


Chairman Phil Mendelson

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, the Advisory Neighborhood Councils Act of 1975, the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012, the Day Care Policy Act of 1979, the Neighborhood Engagement Achieves Results Amendment Act of 2016, Title 29 of the D.C. Official Code, the Lead Service Line Priority Replacement Assistance Act of 2004, the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, the District of Columbia Education Research Practice Partnership Establishment and Audit Act of 2018, the Commission on the Arts and Humanities Act, Title 47 of the D.C. Official Code, and the Commission on the Arts and Humanities Independence and Funding Restructuring Amendment Act of 2019 to clarify provisions supporting the Fiscal Year 2020 budget; and to provide for the award of a grant in the amount of \$100,000 from the Mayor to the Historical Society of Washington, D.C.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2020 Budget Support Clarification Second Emergency Amendment Act of 2019”.

Sec. 2. Section 108c(a) of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 10, 2019 (D.C. Law 22-313; D.C. Official Code § 1-301.88f(a)), is amended by striking the phrase “grants not to exceed the total amount of \$360,000 for” and inserting the phrase “grants for” in its place.

37 Sec. 3. Section 16(j)(3) of the Advisory Neighborhood Councils Act of 1975, effective
38 March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.13(j)(3)), is amended to read as
39 follows:

40 “(3)(A)(i) If a Commission has failed to timely file 2 or more quarterly reports
41 approved by the OANC, the Commission shall forfeit the allotments associated with the most
42 recent untimely quarterly report and shall forfeit additional allotments until the Commission files
43 the required reports.

44 “(ii) If a Commission had not received a quarterly allotment by the
45 last day of the fiscal year because it failed to file a quarterly allotment approved by the OANC,
46 the Commission shall forfeit the unclaimed allotment or allotments.

47 “(iii) All funds forfeited pursuant to this paragraph shall return to
48 the District’s General Fund.

49 “(B) Sub-subparagraph (i) of subparagraph (A) of this paragraph shall not
50 apply to the failure to file quarterly reports covering periods prior to the 2020 fiscal year.”.

51 Sec. 4. Section 2032 of the Deputy Mayor for Planning and Economic Development
52 Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168;
53 D.C. Official Code § 1-328.04), is amended by adding a new subsection (g) to read as follows:

54 “(g) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013
55 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2020, the Deputy Mayor
56 for Planning and Economic Development shall award a grant to assist with capital improvements
57 and related facility maintenance, and general operating expenses for a theatre that is a National
58 Center for Latino Performing Arts, located in the District-owned Tivoli Building, in an amount
59 not to exceed \$1 million.”.

60 Sec. 5. The Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16;
61 D.C. Official Code § 4-401 *et seq.*), is amended by adding a new section 11d to read as follows:

62 “Sec. 11d. Early Childhood Development Fund.

63 “(a) There is established as a special fund the Early Childhood Development Fund
64 (“Fund”), which shall be administered by Office of the State Superintendent of Education in
65 accordance with subsection (c) of this section.

66 “(b) Fifty percent of all net revenue collected pursuant to section 311(a)(3) of the Sports
67 Wagering Lottery Amendment Act of 2018, effective May 3, 2019 (D.C. Law 22-312; D.C.
68 Official Code § 36-621.11(a)(3)), shall be deposited into the Fund.

69 “(c) Money in the Fund shall be used to support the cost of care and the teacher salary
70 scale increases as set forth in section 11b.

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

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

76 Sec. 6. Section 103 of the Neighborhood Engagement Achieves Results Amendment Act
77 of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2413), is revived,
78 and amended to read as follows:

79 “Sec. 103. Neighborhood Safety and Engagement Fund.

80 “(a) There is established as a special fund the Neighborhood Safety and Engagement
81 Fund (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of
82 this section.

83 “(b) Fifty percent of all net revenue collected pursuant to section 311(a)(3) of the Sports
84 Wagering Lottery Amendment Act of 2018, effective May 3, 2019 (D.C. Law 22-312; D.C.
85 Official Code § 36-621.11(a)(3)), shall be deposited into the Fund.

86 “(c) Money in the Fund shall only be used to support the duties of the Office of
87 Neighborhood Safety and Engagement as described in section 101(b).

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

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

93 Sec. 7. Subchapter 2 of Chapter 1 of Title 29 of the District of Columbia Official Code is
94 amended as follows:

95 (a) Section 29-102.01(a) is amended as follows:

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97 (1) Paragraph (6) is amended to read as follows:

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99 “(6) For entity registration filings made on or after January 1, 2020, the filing

100 shall state the names, residence and business addresses of each person whose aggregate share of

101 direct or indirect, legal or beneficial ownership of a governance or total distributional interest of

102 the entity:

103 “(A) Exceeds 10 percent; or

104 “(B) Does not exceed 10 percent; provided, that the person:

105 “(i) Controls the financial or operational decisions of such entity;

106 or

107 “(ii) Has the ability to direct the day-to-day operations of such
108 entity.”.

109 (2) New paragraphs (7), (8), and (9) are added to read as follows:

110 “(7) The entity registration filing shall state, for each foreign entity that is
111 identified pursuant to paragraph (6) of this subsection, the names, residence and business
112 addresses of each person whose aggregate share of direct or indirect, legal or beneficial
113 ownership of a governance or total distributional interest of the foreign entity:

114 “(A) Exceeds 10 percent; or

115 “(B) Does not exceed 10 percent; provided, that the person:

116 “(i) Controls the financial or operational decisions of such foreign
117 entity; or

118 “(ii) Has the ability to direct the day-to-day operations of such
119 foreign entity.

120 “(8) If an entity submits an entity registration filing that does not include the
121 information required by paragraphs (6) or (7) of this subsection, the entity shall not be allowed to
122 register or do business in the District.

123 “(9) If information required under paragraphs (6) and (7) of this subsection
124 changes at any time after the submission of the entity registration filing, articles of amendment
125 shall be filed to reflect the changes.”.

126 (b) Section 29-102.11 is amended as follows:

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

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130 (A) Paragraph (6) is amended to read as follows:

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132 “(6) For biennial reports made on or after January 1, 2020, the report shall state
133 the names, residence and business addresses of each person whose aggregate share of direct or
134 indirect, legal or beneficial ownership of a governance or total distributional interest of the
135 entity:

136 “(A) Exceeds 10 percent; or

137 “(B) Does not exceed 10 percent, provided, that the person:

138 “(i) Controls the financial or operational decisions of such entity;

139 or

140 “(ii) Has the ability to direct the day-to-day operations of such
141 entity.”.

142 (B) New paragraphs (7) and (8) are added to read as follows:

143 “(7) The biennial report shall state, for each foreign entity that is identified
144 pursuant to paragraph (6) of this subsection, the names, residence and business addresses of each
145 person whose aggregate share of direct or indirect, legal or beneficial ownership of a governance
146 or total distributional interest of the foreign entity:

147 “(A) Exceeds 10 percent; or

148 “(B) Does not exceed 10 percent; provided, that the person:

149 “(i) Controls the financial or operational decisions of such foreign
150 entity; or

151 “(ii) Has the ability to direct the day-to-day operations of such
152 foreign entity.

153 “(8) Submission of a biennial report that does not include the information required
154 by paragraphs (6) and (7) of this subsection shall result in administrative dissolution of a

155 domestic entity pursuant to the process specified under § 29-106.02 or termination of registration
156 of a foreign entity pursuant to the process specified under § 29-105.11.”.

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

158 “(b) Information in the biennial report shall be current as of the date the report is signed
159 on behalf of the entity. If information in the biennial report changes after the time of report
160 filing, a statement of correction as specified under § 29-102.05 shall be filed to reflect the
161 changes.”.

162 Sec. 8. Section 6019b(b)(1)(A)(i) of the Lead Service Line Priority Replacement
163 Assistance Act of 2004, effective March 13, 2019 (D.C. Law 22-241; D.C. Official Code § 34-
164 2159(b)(1)(A)(i)), is amended by striking the phrase “median income; and” and inserting the
165 phrase “median income; or” in its place.

166 Sec. 9. Section 311(a) of the Law to Legalize Lotteries, Daily Numbers Games, and
167 Bingo and Raffles for Charitable Purposes in the District of Columbia, effective May 3, 2019
168 (D.C. Law 22-312; D.C Official Code § 36-621.11(a)), is amended by adding a new paragraph
169 (3) to read as follows:

170 “(3) Except for the revenue certified in the approved Fiscal Year 2020 budget for
171 Fiscal Years 2020, 2021, 2022, and 2023, and \$200,000 annually thereafter, which shall be
172 dedicated to the Department of Behavioral Health for prevention and treatment of gambling
173 addiction, all net revenue from sports wagering, whether from taxing licensed retailers, from
174 contracts with vendors operating Office of Lottery and Gaming mobile and web-based sports
175 wagering, or from licensed sports wagering retailers, shall be divided equally between the Early
176 Childhood Development Fund, established by section 11d of the Day Care Policy Act of 1979, as
177 approved by the Committee of the Whole on November 19, 2019 (Committee Print of Bill 23-

178 504), and the Neighborhood Safety and Engagement Fund, established by section 103 of the
179 Neighborhood Engagement Achieves Results Amendment Act of 2016, as approved by the
180 Committee of the Whole on November 19, 2019 (Committee Print of Bill 23-504).”.

181 Sec. 10. Title I of the District of Columbia Education Research Practice Partnership
182 Establishment and Audit Act of 2018, effective March 28, 2019 (D.C. Law 22-268; D.C. Official
183 Code § 38-785.01 *et seq.*), is amended as follows:

184 (a) Section 104(b) (D.C. Official Code § 38-785.03(b)) is amended to read as follows:

185 “(b)(1) Prior to issuance of the Notice, the Mayor shall transmit to the Council a proposed
186 resolution to approve the proposed Notice for a 45-day period of Council review, excluding
187 Saturdays, Sundays, legal holidays, and days of Council recess.

188 “(2) If the Council does not approve the proposed Notice within this 45-day
189 review period, the proposed resolution shall be deemed disapproved.

190 “(3) If the Council disapproves the proposed resolution, the Council may include
191 recommendations for revisions that should be made to the Notice before it is re-transmitted to the
192 Council for approval.

193 “(4) Once the Notice is approved by the Council, the Mayor shall issue it within
194 30 days. The final Notice issued by the Mayor shall be substantially similar to the proposed
195 Notice approved by the Council.”.

196 (b) Section 105(a)(3) (D.C. Official Code § 38-785.04(a)(3)) is amended as follows:

197 (1) Strike the phrase “educational improvement” and insert the phrase “school
198 improvement” in its place.

199 (2) Strike the phrase “education improvement” and insert the phrase “school
200 improvement” in its place.

201 (c) Section 106 (D.C. Official Code § 38-785.05) is amended as follows:

202 (1) Subsection (c)(2) is amended by striking the phrase “final research findings by
203 the Partnership” and inserting the phrase “research findings by the Partnership” in its place.

204 (2) Subsection (d)(1)(A) is amended by striking the phrase “4 months of receiving
205 Advisory Committee feedback” and inserting the phrase “4 months” in its place.

206 Sec. 11. Section 4 of the Commission on the Arts and Humanities Act, effective October
207 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), is amended as follows:

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

209 “(2) The term subsequent to the term being served pursuant to:

210 “(A) Council resolution 21-678 shall begin on July 1, 2019, and expire on June
211 30, 2021;

212 “(B) Council resolution 22-73 shall begin on July 1, 2019, and expire on June 30,
213 2021; and

214 “(C) Council resolution 22-182 shall begin on July 1, 2020, and expire on June
215 30, 2021.”.

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

217 “(b-1) All official actions of the Commission taken by members appointed prior to the
218 effective date of the Fiscal Year 2020 Budget Support Clarification Amendment Act of 2019, as
219 approved by the Committee of the Whole on November 19, 2019 (Committee print of Bill 23-
220 504), are considered to be taken by a properly constituted Commission, regardless of the date of
221 the appointments and length of terms of its members.”.

222 Sec. 12. Title 47 of the D.C. Official Code is amended as follows:

223 (a) Section 47-392.02 is amended as follows:

224 (1) Subsection (j-2)(4) is repealed.

225 (2) A new subsection (j-5) is added to read as follows:

226 “(j-5) If at the close of a fiscal year, the District has fully funded the Emergency,
227 Contingency, Fiscal Stabilization, and Cash Flow Reserves, all additional uncommitted amounts
228 in the unrestricted fund balance of the General Fund of the District of Columbia as certified by
229 the Comprehensive Annual Financial Report shall be used for the following purposes:

230 “(1) 50% shall be deposited in the Housing Production Trust Fund; and

231 “(2) 50% shall be committed in the General Fund balance for Pay-As-You-Go
232 Capital, to be transferred to the General Capital Improvements Fund upon appropriation to
233 specific capital projects.”.

234 (b) Section 47-1005.03(b)(3) is amended to read as follows:

235 “(3)(A) Rents charged to the tenants described in paragraph (1) of this subsection
236 are not in excess of 30% of 80% of the adjusted median income for a household consisting of the
237 number of persons indicated by the occupancy standard for the unit occupied by such tenant; and
238 rents charged to tenants described in paragraph (2) of this subsection are not in excess of 30% of
239 120% of the adjusted median income for a household consisting of the number of persons
240 indicated by the occupancy standard for the unit occupied by such tenant; provided, that the total
241 rent paid to the non-profit landlord for any individual unit shall not exceed the greater of the
242 Housing Choice Voucher Program rent for the submarket in which the property is located or in
243 any submarket immediately adjacent to the property, established annually by the District of
244 Columbia Housing Authority;

245 “(B) For the purposes of this paragraph, the term “occupancy
246 standard” means, for a:

- 247 “(i) Studio/efficiency unit, 1 person;
248 “(ii) One-bedroom unit, 1.5 persons;
249 “(iii) Two-bedroom unit, 3.0 persons;
250 “(iv) Three-bedroom unit, 4.5 persons; and
251 “(v) Four-bedroom unit, 6 persons.”.

252 (c) Section 47-4665.06 is amended as follows:

253 (1) Subsection (a)(13) is amended to read as follows:

254 “(13) “Property” means a portion of the real property located at 2445 M Street,
255 N.W., known for tax and assessment purposes as Lot 871 in Square 0024, that is subject to real
256 property taxation under Chapter 8 of this title.”.

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

258 “(2) The lease execution shall occur on or before August 1, 2019.”.

259 Sec. 13. The Commission on the Arts and Humanities Independence and Funding
260 Restructuring Amendment Act of 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR
261 8621), is amended by adding a new section 2204 to read as follows:

262 “Section 2204. Applicability.

263 “ This act shall apply as of July 22, 2019.”.

264 Sec. 14. (a) Notwithstanding the Grant Administration Act of 2013, effective December
265 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and Rule 730 of the Rules of
266 Organization and Procedure for the Council of the District of Columbia, Council Period 23,
267 Resolution of 2019, effective January 2, 2019 (Res. 23-1; 66 DCR 272), in Fiscal Year 2020, the
268 Mayor, consistent with the approved Fiscal Year 2020 budget, shall award the Historical Society

269 of Washington, D.C. a grant in the amount of \$100,000 to assist with the transition into new
270 space and to facilitate the anticipated increase in visitors.

271 (b) Section 6 of the Fiscal Year 2020 Budget Support Clarification Temporary
272 Amendment Act of 2019, enacted December 5, 2019 (D.C. Act 23-175), is amended to read as
273 follows:

274 “Sec. 6. Notwithstanding the Grant Administration Act of 2013, effective December 24,
275 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and Rule 730 of the Rules of
276 Organization and Procedure for the Council of the District of Columbia, Council Period 23,
277 Resolution of 2019, effective January 2, 2019 (Res. 23-1; 66 DCR 272), in Fiscal Year 2020, the
278 Mayor, consistent with the approved Fiscal Year 2020 budget, shall award the Historical Society
279 of Washington, D.C. a grant in the amount of \$100,000 to assist with the transition into new
280 space and to facilitate the anticipated increase in visitors.”

281 Sec. 15. Repealers.

282 (a) Section 4 of the Rental Housing Commission Independence Clarification Amendment
283 Act of 2018, effective February 22, 2019 (D.C. Law 22-200; 65 DCR 12066), is repealed.

284 (b) Section 3 of the Department of Consumer and Regulatory Affairs Omnibus
285 Amendment Act of 2018, effective April 11, 2019 (D.C. Law 22-287; 66 DCR 1650), is
286 repealed.

287 (c) Section 301 of the Short-Term Rental Regulation Act of 2019, effective April 25,
288 2019 (D.C. Law 22-307; 66 DCR 898), is repealed.

289 (d) The Short-Term Rental Zoning Analysis Amendment Act of 2019, effective
290 September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

291 Sec. 16. Applicability.

292 Except as otherwise provided, this act shall apply as of December 30, 2019.

293 Sec. 17. Fiscal impact statement.

294 The Council adopts the fiscal impact statement of the committee report as the fiscal
295 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
296 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

297 Sec. 18. Effective date.

298 This act shall take effect following approval by the Mayor (or in the event of veto by the
299 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
300 90 days, as provided for emergency acts of the Council of the District of Columbia in section
301 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813;
302 D.C. Official Code § 1-204.12(a)).