 4052. An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-101 *et seq.*), is amended follows:

(a) Section 5(a) (D.C. Official Code § 39-105(a)) is amended by adding a new paragraph (16) to read as follows:

“(16) Notwithstanding section 1022 of the Department of General Services Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 10-551.01), through its Chief Librarian or Executive Director, have the authority to:

“(A) Acquire, in consultation with the Department of General Services, real property by lease for use by the library, for a period not to exceed 5 years;

“(B) Issue revocable permits for short-term events, programs, and activities providing for the use of grounds and facilities under the jurisdiction of the Board of Library Trustees;

“(C) Negotiate and execute lease agreements providing for the use of the Martin Luther King Jr. Memorial Library; provided, that such agreements are for an initial term of no more than 5 years and permit the exercise of no more than 2 one-year options; and

“(D) Issue rules to implement the provisions of this paragraph.”.

(b) The second section 15(b) (D.C. Official Code § 39-117(b)) is amended by striking the phrase “section 5(a)(14)” and inserting the phrase “section 5(a)(14) and (16)” in its place.

**SUBTITLE G. STUDENT FAIR ACCESS TO SCHOOL**

Sec. 4061. Short title.

This subtitle may be cited as the “Student Fair Access to School Applicability and Technical Congressional Review Emergency Amendment Act of 2018”.

Sec. 4062. Title II of the Attendance Accountability Amendment Act of 2013, effective September 19, 2013 (D.C. Law 20-17; D.C. Official Code § 38-235 *et seq.*), is amended as follows:

(a) Section 204(h) is repealed.

(b) Section 206(c) is amended to read as follows:

“(c) For the purpose of providing local education agencies and schools the services set forth in subsection (a) of this section, the OSSE may:

“(1) Award a contract or grant to one or more nonprofit organizations;



“(2) Award contracts or competitive or formula grants to local education agencies, schools, or partnerships developed among schools or with nonprofit organizations;

“(3) Establish a memorandum of understanding with the Department of Behavioral Health or other District agency; or

“(4) Any combination of paragraphs (1) through (3) of this subsection.”.

Sec. 4063. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

(a) The second paragraph (24), as added by the Access to Emergency Epinephrine in Schools Amendment Act of 2015, effective March 9, 2016 (D.C. Law 21-77; 63 DCR 756), is redesignated as paragraph (25).

(b) Paragraphs (25) through (27), as added by the Youth Suicide Prevention and School Climate Survey Amendment Act of 2016, effective June 17, 2016 (D.C. Law 21-120; 63 DCR 6856), are redesignated as paragraphs (26) through (28), respectively.

(c) Newly redesignated paragraph (28)(E)(iii) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(d) Paragraph (29) is amended by striking the period and inserting the phrase “; and” in its place.

(e) A new paragraph (30) is added to read as follows:

“(30) Provide schools the supports set forth in section 206 of the Attendance Accountability Amendment Act of 2013, effective August 25, 2018 (D.C. Law 22-157; D.C. Official Code § 38-236.06).”.

Sec. 4064. The Student Fair Access to School Amendment Act of 2018, effective August 25, 2018 (D.C. Law 22-157; 65 DCR 7499), is amended as follows:

(a) Section 2(c) is amended by striking the phrase “including non-instructional personnel with specialized expertise in behavioral health, trauma-informed educational settings, and restorative justice practices, to assist local education agencies and schools in developing” and inserting the phrase “including non-instructional specialized experts from the fields of behavioral health, trauma-informed educational settings, or restorative justice, to assist schools and local education agencies, as needed and in accordance with policies OSSE adopts, in developing and” in its place.

(b) Section 3(d) is repealed.

(c) Section 4(a) is amended to read as follows:

“(a) Sections 204(a) and 206(a)(4) of Title II of the Attendance Accountability Amendment Act of 2013, effective August 25, 2018 (D.C. Law 22-157; D.C. Official Code §§ 38-236.04(a) and 38-236.06(a)(4)), added by section 2(c), shall apply upon the date of inclusion of the section’s fiscal effect in an approved budget and financial plan.”.

Sec. 4065. Applicability.

This subtitle shall apply as of August 25, 2018.

**SUBTITLE H. ACCESS TO EMERGENCY EPINEPHRINE IN SCHOOLS  
CLARIFICATION**

Sec. 4071. Short title.

This subtitle may be cited as the “Access to Emergency Epinephrine in Schools Clarification Congressional Review Emergency Amendment Act of 2018”.

Sec. 4072. The Student Access to Treatment Act of 2007, effective February 2, 2008 (D.C. Law 17-107; D.C. Official Code § 38-651.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 38-651.01) is amended as follows:

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

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

“(1) “Designated epinephrine auto-injector” means a disposable drug-delivery system with a spring-activated needle, which is obtained with a prescription for a particular person, that is designed for the emergency administration of epinephrine to a person suffering an episode of anaphylaxis.”.

(b) Section 5a (D.C. Official Code § 38-651.04a) is amended as follows:

(1) Subsection (b)(2) is amended by striking the phrase “an undesignated” and inserting the phrase “a designated or undesignated” in its place.

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

“(e) An employee or agent of a public school who is certified pursuant to this section may administer a designated epinephrine auto-injector to the student to whom it is prescribed, who the employee or agent believes in good faith to be suffering or about to suffer an anaphylactic episode.”.

Sec. 4073. Applicability.

This subtitle shall apply as of September 29, 2018.

**SUBTITLE I. SPECIAL EDUCATION TEACHER PREPARATION GRANT**

Sec. 4081. Short title.

This subtitle may be cited as the “Special Education Teacher Preparation Grant Congressional Review Emergency Act of 2018”.

Sec. 4082. In Fiscal Year 2019, the Office of the State Superintendent of Education shall award, on a competitive basis, a grant of \$350,000 to support a teacher preparation program that provides robust training for special education teachers related to standards-based content and

cultivating teacher and student well-being, including social emotional competence, and that will create a robust pipeline of highly effective special education teachers to work in District of Columbia public schools and public charter schools.

**TITLE V. HEALTH AND HUMAN SERVICES**

**SUBTITLE A. INDIVIDUAL HEALTH INSURANCE REQUIREMENT**

Sec. 5001. Short title.

This subtitle may be cited as the “Individual Health Insurance Requirement Congressional Review Emergency Amendment Act of 2018”.

Sec. 5002. Title 47 of the District of Columbia Official Code is amended as follows:

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

“51. Individual Taxpayer Health Insurance Responsibility Requirement”.

(b) A new Chapter 51 is added to read as follows:

“CHAPTER 51. INDIVIDUAL TAXPAYER HEALTH INSURANCE RESPONSIBILITY REQUIREMENT.

“Sec.

“47-5101. Definitions.

“47-5102. Requirement to maintain minimum essential coverage; exemptions.

“47-5103. District shared responsibility payments.

“47-5104. Exemptions from the minimum essential coverage and District shared responsibility payment requirements.

“47-5105. Reporting of health insurance coverage.

“47-5106. Annual notification.

“47-5107. Individual Insurance Market Affordability and Stability Fund.

“47-5108. Liability.

“47-5109. Rules.

“§ 47-5101. Definitions.

“For the purposes of this chapter, the term:

“(1) “Applicable entity” means:

“(A) An employer or other sponsor of an employment-based health plan;

“(B) The Department of Health Care Finance; or

“(C) An insurance carrier licensed or otherwise authorized to offer

minimum essential coverage.

“(2) “Applicable individual” shall have the same meaning as provided in section 5000A of the Internal Revenue Code of 1986 (26 U.S.C. § 5000A), as the section and its implementing regulations were in effect on December 15, 2017; provided, that:

“(A) An individual enrolled in the D.C. HealthCare Alliance program shall not be considered an applicable individual with respect to any month during which the individual was enrolled in the D.C. HealthCare Alliance program;

“(B) An individual shall not be considered an applicable individual with respect to any month during which the individual was a resident of a jurisdiction other than the District;

“(C) An individual shall not be considered an applicable individual if the individual is a member of a religious sect or division that is recognized by the United States Social Security Administration as conscientiously opposed to accepting any insurance benefits, including Social Security and Medicare; and

“(D) An individual shall not be considered an applicable individual if the individual files a sworn affidavit with his or her District tax return attesting to a lack of minimum essential coverage on the basis of sincerely held religious beliefs during the entire taxable year for which the return was filed.

“(3) “Authority” means the District of Columbia Health Benefit Exchange Authority, established by section 5 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.04).

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

“(5) “D.C. HealthCare Alliance” means the program established pursuant to section 7 of the Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405).

“(6) “Dependent” shall have the same meaning as provided in section 152 of the Internal Revenue Code of 1986 (26 U.S.C. § 152).

“(7) “District shared responsibility payment” means the tax penalty incurred by a taxpayer for the failure to have the required minimum essential coverage required by this chapter.

“(8) “Federal shared responsibility payment” means the tax penalty incurred by a taxpayer for the failure to have the required minimum essential coverage pursuant to the Patient Protection and Affordable Care Act, approved March 23, 2010 (124 Stat. 119; 42 U.S.C. § 18001, note) and section 5000(A) of the Internal Revenue Code of 1986 (26 U.S.C. § 5000A).

“(9) “Immigrant Children’s Program” means the program established pursuant to section 2202(b) of the Medical Assistance Expansion Program Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 1-307.03(b)).

“(10) “Internal Revenue Code of 1986” means the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 1 *et seq.*).

“(11) “Minimum essential coverage” means:

“(A) Except as provided in subparagraph (C) of this paragraph, minimum essential coverage as defined by section 5000A of the Internal Revenue Code of 1986 (26 U.S.C. § 5000A) and its implementing regulations, as that section and its implementing regulations were in effect on December 15, 2017;

“(B) The Immigrant Children’s Program; and

“(C) Health coverage provided under a multiple employer welfare arrangement; provided, that the multiple employer welfare arrangement provided coverage in the District on December 15, 2017, or complies with federal law and regulations applicable to multiple employer welfare arrangements that were in place as of December 15, 2017.

“(12) “Multiple employer welfare arrangement” shall have the same meaning as provided in section 3(40) of the Employee Retirement Income Security Act of 1974, approved September 2, 1974 (88 Stat. 833; 29 U.S.C. § 1002(40)).

“§ 47-5102. Requirement to maintain minimum essential coverage; exemptions.

“(a) Beginning for tax years after December 31, 2018, and except as provided in subsection (b) of this section, an applicable individual shall, for each month, ensure that the applicable individual, and any dependent of the applicable individual who is also an applicable individual, maintains minimum essential coverage.

“(b) Except as provided in paragraphs (1) and (2) of this subsection, the exemptions available from the federal requirement to maintain minimum essential coverage under section 5000A of the Internal Revenue Code of 1986 (26 U.S.C. § 5000A) and its implementing regulations, as such section and its implementing regulations were in effect on December 15, 2017, shall also be available as exemptions from the requirement to maintain minimum essential coverage contained in subsection (a) of this section, with the following modifications:

“(1) Determinations as to hardship exemptions shall be made by the Authority under § 47-5104(b) rather than by the Secretary of the U.S. Department of Health and Human Services pursuant to section 1311(d)(4)(H) of the Patient Protection and Affordable Care Act of 2010, approved March 23, 2010 (124 Stat. 177; 42 U.S.C. § 18031(d)(4)(H)).

“(2)(A) The requirement imposed by subsection (a) of this section shall not apply to:

“(i) Taxpayers who are 21 years of age or older as of the last day of the tax year and whose federal adjusted gross income for the taxable year is equal to or less than an amount equal to 222% of the federal poverty level as published by the Authority in accordance with subparagraph (B) of this paragraph;

“(ii) Taxpayers who are 20 years of age or younger as of the last day of the tax year and not claimed as dependents on another individual’s tax form, and whose federal adjusted gross income for the taxable year is equal to or less than an amount equal to 324% of the federal poverty level, as published by the Authority in accordance with subparagraph (B) of this paragraph;

“(iii) A dependent who is 21 years of age or older as of the last day of the tax year and claimed as a dependent by a taxpayer whose federal adjusted gross income for the taxable year is equal to or less than an amount equal to 222% of the federal poverty level as published by the Authority in accordance with subparagraph (B) of this paragraph; or

“(iv) A dependent who is age 20 years of age or younger as of the last day of the tax year and claimed as a dependent by a taxpayer whose federal adjusted gross income for the taxable year is equal to or less than an amount equal to 324% of the federal poverty level as published by the Authority in accordance with subparagraph (B) of this paragraph.

“(B)(i) The Authority, after consultation with the Director of the Department of Health Care Finance, shall publish the qualifying income levels described in subparagraph (A) of this paragraph for each taxable year based on federal poverty levels using the poverty guidelines announced by the Secretary of the U.S. Department of Health and Human Services under the authority of section 673(2) of the Community Services Block Grant Act, approved October 27, 1998 (112 Stat. 2729; 42 U.S.C. § 9902(2)).

“(ii) The qualifying income levels shall be for the number of individuals that include the taxpayer, the taxpayer’s spouse, and any dependents claimed by the taxpayer on the taxpayer’s income tax return for that taxable year.

“(iii) The Authority shall publish the qualifying income levels for the taxable year within 60 days after the announcement of the poverty guidelines announced by the Secretary of the U.S. Department of Health and Human Services for that taxable year.

“(C) The percentages identified in subparagraph (A) of this paragraph may be adjusted by the Mayor if the eligibility level changes for:

“(i) Medicaid;

“(ii) The Children’s Health Insurance Program; or

“(iii) The Immigrant Children’s Program.

“§ 47-5103. District of Columbia shared responsibility payments.

“(a) If a taxpayer who is an applicable individual, or an applicable individual for whom the taxpayer is liable under subsection (b) of this section, fails to meet the requirement of § 47-5102(a) for one or more months, the taxpayer shall pay a District shared responsibility payment for tax years beginning after December 31, 2018. Subject to subsections (b) and (c) of this section, the District shared responsibility payment shall be the same as the Federal shared responsibility payment under section 5000A of the Internal Revenue Code of 1986 (26 U.S.C. § 5000A) as in effect on December 15, 2017, and its implementing regulations as in effect on December 15, 2017.

“(b)(1) If a District shared responsibility payment is imposed for any month on an individual who is a dependent of a taxpayer during the taxable year, the taxpayer shall be liable for the shared responsibility payment.

“(2) If a District shared responsibility payment is imposed for any month on an individual who files a joint return for the taxable year, the individual and the spouse of the individual shall be jointly liable for the shared responsibility payment.

“(c)(1) The rules for determining the District shared responsibility payment shall be determined under this chapter and rules issued or incorporated pursuant to § 47-5109.

“(2) The maximum amount of the District shared responsibility payment shall be determined using the District’s average premium for bronze-level plans rather than the national average premium for bronze-level plans.

“(3) The Authority shall annually publish on its website the District shared responsibility maximum payment amount before September 30 of the taxable year.

“(4) If a taxpayer is subject to both the District shared responsibility payment and the federal shared responsibility payment under section 5000A of the Internal Revenue Code of 1986 (26 U.S.C. § 5000A) for a taxable year, the amount of the taxpayer’s District shared responsibility payment shall be reduced, but not below zero, by the amount of the taxpayer’s federal shared responsibility payment.

“§ 47-5104. Minimum essential coverage and District of Columbia shared responsibility payment requirements.

“(a) Except as provided in subsection (b) of this section, an individual may claim that the individual or a dependent of the individual is not an applicable individual with respect to the minimum essential coverage requirement under § 47-5102(a) or may claim that the individual or a dependent of the individual is eligible for an exemption under § 47-5102(b) by indicating the basis for the claim on a form, to be prescribed by the Chief Financial Officer.

“(b) An individual may apply to the Authority for an eligibility determination for the following two exemptions:

“(1) The affordability exemption from the District shared responsibility payment requirement as provided in § 47-5102 for individuals for whom coverage is considered unaffordable based on projected income as defined by 45 C.F.R. § 155.605(d)(2), as that regulation was in effect on December 15, 2017; or

“(2) The general hardship exemption from the District shared responsibility payment requirement contained in § 47-5102 by reason of general hardship, as defined by 45 C.F.R. § 155.605(d)(1), as that regulation was in effect on December 15, 2017.

“(c) On or before January 31, 2020 and each January 31 each year thereafter, the Authority shall notify the individual and the Chief Financial Officer of any exemption determination made pursuant to subsection (b) of this section for the previous taxable year.

“§ 47-5105. Reporting of health insurance coverage.

“(a) An applicable entity that provides minimum essential coverage to an individual during a calendar year shall submit a return at a time determined by the Chief Financial Officer, which shall include the information contained in a return described in section 6055 of the Internal Revenue Code of 1986 (26 U.S.C. § 6055) and its implementing regulations, as that

section and implementing regulations were in effect on December 15, 2017, and any such information required by the Chief Financial Officer.

“(b)(1) Except as provided in paragraph (2) of this subsection, an applicable entity required to submit a return pursuant to subsection (a) of this section shall furnish to each individual whose name is required to be on the return a written statement showing the:

“(A) Name and address of the entity required to make the return;

“(B) The phone number of the information contact for such applicable entity or their delegee; and

“(C) Information required regarding the individual.

“(2) The requirements of this subsection may be satisfied by a written statement provided to an individual that is consistent with the requirements of section 6055 of the Internal Revenue Code of 1986 (26 U.S.C. § 6055) and its implementing regulations, as that section and implementing regulations were in effect on December 15, 2017.

“(c)(1) In the case of coverage provided by an entity that is a governmental unit or an agency or instrumentality of a governmental unit, the officer or employee who enters into the agreement to provide such coverage shall be responsible for the returns required by this section.

“(2) An entity may contract with a third-party service provider, including an insurance carrier, to provide the returns required by this section.

“§ 47-5106. Annual notification

“The Chief Financial Officer, in consultation with the Authority and the Director of the Department of Health Care Finance, shall develop a program to provide reasonable notice to taxpayers who paid a District shared responsibility payment during the previous taxable year. The notification shall include information on how to apply for:

“(1) Individual health insurance;

“(2) Medicaid; and

“(3) The Children’s Health Insurance Program.

“§ 47-5107. Individual Insurance Market Affordability and Stability Fund.

“(a) There is established as a special fund the Individual Insurance Market Affordability and Stability Fund (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this section.

“(b) Revenue from the District shared responsibility payments collected pursuant to § 47-5103 shall be deposited into the Fund.

“(c) Money in the Fund shall be used to:

“(1) Engage in outreach to uninsured District residents to increase health insurance coverage;

“(2) Provide information to District residents on options for health insurance coverage; and



“(3) Engage in activities that increase the availability of health insurance options or increase the affordability of insurance premiums in the individual health insurance market, for District residents.

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

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

“§ 47-5108. Liability.

“A taxpayer who fails to pay the District of Columbia shared responsibility payment imposed by § 47-5103 shall be subject to all collection, enforcement, and administrative provisions applicable to unpaid taxes or fees, as provided in Chapter 18, Chapter 41, Chapter 42, Chapter 43, and Chapter 44 of this title.

“§ 47-5109. Rules.

“(a)(1) All federal regulations implementing section 5000A of the Internal Revenue Code of 1986 (26 U.S.C. § 5000A), as such regulations were in effect on December 15, 2017, are incorporated by reference into the District of Columbia Municipal Regulations and, unless modified or superseded by regulations issued pursuant to paragraph (2) of this subsection, shall be used to implement the provisions of this chapter. Federal guidance interpreting the federal regulations implementing section 5000A of the Internal Revenue Code of 1986 (26 U.S.C. § 5000A), as such guidance was in effect on December 15, 2017, shall also apply.

“(2) The Chief Financial Officer may amend the incorporated regulations and guidance and issue rules to implement the provisions of this chapter; except, that:

“(A) The Mayor, and not the Chief Financial Officer, may amend the incorporated regulations and guidance and issue rules related to the definitions of applicable individual and minimum essential coverage and the exemptions under § 47-5102(b); and

“(B) The Authority, and not the Chief Financial Officer, may amend the incorporated regulations and guidance and issue rules related to the authority specifically provided to the Authority under this chapter.

“(b) By November 1, 2018, the Chief Financial Officer, in consultation with the Authority, shall provide to the Mayor for publication in the District of Columbia Register the complete text of the incorporated regulations and guidance referred to in subsection (a)(1) of this section.”.

Sec. 5003. The Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.01 *et seq.*), is amended as follows:

(a) Section 5(a) (D.C. Official Code § 31-3171.04(a)) is amended as follows:

(1) Paragraph (22)(D)(iv) is amended by striking the period at the end and inserting the phrase “; and” in its place.

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

“(23) Administer the hardship and affordability exemptions under Chapter 51 of Title 47.”.

(b) Section 18(a) (D.C. Official Code § 31-3171.17(a)) is amended by striking the phrase “this act” and inserting the phrase “this act and as authorized by D.C. Official Code § 47-5109” in its place.

**SUBTITLE B. BURIAL ASSISTANCE PROGRAM INCREASE**

Sec. 5011. Short title.

This subtitle may be cited as the “Burial Assistance Program Increase Congressional Review Emergency Amendment Act of 2018”.

Sec. 5012. Section 1802(a) of the Burial Assistance Program Reestablishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 4-1001(a)), is amended by striking the figure “\$800” both times it appears and inserting the figure “\$1,000” in its place.

**SUBTITLE C. D.C. HEALTHCARE ALLIANCE RECERTIFICATION REPORTING**

Sec. 5021. Short title.

This subtitle may be cited as the “D.C. Healthcare Alliance Recertification Reporting Congressional Review Emergency Amendment Act of 2018”.

Sec. 5022. Section 7d of the Health Care Privatization Amendment Act of 2001, effective December 13, 2017 (D.C. Law 22-35; D.C. Official Code § 7-1409), is amended as follows:

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

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

(1) The lead-in language is amended by striking the date “February 1, 2018” and inserting the date “October 1, 2018” in its place.

(2) Paragraphs (7) and (8) are repealed.

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

“(b) Within one year after the effective date of the D.C. Healthcare Alliance Recertification Reporting Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_), the Mayor shall submit a public report to the Council that shall include, for each of the last 12 months, the following information:

“(1) The average time enrollees waited in line at each location where interviews were offered in order to complete a face-to-face interview with an explanation of how the data was collected, with wait times measured both from the point the enrollee first checks in at the

service center and from the point the enrollee gets in line outside the service center if there is a line to enter the service center; and

“(2) The average time enrollees waited on the telephone before being served in order to complete interviews over the telephone.”.

Sec. 5023. Section 3(a) of the DC HealthCare Alliance Recertification Simplification Amendment Act of 2017, effective December 13, 2017 (D.C. Law 22-35; 64 DCR 10929), is amended to read as follows:

“(a) Sections 7b and 7d(b) shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.”.

**SUBTITLE D. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL PAYMENT**

Sec. 5031. Short title.

This subtitle may be cited as the “Medicaid Hospital Outpatient Supplemental Payment Congressional Review Emergency Amendment Act of 2018”.

Sec. 5032. The Medicaid Hospital Outpatient Supplemental Payment Act of 2017, effective December 13, 2017 (D.C. Law 22-033; D.C. Official Code § 44-664.01 *et seq.*), is amended as follows:

(a) Section 5062(5) (D.C. Official Code § 44-664.01(5)) is amended by striking the phrase “October 1, 2014, and September 30, 2015” and inserting the phrase “October 1, 2015, and September 30, 2016” in its place.

(b) Section 5064(a) (D.C. Official Code § 44-664.03(a)) is amended as follows:

(1) The lead-in language is amended by striking the date “October 1, 2017” and inserting the date “October 1, 2018” in its place.

(2) Paragraph (1) is amended by striking the number “2018” and inserting the number “2019” in its place.

(3) Paragraph (2) is amended by striking the number “2018” and inserting the number “2019” in its place.

(c) Section 5065(b)(1) (D.C. Official Code § 44-664.04(b)(1)) is amended by striking the date “October 1, 2016” and inserting the date “October 1, 2017” in its place.

(d) Section 5066 (D.C. Official Code § 44-664.05) is amended as follows:

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

(A) Paragraph (1) is amended by striking the date “October 1, 2017” and inserting the date “October 1, 2018” in its place.

(B) Paragraph (2) is amended by striking the number “2015” both times it appears and inserting the number “2016” in its place.

(C) Paragraph (3) is amended by striking the number “2018” and inserting

the number “2019” in its place.

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

(A) Paragraph (1) is amended by striking the date “October 1, 2017” and inserting the date “October 1, 2018” in its place.

(B) Paragraph (3) is amended by striking the number “2018” and inserting the number “2019” in its place.

(e) Section 5067(a)(2) (D.C. Official Code § 44-664.06(a)(2)) is amended by striking the date “October 1, 2017” and inserting the date “October 1, 2018” in its place.

(f) Section 5070 (D.C. Official Code § 44-664.09) is amended by striking the date “September 30, 2018” and inserting the date “September 30, 2019” in its place.

#### **SUBTITLE E. MEDICAID HOSPITAL INPATIENT RATE SUPPLEMENT**

Sec. 5041. Short title.

This subtitle may be cited as the “Medicaid Hospital Inpatient Rate Supplement Congressional Review Emergency Amendment Act of 2018”.

Sec. 5042. The Medicaid Hospital Inpatient Rate Supplement Act of 2017, effective December 13, 2017 (D.C. Law 22-033; D.C. Official Code § 44-664.11 *et seq.*), is amended as follows:

(a) Section 5082(4) (D.C. Official Code § 44-664.11(4)) is amended by striking the phrase “October 1, 2014, and September 30, 2015” and inserting the phrase “October 1, 2015, and September 30, 2016” in its place.

(b) Section 5084 (D.C. Official Code § 44-664.13) is amended as follows:

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

(A) Paragraph (1) is amended by striking the date “October 1, 2017” and inserting the date “October 1, 2018” in its place.

(B) Paragraph (2) is amended by striking the figure “\$8.8 million” and inserting the figure “\$8.6 million” in its place.

(2) Subsection (c) is amended by striking the date “August 1, 2017” and inserting the date “August 1, 2018” in its place.

(c) Section 5085(b) (D.C. Official Code § 44-664.14(b)) is amended by striking the date “October 1, 2017” and inserting the date “October 1, 2018” in its place.

(d) Section 5089 (D.C. Official Code § 44-664.18) is amended by striking the date “September 30, 2018” and inserting the date “September 30, 2019” in its place.

#### **SUBTITLE F. PUBLIC SCHOOL NURSE HIRING**

Sec. 5051. Short title.

This subtitle may be cited as the “Public School Nurse Hiring Congressional Review Emergency Act of 2018”.

Sec. 5052. In Fiscal Year 2019, the additional \$4.4 million allocated to the Department of Health to support the School Health Services Program shall be used for the sole purpose of hiring registered nurses and licensed practical nurses.

**SUBTITLE G. DEPARTMENT OF HEALTH CARE FINANCE GRANT-  
MAKING**

Sec. 5061. Short title.

This subtitle may be cited as the “Department of Health Care Finance Grant-Making Congressional Review Emergency Amendment Act of 2018”.

Sec. 5062. Section 8a of the Department of Health Care Finance Establishment Act of 2007, effective December 13, 2017 (D.C. Law 17-109; D.C. Official Code § 7-771.07a), is amended as follows:

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

“(a-1) For Fiscal Year 2019, the Director shall:

“(1) Award a competitive grant in an amount not to exceed \$75,000 to develop a pilot program to strengthen the ability of faith-based organizations to:

“(A) Deliver health screening, assessments, and health care services through telehealth; and

“(B) Reduce low-acuity, non-emergency room visitation, avoidable hospitalizations, and hospital readmission for persons who live in Wards 5, 7, and 8;

“(2) Award 2 competitive grants in an amount not to exceed \$50,000 to health care providers with expertise and staff capacity in medical oncology, particularly prostate and gynecologic cancers, that focus on patient screening, treatment planning, and care coordination, to defray the capital and equipment costs associated with the provision of additional oncological services in Wards 7 and 8;

“(3) Award a competitive grant in an amount not to exceed \$30,000 to a health care provider to establish a program to provide free medical services to teen parents attending a District of Columbia public school or public charter high school located in Ward 7 or 8;

“(4) Award a competitive grant in an amount not to exceed \$500,000 to an organization to design and develop a community resource inventory that is accessible to health and social support organizations and that has the capacity to communicate and track referrals. and

“(5)(A) Award a competitive grant in an amount not to exceed \$200,000 to an entity to provide multi-disciplinary, patient-centered preventative health and perinatal educational services to high-risk expectant mothers residing in Wards 7 and 8 and who receive Medicaid or are Medicaid-eligible.

“(B) No more than 50% of the selected entity’s direct services delivery staff shall possess higher than a bachelor’s degree.

“(C) At a minimum, the selected entity shall demonstrate an ability to:

“(i) Implement a peer-support model of care for expectant mothers;

“(ii) Identify a consistent source of referrals for expectant mothers;

“(iii) Refer expectant mothers to WIC, health insurance coverage options, and other community resources;

“(iv) Provide the following services to expectant mothers:

“(I) Regular office and in-home visits;

“(II) Mental health supports;

“(III) Access to classes and support groups on perinatal fitness, childbirth education, nutritional education, newborn care, and parenting skills;

“(IV) Expanded maternity services from the end of pregnancy to 6 months postpartum; and

“(v) Initiate delivery of services to expectant mothers as follows:

(I) Prior to 4 weeks postpartum for non-neonatal intensive care unit births; and

(II) Up to 12 weeks postpartum for neonatal intensive care unit births; and

“(vi) Increase breastfeeding rates.

“(D)(i) The Director shall collect the following data from the selected entity regarding expectant mothers that receive services pursuant to paragraph (5)(A) of this subsection:

“(I) Maternal morbidity and mortality rates;

“(II) Number of low birth-weight newborns;

“(III) Rate of premature births;

“(IV) Infant morbidity and mortality rates;

“(V) Tobacco and nicotine use during pregnancy and pediatric exposure to second hand smoke; and

“(VI) Other data as determined by the Director.

“(ii) The Director shall compare the data in sub-subparagraph (i) with outcomes among the general Medicaid and Medicaid-eligible population and report his findings to the Council’s Committee on Health.”

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

(1) Strike the date “April 1, 2018” and insert the date “April 1, 2019” in its place.

(2) Strike the phrase “subsection (a) of this section” and insert the phrase “this section” in its place.

(c) Subsection (c) is amended by striking the phrase “subsection (a) of this section” and inserting the phrase “this section” in its place.

(d) Subsection (d) is amended by striking the phrase “subsection (a) of this section” and inserting the phrase “this section” in its place.

(e) Subsection (e) is amended by adding a new paragraph (4) to read as follows:

“(4) “WIC” means the Special Supplemental Nutrition Program for Women, Infants, and Children, as provided in section 17 of the Child Nutrition Act of 1966, approved September 26, 1972 (86 Stat. 729; 42 U.S.C. § 1786).”.

**SUBTITLE H. SUPPORT FOR TEEN PARENTS**

Sec. 5071. Short title.

This subtitle may be cited as the “Support for Teen Parents Congressional Review Emergency Act of 2018”.

Sec. 5072. Support for teen parents program.

(a)(1) In Fiscal Year 2019, the Department of Human Services shall establish a program to support students in District of Columbia public schools and public charter schools who are pregnant or parenting with the goals of:

- (A) Keeping teen parents engaged in school;
- (B) Improving the graduation rate of teen parents;
- (C) Preparing teen parents for college or a career; and
- (D) Preventing subsequent teen pregnancies.

(2) The program shall provide supports including case management, supplies and resources, assistance with securing services, educational workshops, incentives, and transportation stipends.

(b) The Department of Human Services may issue a grant, in an amount not to exceed \$1 million, to administer the program established pursuant to subsection (a) of this section and may enter into other agreements, as necessary, to provide supports to District of Columbia public schools and public charter schools to meet the goals of the program.

**SUBTITLE I. D.C. HEALTHCARE ALLIANCE RE-ENROLLMENT**

Sec. 5081. Short title.

This subtitle may be cited as the “D.C. Healthcare Alliance Re-Enrollment Without Fear Congressional Review Emergency Act of 2018”.

Sec. 5082. Section 47-362 of the District of Columbia Official Code is amended by adding a new subsection (g) to read as follows:

“(g)(1) Notwithstanding § 47-363, local funds appropriated for the Department of Healthcare Finance in Fiscal Year 2019 shall not be reprogrammed, unless the Council approves the reprogramming request by resolution.

“(2) This subsection shall sunset on the date of inclusion of the fiscal effect of the D.C. Healthcare Alliance Re-Enrollment Reform Amendment Act of 2018, effective February 17, 2018 (D.C. Law 22-62; 65 DCR 2632), in an approved budget and financial plan.”.

**TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**  
**SUBTITLE A. DEDICATED WMATA FUNDING; TAX CHANGES**

Sec. 6001. Short title.

This subtitle may be cited as the “Dedicated WMATA Funding and Tax Changes Affecting Real Property and Sales Congressional Review Emergency Amendment Act of 2018”.

Sec. 6002. Dedicated funding for WMATA.

(a) There is established as a special fund the Washington Metropolitan Area Transit Authority Dedicated Financing Fund (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this section.

(b) There shall be deposited into the Fund general retail sales tax revenue collected pursuant to Chapter 20 of Title 47 of the District of Columbia Official Code as follows:

- (1) In Fiscal Year 2019 -- \$178.5 million;
- (2) In Fiscal Year 2020 -- \$178.5 million; and

(3) In Fiscal Year 2021, and each successive year, an amount of general retail sales tax revenue equal to the District’s allocation of the Washington Metropolitan Area Transit Authority (“WMATA”) jurisdictional formula, applied to the total annual WMATA capital funding need of \$500 million in Fiscal Year 2020, escalated annually by 3% above the preceding fiscal year.

(c)(1) Money in the Fund in Fiscal Year 2019 shall be used as a source of funding to make the District’s payment to WMATA through agency KE0 as shown in the Fiscal Year 2019 Budget and Financial Plan.

(2) Pursuant to a grant agreement between the District and WMATA, and subject to subsection (d) of this section, starting in Fiscal Year 2020, money in the Fund shall be distributed to WMATA by the Mayor as a grant for the purposes of WMATA capital improvements, including payment on borrowings for such capital improvements.

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

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

Sec. 6003. Conforming amendment.

The Revised Revenue Contingency List Act of 2017, effective December 13, 2017 (D.C. Law 22-33; 64 DCR 7652), is amended as follows:

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



“(a) Notwithstanding any other provision of law, the portion of local revenues certified in the June 2017 revenue estimate and the September 2017 revenue estimate that exceeds the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2018 (“additional revenues”) shall be allocated as follows:

“(1) Pursuant to subsection (b)(1) under the heading “Revised Revenue Estimate Contingency Priority” in the Fiscal Year 2018 Local Budget Act of 2017, effective August 29, 2017 (D.C. Law 22-16; 64 DCR 6581), 50% of the additional revenues to the Workforce Investments account; and

“(2) Pursuant to subsection (b)(2) under the heading “Revised Revenue Estimate Contingency Priority” in the Fiscal Year 2018 Local Budget Act of 2017, effective August 29, 2017 (D.C. Law 22-16; 64 DCR 6581), 50% of the additional revenues as follows:

“(A) \$24.175 million in additional revenues to the General Fund of the District of the Columbia; and

“(B) All remaining additional revenues to the Workforce Investments account.”.

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

Sec. 6004. Tax changes; dedicated arts funding.

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

(1) Section 47-812 is amended as follows:

(A) Subsection (b-9) is amended as follows:

(i) Paragraph (2) is amended by adding a new subparagraph (C) to read as follows:

“(C) Notwithstanding any other provision of this section, the sum of the real property tax rates and special real property tax rates for taxable Class 2 Properties in the District of Columbia beginning October 1, 2018, and each tax year thereafter shall be:

“(i) \$1.65 for each \$100 of assessed value if the real property’s assessed value is not greater than \$5 million;

“(ii) \$1.77 for each \$100 of assessed value if the real property’s assessed value is greater than \$5,000,000 but not greater than \$10 million; or

“(iii) \$1.89 for each \$100 of assessed value if the real property’s assessed value is greater than \$10 million”.

(ii) Paragraph (3) is repealed.

(B) Subsection (d) is amended by striking the phrase “§ 47-813(c-2)(1), (2), (3), (4), and (5)” and inserting the phrase “§ 47-813” in its place.

(C) Subsections (e) and (f) are repealed.

(2) Section 47-2002 is amended as follows:

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

(i) The lead-in language is amended by striking the phrase “Beginning on October 1, 2013, the rate of such tax shall be 5.75%” and inserting the phrase “The rate of such tax shall be 6.00%” in its place.

(ii) Paragraph (2)(A) is amended by striking the phrase “The rate of tax shall be 10.05%” and inserting the phrase “The rate of tax shall be 10.20%” in its place.

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

(I) Subparagraph (B) is amended by striking the phrase “; and” and inserting a period in its place.

(II) Subparagraph (C) is repealed.

(iv) Paragraph (3A) is amended by striking the phrase “The rate of tax shall be 10%” and inserting the phrase “The rate of tax shall be 10.25%” in its place.

(v) Paragraph (4A) is amended by striking the phrase “The rate of tax shall be 5.75%” and inserting the phrase “The rate of tax shall be 6.00%” in its place.

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

“(4B) The rate of tax shall be 9.25% of the gross receipts from the sale of or charges for rental or leasing of rental vehicles and utility trailers as defined in § 50-1505.01;”.

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

“(d) 5% of the sales tax revenue collected at the rate provided by the lead-in language of subsection (a) of this section that is not dedicated to legislatively proposed or existing tax increment financing districts or pledged to the benefit of holders of District bonds or notes existing on or before the effective date of this subsection, shall be dedicated to the Commission on the Arts and Humanities established by the Commission on the Arts and Humanities Act, effective January 29, 1998 (D.C. Law 12-42; D.C. Official Code § 39-201, *et seq.*), to support the functions, purposes, and costs of the Commission.”.

(3) Section 47-2202 is amended as follows:

(A) The existing text is designated as subsection (a) and amended as follows:

(i) The lead-in language is amended by striking the phrase “The rate of tax imposed by this section shall be 5.75%, except for the period beginning October 1, 2009, and ending September 30, 2012, the rate shall be 6%,” and inserting the phrase “The rate of tax imposed by this section shall be 6.00%” in its place.

(ii) Paragraph (2)(A) is amended by striking the phrase “The rate of tax shall be 10.05%” and inserting the phrase “The rate of tax shall be 10.20%” in its place.

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

(I) Subparagraph (A) is amended by striking the semicolon and inserting the phrase “; and” in its place.

(II) Subparagraph (B) is amended by striking the phrase “; and” and inserting a period in its place.

(III) Subparagraph (C) is repealed.

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

(I) Strike the phrase “Effective October 1, 2011, the rate of tax shall be 10%” and insert the phrase “The rate of tax shall be 10.25%” in its place.

(II) Strike the phrase “; and” and insert a semicolon in its place.

(v) New paragraphs (3B) and (3C) are added to read as follows:

“(3B) The rate of tax shall be 9.25% of the gross receipts from the sale of or charges for rental or leasing of rental vehicles and utility trailers as defined in § 50-1505.01; and

“(3C) The rate of tax shall be 6.00% of the gross receipts from the sale of or charges for tangible personal property or services by legitimate theaters, or by entertainment venues with 10,000 or more seats, excluding any such theaters or entertainment venues from which such taxes are applied to pay debt service on tax-exempt bonds.”.

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

“(b) 5% of the use tax revenue collected at the rate provided by the lead-in language of subsection (a) that is not dedicated to legislatively proposed or existing tax increment financing districts or pledged to the benefit of holders of District Bonds or notes existing on or before the effective date of this subsection shall be dedicated to the Commission on the Arts and Humanities, established by the Commission on the Arts and Humanities Act, effective January 29, 1998 (D.C. Law 12-42; D.C. Official Code § 39-201, *et seq.*) to support the functions, purposes, and costs of the Commission.”.

(b) The Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.01 *et seq.*), is amended as follows:

(1) Section 20a(a)(6) (D.C. Official Code § 50-301.20(a)(6)) is amended by striking the phrase “All funds” and inserting the phrase “16.67% of the funds” in its place.

(2) Section 20(b)(11) (D.C. Official Code § 50-301.31(b)(11)) is amended as follows:

(A) Strike the phrase “1% of all gross receipts” and insert the phrase “6.00% of all gross receipts” in its place.

(B) Strike the phrase “The money collected” and insert the phrase “Of the money collected pursuant to this paragraph, 83.33% shall be deposited in the General Fund and the remaining 16.67%” in its place.

## **SUBTITLE B. PERFORMANCE PARKING PROGRAM FUND REPEAL**

Sec. 6011. Short title.

This subtitle may be cited as the “Performance Parking Program Fund Congressional Review Emergency Amendment Act of 2018”.

Sec. 6012. Section 3(h)(2)(B) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2603(8)(B)(ii)), is repealed.

Sec. 6013. The Performance Parking Pilot Zone Act of 2008, effective November 25, 2008 (D.C. Law 17-279; DC Official Code § 50-2531 *et seq.*), is amended as follows:

- (a) Section 2a (D.C. Official Code § 50-2531.01) is repealed.
- (b) Section 5 (D.C. Official Code § 50-2534) is repealed.

**SUBTITLE C. ADVERTISING ON DDOT ASSETS IN PRIVATE SPACE**

Sec. 6021. Short title.

This subtitle may be cited as the “Advertisements on District Department of Transportation Assets on Private Property Congressional Review Emergency Amendment Act of 2018”.

Sec. 6022. Section 5(a)(3)(H) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)(3)(H)), is amended by striking the phrase “in public space and” and inserting the word “and” in its place.

**SUBTITLE D. RAIL SAFETY AND SECURITY**

Sec. 6031. Short title.

This subtitle may be cited as the “Rail Safety and Security Congressional Review Emergency Amendment Act of 2018”.

Sec. 6032. The District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.*), is amended as follows:

- (a) Section 108b(c) (D.C. Official Code § 8-151.08b(c)) is amended as follows:
  - (1) The lead-in language is amended by striking the phrase “The Director shall” and inserting the phrase “After the designation of DOEE as the state safety oversight agency, the Director shall” in its place.
  - (2) Paragraph (3) is amended by striking the period and inserting a semicolon in its place.
  - (3) Paragraph (4)(B) is amended by striking the period and inserting a semicolon in its place.
  - (4) Paragraph (5) is amended by striking the period and inserting a semicolon in its place.
  - (5) Paragraph (6)(B) is amended by striking the period and inserting the phrase “; and” in its place.

(b) Section 108g (D.C. Official Code § 8-151.08g) is amended by striking the date “November 30, 2017” and inserting the date “July 1, 2019” in its place.

(c) A new section 108h is added to read as follows:

“Sec. 108h. Rail Safety and Security Fund.

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

“(b) Revenue from fees assessed pursuant to regulations issued under section 110(c) shall be deposited into the Fund.

“(c) Money in the Fund shall be used to administer and manage expenses of the emergency response, rail safety, and rail security programs for railroad operations in the District.

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

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

(d) Section 110(c)(1) (D.C. Official Code § 8-151.10(c)(1)) is amended by striking the phrase “to implement the Rail Safety and Security Amendment Act of 2016, passed on 2nd reading on December 20, 2016 (Enrolled version of Bill 21-3)” and inserting the phrase “to implement sections 108a, 108b, 108c, 108d, 108e, 108f, and 108h, including, to the extent permissible under federal law, rules to establish fees to be paid by railroad carriers” in its place.

Sec. 6033. Section 501 of the Rail Safety and Security Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-254; 64 DCR 2028), is amended as follows:

(a) Subsection (a) is repealed.

(b) Subsection (b) is repealed.

(c) Subsection (c) is repealed.

#### **SUBTITLE E. TRANSIT SUBSIDY PROGRAMS**

Sec. 6041. Short title.

This subtitle may be cited as the “Transit Subsidy Programs Congressional Review Emergency Amendment Act of 2018”.

Sec. 6042. Section 2 of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233), is amended as follows:

(a) Subsection (h) is revived as of September 30, 2016, and amended as follows:

(1) Paragraph (1) is amended by striking the phrase “Metrorail Transit System” and inserting the phrase “Metrorail and Metrobus Transit System and the DC Circulator” in its place.

(2) New paragraphs (7) and (8) are added to read as follows:

“(7) Notwithstanding any other provision of this section, the program authorized by this subsection may also provide subsidies for Metrorail, Metrobus, and DC Circulator fares for travel to employment or job training sites.

“(8) Notwithstanding any other provision of this section, the Mayor may implement the program authorized by this subsection through the issuance of a fare card or similar medium acceptable to the Washington Area Metropolitan Transit Authority that allows for subsidized Metrorail, Metrobus, and DC Circulator travel for purposes other than those described in this subsection, if the Mayor determines that such a fare card or similar medium will enhance the efficiency or effectiveness of the program or alleviate administrative issues encountered, or likely to be encountered, by the Washington Metropolitan Area Transit Authority in the administration of the program.”.

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

(1) Paragraph (3) is repealed.

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

“(4)(A) At the end of each fiscal year, the Washington Metropolitan Area Transit Authority shall retain any unspent funds received from the District pursuant to this subsection and apply such fund balance in the following fiscal year toward the adult learner transit subsidy program authorized by this subsection.

“(B) Beginning October 1, 2019, the Washington Metropolitan Area Transit Authority shall provide a report to the Mayor and Council on the use of program funds and the projected fund balance for the fiscal year on a quarterly basis.”.

## **SUBTITLE F. DC WATER RATE INCREASE MITIGATION PROGRAM**

Sec. 6051. Short title.

This subtitle may be cited as the “District of Columbia Water and Sewer Authority Rate Increase Mitigation Congressional Review Emergency Amendment Act of 2018”.

Sec. 6052. The Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2201.01 *et seq.*), is amended as follows:

(a) Section 216 (D.C. Official Code § 34-2202.16) is amended as follows:

(1) Subsection (b-1) is amended by striking the phrase “and sewer rates” wherever it appears and inserting the phrase “and sewer rates and the impervious area charge” in its place.

(2) Subsection (d-3) is amended by striking the phrase “surface charge” and inserting the word “charge” in its place.

(b) A new section 216b is added to read as follows:

“Sec. 216b. Financial assistance programs.

“(a)(1) The Mayor shall establish a financial assistance program to assist nonprofit organizations located in the District with a payment of their impervious area charges. To be eligible for the program, a nonprofit organization shall:

“(A) Show significant hardship in paying its impervious area charge; and

“(B) Allow the Department of Energy and Environment (“DOEE”), or a nonprofit organization approved by DOEE, to visit the site of the nonprofit organization and make recommendations for potential stormwater runoff mitigation projects on the site; and

“(C) Submit, and receive DOEE’s approval of, a written proposal to

“(i) Install and maintain a stormwater runoff mitigation project on the site of the non-profit organization; or

“(ii) If a stormwater mitigation project on the site of the nonprofit organization is infeasible, implement an alternative stormwater runoff mitigation measure or activity in the District.

“(D) In the case where a nonprofit organization has already installed a stormwater runoff mitigation project on-site or implemented an alternative stormwater runoff mitigation measure or activity before the financial assistance program required by this paragraph is established, the nonprofit organization may submit, and receive DOEE’s approval of, evidence of the stormwater runoff mitigation project or alternative stormwater runoff mitigation measure or activity in lieu of the written proposal required by subparagraph (C) of this paragraph.

“(2) The Mayor shall establish criteria for what constitutes a significant hardship for purposes of paragraph (1)(A) of this subsection that consider, at a minimum, the nonprofit organization’s revenue and the amount of the nonprofit organization’s impervious area charge.

“(3) The amount of financial assistance that a nonprofit organization receives through the financial assistance program required by paragraph (1) of this subsection shall not exceed the amount of the nonprofit organization’s impervious area charge; and

“(4)(A) Upon a finding that the nonprofit organization failed to make a reasonable and good faith effort to fulfill its proposal pursuant to subsection (a)(1)(C) of this section within one year after the proposal is approved, the Mayor may require reimbursement of any portion of funds, rate reduction, or payment reduction provided before the finding.

“(B) A finding of non-performance by the Mayor under subparagraph (A) of this paragraph may be appealed by an applicant pursuant to rules issued by the Mayor.

“(b)(1) The Mayor shall establish a financial assistance program to assist residential customers located in the District of Columbia with the payment of their impervious area charges.

“(2)(A) Notwithstanding paragraph (1) of this subsection, the Authority may establish the financial assistance program required by paragraph (1) of this subsection; provided, that the Mayor and the Authority enter into an agreement that authorizes the Authority to establish the financial assistance program required by paragraph (1) of this subsection.

“(B) If the Authority establishes the financial assistance program required by paragraph (1) of this subsection, pursuant to subparagraph (A) of this paragraph, the

Authority may authorize another District agency to make the eligibility determinations described in paragraph (3) of this subsection.

“(3) To be eligible for the program, a residential customer shall not have an annual household income exceeding 100% of the area median income.

“(4) The Mayor, or the Authority if the Authority establishes the financial assistance program pursuant to paragraph (2) of this subsection, shall establish a sliding scale based on income level to determine the amount of financial assistance a residential customer may receive through the financial assistance program required by paragraph (1) of this subsection.

“(5) The financial assistance program required by paragraph (1) of this subsection shall supplement the financial assistance programs required by section 216(b-1).

“(c) In Fiscal Year 2019, of the funds allocated to DOEE for impervious area charge relief, at least \$4 million of the funds shall be spent for the impervious area charge relief program required by subsection (a) of this section. Any remaining funds in Fiscal Year 2019 dedicated to impervious area charge relief may be allocated to the program required by subsection (b) of this section.

“(d) The Mayor shall track the number of nonprofit organizations that apply for assistance and the number of nonprofit organizations and residential customers that receive financial assistance through the financial assistance programs required by subsections (a) and (b) of this section, including how much financial assistance each eligible nonprofit organization and residential customer receives.

“(e) At the request of the Mayor, the Authority shall provide financial assistance granted pursuant to this section directly on the bills of the non-profit organizations and residential customers through a rate reduction or a payment reduction line item. The Mayor shall transfer to the Authority funding to pay the Authority for the costs associated with the rate reduction or payment reduction.

“(f) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, effective October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this section, including rules to establish such additional eligibility standards or requirements as the Mayor deems appropriate for implementation of the program.”.

#### **SUBTITLE G. RENEWABLE ENERGY PLANNING AND SUPPORT**

Sec. 6061. Short title.

This subtitle may be cited as the “Renewable Energy Planning and Support Congressional Review Emergency Amendment Act of 2018”.

Sec. 6062. Section 216(a)(2) of the Clean and Affordable Energy Act of 2008, effective October 8, 2016 (D.C. Law 21-154; D.C. Official Code § 8-1774.16(a)(2)), is amended by striking the phrase “by at least 50%.” and inserting the phrase “by at least 50%. The financial



benefits of roof replacements, or other capital improvements made to support the installation of a solar energy system, may be included in calculating the long-term financial benefits of solar energy production provided to low-income households.” in its place.

Sec. 6063. Section 5(d) of the District of Columbia Office of Energy Act of 1980, effective March 4, 1981 (D.C. Law 3-132; D.C. Official Code § 8-171.04(d)), is amended as follows:

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

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

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

“(18) Develop and transmit to the Mayor and the Council a long-range plan to reduce greenhouse gas emissions in the District by 100% by 2050.”.

**SUBTITLE H. SCHOOL AND PARK FACILITIES AND GROUNDS 311  
EXPANSION**

Sec. 6071. Short title.

This subtitle may be cited as the “School and Park Facilities and Grounds 311 Expansion Congressional Review Emergency Act of 2018”.

Sec. 6072. Within 180 days after the effective date of this act, the Mayor shall permit persons to submit requests via the District’s 311 system for repairs and other maintenance services at Department of Parks and Recreation and District of Columbia Public Schools facilities and grounds that are maintained by the Department of General Services.

**SUBTITLE I. ANACOSTIA RIVER TOXICS REMEDIATION**

Sec. 6081. Short title.

This subtitle may be cited as the “Anacostia River Toxics Remediation Congressional Review Emergency Amendment Act of 2018”.

Sec. 6082. Section 6092 of the Anacostia River Toxics Remediation Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 8-104.31), is amended by striking the date “June 30, 2018” and inserting the date “December 31, 2019” in its place.

**SUBTITLE J. COMPETITIVE GRANTS**

Sec. 6091. Short title.

This subtitle may be cited as the “Competitive Grants Congressional Review Emergency Act of 2018”.

Sec. 6092. The Department of Energy and Environment shall award an annual grant, on a competitive basis, in an amount not to exceed \$200,000, to provide wildlife rehabilitation services.

Sec. 6093. In Fiscal Year 2019, the District Department of Transportation shall award a grant, on a competitive basis, in an amount not to exceed \$250,000, to conduct a study identifying an optimal location for a new intercity bus station in the District. The study shall:

(1) Identify locations within the District potentially suitable for a new intercity bus terminal; and

(2) Make recommendations as to one or more optimal locations, considering land use, transportation, and economic development impacts.

**SUBTITLE K. AUTONOMOUS VEHICLES STUDY**

Sec. 6101. Short title.

This subtitle may be cited as the “Autonomous Vehicles Study Congressional Review Emergency Amendment Act of 2018”.

Sec. 6102. The Autonomous Vehicle Act of 2012, effective April 23, 2013 (D.C. Law 19-278; D.C. Official Code § 50-2351 *et seq.*), is amended by adding a new section 4a to read as follows:

“Sec. 4a. Autonomous vehicles study.

“By July 1, 2019, the District Department of Transportation, in consultation, as needed, with the Office of the Chief Financial Officer or other District agencies or organizations such as DC Surface Transit, shall make publicly available a study that evaluates and makes recommendations regarding the effects of autonomous vehicles on the District, including:

“(1) The effect on the District’s economy, including economic development and employment;

“(2) The impact on the District government’s revenue, including motor vehicle excise taxes, motor vehicle registration fees, motor vehicle fuel taxes, residential parking permit fees, parking meter revenue, fines and fees relating to moving infractions or parking, standing, stopping, and pedestrian infractions, and commercial parking taxes;

“(3) The impact on the District’s infrastructure, traffic control systems, road use, congestion, curbside management, and public space;

“(4) The impact on the District’s environment and public health;

“(5) The impact on public safety in the District, including the safety of other road users such as pedestrians and bicyclists;

“(6) The impact on the District’s disability community;

“(7) The impact on the various transportation modes in the District, including mass transit, shared-use vehicles, and public and private vehicles-for-hire; and

“(8) The need for and use of autonomous vehicle data, including data from autonomous vehicle manufacturers and public and private vehicle-for-hire companies.”.

**SUBTITLE L. ONLINE PERMITTING FOR SCHOOL FACILITIES**

Sec. 6111. Short title.

This subtitle may be cited as the “Online Permitting for School Facilities Congressional Review Emergency Act of 2018”.

Sec. 6112. Online permitting for school facilities.

(a) Within 180 days after the effective date of this act, the Mayor shall allow individuals and entities to apply online for a permit to use school facilities.

(b) For the purposes of this section, the term “school facilities” means fields, playgrounds, gymnasiums, multipurpose rooms, and other areas under the control of the District of Columbia Public Schools.

**SUBTITLE M. PILOT PASSENGER LOADING ZONE PROGRAM**

Sec. 6121. Short title.

This subtitle may be cited as the “Pilot Passenger Loading Zone Program Congressional Review Emergency Act of 2018”.

Sec. 6122. Definitions.

For the purposes of this subtitle, the term:

(1) “DDOT” means the District Department of Transportation

(2) “DPW” means the Department of Public Works

(3) “Golden Triangle BID” shall have the same meaning as provided in section 202(b) of the Business Improvement Districts Act of 1996, effective March 17, 2005 (D.C. Law 15-257; D.C. Official Code § 2-1215.52(b)).

(4) “Passenger loading zone” means a curbside street space designated on either a part-time or a full-time basis to permit vehicles to stop to load and unload passengers, either exclusively or concurrently with other uses.

(5) “Prohibited pick-up and drop-off area” means a curbside street space designated near a passenger loading zone in which vehicles are prohibited from picking up and dropping off passengers during designated hours.

Sec. 6123. Establishment of a Pilot Passenger Loading Zone Program

DDOT shall implement a pilot program (“Program”) for the establishment and operation of passenger loading zones in the District as follows:

(1) DDOT shall establish one passenger loading zone in the Golden Triangle BID and may establish additional passenger loading zones elsewhere in the District.

(2) DDOT may designate one or more prohibited pick-up and drop-off areas near each passenger loading zone.

(3) DDOT shall establish hours of operation for each passenger loading zone and each prohibited pick-up and drop off-area designated pursuant to paragraphs (1) and (2) of this section.

(4) During the hours of operation established pursuant to paragraph (3) of this section, parking shall be prohibited within each passenger loading zone. A person who violates this paragraph shall be subject to a civil fine of \$75.

(5) During the hours of operation established pursuant to paragraph (3) of this section, picking up and dropping off passengers shall be prohibited within each prohibited pick-up and drop-off areas. A person who violates this paragraph shall be subject to a civil fine in an amount to be determined by the Mayor.

(6) DDOT shall enforce paragraphs (4) and (5) of this section in coordination with DPW.

(7) DDOT shall post signage in each passenger loading zone and each prohibited pick-up and drop-off area identifying the zone or area's hours of operations, any other restrictions on the use of the zone or area, and the amount of the fine for violating paragraph (4) or (5) of this section and shall give notice of the same to the Department of For-Hire Vehicles, the affected Ward Councilmember, the affected Advisory Neighborhood Commission, and affected business organizations before establishment of the zone.

(8) DDOT may accept funds from a BID corporation established in accordance with the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), and donated pursuant to section 115 of Title III of Division C of the Consolidated Appropriations Resolution, 2003, approved February 20, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01); provided, that such funds shall be expended for the purpose of establishing and operating a passenger loading zone in that BID corporation's business improvement district.

(9) No later than December 31, 2019, DDOT shall present a report to the Council on the efficacy of the Program, which shall include recommendations on the continued need for a passenger loading zone in the Golden Triangle BID and in other areas in which a passenger loading zone has been established.

(10) DDOT shall operate the passenger loading zone in the Golden Triangle BID for no more than 7 months.

**SUBTITLE N. PRIVATE VEHICLE-FOR-HIRE DATA SHARING**

Sec. 6131. Short title.

This subtitle may be cited as the “Private Vehicle-For-Hire Data Sharing Congressional Review Emergency Amendment Act of 2018”.

Sec. 6132. The District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.01 *et seq.*), is amended as follows:

(a) Section 20j-1 (D.C. Official Code § 50-301.29a) is amended by adding a new paragraph (13) to read as follow:

“(13)(A) Submit to the DFHV and the District Department of Transportation (“DDOT”) the following information in a format approved by the Mayor, for the period July 1, 2018 through December 31, 2018 no later than February 15, 2019, and for each calendar quarter thereafter no later than 30 days after the end of that calendar quarter:

“(i) The total number of private vehicle-for-hire operators that utilized the digital dispatch services of the private vehicle-for-hire company in the District;

“(ii) A log of anonymized data relating to prearranged rides provided by private vehicle-for-hire operators that utilized the digital dispatch services of a private vehicle-for-hire company in the District that shall include the following categories of information:

“(I) For each trip originating and terminating inside of the District:

“(AA) The latitude and longitude for the points at which each ride originated and terminated, calculated to three decimal degrees;

“(BB) The date and time of request, pick-up and drop-off; and

“(CC) Whether a private or shared service was requested, and if a shared service was requested, whether the requesting rider was successfully matched with another rider;

“(II) For each trip originating outside of the District and terminating inside of the District:

“(AA) The latitude and longitude of the origination point, calculated to two decimal degrees, and the latitude and longitude of the destination point, calculated to three decimal degrees;

“(BB) The date and time of request, pick-up and drop-off; and

“(CC) Whether private or shared service was requested and, if a shared service was requested, whether the requesting rider was successfully matched with another rider; and

“(III) For each trip originating inside of the District and terminating outside of the District:

“(AA) The latitude and longitude of the origination point, calculated to three decimal degrees, and the latitude and longitude of the destination point, calculated to two decimal degrees;

“(BB) The date and time of request, pick-up and drop-off; and

“(CC) Whether private or shared service was requested and, if a shared service was requested, whether the requesting rider was successfully matched with another rider;

“(iii) The total miles driven, including both while en route to a pick-up point and while en route to a drop-off point, in the District by private vehicle-for-hire operators that utilized the digital dispatch services of the private vehicle-for-hire company in the District;

“(iv) The average fare and average distance for shared service trips and the average fare and average distance for private service trips; and

“(v) Any additional trip data that the DFHV or DDOT deems necessary for inclusion as set forth in rules adopted by the Mayor pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*); provided, that such rules shall specify that such trip data shall be anonymized and may be used only for the purposes of public safety, congestion management, and transportation planning, including curbside management, road improvements, traffic management, transit service planning, and the allocation of public monies for those purposes.

“(B) The Mayor may request additional relevant information from a private vehicle-for-hire company pertaining to any trip referenced in a Metropolitan Police Department police report, provided that the report references one or more alleged criminal incidents alleged to have occurred during the time that a private vehicle-for-hire operator that utilized the digital dispatch services of the private vehicle-for-hire company was conducting a trip in the District.

“(C) Any information that is received pursuant to subparagraphs (A) and (B) of this paragraph shall be deemed confidential and shall:

“(i) Be exempt from disclosure pursuant to section 202 of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532);

“(ii) Be safely and securely stored by the District and the District shall take all reasonable measures and efforts to protect, secure, and, when appropriate, encrypt or limit access to any data provided; and

“(iii) For information received pursuant to subparagraph (A), not include the personal information of passengers or private vehicle-for-hire operators that utilized the digital dispatch services of the private vehicle-for-hire company in the District.

“(D) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to govern the sharing or publishing of conclusions and analysis derived from any information that is received pursuant to subparagraphs (A) and (B) of this paragraph; provided, that the conclusions and analysis shared shall not contain the original information that is received by the District pursuant to subparagraphs (A) and (B) of this paragraph and any shared or published data derived from the information that is received by the District pursuant to subparagraphs (A) and (B) of this paragraph shall be anonymized and aggregated across all private vehicle-for-hire companies.

“(E)(i) The Mayor may enter into a confidential data sharing agreement with the Washington Metropolitan Area Transit Authority (“WMATA”) or the Metropolitan Washington Council of Governments (“MWCOC”) to provide those entities with anonymized and aggregated data derived from information that is received by the District pursuant to subparagraph (A) of this paragraph; provided, that the Mayor shall provide such data in a quantity and at a level of detail that is reasonably necessary for WMATA or MWCOC to conduct the analysis specified in the confidential data sharing agreement.

“(ii) A confidential data sharing agreement entered into pursuant to sub-subparagraph (i) of this subparagraph shall require WMATA or MWCOC to agree that:

“(I) The data provided shall not be disclosed by WMATA or MWCOC and shall be treated as confidential or otherwise protected for purposes of WMATA’s or MWCOC’s public-records requirements;

“(II) Notwithstanding sub-sub-subparagraph (I) of this sub-subparagraph, WMATA or MWCOC may disclose conclusions and analysis derived from the original information received pursuant subparagraph (E); provided, that the Mayor approve such disclosure and that any data disclosed by WMATA or MWCOC shall be anonymized and aggregated across all private vehicle-for-hire companies; and

“(III) WMATA or MWCOC shall pay the District an amount certain for each violation of the terms of the confidential data sharing agreement.”.

(b) Section 201(c-1) (D.C. Official Code § 50-301.31(c-1)) is repealed.

Sec. 6133. Section 204(a) of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended as follows:

(a) Paragraph (15) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (16) is amended by striking the period at the end and inserting the phrase “; and” in its place.

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

“(17) Information exempt from disclosure pursuant to section 20j-1(13)(C)(i) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 10, 2015 (D.C. Law 20-197; D.C. Official Code § 50-301.29a(13)(C)(i)).”.

**SUBTITLE O. DANBURY STATION WATER METER INSTALLATION**

Sec. 6141. Short title.

This subtitle may be cited as the “Danbury Station Water Meter Installation Congressional Review Emergency Amendment Act of 2018”.

Sec. 6142. Section 5 of An Act To provide for the drainage of lots in the District of Columbia, effective March 29, 1977 (D.C. Law 1-98; D.C. Official Code § 8-205), is amended by adding a new subsection (b-1) to read as follows:

“(b-1)(1) The District of Columbia Water and Sewer Authority is authorized to install individual water meters and appurtenances and perform related excavation and restoration work for dwelling units at Danbury Station on the north side of Danbury Street, S.W., addresses 1 to 177, and on the east side of Martin Luther King, Jr. Avenue, S.W., addresses 4250 to 4258.

“(2) The District of Columbia Water and Sewer Authority shall not commence work authorized by paragraph (1) of this subsection until funds necessary to satisfy all costs, reserves, and expenses attributable to the work are received from the Department of Energy and Environment or other sources.”.

**TITLE VII. FINANCE AND REVENUE**

**SUBTITLE A. SENIOR RESIDENTS REAL PROPERTY TAX CAP**

Sec. 7001. Short title.

This subtitle may be cited as the “Senior Residents Real Property Tax Cap Congressional Review Emergency Amendment Act of 2018”.

Sec. 7002. Section 47-864(b)(1) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (A)(ii) is amended by striking the phrase “assessment; or” and inserting the phrase “assessment; provided, that for real property receiving the homestead deduction under § 47-850 and the tax relief deduction provided under § 47-863, the multiplier shall be 105%; or” in its place.

(b) Subparagraph (B)(i) is amended by striking the phrase “by 110%; and” and inserting the phrase “by 110%; provided, that for real property receiving the homestead deduction under § 47-850 and the tax relief deduction provided under § 47-863, the multiplier shall be 105%; and” in its place.



**SUBTITLE B. SUBJECT-TO-APPROPRIATIONS AMENDMENTS**

Sec. 7011. Short title.

This subtitle may be cited as the “Subject-to-Appropriations Congressional Review Emergency Amendment Act of 2018”.

Sec. 7012. Section 102(a)(2) of the Placement of Students with Disabilities in Nonpublic Schools Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-269; D.C. Official Code § 38-2561.02(a)(2)), is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase “Beginning July 1, 2017, or upon funding, whichever occurs later, an LEA shall” and inserting the phrase “Beginning July 1, 2018, an LEA shall” in its place.

(b) Subparagraph (B) is repealed.

Sec. 7013. Section 656(c) of the Fire and Police Medical Leave and Limited Duty Amendment Act of 2004, effective May 1, 2013 (D.C. Law 19-311; D.C. Official Code § 5-656(c)), is amended to read as follows:

“(c) Section 652 shall apply as of October 1, 2018.”.

Sec. 7014. Section 7h of the State Education Office Establishment Act of 2000, effective March 10, 2015 (D.C. Law 20-195; D.C. Official Code § 38-2614), is amended as follows:

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

(1) Paragraph (1) is amended by striking the phrase “Beginning July 1, 2016, or upon funding, whichever occurs later, the first IEP” and inserting the phrase “Beginning July 1, 2018, the first IEP” in its place.

(2) Paragraph (3) is amended by striking the phrase “Beginning July 1, 2017, or upon funding, whichever occurs later, a child” and inserting the phrase “Beginning July 1, 2018, a child” in its place.

(b) Subsection (c) is repealed.

Sec. 7015. Section 4 of the Naval Lodge Building, Inc. Real Property Tax Relief Act of 2015, effective October 21, 2015 (D.C. Law 21-30; D.C. Official Code § 47-1097, note), is amended to read as follows:

“Sec. 4. Applicability.

“(a) Section 2 shall apply as of October 1, 2018.

“(b)(1) Section 3 shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

“(2) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan and provide notice to the Budget Director of the Council of the certification.

**ENROLLED ORIGINAL**

“(3)(A) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

“(B) The date of publication of the notice of the certification shall not affect the applicability of this act.”.

Sec. 7016. Section 701 of the Comprehensive Youth Justice Amendment Act of 2016, effective April 4, 2017 (D.C. Law 21-238; 63 DCR 15312), is repealed.

Sec. 7017. Section 4 of the Elderly Tenant and Tenant with a Disability Protection Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-239; 64 DCR 1588), is repealed.

Sec. 7018. Section 3 of the Four-unit Rental Housing Tenant Grandfathering Amendment Act of 2016, effective April 15, 2017 (D.C. Law 21-270; 64 DCR 942), is repealed.

Sec. 7019. Section 11 of the Childhood Lead Exposure Prevention Amendment Act of 2017, effective September 23, 2017 (D.C. Law 22-21; 64 DCR 7631), is amended as follows:

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

“(a) Amendatory section 501a(b) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01 *et seq.*), within section 2(c) shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.”.

(b) Subsection (c)(2) is amended by striking the phrase “sections 2, 3, 4, 7, 8, and 9” and inserting the phrase “this act” in its place.

Sec. 7020. Section 16 of the Union Market Tax Increment Financing Act of 2017, effective February 15, 2018 (D.C. Law 22-58; 64 DCR 13442), is repealed.

Sec. 7021. Section 5 of the Prohibition Against Selling Tobacco Products to Individuals Under 21 Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-191; 63 DCR 15003), is repealed.

Sec. 7022. Section 3 of the Feminine Hygiene and Diaper Sales Tax Exemption Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-201; 63 DCR 15041), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “This act shall” and inserting the phrase “Section 47-2005(39) of the District of Columbia Official Code, as added by section 2(b), shall” in its place.

(b) Subsection (c)(2) is amended by striking the phrase “this act” and inserting the phrase “D.C. Official Code § 47-2005(39), as added by section 2(b)” in its place.

**ENROLLED ORIGINAL**

Sec. 7023. Section 7 of the Health Literacy Council Establishment Act of 2017, effective March 6, 2018 (D.C. Law 22-66; D.C. Official Code § 7-757.06), is repealed.

Sec. 7024. Section 4 of the Defending Access to Women’s Health Care Services Amendment Act of 2018, effective March 28, 2018 (D.C. Law 22-75; 65 DCR 1374), is repealed.

Sec. 7025. Section 4 of the National Community Reinvestment Coalition Real Property Tax Exemption Amendment Act of 2018, effective March 29, 2018 (D.C. Law 22-76; 65 DCR 1551), is repealed.

Sec. 7026. Section 3 of the Electric Vehicle Public Infrastructure Expansion Amendment Act of 2018, effective March 29, 2018 (D.C. Law 22-78; 65 DCR 1560), is repealed.

Sec. 7027. Section 4 of the Africare Real Property Tax Relief Act of 2018, effective March 29, 2018 (D.C. Law 22-79; 65 DCR 1563), is repealed.

Sec. 7028. (a) Section 3 of the East End Grocery and Retail Incentive Tax Exemption Act of 2018, effective March 29, 2018 (D.C. Law 22-83; 65 DCR 1586), is repealed.

(b) Section 47-4667(g)(2) of the District of Columbia Official Code is amended by striking the phrase “goods,” and inserting the phrase “goods, up to one retail store per location that co-anchors the development,” in its place.

Sec. 7029. Section 3 of the Office of Employee Appeals Hearing Examiner Classification Amendment Act of 2018, effective April 25, 2018 (D.C. Law 22-87; 65 DCR 2368), is repealed.

Sec. 7030. Section 301 of the Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018 (D.C. Law 22-95; 65 DCR 2861), is repealed.

Sec. 7031. Section 3 of the Deferred Compensation Program Enrollment Amendment Act of 2018, effective June 5, 2018 (D.C. Law 22-102; 65 DCR 3774), is repealed.

Sec. 7032. Section 6 of the Office-to-Affordable-Housing Task Force Establishment Act of 2018, effective June 5, 2018 (D.C. Law 22-103; D.C. Official Code § 42-2161.05), is repealed.

Sec. 7033. Section 10 of the Maternal Mortality Review Committee Establishment Act of 2018, effective June 5, 2018 (D.C. Law 22-111; D.C. Official Code § 7-671.09), is repealed.

Sec. 7034. Section 3 of the University of the District of Columbia Leased Property Tax Abatement Amendment Act of 2018, effective July 3, 2018 (D.C. Law 22-114; D.C. Official Code § 47-1099.02, note), is repealed.

Sec. 7035. Section 301 of the Address Confidentiality Act of 2018, effective July 3, 2018 (D.C. Law 22-118; 65 DCR 5064), is repealed.

Sec. 7036. Section 4 of the Home Composting Incentives Amendment Act of 2018, effective July 17, 2018 (D.C. Law 22-146; 65 DCR 5984), is repealed.

Sec. 7037. Applicability.

Sections 7012, 7014, 7025, and 7027 shall apply as of September 29, 2018.

**SUBTITLE C. QUALIFIED BUSINESS INCOME TAX DEDUCTION  
CLARIFICATION**

Sec. 7041. Short title.

This subtitle may be cited as the “Qualified Business Income Tax Deduction Clarification Congressional Review Emergency Amendment Act of 2018”.

Sec. 7042. Section 47-1803.03(b) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (8) is repealed.

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

“(9) Beginning as of January 1, 2018, a deduction allowed under section 199A of the Internal Revenue Code of 1986 (26 U.S.C. § 199A).”.

Sec. 7043. Applicability.

This subtitle shall apply as of September 29, 2018.

**SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA  
FUNDRAISING MATCH**

Sec. 7051. Short title.

This subtitle may be cited as the “University of the District of Columbia Fundraising Match Congressional Review Emergency Act of 2018”.

Sec. 7052. (a) In Fiscal Year 2019, of the funds allocated to the Non-Departmental agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the District of Columbia (“UDC”) for every \$2 that UDC raises from private donations by April 1, 2019.

(b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less than one-third of the funds shall be deposited into UDC's endowment fund.

**SUBTITLE E. PRIVATE SECURITY CAMERA SYSTEM INCENTIVE**

Sec. 7061. Short title.

This subtitle may be cited as the "Private Security Camera System Incentive Clarification Congressional Review Emergency Amendment Act of 2018".

Sec. 7062. Section 47-1803.02(a)(2) of the District of Columbia Official Code is amended by adding a new subparagraph (FF) to read as follows:

"(FF) Beginning as of January 1, 2018, the amount received by a taxpayer pursuant to § 7-2831(b).".

Sec. 7063. Applicability.

This subtitle shall apply as of September 29, 2018.

**SUBTITLE F. COMMISSION ON THE ARTS AND HUMANITIES  
CLARIFICATION**

Sec. 7071. Short title.

This subtitle may be cited as the "Commission on the Arts and Humanities Congressional Review Emergency Amendment Act of 2018".

Sec. 7072. The Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-201 *et. seq.*), is amended as follows:

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

(1) Subsection (a) is amended by striking the phrase "shall be a person" and inserting the phrase "shall be a District resident" in its place.

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

"(b)(1) Except as provided in paragraph (2) of this subsection and subsection (c) of this section, all members of the Commission shall be appointed to 3-year terms that shall commence on July 1 in the year of appointment and expire on June 30 of the 3rd year. Terms shall be staggered so that 6 terms expire each year on June 30. Members may be reappointed.

"(2) The term subsequent to the term being served pursuant to:

June 30, 2018;                   "(A) Council resolution 20-668 shall begin on July 1, 2017, and expire on

June 30, 2018;                   "(B) Council resolution 21-51 shall begin on July 1, 2017, and expire on

June 30, 2018;                   "(C) Council resolution 20-673 shall begin on July 1, 2017, and expire on

“(D) Council resolution 20-669 shall begin on July 1, 2017, and expire on June 30, 2019; and

“(E) Council resolution 20-671 shall begin on July 1, 2017, and expire on June 30, 2019.”.

(b) Section 6a(a-1) (D.C. Official Code § 39-205.01(a-1)) is amended as follows:

(1) Paragraph (3) is amended by striking the word “and”.

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

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

“(5) Subject to the availability of funds, up to \$2.5 million annually pursuant to section 1045(d) of the Delinquent Debt Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-350.04(d)).”.

#### **SUBTITLE G. REAL PROPERTY TAX ABATEMENT REPORTING**

Sec. 7081. Short title.

This subtitle may be cited as the “Real Property Tax Abatement Reporting Clarification Congressional Review Emergency Amendment Act of 2018”.

Sec. 7082. Section 47-1007(a) of the District of Columbia Official Code is amended by striking the last sentence.

#### **SUBTITLE H. REAL PROPERTY TAX CLARIFICATION**

Sec. 7091. Short title.

This subtitle may be cited as the “Real Property Tax Clarification Congressional Review Emergency Amendment Act of 2018”.

Sec. 7092. Title III of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101 *et seq*), is amended as follows:

(a) Section 302 (D.C. Official Code § 42-1102) is amended as follows:

(1) Paragraph (21) is amended by striking the phrase “§ 47-813(c-4)” both times it appears and inserting the phrase “§ 47-813” in its place.

(2) Paragraph (32) is amended to read as follows:

“(32) A deed of title or a security interest instrument as to which the Mayor has issued a valid certification of exemption pursuant to D.C. Official Code § 47-1005.02 as to both the property conveyed or encumbered and the grantee of the deed of title or the grantor of the security interest; provided, that, unless waived by regulation, to claim an exemption a copy of the certification of exemption shall accompany the deed of title or security interest instrument at the time it is submitted for recordation;”.

(b) Section 303(a)(1)(B) (D.C. Official Code § 42-1103(a)(1)(B)), is amended by adding a new sub-subparagraph (iii) to read as follows:

“(iii) If there is no consideration for a lease or ground rent or the consideration is nominal, the rate of tax shall be applied to the fair market value of the real property covered by the lease or ground rent, as determined by the Mayor.”.

Sec. 7093. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-412.01 is amended by striking the phrase “Office of Tax and Revenue” and inserting the phrase “Chief Financial Officer” in its place.

(b) Chapter 10 is amended as follows:

(1) Section 47-1005.01 is amended as follows:

(A) Subsection (f)(3) is amended by striking the phrase “this title.” and inserting the phrase “this title and subject to the statute of limitations of collections in Chapter 43 of this title.” in its place.

(B) New subsections (i) and (j) are added to read as follows:

“(i) The estimated assessment roll, description of the real property to which the interest or use relates, mailing address of the person with the interest or use, property use information, valuation history, other information in the public record, and information (excluding a confidential lease) not made confidential as a valuation record as defined under § 47-821(d)(2) may be published by the Mayor by any form of electronic media, including the Internet.

“(j) The provisions of § 47-811.02 shall apply to any payment of possessory interest tax.”.

(2) Section 47-1005.02(a) is amended by adding a new paragraph (3) to read as follows:

“(3) A security interest instrument, including a mortgage or deed of trust, securing debt incurred to acquire, develop, or redevelop property described in paragraph (1) of this subsection, or a refinancing or modification of a debt on such property, shall be exempt from the tax imposed by Chapter 11 of Title 42; provided, that a certification of exemption has been made pursuant to subsection (b)(1) of this section with respect to both the owner granting the security interest and the property encumbered by the security interest. Unless waived by regulation, to claim an exemption, a copy of the certification of exemption shall accompany the security interest instrument at the time it is submitted for recordation.”.

(3) Section 47-1005(c) is amended by striking the phrase “by individuals for the purpose of producing food commodities, as defined in § 47-1806.14(f)” and inserting the phrase “as an urban farm as certified by the Department of General Services pursuant to § 47-868” in its place.

(c) Chapter 13 is amended as follows:

(1) Section 47-1345(b) is amended by striking the phrase “improvements only” and inserting the phrase “improvements only, for the remaining period as provided in the lease and subject to the other terms and conditions of the lease” in its place.

(2) Section 47-1355(a)(3) is amended to read as follows:

“(3) An action to foreclose the right of redemption is dismissed for lack of prosecution, or a pleading has not been filed by the plaintiff within the later of one year from the last hearing in the case or October 1, 2019.”.

(3) Section 47-1361(b-1) is amended by striking the phrase “and sold as a lien at a tax sale” and inserting the phrase “and appears on a real property tax bill or notice that was mailed to the real property’s owner as indicated on the tax roll to the owner’s mailing address on the tax roll” in its place.

(4) Section 47-1382(f) is amended to read as follows:

“(f)(1) If the purchaser fails to pay to the Mayor the amount required under this section within 30 days of the final judgment, the final judgment may be vacated as void by the Superior Court on the motion of any party. If the purchaser fails to pay to the Mayor the amount required under this section within one year from the date of the final judgment or by October 1, 2019, whichever is later, the final judgment shall become vacated as void without need for a motion to the Superior Court.

“(2) If the purchaser does not record the deed in the Recorder of Deeds within 30 days of the execution of the deed, the final judgment may be vacated as void by the Superior Court on the motion of any party.

“(3) If a final judgment is vacated as void as provided under this subsection, any deed and the certificate of sale are void and all money paid by the purchaser to the Mayor is forfeited, except as provided in § 47-1354(c).”.

## **SUBTITLE I. OCFO FINGERPRINTING AUTHORIZATION**

Sec. 7101. Short title.

This subtitle may be cited as the “Office of the Chief Financial Officer Fingerprinting Authorization Congressional Review Emergency Amendment Act of 2018”.

Sec. 7102. Section 2-2504 of section 4 of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code § 3-1304), is amended by adding a sentence at the end to read as follows:

“The Chief Financial Officer may require the fingerprinting of the Office’s contractors.”.

Sec. 7103. Section 47-4406 of the District of Columbia Official Code is amended by adding new subsections (g) and (h) to read as follows:



“(g)(1) Notwithstanding any other law, the Office of the Chief Financial Officer is authorized to require federal and state criminal background investigations on any employee, candidate for employment, contractor, or subcontractor of the Office of the Chief Financial Officer that has or will have access to federal tax information for the purpose of determining the individual's suitability to access federal tax information as required by section 6103(p)(4) of the Internal Revenue Code (26 U.S.C. § 6103(p)(4)).

“(2)(A) The criminal background investigations shall be conducted in accordance with section 6103(p)(4) of the Internal Revenue Code (26 U.S.C. § 6103(p)(4)), and shall include a fingerprint-based criminal record check of national crime information databases.

“(B) For the criminal record check authorized pursuant to this paragraph, the Office of the Chief Financial Officer shall submit the individual's fingerprints to the Office of Integrity and Oversight for forwarding to the Federal Bureau of Investigation.

“(3) Prospective employees shall be subject to fingerprinting and national, state, and local criminal history records checks only after a conditional offer of employment has been made.

“(4) Current employees, contractors, and subcontractors with access to federal tax information shall be subject to fingerprinting and national, state, and local criminal history records checks at a minimum of every 10 years.

“(5) The Chief Financial Officer may adopt rules to implement the provisions of this subsection.

“(h) For the purposes of this section, the term:

“(1) “Criminal background investigation” means a District, local, state, or national fingerprint-supported criminal history investigation.

“(2) “Employee” means an individual employed by the Office of the Chief Financial Officer, an individual working for a private business entity under contract with the Office of the Chief Financial Officer, an individual working for a private business entity under contract with the District of Columbia, or an individual who is employed by the District of Columbia.

“(3) “Federal tax information” means a return or return information received directly from the Internal Revenue Service or obtained through an authorized secondary source, such as the Social Security Administration or any entity acting on behalf of the Internal Revenue Service pursuant to an Internal Revenue Code section 6103(p)(2)(B) agreement.”.

## **SUBTITLE J. MOTOR FUEL IMPORTER’S LICENSE FEE**

Sec. 7111. Short title.

This subtitle may be cited as the “Motor Fuel Importer’s License Fee Congressional Review Emergency Amendment Act of 2018”.

Sec. 7112. Chapter 23 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase “47-2303. Importer’s license; application contents; fee; bond; issuance; revocation” and inserting the phrase “47-2303. Importer’s license; application contents; bond; issuance; revocation” in its place.

(b) Section 47-2303 is amended as follows:

(1) The section heading is amended by striking the phrase “fee;”.

(2) Subsection (a) is amended by striking the phrase “shall pay to the Collector of Taxes as an annual license fee the sum of \$5 and”.

(3) Subsection (b) is amended by striking the phrase “and the payment of the fee”.

Sec. 7113. Applicability.

This subtitle shall apply as of November 1, 2018.

#### **SUBTITLE K. TELEVISION, VIDEO, OR RADIO SERVICE**

Sec. 7121. Short title.

This subtitle may be cited as the “Television, Video, or Radio Service Congressional Review Emergency Amendment Act of 2018”.

Sec. 7122. Section 47-2501.01(a) of the District of Columbia Official Code is amended by striking the phrase “On a quarterly basis and at the quarterly intervals prescribed by the Mayor,” and inserting the phrase “Before the 21st day of each calendar month,” in its place.

#### **SUBTITLE L. DELINQUENT DEBT RECOVERY**

Sec. 7131. Short title.

This subtitle may be cited as the “Delinquent Debt Recovery Congressional Review Emergency Amendment Act of 2018”.

Sec. 7132. Section 1045 of the Delinquent Debt Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-350.04), is amended to read as follows:

“Sec. 1045. Delinquent Debt Fund.

“(a) There is established within the General Fund of the District of Columbia a special fund known as the Delinquent Debt Fund (“Fund”), which shall be administered by the Central Collection Unit in accordance with subsections (c) and (d) of this section.

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

“(1) Funds allocated to the Central Collection Unit through the District’s annual Budget and Financial Plan;

“(2) All delinquent debts collected by the Central Collection Unit, except those amounts described in section 1043(a-1) and (a-2); and

“(3) All fees authorized by section 1044.

“(c) Money in the Fund shall be used to conduct the authorized activities of the Central Collection Unit.

“(d) After all operational and administrative expenses of the Central Collection Unit have been paid, as certified by the Chief Financial Officer in the year-end close, the lesser of \$2.5 million or the remaining cash balance in the Fund, in excess of the amount certified as local funds in the most recent revenue estimate of the Chief Financial Officer, shall be transferred from the Fund to the Arts and Humanities Enterprise Fund, established by section 6a of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-205.01); provided, that any cash balance remaining in the Fund after the transfer to the Arts and Humanities Enterprise Fund shall revert to the unrestricted balance of the General Fund of the District of Columbia.”.

**SUBTITLE M. COMMISSION ON THE ARTS AND HUMANITIES GRANTS**

Sec. 7141. Short title.

This subtitle may be cited as the “Commission on the Arts and Humanities Grants Congressional Review Emergency Act of 2018”.

Sec. 7142. Pursuant to the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01 *et seq.*), the Commission on the Arts and Humanities shall award, on a competitive basis, a grant to create a statue to honor native Washingtonian Charles Hamilton Houston that includes a plaque or other display element that recognizes his role as a champion of civil rights, a Dean of Howard University Law School, and the first special counsel for the NAACP, in an amount not to exceed \$300,000.

Sec. 7143. In Fiscal Year 2019, the Commission on the Arts and Humanities shall award, on a competitive basis, grants to:

(1) Provide support to an organization preserving the history of the District of Columbia for a program engaging students to research the history of their schools and produce a museum-quality exhibit, in an amount not to exceed \$50,000;

(2) Provide support to a nonprofit, tax-exempt organization dedicated to preserving African-American cemeteries and burial grounds and their associated history, located in Georgetown, to establish markings and boundaries for these cemeteries and burial grounds and to make the locations of the graves, and the identity of those buried in those graves, visible and clearly defined, in an amount not to exceed \$200,000;

(3) Provide support to infrastructure improvements, such as planting and planning, and for outreach events concerning the National Mall and its grounds to a nonprofit organization dedicated to improving, preserving, and restoring the National Mall, in an amount not to exceed \$250,000;

(4) Assist with capital improvements, such as replacing aging building systems and production infrastructure, at a theater in the Central Business District that offers Broadway-style musicals, in an amount not to exceed \$1.5 million;

(5) Provide a literary-enrichment program for District of Columbia public schools and public charter schools, including the provision of copies of literature and curricular materials and author visits for literary discussion with students, in an amount not to exceed \$250,000;

(6) Support an existing museum dedicated to architecture, building, and design that serves District residents and visitors to the District to enhance activities and infrastructure, which shall include District-centric programming, a dedicated gallery, a visitor orientation center, planning and outreach for an exhibition about District of Columbia history, and an exhibition about its historically landmarked building, in an amount not to exceed \$750,000;

(7) Support an international film festival scheduled to take place in April 2019 at Landmark's E Street Cinema and AMC Mazza Gallerie movie theaters, in an amount not to exceed \$500,000;

(8) Assist with capital improvements for a nonprofit theatre located in Ward 5 along Florida Avenue, N.E., that provides unique producing and presenting experiences for artists and has produced an arts festival for at least the past decade, in an amount not to exceed \$2 million;

(9) Assist with the repainting of the Chinatown Arch, in an amount not to exceed \$200,000;

(10) Support a nonprofit, tax-exempt theater organization with a facility that opened in 2005 in the Penn Quarter neighborhood to upgrade and renovate its existing facilities, including rehearsal hall and theater, heating, ventilation, and air conditioning upgrades, bathroom, concessions, theater seating, and lobby renovations, and the enhancement of its security and safety systems, to improve public access and to increase the number of patrons to the facility, in an amount not to exceed \$1 million;

(11) Support an initiative to present the east coast premiere of a newly commissioned work, with a week of related free community engagement events, in an amount not to exceed \$75,000;

(12) Support a dance organization that has served the District for more than 70 years through performances, classes, and community engagement programs at THEARC, in an amount not to exceed \$1 million;

(13) Assist a historical society that collects materials that document the history of everyday life in the District of Columbia, presents programs, and produces exhibits, with

transition into new space and to facilitate the anticipated increase in visitors, in an amount not to exceed \$100,000;

(14) Assist an existing nonprofit performing arts center, located in a building on the National Register of Historic Places within the H Street, N.E. Strategic Development Plan area, with capital improvements and related facility maintenance, including the repair, maintenance, replacement and upgrade of fire, life, safety, sanitation, electrical and HVAC systems, flooring and building infrastructure, in an amount not to exceed \$1 million; and

(15) Support a nonprofit organization dedicated to enriching the quality of life, fostering intellectual stimulation, and promoting cross-cultural understanding and appreciation of local history in all neighborhoods of the District through humanities programs and grants in an amount not to exceed \$1,000,000.”.

Sec. 7144. In Fiscal Year 2023, the Commission on the Arts and Humanities shall award, on a competitive basis, a grant to provide support to a nonprofit, tax-exempt museum that is located in the Fort Totten neighborhood and accessible by the Fort Totten metro station, dedicated to children’s education through immersive play and learning opportunities with tools and materials that encourage creativity and problem solving in a social environment, in an amount not to exceed \$1 million.

**SUBTITLE N. ALABAMA AVENUE IHOP PROPERTY TAX EXEMPTION**

Sec. 7151. Short title.

This subtitle may be cited as the “Alabama Avenue International House of Pancakes Real Property Tax Exemption Congressional Review Emergency Amendment Act of 2018”.

Sec. 7152. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

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

“47-4650.01. Father & Sons, LLC; Lot 819, Square 5912.”.

(b) A new section 47-4650.01 is added to read as follows:

“§ 47-4650.01. Father & Sons, LLC; Lot 819, Square 5912.

“(a) The real property described as Lot 819, Square 5912 (“Property”), shall be exempt from the tax imposed by Chapter 8 of this title for the period beginning October 1, 2018 and ending September 30, 2027, as long as:

“(1) The Property is leased by Father & Sons, LLC;

“(2) The Property is used for restaurant purposes;

“(3) At least 51% of permanent jobs in the restaurant are filled by District residents, with a minimum of 31% of the District resident jobs reserved for Ward 8 residents;

“(4) All apprenticeships are reserved for District residents with preference given to Ward 8 residents; and

“(5) The benefit of this exemption is passed on to Father & Sons, LLC in the form of reduced rent equal to the amount of the tax exemption.

“(b)(1) In each year of the exemption period, the Mayor shall certify to the Office of Tax and Revenue the Property’s eligibility for the exemption provided pursuant to subsection (a) of this section. The Mayor’s certification shall include:

“(A) The Property’s owner and lessee, the use of the Property, and the term of the lease;

“(B) The amount of the tax exemption passed to the lessee as a reduction in rent;

“(C) A description of the eligible Property by street address, square and lot, the eligible premises, including the floor, or floors, location, and square footage of the area eligible for the exemption, and the date that eligibility begins or ends; and

“(D) Any other information that the Mayor considers necessary or appropriate.

“(2) If at any time the Mayor determines that the occupant has become ineligible for the exemption provided pursuant to subsection (a) of this section, the Mayor shall notify the Office of Tax and Revenue and shall specify the date that the Property became ineligible.”.

**SUBTITLE O. NONPROFIT STORMWATER INFRASTRUCTURE INCENTIVE**

Sec. 7161. Short title.

This subtitle may be cited as the “Nonprofit Stormwater Infrastructure Incentive Congressional Review Emergency Amendment Act of 2018”.

Sec. 7162. Section 47-1005 of the District of Columbia Official Code is amended by adding a new subsection (d) to read as follows:

“(d) This section shall not apply to buildings or grounds used to generate stormwater retention credits certified in accordance with section 531 of Title 21 of the District of Columbia Municipal Regulations (21 DCMR § 531).”.

**SUBTITLE P. EXTENSION OF PARKSIDE TAX ABATEMENT**

Sec. 7171. Short title.

This subtitle may be cited as the “Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Congressional Review Emergency Amendment Act of 2018”.

Sec. 7172. Section 47-4658(a) of the District of Columbia Official Code is amended as follows:

(a) Strike the phrase “10 property tax years” and insert the phrase “30 real property tax years” in its place.

(b) Strike the phrase “10th full real property tax year” and insert the phrase “30th full real property tax year” in its place.

**SUBTITLE Q. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING MATCH**

Sec. 7181. Short title.

This subtitle may be cited as the “National Cherry Blossom Festival Fundraising Match Congressional Review Emergency Act of 2018”.

Sec. 7182. (a) There is established a matching grant program to support the 2019 National Cherry Blossom Festival (“Program”), which shall be administered by the Washington Convention and Sports Authority (“Authority”). Under the Program, a matching grant shall be awarded to a nonprofit organization that organizes and produces an event or events as part of the official, month-long National Cherry Blossom Festival (“Festival”) of up to \$300,000 for every dollar above \$750,000 that the organization has raised in corporate donations by March 31, 2019.

(b) In Fiscal Year 2019, of the funds allocated to the Non-Departmental account, \$300,000 shall be transferred to the Authority to use for the grant authorized by subsection (a) of this section.

(c) A grant awarded pursuant to this section shall be in addition to any other grant awarded by the Authority in support of the Festival.

**SUBTITLE R. CERTIFICATION OF ACCUMULATED GENERAL FUND BALANCE**

Sec. 7191. Short title.

This subtitle may be cited as the “Certification of Accumulated General Fund Balance Congressional Review Emergency Amendment Act of 2018”.

Sec. 7192. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase “Certification by the CFO of minimum 5% accumulated general fund balance.” and inserting the phrase “Certification by the CFO of minimum 5% accumulated general fund balance. [Repealed].” in its place.

(b) Section 47-387.01 is repealed.

**SUBTITLE S. COUNCIL PERIOD 22 RULE 736 REPEALS**

Sec. 7201. Short title.

This subtitle may be cited as the “Council Period 22 Rule 736 Congressional Review Emergency Amendment Act of 2018”.

Sec. 7202. The Washington Metropolitan Area Transit Authority Fund Act of 2006, effective June 16, 2006 (D.C. Law 16-132; D.C. Official Code § 9-1108.01 *et seq.*), is repealed.

Sec. 7203. The Pesticide Education and Control Amendment Act of 2012, effective October 23, 2012 (D.C. Law 19-191; D.C. Official Code § 8-431 *et seq.*), is amended as follows:

- (a) Section 7 (D.C. Official Code § 8-436) is repealed.
- (b) Section 14(b) is repealed.

Sec. 7204. The Stroke System of Care Act of 2014, effective March 10, 2015 (D.C. Law 20-185; D.C. Official Code § 44-1151 *et seq.*), is repealed.

Sec. 7205. The Unemployment Profile Act of 2015, effective December 15, 2015 (D.C. Law 21-38; D.C. Official Code § 32-1371 *et seq.*), is repealed.

**SUBTITLE T. OLD NAVAL HOSPITAL TAX EXEMPTION CLARIFICATION**

Sec. 7211. Short title.

This subtitle may be cited as the “Old Naval Hospital Tax Exemption Clarification Congressional Review Emergency Amendment Act of 2018”.

Sec. 7212 Section 47-1087 of the District of Columbia Official Code is amended as follows:

- (a) Subsection (a) is amended as follows:
  - (1) Paragraph (1) is amended as follows:
    - (A) Subparagraph (A) is amended as follows:
      - (i) Strike the phrase “for 5 years” and insert the phrase “until July 1, 2017,” in its place.
      - (ii) Strike the phrase “for the length of the 2010 lease” and insert the phrase “until July 1, 2017,” in its place.
      - (iii) Strike the phrase “upon the expiration of the extension described in paragraph (2) of this subsection” and insert the phrase “on July 1, 2017” in its place.
      - (iv) Strike the phrase “subject to the provisions of §§ 47-1007 and 47-1009” and insert the phrase “subject to the provisions of § 47-1009” in its place.
    - (B) Subparagraph (B) is amended by striking the phrase “Upon the expiration of the extension, the” and inserting the phrase “Starting on July 1, 2017, the” in its place.
  - (2) Paragraph (2) is repealed.
- (b) Subsection (b) is amended by striking the phrase “during the period of the 5-



year exemption and any extension” and inserting the phrase “during the period of the exemption described in subsection (a) of this section” in its place.

**SUBTITLE U. EQUITABLE TAX RECALCULATION AND TAX SALE  
REMEDICATION**

Sec. 7221. Short title.

This subtitle may be cited as the “Lot 0807 in Square 1066 Equitable Tax Recalculation and Tax Sale Remediation Congressional Review Emergency Act of 2018”.

Sec. 7222. (a) The assessed value for Lot 0807 in Square 1066 (“Property”) for tax year:

- (1) 2005 and 2006 shall be \$12,290;
- (2) 2007 shall be \$14,750;
- (3) 2008 shall be \$16,220; and
- (4) 2009 and 2010 shall be \$17,840.

(b) The real property tax classification for the Property shall be revised to be Class 1 beginning with tax year 2004 through and including tax year 2009.

(c)(1) Notwithstanding § 47-811.02 and subject to paragraph (2) of this subsection, the Council orders that:

(A) Any overpayment resulting from the recalculation of taxes pursuant to this subtitle be refunded to the current property owner;

(B) The tax sale in March 2016 related to the Property be cancelled;

(C) All expenses incurred or owed to the tax sale purchaser under § 47-1377 be reimbursed or paid by the District;

(D) Reasonable legal expenses incurred to defend against the tax sale be reimbursed by the District to the current record owner of the Property; and

(E) Reasonable interest payments made to pay taxes and expenses to redeem the Property and for the defense against the tax sale be reimbursed by the District to the current record owner of the Property.

(2) The proposed recipient of any payment under this section shall substantiate to the Chief Financial Officer of the District of Columbia (“CFO”), to the satisfaction of the CFO, the overpayment, expense, or interest incurred before receiving any payment.

**SUBTITLE V. ESTATE TAX CLARIFICATION**

Sec. 7231. Short title.

This subtitle may be cited as the “Estate Tax Clarification Congressional Review Emergency Amendment Act of 2018”.

Sec. 7232. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-181(c)(13) is amended by striking the phrase “from \$2 million to conform to the federal level” and inserting the phrase “from \$2 million to the amount set forth at § 47-3701(14)(C)” in its place.

(b) Section 47-3701 is amended as follows:

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

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

“(1)(A) Cost-of-living adjustment” means the ratio of CPI for the preceding calendar year and the CPI for the base year.

“(B) For the purposes of this paragraph, the term:

“(i) “Base year” means the calendar year beginning January 1, 2017.

“(ii) “CPI” means, for any calendar year, the average of the Consumer Price Index for the Washington-Baltimore Metropolitan Statistical Area for All-Urban Consumers published by the Department of Labor, or any successor index, as of the close of the 12-month period ending on July 31 of such calendar year.

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

(A) Subparagraph (A) is amended by striking the phrase “on or after April 1, 1987, but prior to January 1, 2002” and inserting the phrase “after March 31, 1987, but before January 1, 2002” in its place.

(B) Subparagraph (B) is amended by striking the phrase “on or after January 1, 2002” and inserting the phrase “after December 31, 2001, but before January 1, 2003” in its place.

(C) Subparagraph (C) is amended by striking the phrase “decendent dying after December 31, 2002” and inserting the phrase “decendent whose death occurs after December 31, 2002” in its place.

(D) Subparagraph (D) is amended by striking the phrase “decendent dying after December 31, 2016” and inserting the phrase “decendent whose death occurs after December 31, 2016” in its place.

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

“(ii) The amount of the unified credit shall be \$2,185,800, increased annually, beginning with the year commencing on January 1, 2019, by the cost-of-living adjustment; and”.

(4) Paragraph (5) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “decendent whose death occurs prior to January 1, 2008” and inserting the phrase “decendent whose death occurs before January 1, 2008” in its place.

(B) Subparagraph (B) is amended by striking the phrase “decendent

whose death occurs on or subsequent to January 1, 2008” and inserting the phrase “decedent whose death occurs after December 31, 2007” in its place.

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

(A) Subparagraph (B) is amended by striking the phrase “decedent dying after December 31, 2007” and inserting the phrase “decedent whose death occurs after December 31, 2007” in its place.

(B) Subparagraph (C) is amended by striking the phrase “decedent dying after December 31, 2014” and inserting the phrase “decedent whose death occurs after December 31, 2014” in its place.

(6) Paragraph (14)(C) is amended to read as follows:

“(C) For a decedent whose death occurs after December 31, 2017, \$5.6 million, increased annually, beginning with the year commencing on January 1, 2019, by the cost-of-living adjustment.”.

#### **SUBTITLE W. COLUMBIAN QUARTER LOCAL JOBS AND TAX REDUCTION INCENTIVE**

Sec. 7241. Short title.

This subtitle may be cited as the “Columbian Quarter Local Jobs and Tax Reduction Incentive Congressional Review Emergency Amendment Act of 2018”.

Sec. 7242. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

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

“47-4668. Columbian Quarter Local Jobs and Tax Reduction Incentive.”.

(b) A new section 47-4668 is added to read as follows:

“§ 47-4688. Columbian Quarter Local Jobs and Tax Reduction Incentive.

“(a)(1) Notwithstanding the provisions of § 47-812(a), the real property tax rates and special real property tax rates for taxable Class 2 Properties located east of the east bank of the Anacostia River in the 600, 700, and 800 block of Howard Road, S.E., known as Columbian Quarter and described, as of the effective date of this act, as Lot 0817, Square 5788; Lots 0937-0938, 0097, 1022, 1025-1031, 1036-1037, Square 5860; and Lots 0082-0084, 0089, 0091, and 0990-0991, Square 5861 shall be \$0.993 for each \$100 of assessed value, when:

“(A) A Class 2 Property of at least 175,000 or more gross square feet is leased by a federal government tenant;

“(B) The Department of Consumer and Regulatory Affairs issues a Certificate of Occupancy for that Class 2 Property; and

“(C) The tax year is October 1, 2022 or later.

“(2) Once all conditions of paragraph (1) of this subsection are met, the tax rate established in paragraph (1) of this subsection shall continue in each tax year thereafter for 10 real property tax years.

“(b) Beginning with the real property tax year immediately following the last real property tax year for which the rate provided in subsection (a) of this section is effective, the real property tax rate shall increase in such real property tax year and in each succeeding such year by \$0.04 for each \$100 of assessed value until the tax rate is equal to the real property tax rate for Class 2 Properties provided by § 47-812.”.

Sec. 7243. Applicability.

This act shall not apply to any tax year before October 1, 2022.

**SUBTITLE X. SMALL RETAILER PROPERTY TAX RELIEF**

Sec. 7251. Short title.

This subtitle may be cited as the “Small Retailer Property Tax Relief Congressional Review Emergency Amendment Act of 2018”.

Sec. 7252. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended as follows:

(1) A new section designation is added to read as follows:

“47-1807.14. Retailer property tax relief credit.”.

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

“47-1808.14. Retailer property tax relief credit.”.

(b) A new section 47-1807.14 is added to read as follows:

“§ 47-1807.14. Retailer property tax relief credit.

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

“(1) “Qualified corporation” means a corporation that:

“(A) Is engaged in the business of making sales at retail and files a sales tax return pursuant to Chapter 20 of this title reflecting those sales;

“(B) Has less than \$2,500,000 in federal gross receipts or sales; and

“(C) Is current on all District tax filings and payments.

“(2) “Qualified retail rental location” means a building or part of a building in the District that during the taxable year is:

“(A) A retail establishment as defined in § 47-2001(m);

“(B) The primary place of the retail business of the qualified corporation;

“(C) Leased by the qualified corporation; and

“(D) Classified, in whole or in part, as Class 2 Property, as defined in § 47-813 and has obtained a Certificate of Occupancy for commercial use.

“(3) “Qualified retail owned location” means a building or part of a building in the District that during the taxable year is:

“(A) The primary place of the retail business of the qualified corporation;

“(B) Owned by the qualified corporation; and

“(C) Classified, in whole or in part, as Class 2 Property, as defined in § 47-813 and has obtained a Certificate of Occupancy for commercial use.

“(b) For taxable years beginning after December 31, 2017, a qualified corporation may claim a credit against the tax imposed by this chapter as follows:

“(1) A tax credit equal to 10% of the total rent paid by the corporation for a qualified rental retail location during the taxable year not to exceed \$5,000; or

“(2) A tax credit equal to the total Class 2 real property taxes, pursuant to § 47-811, paid by the qualified corporation for a qualified retail owned location during the taxable year not to exceed the lesser of the real property tax paid during the taxable year or \$5,000.

“(c) The credit claimed under this section in any one taxable year may exceed the qualified corporation’s tax liability, including any minimum tax due under § 47-1807.02(b), under this chapter for that taxable year and shall be refundable to the corporation claiming the credit.

“(d) This section shall not apply if the qualified corporation is exempt from or receives any tax credits towards its real property tax or the qualified rental retail location or qualified owned retail location is otherwise exempt from real property tax.”.

(c) A new section 47-1808.14 is added to read as follows:

“47-1808.14. Retailer property tax relief credit.

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

“(1) “Qualified retail owned location” means a building or part of a building in the District that during the taxable year is:

“(A) The primary place of the retail business of the qualified unincorporated business;

“(B) Owned by the qualified unincorporated business; and

“(C) Classified, in whole or in part, as Class 2 Property, as defined in § 47-813 and has obtained a Certificate of Occupancy for commercial use.

“(2) “Qualified retail rental location” means a building or part of a building in the District that during the taxable year is:

“(A) A retail establishment as defined in § 47-2001(m);

“(B) The primary place of the retail business of the qualified unincorporated business;

“(C) Leased by the qualified unincorporated business; and

“(D) Classified, in whole or in part, as Class 2 Property, as defined in § 47-813 and has obtained a Certificate of Occupancy for commercial use.

“(3) “Qualified unincorporated business” means a business that:

“(A) Is engaged in making sales at retail and files a sales tax return pursuant to Chapter 20 of this title reflecting those sales;

“(B) Has less than \$2.5 million in federal gross receipts or sales; and

“(C) Is current on all District tax filings and payments.

“(b) For taxable years beginning after December 31, 2017, a qualified unincorporated business may claim a credit against the tax imposed by this chapter as follows:

“(1) A tax credit equal to 10% of the total rent paid by the qualified unincorporated business for a qualified rental retail location during the taxable year not to exceed \$5,000; or

“(2) A tax credit equal to the total Class 2 real property taxes, pursuant to § 47-811, paid by the qualified unincorporated business for a qualified retail owned location during the taxable year not to exceed the lesser of the real property tax paid during the taxable year or \$5,000.

“(c) The credit claimed under this section in any one taxable year may exceed the qualified unincorporated business’s tax liability, including any minimum tax due under § 47-1807.02(b), under this chapter for that taxable year and shall be refundable to the qualified unincorporated business claiming the credit.

“(d) This section shall not apply if the qualified unincorporated business is exempt from or receives any tax credits towards its real property tax or the qualified rental retail location or qualified owned retail location is otherwise exempt from real property tax.”.

#### **SUBTITLE Y. EARLY LEARNING TAX CREDIT**

Sec. 7261. Short title.

This subtitle may be cited as the “Early Learning Tax Credit Congressional Review Emergency Amendment Act of 2018”.

Sec. 7262. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

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

“47-1806.15. Early learning tax credit.”.

(b) A new section 47-1806.15 is added to read as follows:

“§ 47-1806.15. Early learning tax credit.

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

“(1) “Child development facility” shall have the same meaning as provided in § 7-2031(3).

“(2) “Consumer Price Index” means the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor, or any successor agency.

“(3) “Eligible child” means a dependent, claimed by a taxpayer, who has not reached the age of 4 years by September 30 of the taxable year.

“(4) “Eligible child care expenses” means payments made by a taxpayer to a child development facility for child care services of an eligible child during the taxable year but does not include any payments for child care services provided after August 31 of the taxable year of an eligible child who meets the age requirement for enrollment under § 38-273.02(a)).

“(b)(1) For taxable years beginning after December 31, 2017, a taxpayer shall be allowed a credit against the tax imposed under this subchapter for eligible child care expenses paid by the taxpayer.

“(2) The amount of the credit shall be the lesser of the total amount of all eligible child care expenses paid by the taxpayer in the taxable year or \$1,000 per eligible child.

“(3) The credit claimed under this section in a taxable year may exceed the taxpayer’s tax liability under this subchapter for that taxable year and shall be refundable to the taxpayer claiming the credit.

“(c) In the case of a return made for a fractional part of a taxable year, the credit shall be reduced to an amount that bears the same ratio to the full credit provided as the number of months in the period for which the return is made to 12 months.

“(d) Notwithstanding subsection (b) of this section, a taxpayer shall not be eligible to receive a credit under this section if:

“(1) The taxpayer does not claim the eligible child as a dependent on the taxpayer’s federal and District income tax returns for that taxable year;

“(2) A person other than the taxpayer claimed the eligible child as a dependent on his or her federal and District income tax returns for that taxable year;

“(3) Any child care subsidies authorized under Chapter 4 of Title 4 during the taxable year are received or paid on behalf of an eligible child of the taxpayer;

“(4) A person other than the taxpayer received a credit under this section for the same taxable year for the same eligible child; or

“(5) The taxpayer’s District taxable income for the taxable year exceeds the following amounts for taxable year 2018 and thereafter, adjusted annually for inflation based on the Consumer Price Index:

“(A) Single and head of household: \$750,000;

“(B) Married filing jointly: \$750,000; or

“(C) Married filing separately: \$375,000.

“(e) The Chief Financial Officer may issue rules regarding the records required to be maintained and provided by a taxpayer and a child development facility to substantiate any credits claimed under this section.

“(f) The credit under this section shall not be allowed for taxable years beginning after December 31, 2018.

“(g) This section shall apply as of January 1, 2018.”.

Sec. 7263. Applicability.

This subtitle shall apply as of September 29, 2018.

**SUBTITLE Z. EQUITABLE TAX RELIEF**

Sec. 7271. Short title.

This subtitle may be cited as the “Women’s National Democratic Club and Campaign for Tibet Equitable Tax Relief Congressional Review Emergency Act of 2018”.

Sec. 7272. (a) The Council orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the real property owned by the International Campaign for Tibet, an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, described as Lot 30, Square 139, for the period beginning before October 1, 2013 (tax year 2014) shall be forgiven and that any payments made shall be refunded to the person who made the payments.

(b) The Council orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the real property owned by the Women’s National Democratic Club located at 1526 New Hampshire Avenue, N.W., described as Lot 5, Square 135, for the period beginning before October 1, 2017 (tax year 2018) shall be forgiven and that any payments made shall be refunded to the person who made the payments.

**SUBTITLE AA. TAXPAYER SUPPORT FOR AFTERSCHOOL PROGRAMS FOR AT-RISK STUDENTS**

Sec. 7281. Short title.

This subtitle may be cited as the “Taxpayer Support for Afterschool Programs for At-Risk Students Congressional Review Emergency Amendment Act of 2018”.

Sec. 7282. The Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016, effective April 7, 2017 (D.C. Law 21-261; D.C. Official Code § 2-1555.01 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Official Code § 2-1555.03) is amended by adding a new subsection (e) to read as follows:

“(e) The Mayor and the Office shall publicize the availability of the tax check-off created pursuant to D.C. Official Code § 47-1812.11b to support afterschool programs for at-risk students.”.

(b) Section 5 (D.C. Official Code § 2-1555.04) is amended by adding a new subsection (h) to read as follows:



“(h)(1) Funds received by the Office from the tax check-off created pursuant to D.C. Official Code § 47-1812.11b shall be used to support afterschool programs for at-risk students through grants issued pursuant to this section.

“(2) Beginning November 1, 2019, and no later than November 1 of each year thereafter, the Office shall submit to the Mayor and Council a financial report on the use of the tax check-off funds during the previous 12 months.”.

Sec. 7283. Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the chapter designation “Chapter 40. Drug Prevention and Children at Risk Tax Check-Off.” and inserting the chapter designation “Chapter 40. Drug Prevention and Children at Risk Tax Check-Off. [Repealed].” in its place.

(b) Chapter 18 is amended as follows:

(1) The table of contents is amended by striking the phrase “47-1812.11b. Public Fund for Drug Prevention and Children at Risk” and inserting the phrase “47-1812.11b. Tax-Payer Support for Afterschool Programs for At-Risk Students” in its place.

(2) Section 47-1812.11b is amended as follows:

(A) The section heading is amended by striking the phrase “Public Fund for Drug Prevention and Children at Risk” and inserting the phrase “Tax-Payer Support for Afterschool Programs for At-Risk Students” in its place.

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

(i) Strike the phrase “For the calendar year beginning January 1, 1995, and for each subsequent calendar year, there” and insert the word “There” in its place.

(ii) Strike the phrase “the Public Fund for Drug Prevention and Children at Risk established by § 47-4002.” and insert the phrase “afterschool programs for at-risk students.” in its place.

(iii) Strike the phrase “earmarked for the Fund” and insert the phrase “used in accordance with § 2-1555.04(h)(1)” in its place.

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

“(b)(1) Except as provided in paragraph (2) of this subsection, the funds generated by the tax check-off established by subsection (a) of this section shall be transferred to the Office of Out of School Time Grants and Youth Outcomes (“Office”) pursuant to rules issued by the Mayor. The rules shall establish timetables and procedures for transfer. Check-off funds shall be transferred to the Office only after reimbursement of the costs described in subsection (a) of this section.

“(2) Funds collected by the Office of Tax and Revenue pursuant to this section before the effective date of the Taxpayer Support for Afterschool Programs for At-Risk Students Amendment Act of 2018, enacted on September 5, 2018 (D.C. Act 22-442; 65 DCR \_\_\_\_), shall be transferred to the Office according to the procedures established pursuant to paragraph (1) of this subsection to be used in accordance with § 2-1555.04(h)(1).”.

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

(i) Paragraph (1) is amended by striking the phrase “the Fund” and inserting the phrase “afterschool programs for at-risk students” in its place.

(ii) Paragraph (2) is amended by striking the phrase “transferred to the Fund” and inserting the phrase “transferred to the Office in accordance with the procedures established pursuant to subsection (b) of this section” in its place.

(E) Subsection (d) is repealed.

(c) Chapter 40 is amended as follows:

(1) The table of contents is amended as follows:

(A) Strike the section designation “47-4001. Definitions.” and insert the section designation “47-4001. Definitions. [Repealed].” in its place.

(B) Strike the section designation “47-4002. Establishment of the Public Fund for Drug Prevention and Children at Risk; duties.” and insert the section designation “47-4002. Establishment of the Public Fund for Drug Prevention and Children at Risk; duties. [Repealed].” in its place.

(C) Strike the section designation “47-4003. Fund qualifications; terms of office; compensation.” and insert the section designation “47-4003. Fund qualifications; terms of office; compensation. [Repealed].” in its place.

(D) Strike the section designation “47-4004. Rules of procedure; contributions.” and insert the section designation “47-4004. Rules of procedure; contributions. [Repealed].” in its place.

(E) Strike the section designation “47-4005. Rules.” and insert the section designation “47-4005. Rules. [Repealed].” in its place.

(2) Chapter 40 is repealed.

## **SUBTITLE BB. SMOKING CESSATION**

Sec. 7291. Short title.

This subtitle may be cited as the “Smoking Cessation Congressional Review Emergency Amendment Act of 2018”.

Sec. 7292. Section 47-2402(a)(1) of the District of Columbia Official Code is amended by striking the phrase “\$0.125” and inserting the phrase “\$0.225” in its place.

## **SUBTITLE CC. UNION MARKET TIF**

Sec. 7301. Short title.

This subtitle may be cited as the “Union Market TIF Congressional Review Emergency Amendment Act of 2018”.

Sec. 7302. Section 4(c) of the Union Market Tax Increment Financing Act of 2017, effective February 15, 2018 (D.C. Law 22-58; D.C. Official Code § 2-1217.36g(c)), is amended as follows:

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

(1) Subparagraph (A) is amended as follows

(A) Sub-subparagraph (iii) is amended by striking the word “and”.

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

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

“(v) \$6,764,675 in base year 2022 and each base year thereafter through 2052.”.

(2) Subparagraph (B) is repealed.

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

(1) Subparagraph (A) is amended as follows

(A) Sub-subparagraph (iii) is amended by striking the word “and”.

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

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

“(v) \$7,712,678 in base year 2022 and each base year thereafter through 2052.”.

(2) Subparagraph (B) is repealed.

## **TITLE VIII. CAPITAL BUDGET**

### **SUBTITLE A. FISCAL YEAR 2019 CAPITAL PROJECT FINANCING REALLOCATION APPROVAL**

Sec. 8001. Short title.

This subtitle may be cited as the “Fiscal Year 2019 Capital Project Financing Reallocation Approval Congressional Review Emergency Act of 2018”.

Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of Columbia Official Code, the Council approves the Mayor's request to reallocate \$11,361,035 in general obligation bond proceeds from the District capital projects listed in Table A to the District capital projects listed in Table B, in the amounts specified.

(b) The current allocations were made pursuant to the Fiscal Year 2014 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2013, effective November 5, 2013 (Res. 20-321; 60 DCR 15794), the Fiscal Year 2015 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2014, effective November 18, 2014 (Res. 20-687; 61 DCR 12738), and the Fiscal Year 2017 Income Tax Secured Revenue Bond, General Obligation Bond and General Obligation and Income Tax

**ENROLLED ORIGINAL**

Secured Revenue Bond Anticipation Note Issuance Approval Resolution of 2016, effective November 1, 2016 (Res.21-635; 63 DCR 14387).

**TABLE A**

<b>Owner Agency Name</b>	<b>Project Number</b>	<b>Implementing Agency</b>	<b>Project Title</b>	<b>Bond Issuance Series</b>	<b>Amount</b>
DCPS	MJ1	DGS	Janney ES Renovation/Modernization	2014C G.O.	4,370
DOC	CR1	DGS	General Renovations - DC Jail	2014C G.O.	251,678
DDOT	ED1	DDOT	Rhode Island Ave NE Small Area Plan Infrastructure	2014C G.O.	426,109
DDOT	PLU	DDOT	Power Line Undergrounding	2015A G.O.	396,361
DCPS	JOH	DGS	Johnson Middle School Renovation/Modernization	2015A G.O.	680,583
DPR	THP	DGS	Therapeutic Recreation Center	2015A G.O.	36,445
DMPED	EB3	DMPED	Neighborhood Revitalization	2015A G.O.	92,152
Office of the Secretary	AB1	DGS	Archives	2016A G.O.	507,910
MPD	PEQ	MPD	Specialized Vehicles - MPD	2016A G.O.	99,658
FEMS	LE7	DGS	Engine Company 27 Renovation	2016A G.O.	1,171,500
DOC	CR0	DGS	Inmate Processing Center	2016A G.O.	29,113
DPR	FTD	DGS	Fort Davis Recreation Center	2016A G.O.	167,404
DPR	WBR	DGS	Edgewood Recreation Center	2016A G.O.	2,346,561
DPR	WD3	DGS	Hearst Park Pool - Ward 3 Outdoor Pool	2016A G.O.	370,796
DPR	THP	DGS	Therapeutic Recreation Center	2016A G.O.	755,975

**ENROLLED ORIGINAL**

DDOT	CG3	DDOT	Greenspace Management	2016A G.O.	1,207,829
DDOT	PM0	DDOT	Materials Testing Lab	2016A G.O.	133,215
DDOT	TRL	DDOT	Trails	2016A G.O.	877,349
DDOT	CE3	DDOT	Bridge and Alley Maintenance	2016A G.O.	1,327,211
DOEE	K20	DOEE	Inspections, Compliance and Enforcement IT System	2016A G.O.	280,168
OCTO	N31	OCTO	Data Management and Publication Platform	2016A G.O.	43,150
OCTO	N93	OCTO	Enterprise Computing Device Management	2016A G.O.	63,701
OCTO	N95	OCTO	D.C. Gov Web Transformation	2016A G.O.	91,798
<b>TOTAL</b>					<b>\$11,361,035</b>

**TABLE B**

<b>Owner Agency Name</b>	<b>Project Number</b>	<b>Implementing Agency</b>	<b>Project Title</b>	<b>Bond Issuance Series</b>	<b>Amount</b>
DCPS	YY1	DGS	DC Public Schools Modernization/Renovations	N/A	<b>\$11,361,035</b>
<b>TOTAL</b>					<b>\$11,361,035</b>

**SUBTITLE B. REALLOCATIONS TO MASTER LOCAL TRANSPORTATION CAPITAL PROJECTS**

Sec. 8011. Short title.

This subtitle may be cited as the “Master Local Transportation Capital Projects Congressional Review Emergency Amendment Act of 2018”.

Sec. 8012. Section 3(e)(4)(C) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)(4)(C)), is amended by striking the date “January 31, 2018” and inserting the date “January 31, 2019” in its place.

**SUBTITLE C. TRANSPORTATION INFRASTRUCTURE PROJECT REVIEW  
FUND REPROGRAMMINGS**

Sec. 8021. Short title.

This subtitle may be cited as the “Transportation Infrastructure Project Review Fund Capital Reprogrammings Congressional Review Emergency Amendment Act of 2018”.

Sec. 8022. Section 47-363 of the District of Columbia Official Code is amended by adding a new subsection (g) to read as follows:

“(g) A reprogramming from the Transportation Infrastructure Project Review Fund established by section 9i of the Department of Transportation Establishment Act of 2002, effective July 23, 2014 (D.C. Law 20-128; D.C. Official Code § 50-921.17), to a capital project shall not require Council approval; provided, that the reprogramming shall not modify the purposes for which the reprogrammed funds may be expended.”.

**SUBTITLE D. MASTER CAPITAL PROJECTS**

Sec. 8031. Short title.

This subtitle may be cited as the “Master Capital Projects Funding Reallocation Congressional Review Emergency Amendment Act of 2018”.

Sec. 8032. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the section designation “47-310. [Reserved]” and inserting the section designation “47-310. Master capital projects” in its place.

(b) Section 47-310 is added to read as follows

“47-310. Master capital projects.

“(a) For any master capital project that is included in an approved budget and financial plan and is owned and implemented by the same agency that owns and implements all the sub-projects within it, an agency director may submit requests to the Office of Budget and Planning (“OBP”) of the Office of the Chief Financial Officer to:

“(1) Reallocate funds from the master capital project to a sub-project;

“(2) Reallocate funds from a sub-project to the master capital project; or

“(3) Reallocate funds from one sub-project to another sub-project;

“(b) Upon receiving a request under subsection (a) of this section, OBP shall reallocate the funds as requested, unless OBP determines that the funds are not available for reallocation.

“(c) After funds are reallocated pursuant to subsections (a) and (b) of this section, the agency director described in subsection (a) of this section may obligate and expend the reallocated funds.

“(d)(1) An agency director described in subsection (a) of this section also may submit requests to OBP to reallocate to a master capital project any available fund balances from a related capital project, in order to align the related capital project with the master capital project.

“(2) For the purposes of this subsection, the term “related capital project” means a capital project that:

“(A) Was created before the master capital project was created;

“(B) Is associated with the master capital project based on the description of the master project and the description of the capital project; and

“(C) Has current fund balances for which there are no out-year appropriations.”.

“(e) Subchapter IV of Chapter 3 of Title 47 of the District of Columbia Official Code shall not apply to reallocations made pursuant to this section.”.

**TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

Sec. 9001. Applicability.

Except as otherwise provided, this act shall apply as of October 1, 2018.

Sec. 9002. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 9003. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

**ENROLLED ORIGINAL**

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
D.C. Official Code § 1-204.12(a)).

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia