

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Procurement Practices Act of 1985 to expand false claim liability to certain false claims made pursuant to those portions of Title 47 of the District of Columbia Code that refer or relate to taxation, and to amend Title 47 of the District of Columbia Official Code to increase the reward for informants who report tax fraud.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “False Claims Amendment Act of 2020”.

Sec. 2. Part C of Title VIII of the District of Columbia Procurement Practices Act of 1985, effective May 8, 1998 (D.C. Law 12-104, D.C. Official Code § 2-381.01 *et seq.*), is amended as follows:

(a) Section 814(d) (D.C. Official Code § 2-381.02(d)) is amended by striking the phrase “taxation” and inserting the phrase “taxation, unless the District taxable income, District sales, or District revenue of the person against whom the action is being brought equals or exceeds \$1 million for any taxable year subject to any action brought pursuant to this part, and the damages pleaded in the action totals \$350,000 or more” in its place.

(b) Section 815 (D.C. Official Code § 2-381.03) is amended as follows:

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

“(a-1) When a qui tam plaintiff brings an action pursuant to subsection (b) of this section and the matter relates to taxation, the Attorney General for the District of Columbia shall consult with the Chief Financial Officer of the District of Columbia about the complaint.”.

(2) Subsection (c) is amended by adding a new paragraph (3) to read as follows:

“(3) No person may bring an action pursuant to subsection (b) of this section that is based upon allegations or transactions that relate to taxation and are the subject of an existing investigation, audit, examination, ruling, agreement, or administrative or enforcement activity by the Chief Financial Officer of the District of Columbia.”.

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

“(h) In any proceeding under this part, the District’s Chief Financial Officer shall not be required to produce tax information, or other information from which tax information can be inferred, if the production thereof would be a violation of federal law.”.

Sec. 3. Subsection 47-4111(b) of the District of Columbia Official Code is amended by striking the figure “10%” and inserting the figure “30%” in its place.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (12 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia