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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To enact and amend, on an emergency basis, provisions of law necessary to support the Fiscal Year 2021 budget.

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136 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this

137 act may be cited as the “Fiscal Year 2021 Budget Support Emergency Act of 2020”.

138 **TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

139 **SUBTITLE A. ARCHIVES ADVISORY GROUP**

140 Sec. 1001. Short title.

141 This subtitle may be cited as the “Archives Advisory Emergency Act of 2020”.

142 Sec. 1002. Archives Advisory Group.

143 (a) There is established an Archives Advisory Group to advise the Council of the District

144 of Columbia about Project AB102C in the District’s Capital Improvement Plan to construct a

145 new archives facility for the District of Columbia.

146 (b) The Archives Advisory Group shall consist of no fewer than 5 members and no more

147 than 11 members, all appointed by the Chairman of the Council.

148 (c) The Archives Advisory Group shall consider such matters as schedule, cost, and
149 building attributes regarding a new archives facility. The group shall make recommendations to
150 the Council whenever useful to the Council’s deliberative process.

151 (d) The Archives Advisory Group shall have access to all draft and final documents
152 relevant to planning and costing a new archives facility, including any feasibility study;
153 provided, that requests for documents shall be made through the Chairman of the Council.

154 (e) The Archives Advisory Group shall not be subject to the Open Meetings Act,
155 effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*); provided, that
156 all meetings shall be open to the public.

157 (f) Members of the Archives Advisory Group shall not be reimbursed for expenses, nor
158 compensated. Any other necessary resources shall be coordinated by the Secretary to the
159 Council.

160 **SUBTITLE B. AUDIT ENGAGEMENT FUND**

161 Sec. 1011. Short title.

162 This subtitle may be cited as the “Audit Engagement Fund Emergency Act of 2019”.

163 Sec. 1012. Audit Engagement Fund.

164 (a) There is established as a special fund the Audit Engagement Fund (“Fund”), which
165 shall be administered by the Office of the District of Columbia Auditor in accordance with
166 subsection (c) of this section.

167 (b) The following shall be deposited into the Fund:

168 (1) All unspent local fund monies remaining in the operating budget for the Office
169 of the District of Columbia Auditor at the end of each fiscal year; and

170 (2) Any other funds received on behalf of the Fund or the Office of the District of
171 Columbia Auditor for the purpose of performing audits.

172 (c) Money in the Fund shall be used for operating expenses related to performing audits.

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

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

178 **SUBTITLE C. FREEZE ON PAY INCREASES AND BENEFITS**

179 Sec. 1031. Short title.

180 This subtitle may be cited as the “Balanced Budget and Financial Plan Freeze on Salary
181 Schedules, Benefits, and Cost-of-Living Adjustments Emergency Act of 2020”.

182 Sec. 1032. Definitions.

183 For the purposes of this subtitle, the term:

184 (1) “CMPA” means the District of Columbia Government Comprehensive Merit
185 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01
186 *et seq.*).

187 (2) “Covered agency” means an agency, office, or instrumentality of the District
188 government and independent agencies, as defined in section 301(13) of the CMPA, effective
189 March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(13)), except that the term
190 “covered agency” does not include the District of Columbia Housing Authority, the District of
191 Columbia Housing Finance Agency, the District of Columbia Public Charter School Board, the
192 District of Columbia Water and Sewer Authority, the Not-for-Profit Hospital Corporation, the

193 Board of Trustees of the University of the District of Columbia, or the Washington Convention
194 and Sports Authority.

195 (3) “Negotiated salary schedule” means a salary schedule specified in a collective
196 bargaining agreement.

197 (4) “Negotiated salary, wage, and benefits provision” means the salary and
198 benefits provided in a collective bargaining agreement.

199 (5) “Personnel authority” shall have the same meaning as set forth in section
200 301(14) of the CMPA.

201 Sec. 1033. Freeze on cost-of-living adjustments.

202 Notwithstanding any other provision of law, rule, or collective bargaining agreement, an
203 employee of a covered agency shall not receive a cost-of-living adjustment during the period
204 from October 1, 2020, through September 30, 2021. Nothing in this subtitle shall be construed to
205 prohibit collective bargaining on non-compensation issues.

206 Sec. 1034. Maintenance of Fiscal Year 2020 salary schedules and benefits.

207 Notwithstanding any other provision of law, collective bargaining agreement,
208 memorandum of understanding, side letter, or settlement, whether specifically outlined or
209 incorporated by reference, all Fiscal Year 2020 salary schedules of covered agencies shall be
210 maintained during Fiscal Year 2021 and no increase in salary or benefits, including increases in
211 negotiated salary, wage, and benefits provisions, and negotiated salary schedules, shall be
212 provided in Fiscal Year 2021 from the Fiscal Year 2020 salary and benefits levels of covered
213 agencies.

214 Sec. 1035. Rules.

215 To the extent authorized by the CMPA or other applicable law to issue rules to administer
216 the salary or benefits program of a covered agency, the personnel authority for a covered agency
217 may, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved
218 October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), issue rules to implement
219 this subtitle.

220 Sec. 1036. Revised revenue contingency.

221 Notwithstanding any other provision of law, a portion of the amount of local recurring
222 revenues included in the Chief Financial Officer's revenue estimates issued prior to January 1,
223 2021 that exceeds the April 24, 2020 revenue estimate incorporated in the approved budget and
224 financial plan for Fiscal Year 2021 shall be deposited in the Workforce Investment Account in
225 order to satisfy the Fiscal Year 2021 negotiated salary adjustments set aside by section 1033 for
226 employees in the bargaining units covered by the collective bargaining agreements approved
227 pursuant to the Interest Arbitration Award and Collective Bargaining Agreement between the
228 District of Columbia Public Schools and the Office of the State Superintendent of Education and
229 the American Federation of State, County and Municipal Employees, District Council 20, Local
230 2921, AFL-CIO Emergency Approval Resolution of 2020, effective March 3, 2020 (Res. 23-374;
231 67 DCR 2735), and the Compensation Collective Bargaining Agreement between the District of
232 Columbia Government and Compensation Units 1 and 2, FY 2018-FY2021, Approval
233 Resolution of 2018, deemed approved February 23, 2018 (P.R. 22-738); provided, that if
234 amounts certified in a single revenue estimate are insufficient to satisfy the combined value of
235 the negotiated salary adjustments under both agreements, the Mayor or appropriate personnel
236 authority shall consult with the affected bargaining units as to how the available funds shall be
237 allocated.

238 Sec. 1037. Applicability.

239 This subtitle shall apply as of July 31, 2020.

240 **SUBTITLE D. ADVISORY NEIGHBORHOOD COMMISSIONS TECHNICAL**
241 **SUPPORT AND ASSISTANCE**

242 Sec. 1041. Short title.

243 This subtitle may be cited as the “Advisory Neighborhood Commissions Technical
244 Support and Assistance Emergency Amendment Act of 2020”.

245 Sec. 1042. The Advisory Neighborhood Commissions Act of 1975, effective March 26,
246 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.01 *et seq.*) is amended as follows:

247 (a) Section 16(j)(3)(A)(iii) (D.C. Code § 1-309.13(j)(3)(A)(iii)), is amended by striking
248 the phrase “shall return to the District’s General Fund” and inserting the phrase “shall be
249 deposited in the Advisory Neighborhood Commissions Technical Support and Assistance Fund
250 established in section 16a” in its place.

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

252 “Sec. 16a. Advisory Neighborhood Commissions Technical Support and Assistance
253 Fund.

254 “(a) There is established as a special fund the Advisory Neighborhood Commissions
255 Technical Support and Assistance Fund (“Fund”), which shall be administered by the Office of
256 Advisory Neighborhood Commissions in accordance with subsection (c) of this section.

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

258 “(1) Such amounts as may be appropriated to the Fund; and

259 “(2) Any amounts allocated to Advisory Neighborhood Commissions pursuant to
260 section 738(e) of the District of Columbia Home Rule Act, approved December 24, 1973 (87

261 Stat. 824; D.C. Code Official § 1-207.38(e)), that are forfeited pursuant to section 16(d)(3) or
262 (j)(3) or unclaimed by the last day of the fiscal year.

263 “(c) Money in the Fund shall be used to provide the following services and supports at
264 the request of Advisory Neighborhood Commissions and subject to such limitations or
265 prioritization as the Office may establish due to limitation of funding:

266 “(1) Planning, development, or procurement of a mobile or computer application
267 to assist Advisory Neighborhood Commissioners with outreach and engagement with their
268 constituents;

269 “(2) Supplementing any funding allocated for communications access services,
270 including sign language interpretation, computer-aided real-time transcription, and other services
271 and supports, for Advisory Neighborhood Commissions; provided, that the funding allocated for
272 this purpose prove insufficient;

273 “(3) Ensuring that Advisory Neighborhood Commissions have access to remote
274 meeting technologies necessary for their operations;

275 “(4) Providing or procuring audio-visual technology and services to support
276 Advisory Neighborhood Commissions;

277 “(5) Providing or procuring printing services for Advisory Neighborhood
278 Commissions; and

279 “(6) Providing or procuring website assistance for Advisory Neighborhood
280 Commissions.

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

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

286 Sec. 1043. Applicability.

287 This subtitle shall apply as of September 30, 2020.

288 **SUBTITLE E. RENEWABLE ENERGY FUTURE**

289 Sec. 1051. Short title.

290 This subtitle may be cited as the “Renewable Energy Future Emergency Amendment Act
291 of 2020”.

292 Sec. 1052. The Department of General Services Establishment Act of 2011, effective
293 September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 10-551.01, *et seq.*), is amended as
294 follows:

295 (a) Section 1026 (D.C. Code § 10-551.05) is amended as follows:

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

297 (A) Paragraph (8) is amended by striking the phrase “; and” and inserting
298 a semicolon in its place.

299 (B) Paragraph (9) is amended by striking the period and inserting a
300 semicolon in its place.

301 (C) A new paragraph (10) is added to read as follows:

302 “(10) Any study of the feasibility of initiating or expanding renewable energy
303 generation, which shall include an analysis of the potential for capturing solar or other forms of
304 renewable energy that is conducted pursuant to subsection (c-1) of this section.”.

305 (2) A new subsection (c-1) is added to read as follows:

306 “(c-1) The Department shall produce and publish on its website an analysis of the
307 feasibility of initiating or expanding renewable energy generation, including an analysis of the
308 potential for capturing solar or other forms of renewable energy at each District-owned property
309 under the control of the Mayor on a rolling basis, with each property re-analyzed no less than
310 once every 10 years.”.

311 (b) A new section 1028d is added to read as follows:

312 “Section 1028d. Renewable energy generation at District-owned properties.

313 “(a) Subject to the availability of funding, the Department shall initiate or expand
314 renewable energy generation at every District-owned property under the control of the Mayor
315 where doing so is found feasible by the analysis required by section 1026(c-1) of this act.

316 “(b) Notwithstanding the Small and Certified Business Enterprise Development and
317 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-
318 218.01 *et seq.*) (“CBE Act”), or any other provision of District law or regulation, any contract
319 entered into to implement this section, absent a waiver pursuant to section 2351 of the CBE Act,
320 shall:

321 “(1) Be awarded to a qualified small business enterprise; provided, that if the
322 Department determines that there are not at least 2 qualified small business enterprises that can
323 provide the services or goods that are the subject of the contract, the Department may use any
324 qualified certified business enterprise; or

325 “(2) Require that at least 50% of the dollar volume of the contract shall be
326 subcontracted to qualified small business enterprises; provided, that if there are insufficient
327 qualified small business enterprises to meet the requirement and best efforts are made to ensure
328 that qualified small business enterprises are significant participants in the overall subcontracting

329 work, then the subcontracting requirement may be satisfied by subcontracting 50% of the dollar
330 volume to any qualified certified business enterprise.”.

331 **SUBTITLE F. DC CENTER FOR THE LGBT COMMUNITY GRANT**

332 Sec. 1061. Short title.

333 This subtitle may be cited as the “The DC Center for the LGBT Community Support
334 Emergency Amendment Act of 2020”.

335 Sec. 1062. For Fiscal Year 2021, the Department of General Services shall award the DC
336 Center for the LGBT Community a grant in the amount of \$70,000 to sustain its operations while
337 the organization anticipates an upcoming move.

338 **SUBTITLE G. ACCESS TO JOBS**

339 Sec. 1071. Short title.

340 This subtitle may be cited as the “Access to Jobs Emergency Amendment Act of 2020”.

341 Sec. 1072. Section 3(b)(2) of the Office on Ex-Offender Affairs and the Commission on
342 Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C.
343 Law 16-243; D.C. Official Code § 24-1302(b)(2)), is amended by adding new subparagraph (L)
344 to read as follows:

345 “(L) Establish and implement a pilot program to support the employment
346 of 10 returning citizens through grants to employers for 2 years beginning in Fiscal Year 2021;
347 provided, that:

348 “(i) To qualify for the program, an eligible employer shall:

349 “(I) Register with the Office on Returning Citizen Affairs to
350 accept applications for employment from eligible individuals;

351 “(II) Demonstrate that potential employees in the program
352 have opportunities for advancement within the eligible employer’s organization or industry;
353 “(III) Hire one or more eligible individuals who meet the
354 requirements of sub-subparagraph (ii) of this subparagraph;
355 “(IV) Be located within the District;
356 “(V) Pay each employed eligible individual at least the
357 minimum wage required pursuant to the Minimum Wage Act Revision Act of 1992, effective
358 March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*);
359 “(VI) Employ each eligible individual for a minimum of
360 20 hours per week for a minimum of 8 weeks;
361 “(VII) Submit an application; and
362 “(VIII) Provide documentation as required by the Office on
363 Returning Citizen Affairs to substantiate the satisfaction of each requirement of the program for
364 the participating eligible employer and for each eligible individual employed.
365 “(ii) For an eligible employer to receive a grant for the
366 employment of an eligible individual, the eligible individual must:
367 “(I) Have been previously incarcerated;
368 “(II) Be a resident of the District;
369 “(III) Have completed a workforce development and life
370 skills program within the District; and
371 “(IV) Have been unemployed for a period of at least one
372 month prior to being hired by the participating eligible employer.
373 “(iii) Grants offered through the pilot program shall be disbursed:

374 “(I) Initially, after an eligible employer has provided
375 documentation substantiating that the eligible employer employed an eligible individual for a
376 minimum of 20 hours per week for a minimum of 8 weeks;

377 “(II) Subsequent to the initial disbursement, at the end of
378 each month that the eligible individual is employed pursuant to the requirements of the program;

379 “(iv) The maximum amount of the grant disbursements offered
380 through the pilot program to each participating eligible employer shall be:

381 “(I) For the first year that an eligible individual is employed
382 by a participating eligible employer, 40% of the minimum wage for a period not to exceed 40
383 hours per week and 2,080 hours per year for each eligible individual hired under the pilot
384 program; and

385 “(II) For the second year that an eligible individual is
386 employed by the same participating eligible employer, 80% of the minimum wage for a period
387 not to exceed 40 hours per week and 2,080 hours per year for each eligible individual hired under
388 the pilot program.

389 “(v)(I) The total amount of funding expended through the pilot
390 program shall not exceed the amount budgeted for the program.

391 “(II) Eligible employers shall receive funding in the order
392 that they successfully provide the documentation required pursuant to sub-subparagraph (i)(VII)
393 of this subparagraph for the employment of an eligible individual.

394 “(III) For each eligible individual for whom documentation
395 successfully has been submitted, an amount of funds shall be set aside such that the eligible
396 employer may be reimbursed for the employment of an eligible individual for a period no shorter

397 than the remainder of the fiscal year during which the documentation was submitted, and the
398 remainder of the assistance shall be subject to the availability of funding.”.

399 **SUBTITLE H. PARALEGAL PROGRAM ESTABLISHMENT**

400 Sec. 1081. Short title.

401 This subtitle may be cited as the “Returning Citizen Paralegal Fellowship Initiative Pilot
402 Program Emergency Amendment Act of 2020”.

403 Sec. 1082. Section 3(b)(2) of the Office on Ex-Offender Affairs and the Commission on
404 Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C.
405 Law 16-243; D.C. Official Code § 24-1302(b)(2)), is amended by adding a new subparagraph
406 (M) to read as follows:

407 “(M) Conduct a Paralegal Fellowship Initiative pilot program that places a
408 cohort of returning citizen students in an accredited, university-based paralegal certification
409 program located in the District of Columbia, while providing the students with support services
410 necessary for their success.”.

411 **SUBTITLE I. NON-PROFIT FAIRNESS ANALYSIS**

412 Sec. 1091. Short title.

413 This subtitle may be cited as the “Non-Profit Reimbursement Fairness Analysis Emergency
414 Amendment Act of 2020”.

415 Sec. 1092. Section 204(b) of the Procurement Practices Reform Act of 2010, effective
416 April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.04(b)) is amended as follows:

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

419 (b) Paragraph (16) is amended by striking the period and inserting the phrase “; and” in
420 its place.

421 (c) A new paragraph (17) is added to read as follows:

422 “(17) To issue a report to the Mayor and the Council by April 1, 2021, that
423 includes:

424 “(A) A review and analysis of the funding of indirect costs in the terms of
425 grant agreements or contracts entered into between non-profit organizations and the District
426 government;

427 “(B) A table listing the federal funding associated with contracts or grants
428 passed through to nonprofit organizations by the District government in Fiscal Year 2020,
429 including any funding passed through to non-profit organizations to meet their indirect costs and
430 any funding retained by the District rather than being passed through for this purpose; and

431 “(C) Any recommended amendments to law, regulations, policy, or
432 training in order to ensure the legal, fair, and consistent funding of indirect costs to non-profit
433 organizations by the District.”.

434 **SUBTITLE J. INDIGENOUS PEOPLES’ DAY**

435 Sec. 1101. Short title.

436 This subtitle may be cited as the “Indigenous Peoples’ Day Emergency
437 Amendment Act of 2020”.

438 Sec. 1102. Section 1202(a)(7) of the District of Columbia Government
439 Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-319;
440 D.C. Official Code § 1-612.02(a)(7)), is amended by striking the phrase “Columbus Day”
441 and inserting the phrase “Indigenous Peoples’ Day” in its place.

442 Sec. 1103. Section 25-723(c)(1)(B) of the District of Columbia Official Code is
443 amended by striking the phrase “Columbus Day” and inserting the phrase “Indigenous
444 Peoples’ Day” in its place.

445 Sec. 1104. Section 28-2701 of the District of Columbia Official Code is amended
446 by striking the phrase “Columbus Day” and inserting the phrase “Indigenous Peoples’
447 Day” in its place.

448 **SUBTITLE K. CAMPAIGN FINANCE REFORM IMPLEMENTATION**

449 Sec. 1111. Short title.

450 This subtitle may be cited as the “Campaign Finance Reform Emergency Amendment
451 Act of 2020”.

452 Sec. 1112. Section 1108(c-1) of the District of Columbia Government Comprehensive
453 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
454 611.08(c-1)), is amended as follows:

455 (a) Paragraph (9) is amended by striking the semicolon and inserting the phrase “; and” in
456 its place.

457 (b) Paragraph (10) is amended by striking the phrase “; and” and inserting a period in its
458 place.

459 (c) Paragraph (11) is repealed.

460 Sec. 1113. Title III of the Board of Ethics and Government Accountability Establishment
461 and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law
462 19-124; D.C. Official Code § 1-1163.01 *et seq.*), is amended as follows:

463 (a) Section 302a(h) (D.C. Official Code § 1-1163.02a(h)) is amended to read as follows:

464 “(h) Members of the Campaign Finance Board, including the Chairperson, shall not
465 receive compensation for their service on the Campaign Finance Board.”.

466 (b) Section 309(b) (D.C. Official Code § 1-1163.09(b)) is amended to read as follows:

467 “(b) The reports required by subsection (a) of this section shall be filed on the 10th day of
468 March, June, August, October, and December in the 7 months preceding the date on which, and
469 in each year during which, an election is held for the office sought, and 8 days before a special or
470 general election, and also by the 31st day of January each year. In addition, the reports shall be
471 filed on the 31st day of July of each year in which there is no election. The reports shall be
472 complete as of the date prescribed by the Director of Campaign Finance, which shall not be more
473 than 5 days before the date of filing, except that any contribution of \$200 or more received after
474 the closing date prescribed by the Director of Campaign Finance for the last report required to be
475 filled before the election shall be reported within 24 hours after its receipt.”.

476 Sec. 1114. Section 10 of the Campaign Finance Reform Amendment Act of 2018,
477 effective March 13, 2019 (D.C. Law 22-250; 66 DCR 985), is amended to read as follows:

478 “Sec. 10. Applicability.

479 “(a) Sections 6(b)(4), (8), and (22), and (pp), 8, and 9:

480 “(1)(A) Shall apply upon the date of inclusion of their fiscal effect in an approved
481 budget and financial plan.

482 “(B) The Chief Financial Officer shall certify the date of the inclusion of
483 the fiscal effect in an approved budget and financial plan and provide notice to the Budget
484 Director of the Council of the certification.

485 “(C)(i) The Budget Director shall cause the notice of the certification to be
486 published in the District of Columbia Register.

487 “(ii) The date of publication of the notice of the certification shall
488 not affect the applicability of sections 6(b)(4), (8), and (22), and (pp), 8, and 9.

489 “(2) Shall not apply to contracts, as defined in section 101(10C)(A)(ii) of the
490 Board of Ethics and Government Accountability Establishment and Comprehensive Ethics
491 Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official
492 Code § 1-1161.01(10C)(A)(ii)), including those contracts’ option periods or similar contract
493 extensions or modifications, sought, entered into, or executed before the applicability date of
494 sections 6(b)(4), (8), and (22), and (pp), 8, and 9.

495 “(b)(1) Notwithstanding any other law, the functions and duties transferred to the
496 Campaign Finance Board pursuant to this act shall continue to be implemented by the Elections
497 Board or the Director of Campaign Finance, as applicable, until the date that the Campaign
498 Finance Board has a quorum of members.

499 “(2) All rules, orders, obligations, determinations, grants, contracts,
500 licenses, and agreements of the Board of Elections transferred to the Campaign Finance
501 Board under this act shall continue in effect according to their terms until lawfully
502 amended, repealed, or modified.”.

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

504 **SUBTITLE A. BUSINESS RECOVERY TASK FORCE ESTABLISHMENT**

505 Sec. 2001. Short title.

506 This subtitle may be cited as the “Business Recovery Task Force Emergency Act of 2020”.

507 Sec. 2002. There is established the Business Recovery Task Force (“Task Force”) to
508 provide recommendations to the Mayor and Council regarding the recovery of the District’s
509 businesses following the end of the COVID-19 emergency.

510 Sec. 2003. Membership; appointment; staff; meetings.

511 (a) The Task Force shall be composed of:

512 (1) The following government members, or their designees:

513 (A) The Deputy Mayor for Planning and Economic Development;

514 (B) The Director of the Department of Small and Local Business
515 Development and

516 (C) The Chairperson of the Council’s Committee on Business and
517 Economic Development; and

518 (2) Eight representatives of business enterprises, one from each Ward, all
519 of whom shall be District residents, who collectively represent industries and geographical areas
520 hardest hit by the COVID-19 emergency, with at least one representative being an owner of an
521 equity impact enterprise as defined by section 2302(8A) of the Small and Certified Business
522 Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-
523 33; D.C. Official Code § 2-218.02(8A)) (“CBE Act”).

524 (b) The business representatives shall be appointed by the Chairman of the Council after
525 receiving recommendations made by the Chairperson of the Council Committee on Business and
526 Economic Development and shall serve without compensation.

527 (c) The Chairperson of the Task Force shall be designated by the Chairperson of the
528 Council’s Committee on Business and Economic Development from among the business
529 representatives.

530 (d) The Department of Small and Local Business Development (“Department”) shall
531 provide administrative support for the Task Force.

532 (e) If, when all the members have been appointed and the Task Force is functioning, the
533 COVID-19 emergency is still in effect, the Task Force shall convene monthly. After the COVID-
534 19 emergency has been lifted, the Task Force shall meet not less frequently than quarterly until
535 dissolved.

536 Sec. 2004. Reporting requirement.

537 Within 180 days after the appointment of the appointed members, the Task Force shall
538 submit a report to the Mayor and the Council that addresses the following:

539 (1) Recommendations to identify and access available technical and financial
540 assistance opportunities, including the Small Business Administration Disaster Relief funds and
541 other federal funds as they become available;

542 (2) Support for outreach and educational efforts to small businesses; and

543 (3) Long-term policy recommendations for economic recovery of small
544 businesses following the COVID-19 emergency.

545 Sec. 2005. Definitions.

546 For the purposes of this subtitle, term:

547 (1) “COVID-19 emergency” means the public health emergencies declared in the
548 Declaration of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of
549 Public Health Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any
550 extension of those declared emergencies.

551 (2) “Small business enterprise” shall have the same meaning as provided in
552 2302(16) of the CBE Act.

553 Sec. 2006. Sunset.

554 The Task Force shall dissolve, and this subtitle shall expire as of the date the Task Force
555 submits the report required by section 2004.

556 **SUBTITLE B. NEW YORK AVENUE, N.E., RETAIL PRIORITY AREA**
557 **EXPANSION**

558 Sec. 2011. Short title.

559 This subtitle may be cited as the “New York Avenue, N.E., Retail Priority Area
560 Expansion Emergency Amendment Act of 2020”.

561 Sec. 2012. Section 4(k) of the Retail Incentive Act of 2004, effective September 8, 2004
562 (D.C. Law 15-185; D.C. Official Code § 2-1217.73(k)), is amended by adding a new paragraph
563 (3) to read as follows:

564 “(3) In addition to the areas described in paragraphs (1) and (2) of this subsection,
565 the New York Avenue, N.E., Retail Priority Area shall consist of the area beginning at the
566 intersection of Montello Avenue, N.E., and Florida Avenue, N.E., continuing northeast along
567 Montello Avenue, N.E., until Mt. Olivet Road, N.E.”.

568 **SUBTITLE C. OPPORTUNITY ZONE TAX BENEFITS**

569 Sec. 2021. Short title.

570 This subtitle may be cited as the “Aligning Opportunity Zone Tax Benefits with DC
571 Community Priorities Emergency Act of 2020”.

572 Sec. 2022. Title 47 of the District of Columbia Official Code is amended as follows:

573 (a) Section 47-1801.04 is amended by adding new paragraphs (39A), (39B), (39C), and
574 (39D) to read as follows:

575 “(39A) “Qualified Opportunity Fund” shall have the same meaning as set forth in
576 section 13823 of the Internal Revenue Code of 1986, approved December 22, 2017 (131 Stat.
577 2184; 26 U.S.C. § 1400Z-2) (“section 13823”).

578 “(39B) “Qualified Opportunity Zone” shall have the same meaning as set forth in
579 section 13823.

580 “(39C) “Qualified Opportunity Zone Business” shall have the same meaning as
581 set forth in section 13823.

582 “(39D) “Qualified Opportunity Zone Business property” shall have the same
583 meaning as set forth in section 13823.”.

584 (b) Section 47-1803.03(a) is amended by adding a new paragraph (20) to read as follows:

585 “(20) Capital Gains. --

586 “(A) Deferral of a capital gains tax payment for investing in a Qualified
587 Opportunity Fund (“QOF”) shall be realized only if the taxpayer invests in a QOF that meets the
588 criteria set forth in subparagraph (D) of this paragraph;

589 “(B) Reduction of capital gains tax liability through a 10% step-up in
590 basis, if invested in a QOF for 5 years prior to December 31, 2026, and an additional 5% step-up
591 in basis, if invested in a QOF for 7 years prior to December 31, 2026, shall be realized only if the
592 taxpayer invests in a QOF that meets the criteria set forth in subparagraph (D) of this paragraph;

593 “(C) Abatement of capital gains tax on an investment of capital gains in a
594 QOF for at least 10 years before December 31, 2047, shall be realized only if the taxpayer
595 invests in a QOF that meets the criteria set forth in subparagraph (D) of this paragraph;

596 “(D) To receive the benefits described in subparagraphs (A), (B), and (C)
597 of this paragraph, the taxpayer shall:

598 “(i) Invest in a QOF that:

599 “(I) Is certified by the Mayor as an eligible QOF pursuant

600 to subparagraph (E) of this paragraph;

601 “(II) Has invested at least the value of the taxpayer’s

602 investment in the QOF in a Qualified Opportunity Zone in the District; and

603 “(III) Has submitted its IRS Form 8996 to the Office of Tax

604 and Revenue for the tax year in which the taxpayer is seeking the benefits described in

605 subparagraphs (A), (B), and (C) of this paragraph; and

606 “(ii) Submit an IRS Form 8997 to the Office of Tax and Revenue

607 for the tax year in which the taxpayer is seeking the benefits described in subparagraphs (A), (B),

608 and (C) of this paragraph.

609 “(E) To be certified by the Mayor as an eligible QOF, a QOF shall submit

610 to the Mayor documentation showing:

611 “(i) That some or all of its investments in Qualified Opportunity

612 Zone Businesses and Qualified Opportunity Zone Business property are in businesses or property

613 that:

614 “(I) Have been selected by the District government for a

615 grant, loan, tax incentive, tax abatement, or other benefit or incentive intended to promote

616 economic or community development in the District;

617 “(II) Have been selected by the Office of the Deputy Mayor

618 for Planning and Economic Development to manage the redevelopment of a property, with

619 respect to a business, or that are owned or disposed of by the District government, with respect to

620 a property;

621 “(III) Have an unconditioned resolution of support from the
622 Advisory Neighborhood Commission in which the business or property is located or a
623 conditional resolution of support from the Advisory Neighborhood Commission in which the
624 business or property is located and the Mayor determines that each of the conditions of the
625 resolution have been met; or

626 “(IV) Are located in the District and have been scored by
627 the QOF using the Urban Institute’s Opportunity Zone Community Impact Assessment Tool, or
628 other assessment tool approved by the Mayor, and received a score of 75 (or its equivalent) or
629 greater; and

630 “(ii) That the dollar amount of the investments that the QOF has
631 made in Qualified Opportunity Zone Businesses and Qualified Opportunity Zone Business
632 property meet the standards set forth in sub-subparagraph (i) of this subparagraph.”.

633 **SUBTITLE D. STREETScape BUSINESS DEVELOPMENT RELIEF**

634 Sec. 2031. Short title.

635 This subtitle may be cited as the “Streetscape Business Development Relief Fund
636 Expansion Emergency Amendment Act of 2020”.

637 Sec. 2032. Section 603 of the Streetscape Fund Amendment Act of 2010, effective April
638 8, 2011 (D.C. Law 18-370; D.C. Official Code § 1-325.191), is amended as follows:

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

640 (1) Strike the phrase “to any individual” and insert the phrase “to a District Main
641 Streets Program organization or individual” in its place.

642 (2) Strike the phrase “business inside or adjoining” and insert the phrase “business
643 within the project boundaries of or adjoining” in its place.

644 (3) Strike the phrase “grant, a retail business” and insert the phrase “grant, a
645 District Main Streets Program organization or individual or entity operating a retail business” in
646 its place.

647 (4) Strike the phrase “submitted by the retail” and insert the phrase “submitted by
648 the District Main Street Program organization or individual or entity operating a retail” in its
649 place.

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

651 “(e) Within 180 days of the end of the Fiscal Year 2020, and every year thereafter, the
652 Department shall submit a report to detailing all loans, grants, and sub-grants issued pursuant to
653 this section, including information on the dollar amount disbursed, recipients of financial
654 assistance, and whether the recipient is a certified business enterprise.”.

655 **SUBTITLE E. EQUITY IMPACT ENTERPRISE ESTABLISHMENT**

656 Sec. 2041. Short title.

657 This subtitle may be cited as the “Equity Impact Enterprise Establishment Emergency
658 Amendment Act of 2020”.

659 Sec. 2042. The Small and Certified Business Enterprise Development and Assistance Act
660 of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is
661 amended as follows:

662 (a) The table of contents is amended by adding a new part D-i to read as follows:

663 “Part D-i. Programs for equity impact enterprises.

664 “Sec. 2377. Equity impact enterprise.”.

665 (b) Section 2302 (D.C. Official Code § 2-218.02) is amended by adding a new paragraph
666 (8A) to read as follows:

667 “(8A) “Equity impact enterprise” means a business enterprise that is a resident-
668 owned business and a small business enterprise that can demonstrate that it is at least 51% owned
669 by an individual who is, or a majority number of individuals who are:

670 “(A) Economically disadvantaged individuals; or

671 “(B) Individuals who have been subjected to racial or ethnic prejudice or
672 cultural bias because of their identity as a member of a group without regard to their individual
673 qualities.”.

674 (c) Section 2343(a) (D.C. Official Code § 2-218.43(a)) is amended as follows:

675 (1) Paragraph (1) is amended as follows:

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

678 (B) Subparagraph (H) is amended by striking the period and inserting the
679 phase “; and” in its place.

680 (C) A new subparagraph (I) is added to read as follows:

681 “(I) Five points for an equity impact enterprise.”.

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

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

685 (B) Subparagraph (H) is amended by striking the period and inserting the
686 phase “; and” in its place.

687 (C) A new subparagraph (I) is added to read as follows:

688 “(I) Ten percent for an equity impact enterprise.”.

689 (d) Section 2347 (D.C. Official Code § 2-218.47) is amended to read as follows:

690 “Sec. 2347. Unbundling requirement; rulemaking requirement.

691 “(a)(1) No later than January 1, 2021, the Mayor, pursuant to Title I of the District of
692 Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C.
693 Official Code § 2-501 *et seq.*), shall issue rules on unbundling that include procedures to ensure
694 that solicitations are subdivided and unbundled and that smaller contracts are created to the
695 extent feasible and fiscally prudent.

696 “(2) The proposed rules required by paragraph (1) of this subsection shall be
697 submitted to the Council for a 30-day period of review, excluding days of Council recess. If the
698 Council does not approve or disapprove the proposed rules by resolution within the 30-day
699 review period, the proposed rules shall be deemed approved.

700 “(b) Beginning on January 1, 2021, and quarterly thereafter, the Department shall
701 publicly make available on its website solicitations that have been subdivided and unbundled.

702 “(c) Five years from the effective date of the Equity Impact Enterprise Establishment
703 Amendment Act of 2020, passed on 1st reading, July 7, 2020 (Engrossed version of Bill 23-760),
704 the Mayor shall evaluate the effectiveness of the equity impact enterprise program and whether
705 or not it has resulted in creating more contracting opportunities for equity impact enterprises and
706 submit the evaluation to the Council.

707 “(d) The Department shall provide targeted technical assistance, networking
708 opportunities, and vendor workshops to prepare equity impact enterprises to compete for
709 contracting and procurement opportunities.”.

710 (e) Section 2349(b) (D.C. Official Code § 2-218.49(b)) is amended to read as follows:

711 “(b) No later than October 1, 2020, the Mayor shall implement a pilot program for equity
712 impact enterprises.”.

713 (f) Section 2375(d)(1) (D.C. Official Code § 2-218.75(d)(1)) is amended by striking the
714 phrase “or a resident-owned business enterprises pursuant to section 2235” and inserting the
715 phrase “a resident-owned business enterprise pursuant to section 2235, or an equity impact
716 enterprise as defined in section 2302(8A)” in its place.

717 (g) A new Part D-i is added to read as follows:

718 “Part D-i. Programs for Equity impact enterprises.

719 “Sec. 2377. Equity impact enterprise.

720 “An equity impact enterprise, as defined in section 2302(8A), shall be eligible for
721 certification as an impact enterprise.”.

722 Sec. 2043. Section 2 of the Minority and Women-Owned Business Assessment Act of
723 2008, effective March 26, 2008 (D.C. Law 17-136; D.C. Official Code § 2-214.01), is amended
724 as follows:

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

726 (1) Paragraph (2) is amended by striking the phrase “; and” and inserting a
727 semicolon in its place.

728 (2) Paragraph (3) is amended by striking the period and inserting the phrase “;
729 and” in its place.

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

731 “(4) Ensure all District agencies with procurement authority, including
732 independent agencies, are trained to evaluate, collect, and accurately track spending data as well
733 as demographic data such as race and gender, upon request of District contract and procurement
734 awardees to better assess the District utilization of equity impact enterprises, minority-owned
735 prime contractors and subcontractors, and women-owned prime contractors and subcontractors.”.

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

737 (1) The lead-in text of paragraph (1) is amended to read as follows:

738 “In Fiscal Year 2021, the Mayor shall contract with a person or entity to conduct a
739 District-based study (“disparity study”) to:”.

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

741 “(1A) All agencies with procurement authority, including independent agencies,
742 shall coordinate with the Executive Office of the Mayor to provide timely and accurate
743 information to assist with the completion of the disparity study.”.

744 (3) Paragraph (2) is amended by striking the phrase “270 days after October 30,
745 2018” and inserting the phrase “450 days after October 30, 2020” in its place.

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

747 Sec. 2051. Short title.

748 This subtitle may be cited as the “Deputy Mayor for Planning and Economic
749 Development Limited Grant Making Authority Emergency Amendment Act of 2020”.

750 Sec. 2052. Section 2032 of the Deputy Mayor for Planning and Economic Development
751 Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168;
752 D.C. Official Code § 1-328.04), is amended as follows:

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

754 (1) Paragraph (2) is amended by striking the phrase “; and” and inserting a
755 semicolon in its place.

756 (2) Paragraph (3) is amended by striking the period and inserting a semicolon in
757 its place.

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

759 “(4)(A) Funds to Equity Impact Enterprises operating in Wards 5, 7, or 8 to
760 increase economic or community development in an underserved area of the District;

761 “(B) For the purposes of this paragraph, the term “Equity Impact
762 Enterprise” shall have the same meaning as set forth in section 2302(8A) of the Small and
763 Certified Business Enterprise Development and Assistance Act of 2005, effective October 20,
764 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02 (8A));

765 “(5) Funds to provide real property tax rebates pursuant to D.C. Official Code
766 § 47-4665, in amount not to exceed \$3 million in a fiscal year; provided, that in Fiscal Year
767 2021, the amount shall not exceed \$580,366;

768 “(6) Beginning in Fiscal Year 2021 and annually thereafter, the Deputy Mayor
769 shall award a grant of not less than \$200,000 to an organization that advances equitable
770 economic development by facilitating and increasing the number of procurement contracts for
771 products and services between District-based businesses and large-scale anchor institutions, such
772 as universities and hospitals.”.

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

774 “(i)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
775 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in Fiscal Year 2021, the
776 Deputy Mayor shall award a grant to a bank chartered under the laws of the District on or before
777 March 11, 2020, in an amount of at least \$1 million for purposes that:

778 “(A) Support an equitable economic recovery for the District of Columbia;
779 and

780 “(B) Increase access to loans, grants, financial services, and banking
781 products to District residents, businesses, nonprofits, and community-based organizations.

782 “(2) A grantee who receives a grant pursuant to paragraph (1) of this subsection
783 shall submit to the Deputy Mayor by September 30, 2021, information on the use of the grant
784 funds, including:

785 “(A) A description of services provided through the grant funds;

786 “(B) The aggregate number of individuals, businesses, nonprofits, and
787 community-based organization, by recipient type, receiving support from the grantee and the
788 aggregate amount received, by recipient type;

789 “(C) Except as may be prohibited by federal law, the business name and
790 address for each business receiving support from the grantee and the amount received by each
791 such business; and

792 “(D) The number of homeowners receiving support from the grantee and
793 the total amount spent to assist District homeowners.

794 “(3) The Deputy Mayor shall provide to the Council a report based on the
795 information required by paragraph (2) of this subsection, along with a summary analysis of the
796 efficacy and benefits of the grants issued by the grantee, by November 1, 2021.”.

797 Sec. 2053. Section 47–4665 of the District of Columbia Official Code is amended as
798 follows:

799 (a) Subsection (b) is amended by striking the phrase “shall receive,” and inserting the
800 phrase “may receive” in its place.

801 (b) Subsection (c)(1) is amended by striking the phrase “shall be equal” and inserting the
802 phrase “shall be equal, subject to the availability of funds,” in its place.

803 (c) Subsection (f) is amended as follows:

804 (1) The existing language designated as paragraph (1).

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

806 “(2) Notwithstanding paragraph (1) of this subsection, the total combined rebate
807 payments for Fiscal Year 2021 for all occupants under this section shall not exceed \$580,366.”.

808 **SUBTITLE G. TAX ABATEMENTS FOR AFFORDABLE HOUSING**

809 Sec. 2061. Short title.

810 This subtitle may be cited as the “Tax Abatements for Affordable Housing in High-Need
811 Areas Emergency Amendment Act of 2020”.

812 Sec. 2062. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as
813 follows:

814 (a) The table of contents is amended by adding a new section designation to read as
815 follows:

816 “47-860. Tax abatement for affordable housing in high-need affordable housing areas.”.

817 (b) A new section 47-860 is added to read as follows:

818 “§ 47-860. Tax abatement for affordable housing in high-need affordable housing areas.

819 “(a) Real property tax imposed by § 47-811 on real property certified as eligible pursuant
820 to subsection (d) of this section shall be abated for the period set forth in subsection (c) of this
821 section; provided, that:

822 “(1) The real property is located in a high-need affordable housing area;

823 “(2) The real property is designated by the Mayor pursuant to subsection (b) of
824 this section;

825 “(3) For the duration of the period set forth in subsection (c) of this section, at
826 least one third of the housing units developed or redeveloped on the real property are affordable
827 to and rented by households earning on average 80% or less of the median family income;

828 provided, that during such period no such household earns more than 100% of the median family
829 income;

830 “(4) The developer files a covenant in the land records of the District, binding on
831 the developer and all of its successors in interest with respect to the property, covenanting to
832 comply with the requirements of paragraph (3) of this subsection;

833 “(5) The developer enters into an agreement with the District that requires the
834 developer to, at a minimum, contract with certified business enterprises for at least 35% of the
835 contract dollar volume of the construction and operations of the project, in accordance with
836 section 2349 of the CBE Act;

837 “(6) The developer enters into a First Source Agreement for the operations of the
838 project; and

839 “(7) The developer enters into an agreement with the Mayor setting forth the
840 requirements of this subsection and such other terms and conditions as the Mayor considers
841 appropriate.

842 “(b) The Mayor may, through a competitive process, designate real property to be eligible
843 to receive a tax abatement under this section; provided, that the total amount of the tax
844 abatements associated with real property designated by the Mayor pursuant to this subsection
845 shall not exceed \$200,000 in Fiscal Year 2024 and shall not exceed \$4 million annually
846 thereafter.

847 “(c) The tax abatement provided for by this section shall begin in the tax year
848 immediately following the tax year during which the certificate of occupancy was issued for the
849 final housing unit counted toward satisfying the affordability requirement of subsection (a)(3) of
850 this section and shall continue until the end of the 30th tax year after the tax year during which

851 such certificate of occupancy is issued; provided, that the Mayor may opt to continue the tax
852 abatement provided for by this section until the end of the 40th tax year after the tax year during
853 which such certificate of occupancy is issued; provided further, that the tax abatement provided
854 for by this section shall not begin before October 1, 2023.

855 “(d)(1) The Mayor shall certify to the Office of Tax and Revenue a real property’s
856 eligibility for the abatement provided by this section. The Mayor’s certification shall include:

857 “(A) A description of the real property by street address, square, suffix,
858 and lot;

859 “(B) The date the certificate of occupancy was issued for the final housing
860 unit counted toward satisfying the affordability requirements of subsection (a)(3) of this section;

861 “(C) The date the tax abatement begins and ends under subsection (c) of
862 this section;

863 “(D) A statement that the conditions specified in subsection (a) of this
864 section have been satisfied; and

865 “(E) The amount of abatement allocated to the property pursuant to
866 subsection (b) of this section; and

867 “(F) Any other information that the Mayor considers necessary or
868 appropriate.

869 “(2) If at any time the Mayor determines that the real property has become
870 ineligible for the abatement provided by this section, the Mayor shall notify the Office of Tax
871 and Revenue and shall specify the date that the property became ineligible. The entire property
872 shall be ineligible for the abatement on the first day of the tax year following the date when the
873 ineligibility occurred.

874 “(e) The tax abatement provided by this section shall be in addition to, not in lieu of, any
875 other tax relief or assistance from any other source.

876 “(f) The requirements of the First Source Act shall not apply to the construction or
877 development of a project developed on real property designated by the Mayor pursuant to
878 subsection (b) of this section.

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

880 “(1) “CBE Act” means the Small and Certified Business Enterprise Development
881 and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code §
882 2-218.01 *et seq.*).

883 “(2) “Certified business enterprise” means a business enterprise or joint venture
884 certified pursuant to the CBE Act.

885 “(3) “Developer” means the owner of housing units on real property eligible for a
886 tax abatement under this section.

887 “(4) “First Source Act” means the First Source Employment Agreement Act of
888 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2- 219.03).

889 “(5) “First Source Agreement” means an agreement with the District governing
890 certain obligations of the Developer pursuant to section 4 of the First Source Act, and Mayor’s
891 Order 83-265, dated November 9, 1983, regarding job creation and employment.

892 “(6) “High-need affordable housing area” means the 4 planning areas identified in
893 the District’s Housing Equity Report, published in October 2019, with the highest dedicated
894 affordable housing production goals (Rock Creek West, Rock Creek East, Capitol Hill, and
895 Upper Northeast), plus 1,000 feet in any direction beyond any of those 4 planning area
896 boundaries.

897 “(7) “Median Family Income” has the meaning set forth in section 101(5) of the
898 Inclusionary Zoning Implementation Amendment Act of 2006, effective September 23, 2017
899 (D.C. Law 16-275; D.C. Official Code § 6-1041.01(5)).”.

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

903 **SUBTITLE H. HEALTHCARE WORKFORCE PARTNERSHIP**

904 Sec. 2071. Short title.

905 This subtitle may be cited as the “Healthcare Workforce Partnership Establishment
906 Emergency Act of 2020”.

907 Sec. 2072. Definitions

908 (1) “HWI grant” means the grant awarded to the Intermediary pursuant to section
909 3.

910 (2) “Intermediary” means the entity selected to be the Healthcare Workforce
911 Intermediary pursuant to section 3.

912 (3) “Partnership” means the Healthcare Workforce Partnership established
913 pursuant to section 5.

914 (4) “Training” means occupational skills training for occupations in the healthcare
915 sector.

916 (5) “WIC” means the Workforce Investment Council.

917 (6) “WIOA” means the Workforce Innovation Opportunity Act, approved July 22,
918 2014 (128 Stat. 1425; 29 U.S.C. 3101 *et seq.*).

919 Sec. 2073. Establishment of a Healthcare Workforce Intermediary.

920 (a)(1) By December 1, 2020 the WIC shall select, through award of a grant, the
921 Healthcare Workforce Intermediary to establish, convene, and assist the Healthcare Workforce
922 Partnership.

923 (2) Consistent with Grant Administration Act of 2013, effective December 24,
924 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the WIC shall issue multi-year
925 grants for a period of 4 years, subject to the availability of funds.

926 (b) The entity selected to be the Intermediary shall:

927 (1) Be a non-profit organization, industry association, or community-based
928 organization; and

929 (2) Have a proven track record of success convening healthcare sector employers
930 or have a significant role in the healthcare sector;

931 (3) Have existing relationships with training providers; and

932 (4) Have a proven track record of successful fundraising.

933 (c) Over the course of the HWI grant, the WIC shall:

934 (1) Provide technical assistance to the Partnership through the Intermediary,
935 which may include:

936 (A) Assisting the Partnership in obtaining data and information from

937 District agencies;

938 (B) Providing the Partnership with customized labor market and economic
939 analysis;

940 (C) Providing the Partnership with education and guidance on WIOA; and

941 (D) Providing the Partnership with information on the number of District
942 residents that training providers have the capacity to train in healthcare occupations;

943 (2) Submit, to the Partnership for feedback, the proposed statement of work for
944 any grant solicitation for the provision of training at least 30 days before issuing the request for
945 proposals; and

946 (3) Use the Partnership’s Healthcare Occupations Reports to align District
947 government funded workforce development training with current and future healthcare sector
948 hiring needs in the District.

949 Sec. 2074. Intermediary duties.

950 The Intermediary shall:

951 (1) By July 1, 2021:

952 (A) Appoint members to the Partnership consistent with the criteria
953 specified in section 2075(b)(3);

954 (B) Convene at least 4 Partnership meetings;

955 (C) Compose and transmit to the WIC the Partnership’s first Healthcare
956 Occupations Report, described in section 2075(e);

957 (2) For the duration of the grant:

958 (A) Provide administrative support to the Partnership;

959 (B) Convene Partnership meetings at least quarterly;

960 (C) Compile and transmit to the WIC feedback from the Partnership on
961 any statement of work for a proposed grant solicitation for the provision of training no more than
962 15 days after receiving the statement of work pursuant to section 2073(d)(2);

963 (D) Work with the Partnership to coordinate and ensure provision of
964 career coaching, screening and referral services, practice interviews, and job fairs for healthcare
965 sector employment for qualified District training graduates;

966 (E) Facilitate requests for professional development and learning
967 opportunities for training providers and training participants at healthcare facilities;

968 (F) Annually, compose and transmit the Partnership's Healthcare
969 Occupations Report, described in section 2075(e); and

970 (G) Perform additional duties on behalf of the Partnership consistent with
971 the purposes of this subtitle and as funds permit; and

972 (3) During the fourth year of the HWI grant, raise private funds equal to the value
973 of the HWI grant for that year, which the Intermediary shall reserve for use until after the
974 expiration of the HWI grant in order to sustain the Partnership without dedicated District
975 government funding.

976 Sec. 2075. Healthcare Workforce Partnership.

977 (a) The Intermediary shall establish the Healthcare Workforce Partnership, which shall
978 work to increase the number of District residents employed in the healthcare sector and to meet
979 the staffing needs of District healthcare employers, particularly of hospitals that receive District
980 government funds.

981 (b)(1) The Director of the WIC, or his or her designee, shall serve as a member of the
982 Partnership.

983 (2) The Intermediary shall serve as a member of the Partnership and shall appoint
984 community members in consultation with the WIC.

985 (3) Community members, the majority of which shall be healthcare sector
986 employers, shall consist of the following:

987 (A) At least 5 employer representatives of the District's healthcare sector,
988 which shall represent a variety of healthcare disciplines;

989 (B) At least one representative of a healthcare industry trade association;

990 (C) At least one representative from a labor organization that represents

991 healthcare workers;

992 (D) At least one representative from a non-profit organization that offers

993 training programs; and

994 (E) At least one representative from an adult education integrated

995 education and training program, as defined in 34 C.F.R. § 463.35, in the healthcare sector.

996 (c) Community members shall serve for the duration of the HWI grant and may be

997 reappointed.

998 (d) The Partnership shall meet at least once each quarter for the duration of the HWI

999 grant;

1000 (e) No later than July 1, 2021, and annually thereafter in advance of the start of a new

1001 fiscal year, the Partnership shall submit to the WIC, through the Intermediary, its Healthcare

1002 Occupations Report, which shall contain the following:

1003 (1) Recommendations of 3 to 5 healthcare occupations requiring less than a

1004 bachelor's degree, which may include occupations for which incumbent workers may be

1005 upskilled, in which the District should invest in training;

1006 (2) A summary of the occupational hiring needs of hospitals receiving or

1007 committed to receive District government funds, including an estimate of the number of workers

1008 needed, disaggregated by healthcare occupation;

1009 (3) A recommendation of the number of District residents the WIC should train in

1010 the occupations identified pursuant to paragraph (1) of this subsection;

1011 (4) A list of occupational skills required to obtain employment in the occupations
1012 identified pursuant to paragraph (1) of this subsection;

1013 (5) Recommendations of curricula for training in the occupations identified
1014 pursuant to paragraph (1) of this subsection;

1015 (6) An explanation of the feasibility of providing virtual training or distance
1016 learning, and recommendations to implement virtual training;

1017 (7) Customized healthcare career pathway maps for the occupations identified
1018 pursuant to paragraph (1) of this subsection;

1019 (8) Recommendations of strategies and tactics to increase the capacity of training
1020 providers to train District residents; and

1021 (9) Recommendations to attract District resident to, and retain District residents
1022 in, the occupations identified pursuant to paragraph (1) of this subsection, including necessary
1023 tactics to increase candidates' hard and soft skills and to reduce barriers to employment.

1024 Sec. 2076. Establishment of a healthcare training program.

1025 (a) By September 1, 2021, the WIC shall establish a healthcare training program
1026 ("program") to fund or arrange for training of District residents in a minimum of 2 healthcare
1027 occupations identified in the Partnership's first Healthcare Occupations Report, issued pursuant
1028 to section 2075(e), which may include one occupation for upskilling of incumbent workers.

1029 (b) To provide training, the WIC may:

1030 (1) Issue healthcare training grants ("grants") to train providers, pursuant to
1031 section 4(c) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000
1032 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)); or

1033 (2) Partner with the University of the District of Columbia Community College or
1034 Office of the State Superintendent of Education.

1035 (c)(1) If the program includes a grant, subject to availability of funds, each grant shall be
1036 for not less than \$100,000 per year for 3 years to provide training for District residents.

1037 (2) To be eligible for a grant, a grantee shall:

1038 (A) Be licensed by the Higher Education Licensure Commission as a
1039 post-secondary institution, degree or non-degree seeking;

1040 (B) Agree to utilize the training curricula recommended by the Partnership
1041 pursuant to section 2075(e)(5); and

1042 (C) Demonstrate consistent successful attainment of the following
1043 benchmarks for its training participants:

1044 (i) Completion of training;

1045 (ii) Credential attainment;

1046 (iii) Unsubsidized employment in the occupation of training; and

1047 (iv) Retention of employment for 6 months or longer in the
1048 occupation of training.

1049 (3) Preference shall be given to grant applicants utilizing an integrated education
1050 and training model, as defined 34 C.F.R. § 463.35.

1051 (d)(1) The WIC shall utilize WIOA common performance measures to track program
1052 performance.

1053 (2) The WIC shall report on the performance of the program as required by
1054 section 102 of the Workforce Development System Transparency Amendment Act of 2018,
1055 effective May 5, 2018 (D.C. Law 22-95; D.C. Official Code § 32-1622).

1056 (e) The WIC shall make its best effort to use WIOA Title I funds to issue any grants
1057 authorized in this section.

1058 Sec. 2077. Monitoring and evaluation.

1059 By August 1, 2021, and annually thereafter, the WIC shall transmit to the Mayor and the
1060 Council the Healthcare Occupation Report developed by the Partnership pursuant to section
1061 2075(e).

1062 **SUBTITLE I. DC INFRASTRUCTURE ACADEMY EMPLOYER**
1063 **ENGAGEMENT**

1064 Sec. 2081. Short title.

1065 This subtitle may be cited as the “DC Infrastructure Academy Employer Engagement
1066 Emergency Amendment Act of 2020”.

1067 Sec. 2082. The Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-
1068 46; D.C. Official Code § 32-241 *et seq.*), is amended as follows:

1069 (a) Section 2 (D.C. Official Code § 32-241) is amended as follows:

1070 (1) A new subsection (1A) is added to read as follows:

1071 “(1A) “Committees” means the Industry Advisory Committees established
1072 pursuant to section 2f.”.

1073 (2) A new subsection (2A) is added to read as follows:

1074 “(2A) “DCIA” means the DC Infrastructure Academy established by the Mayor.”.

1075 (b) Section 2a(a-2) (D.C. Official Code § 32-242(a-2)) is repealed.

1076 (c) New sections 2e and 2f are added to read as follows:

1077 “Sec. 2e. DC Infrastructure Academy.

1078 “(a) In addition to duties the Mayor prescribes, the DCIA shall:

1079 “(1) Provide occupational skills training (“skills training”) annually in industries
1080 for which there is significant demand regionally or by a major employer, including construction,
1081 infrastructure, and information technology.

1082 “(2) Provide occupational skills training designed to meet the needs of employers
1083 by:

1084 “(A) Aligning skills training, where appropriate, with the annual
1085 recommendations the Committees submit to DCIA pursuant to section 2f(c);

1086 “(B)(i) Submitting a proposed curriculum, at least 30 calendar days prior
1087 to the start of any skills training taught by DCIA staff, to the relevant Committee for its
1088 feedback; and

1089 “(ii) Taking into consideration any feedback from a Committee
1090 when implementing any skills trainings taught by DCIA staff;

1091 “(C)(i) Submitting to the relevant Committee, at least 30 calendar days
1092 before soliciting applications or bids on a grant or contract to provide skills training, a request
1093 that the Committee review a grant or contract solicitation’s proposed scope of work;

1094 “(ii) Considering any feedback received from a Committee when
1095 preparing statements of work for grants and contracts to provide skills training;

1096 “(D) For any customized skills training provided specifically for a
1097 particular employer, seeking input from the employer consistent with the requirements outlined
1098 in subparagraphs (B) and (C) of this paragraph.

1099 “(3) Provide test preparation sessions and practice exams to ready participants to
1100 obtain the occupational credentials the Committees identify in their annual reports pursuant to
1101 section 2f(c)(4); and

1102 “(4) Provide job referrals, as defined in 20 C.F.R. § 651.10, to employers in the
1103 industry sectors in which training is offered pursuant to paragraph (1) of this subsection for all
1104 qualified graduates of DCIA training programs.

1105 “(b) DCIA skills training may include:

1106 “(1) Training services enumerated in section 134(c)(3)(D) of the Workforce
1107 Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1529; 29 U.S.C. §
1108 3174(c)(3)(D));

1109 “(2) Supportive services, as defined in 20 C.F.R. § 651.10;

1110 “(3) Integrated education and training, as defined in 34 C.F.R. § 463.35;

1111 “(4) Workforce preparation activities, as defined in 34 C.F.R. § 463.34; and

1112 “(5) Job development, as defined in 20 C.F.R. § 651.10.

1113 “(c)(1) At least 66% of the participants receiving skills training through the DCIA each
1114 fiscal year shall be trained in occupations that pay an average wage that is at least 150% of the
1115 minimum wage specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective
1116 March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).

1117 “(2) At least 25% of the value of each grant or contract with a skills training
1118 provider shall be contingent on the provider achieving at least one of the following results:

1119 “(A) At least 75% of the provider’s participants receive an industry-
1120 recognized credential; and

1121 “(B) At least 80% of the provider's participants enter permanent,
1122 unsubsidized employment in the occupation of training.

1123 “Sec. 2f. Industry Advisory Committees.

1124 “(a)(1) The Director shall establish Industry Advisory Committees (“Committees”) to
1125 advise DCIA on occupational skills training offerings with the goal of aligning DCIA’s trainings
1126 with industry hiring needs.

1127 “(2) There shall be one committee per industry sector in which DCIA offers
1128 occupational skills training pursuant to section 2e(a)(1).

1129 “(3) Each Committee shall consist of representatives of at least 2 employers from
1130 the relevant industry sector, whom the Director shall appoint.

1131 “(4)(A) The Director shall make initial appointments to the Committees within 30
1132 days of the effective date of this subtitle.

1133 “(B) Committee members shall disclose all existing and potential conflicts
1134 of interest to the Director. No committee member may, in any manner, directly or indirectly,
1135 participate in a deliberation upon, or the determination of, any question affecting the financial
1136 interest of any corporation, partnership, or association in which the member or a member of the
1137 member’s family is directly or indirectly interested. Committee members shall disclose the
1138 nature of any financial or personal relationships with any training providers by completing a
1139 conflict of interest form.

1140 “(b) No later than December 15, 2020, and annually thereafter in advance of the start of a
1141 new fiscal year, each Committee shall submit written recommendations to DCIA, which shall
1142 contain the following:

1143 “(1) Recommendations of 2 to 4 specific occupational skills trainings DCIA
1144 should offer;

1145 “(2) The number of District residents DCIA should train in the occupations
1146 identified pursuant to paragraph (1) of this subsection;

1147 “(3) Occupational skills required to obtain employment in the occupations
1148 identified pursuant to paragraph (1) of this subsection;

1149 “(4) A description of tools, equipment, and services necessary to conduct
1150 trainings to acquire the skills identified in paragraph (3) of this subsection;

1151 “(5) Industry-recognized credentials required for obtaining employment in the
1152 occupations identified pursuant to paragraph (1) of this subsection, when appropriate; and

1153 “(6) The feasibility of providing virtual training or distance learning and
1154 recommendations to implement virtual training.

1155 “(c) After receiving a proposed training curriculum from the DCIA pursuant to section
1156 2e(a)(2)(B)(i), a Committee shall provide the DCIA with a written explanation of recommended
1157 modifications, if any.

1158 “(d) Within 30 calendar days after receiving a proposed scope of work for a grant or
1159 contract from DCIA pursuant to section 2e(a)(2)(C)(i), the Committee shall provide DCIA with a
1160 written explanation of recommended modifications, if any.”.

1161 **SUBTITLE J. WORKPLACE LEAVE NAVIGATORS**

1162 Sec. 2091. Short title.

1163 This subtitle may be cited as the “Workplace Leave Navigators Program Establishment
1164 Emergency Amendment Act of 2020”.

1165 Sec. 2092. Definitions.

1166 For the purposes of this subtitle, the term:

1167 (1) “Director” means the director of DOES.

1168 (2) “DOES” means the Department of Employment Services.

1169 (3) “Family and medical leave” means leave available under the District of
1170 Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181;
1171 D.C. Official Code § 32-501 *et seq.*).

1172 (4) “Paid sick leave” means leave available under the Accrued Sick and Safe
1173 Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01
1174 *et seq.*).

1175 (5) “Universal paid leave” means leave benefits available under the Universal
1176 Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official
1177 Code § 32-541.01 *et seq.*).

1178 (6) “Workplace leave” means universal paid leave, paid sick leave, family and
1179 medical leave, or any other job-protected leave to which an individual may be entitled under
1180 federal or District law.

1181 Sec. 2093. Workplace Leave Navigators Program.

1182 (a) There is established a Workplace Leave Navigators Program (“Program”), which the
1183 Director shall administer.

1184 (b) The Program shall be funded with monies from the Universal Paid Leave
1185 Administration Fund, established pursuant to section 1153 of the Universal Paid Leave
1186 Implementation Fund Act of 2016, passed on 1st reading on July 7, 2020 (Engrossed version of
1187 Bill 23-760).

1188 (c) The Program shall provide funds to:

1189 (1) Organizations with demonstrated experience representing employees in
1190 matters related to workplace leave solely for the purpose of specific assistance to individuals in
1191 obtaining their workplace leave and benefits; and

1192 (2) Nonprofit organizations, businesses, or professional or trade associations with
1193 experience representing or assisting employers with the administration or understanding of
1194 workplace leave laws for the purpose of providing assistance to employers to share best practices
1195 or guidance regarding how to:

1196 (A) Coordinate and accommodate different types of workplace leave,
1197 along with employer-sponsored disability plans; and

1198 (B) Ensure compliance with workplace leave laws.

1199 (d)(1) Program funds issued to organizations for the purposes described in subsection
1200 (c)(1) of this section:

1201 (A) Shall be used solely to assist individuals with:

1202 (i) Filing an initial claim for universal paid leave;

1203 (ii) Determining the type of workplace leave or employer-offered
1204 leave, including an employer-sponsored disability plan, for which an individual may be eligible;

1205 (iii) Filing an administrative complaint related to the provision of
1206 workplace leave, including a complaint of retaliation;

1207 (iv) Responding to or appealing an initial administrative decision
1208 or determination related to workplace leave; or

1209 (v) Providing an employer with appropriate documentation
1210 supporting a request for workplace leave; and

1211 (B) May be used to provide training and guidance to medical providers or
1212 healthcare trade or professional associations on the requirements of workplace leave laws
1213 pertaining to documentation supporting the need for leave.

1214 (2) Program funds issued to non-profits, businesses, or professional or trade
1215 associations assisting employers for the purposes described in subsection (c)(2) of this section:

1216 (A) Shall be used to:

1217 (i) Assist employers with coordinating the employer's workplace
1218 leave programs, including employer-sponsored disability plans, with workplace leave laws;
1219 provided, that Program funds shall not be used to decide an employee's eligibility for a
1220 workplace leave program or for the pre-adjudication of a workplace leave claim;

1221 (ii) Provide guidance, including best practices, to an employer on
1222 what an employer must do to comply with District and federal workplace leave laws and
1223 regulations;

1224 (iii) Aid employers in responding to DOES's request for
1225 information from the employers, including requests related to claim determinations made by
1226 DOES;

1227 (iv) Responding to an administrative complaint related to the
1228 provision of workplace leave; provided, that Program funds shall not be used to respond to a
1229 complaint of retaliation;

1230 (v) Responding to or appealing an initial administrative decision or
1231 determination related to workplace leave; and

1232 (B) May be used to provide training and guidance to medical providers or
1233 healthcare trade or professional associations on the requirements of workplace leave laws.

1234 (e) Funds for the Program may not be used to prosecute or defend claims in a lawsuit
1235 related to the provision of workplace leave.

1236 (f)(1) The Director shall issue Program funds through competitive grants administered
1237 pursuant to the requirements set forth in the Grant Administration Act of 2013, effective
1238 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and section 2(b-1)
1239 of the Workforce Job Development Grant-Making Authority Act of 2012, effective April 23,
1240 2013 (D.C. Law 19-269; D.C. Official Code § 1-328.05(b-1)).

1241 (2) The Director shall issue an initial Request for Applications no later than
1242 October 31, 2020, and annually thereafter. The Director may issue multi-year grants, subject to
1243 the availability of appropriations.

1244 (3) In a fiscal year, the amount of grants the Director issues for the purposes
1245 described in subsections (c)(1) and (2) of this section shall account for the need for each such
1246 purpose, based on the potential numbers of employees and employers to be served.

1247 **SUBTITLE K. SCHOOL YEAR INTERNSHIP PILOT PROGRAM**

1248 Sec. 2101. Short title.

1249 This subtitle may be cited as the “School Year Internship Pilot Program Emergency
1250 Amendment Act of 2020”.

1251 Sec. 2102. Section 2a(a) of the Youth Employment Act of 1979, effective January 5,
1252 1980 (D.C. Law 3-46; D.C. Official Code § 32-242(a)), is amended by adding a new paragraph
1253 (2A) to read as follows:

1254 “(2A)(A) School year internship pilot. — In Fiscal Year 2021, a pilot program
1255 called the School Year Internship Pilot Program (“Program”) for 250 District high school
1256 students to provide work-based learning opportunities during the school year.

1257 “(B)(i) High school students including students from public schools,
1258 public charter schools, private schools, and students who are homeschooled, may apply to the

1259 Department of Employment Services (“DOES”) to be matched with an internship host through
1260 the Program; provided, that a student may not otherwise participate in an internship, in-school
1261 youth employment, or a work-readiness program.

1262 “(ii) DOES shall give the applications of at-risk students priority
1263 over all other applications.

1264 “(iii) For the purposes of this subparagraph the term “at-risk”
1265 means a public school, public charter school, private school, or homeschool student who is
1266 identified as one or more of the following:

1267 “(I) Homeless;

1268 “(II) In the District’s foster care system;

1269 “(III) Qualifies for the Temporary Assistance for the Needy
1270 Families program or the Supplemental Nutrition Assistance Program; or

1271 “(IV) A high school student that is one year older, or more,
1272 than the expected age for the grade in which the student is enrolled.

1273 “(C) DOES shall notify students of their placement with an internship host
1274 by January 5, 2021.

1275 “(D) Interns shall remain matched with their internship host between
1276 January 2021 and June 2021.

1277 “(E) DOES shall pay interns a training rate of \$10 per hour, which it shall
1278 pay by way of a debit card provided to the intern or by direct deposit.

1279 “(F)(i) Internship hosts may be non-profit organizations, public schools or
1280 public charter schools, government agencies, or private businesses.

1281 “(ii) Prospective internship hosts shall submit applications to
1282 participate in the Program no later than December 1, 2020. The application shall include a
1283 detailed job description that identifies specific tasks, projects, or duties that the intern will
1284 perform and the name and job title of the individual who will directly supervise the intern.

1285 “(iii) DOES shall review internship host applications and shall give
1286 priority to applications that will engage an intern in work experience activities, rather than work
1287 readiness activities, for the majority of an intern’s time.

1288 “(G) DOES shall implement the Program through public-private
1289 partnerships between the District government and an internship host that has the ability to
1290 employ youth under the Program, subject to all federal and District laws, rules, and regulations
1291 relating to the procurement and award of contracts, grants, or other government assistance.

1292 “(H)(i) DOES shall develop benchmarks for interns’ growth and
1293 development in work readiness, which internship hosts shall utilize to assess an intern’s work
1294 readiness.

1295 “(ii) An internship host shall provide its written assessment of an
1296 intern’s work readiness to DOES within 30 days after the end of the internship.”.

1297 Sec. 2103. The Department of Employment Services Local Job Training Quarterly
1298 Outcome Report Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official
1299 Code § 32–771), is amended by adding a new section 2083 to read as follows:

1300 “Sec. 2083. Department of Employment Services annual report on year-round youth
1301 programs.

1302 “(a) Starting December 15, 2020, and annually thereafter, the Department of Employment
1303 Services (“Department”) shall publish on its website and submit to the Council a report on the
1304 operations of its year-round youth programs, including:

1305 “(1) The In-School Youth Program;

1306 “(2) The Out-of-School Youth Program;

1307 “(3) The Marion Barry Youth Leadership Institute;

1308 “(4) Pathways for Young Adults Program;

1309 “(5) Youth Earn and Learn Program;

1310 “(6) The High School Internship Program;

1311 “(7) In-school Youth Innovation Grants; and

1312 “(8) In-school DCHR internship program.

1313 “(b) The report shall include the following information for each program from the
1314 previous fiscal year:

1315 “(1) The number of participants newly enrolled;

1316 “(2) The total number of participants, disaggregated by ward, grade, school, age,
1317 and, if known, at-risk status;

1318 “(3) Each program’s total expenditures, disaggregated by fund type (federal,
1319 local, Intra-district, or Special Purpose Revenue funds); and

1320 “(4) The names of any vendors, grantees, host employers (including public
1321 schools and public charter schools for the High School Internship Program), host sites, or other
1322 organizations providing services to youth.

1323 “(c) The Department may withhold from the report required pursuant to subsection (b) of
1324 this section any information precluded from release by federal law, rule, or policy; provided,

1325 that, if at a later time, such information may be released, the Department shall supplement the
1326 next annual report following the date on which the information may be shared with the withheld
1327 information.

1328 “(d) For the purposes of this section, the term “at-risk” means a public school, public
1329 charter school, private school, or homeschool student who is identified as one or more of the
1330 following:

1331 “(1) Homeless;

1332 “(2) In the District’s foster care system;

1333 “(3) Qualifies for the Temporary Assistance for the Needy Families program or
1334 the Supplemental Nutrition Assistance Program; or

1335 “(4) A high school student that is one year older, or more, than the expected age
1336 for the grade in which the student is enrolled.”.

1337 **SUBTITLE L. UNEMPLOYMENT INSURANCE MODERNIZATION**

1338 Sec. 2111. Short title.

1339 This subtitle may be cited as the “Unemployment Insurance Modernization Requirements
1340 Emergency Act of 2020”.

1341 Sec. 2112. Unemployment insurance modernization requirements.

1342 (a) The Department of Employment Services (“DOES”) shall launch an integrated, fully
1343 modernized, and fully functioning unemployment insurance information technology benefits and
1344 tax system (“benefits system”) for public use no later than September 30, 2022.

1345 (b) The benefits system shall include an internet accessible public interface that:

1346 (1) Can be accessed from all major internet browsers and used on mobile devices
1347 and personal computers;

1348 (2) Is accessible to people with disabilities in compliance with section 504 of the
1349 Rehabilitation Act of 1973, approved September 26, 1973 (87 Stat. 394; 29 U.S.C. § 794), and
1350 Title II of the Americans with Disabilities Act, approved July 26, 1990 (104 Stat. 337; 42 U.S.C.
1351 § 12131 *et seq.*); and

1352 (3) Complies with the Language Access Act of 2004, effective March 14, 2007
1353 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*).

1354 (c)(1) The Office of Contracting and Procurement (“OCP”), in consultation with DOES,
1355 should issue a Request for Proposals for the full modernization of the benefits system, consistent
1356 with the requirements of subsections (a) and (b) of this section, no later than October 30, 2020.

1357 (2) The OCP should award a contract for the full modernization of the benefits
1358 system no later than January 15, 2021.

1359 Sec. 2113. (a) Beginning no later than 15 days after the effective date of this subtitle, on
1360 any day when American Job Centers are closed (excluding weekends, holidays, and staff training
1361 days), the Department of Employment Services (“DOES”) shall provide the following materials
1362 at its headquarters from 8:30 a.m. to 5:00 p.m.:

1363 (1) Hard copies of unemployment insurance benefits applications, with hard
1364 copies of all instructions that are available online for completing the application;

1365 (2) Hard copies of DOES complaint forms for violations of District labor laws,
1366 including wage and hour, accrued paid sick time, and workers’ compensation laws, with hard
1367 copies of all instructions that are available online for completing each form;

1368 (3) Envelopes individuals may use in submitting their applications and complaint
1369 forms, with space on the outside to identify the form being submitted; and

1370 (4) A locked box with a slot into which individuals may deposit their completed
1371 applications and complaint forms.

1372 (b) The DOES shall make the materials identified in subsection (a) of this section
1373 available in a location at its headquarters that is publicly and handicap accessible.

1374 **SUBTITLE M. TRANSGENDER AND NON-BINARY EMPLOYMENT STUDY**

1375 Sec. 2121. Short title.

1376 This subtitle may be cited as the “District Government Transgender and Non-Binary
1377 Employment Study Emergency Act of 2020”.

1378 Sec. 2122. The District of Columbia Government Comprehensive Merit Personnel Act of
1379 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq*) is
1380 amended by adding a new Title VII-B to read as follows:

1381 “TITLE VII-B GENDER IDENTITY STUDY

1382 “Sec. 760. Definitions.

1383 “For the purposes of this title, the term:

1384 “(1) “Cisgender” means individuals whose sex assigned at birth matches the
1385 individual’s perceived gender.

1386 “(2) “Gender identity” means an individual’s internal sense of the individual’s
1387 gender, which may be the same as or different from sex assigned at birth and can include male,
1388 female, neither, or both.

1389 “(3) “Non-binary” includes individuals whose gender identity is neither entirely
1390 male nor entirely female, or varies between the two.

1391 “(4) “Transgender” includes individuals whose gender identity or expression is
1392 different from that typically associated with their assigned sex at birth.

1393 “Sec. 761. Study of transgender and non-binary employment.

1394 “(a) The Mayor shall contract with an entity to conduct a study of employment data,
1395 hiring and recruitment practices, and workplace climate in District government agencies in
1396 relation to people who are transgender or non-binary. At a minimum, the study shall include:

1397 “(1) A census of employees who identify as transgender or non-binary, including
1398 information on the employees’ race and ethnicity, gender identity, and age;

1399 “(2) A review of District government agencies’ transgender and non-binary
1400 inclusion policies, including policies developed under the Human Rights Act of 1977, effective
1401 December 13, 1977, (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*) (“Human Rights
1402 Act”), and any regulations promulgated pursuant to the Human Rights Act, and an evaluation of
1403 the extent to which District government agencies have implemented such polices and how
1404 transgender and non-binary employees experience such polices;

1405 “(3) An evaluation of District government agencies’ actual recruitment, hiring,
1406 retention, and promotion practices related to prospective and current transgender and non-binary
1407 employees;

1408 “(4) An analysis of any disparities in earnings, title, pay grade, length of time in
1409 position, and educational attainment between employees who identify as transgender or non-
1410 binary and employees who identify as cisgender;

1411 “(5) An assessment of transgender and non-binary employees’ workplace
1412 experiences as employees of District government agencies, including experiences of
1413 discrimination, harassment, or mistreatment on the job; and

1414 “(6) An evaluation of data, including participant demographics and program
1415 outcomes, for transgender or non-binary participants in the Department of Employment Services’
1416 job training programs; and

1417 “(7) Recommendations for District government agencies on improving
1418 employment and hiring practices as they relate to individuals who are transgender or non-binary.

1419 “(b) The contractor may survey employees to gather data for the purposes of the study.

1420 “(c) The contractor completing the study shall:

1421 “(1) Have, or partner with another entity with, experience studying and
1422 knowledge of sexual orientation and gender identity;

1423 “(2) Include a statement in requests for information and surveys sent to employees
1424 explaining that providing information is voluntary;

1425 “(3) Ensure the privacy, dignity, and confidentiality of employees;

1426 “(4) Not disclose, or retain after the study is complete, personally identifiable
1427 information gathered in the course of the study; and

1428 “(5) Consult with the Office of Human Rights in developing a detailed proposed
1429 plan of the study, surveys to be administered, and any resulting recommendations from the
1430 entity.

1431 “(d) The Mayor may use electronic communication tools, including e-mail, to facilitate
1432 the contractor’s outreach to District government employees.

1433 “(e) The Mayor shall:

1434 “(1) Review the contractor’s proposals and recommendations to ensure they are
1435 consistent with the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38;
1436 D.C. Official Code § 2-1401.01 *et seq.*);

1437 “(2) Review data, with personally identifiable information removed, on
1438 harassment and discrimination complaints filed by transgender and non-binary employees
1439 against District government agencies since January 1, 2015;

1440 “(3) Provide the contractor with the information necessary to facilitate subsection
1441 (a) of this section; and

1442 “(4) Submit a final report with findings and recommendations to the Council no
1443 later than December 31, 2021. The final report submitted to the Council shall not contain any
1444 personally identifiable information.”.

1445 **SUBTITLE N. TIPPED WAGE WORKERS FAIRNESS CLARIFICATION**

1446 Sec. 2131. Short title.

1447 This subtitle may be cited as the “Tipped Workers Fairness Clarification Emergency
1448 Amendment Act of 2020”.

1449 Sec. 2132. The Tipped Wage Workers Fairness Amendment Act of 2018, effective
1450 December 13, 2018 (D.C. Law 22-196; D.C. Official Code § 32-161 *et seq.*), is amended as
1451 follows:

1452 (a) Section 3 (D.C. Official Code § 32-161) is amended as follows:

1453 (1) Subsection (a)(1) is amended as follows:

1454 (A) The lead-in language is amended by striking the phrase “By April 1,
1455 2020” and inserting the phrase “Within 120 days after the date this section becomes applicable”
1456 in its place.

1457 (B) Subparagraph (F) is repealed.

1458 (2) Subsection (b) is amended as follows:

1459 (A) Paragraph (1) is amended as follows:

1460 (i) The lead-in language is amended by striking the phrase “By
1461 April 1, 2020” and inserting the phrase “Within 120 days after the date this section becomes
1462 applicable” in its place.

1463 (ii) Subparagraph (B) is amended to read as follows:

1464 “(B) The following text formatted in a large font and for maximum
1465 readability, including the use of bullet points to call out each specified right on a separate line:

1466 “EMPLOYEE RIGHTS IN THE DISTRICT OF COLUMBIA: Do you know your rights
1467 as an employee working in Washington, D.C.? Employees have the right:

- 1468 • To be paid at least the minimum wage;
- 1469 • To be paid on time;
- 1470 • To receive a detailed pay stub;
- 1471 • To accrue and use paid sick and safe leave;
- 1472 • To request time off to attend a child’s school-related activities;
- 1473 • To qualify for unpaid family and medical leave;
- 1474 • To be compensated for work-related illness or injury;
- 1475 • To remain free from discrimination;
- 1476 • To be accommodated in the workplace during pregnancy;
- 1477 • To remain free from employer retaliation for discussing or exercising any of these rights;
- 1478 and
- 1479 • To file a complaint for violation of workplace rights with the Department of Employment
1480 Services (DOES) or the Office of Human Rights (OHR),

1481 To learn about these and other workplace rights, visit the website below. This notice does not
1482 create, expand, or limit rights under District or federal law.”.”.

1483 (B) Paragraph (2) is amended by striking the phrase “The poster” and
1484 inserting the phrase “Below the text required pursuant to paragraph (1)(B) of this subsection, the
1485 poster” in its place.

1486 (3) Subsection (d)(6) is repealed.

1487 Sec. 2133. The Minimum Wage Act Revision Act of 1992, effective March 11, 2014
1488 (D.C. Official Code § 32-1001 *et seq.*) is amended as follows:

1489 (a) Section 10a (D.C. Official Code § 32-1009.01) is amended as follows:

1490 (1) Subsection (a) is amended to read as follows:

1491 "(a)(1) As of January 1, 2020, the third-party payroll businesses required pursuant
1492 to section 9(a-1) to process payroll for an employer that employs a tipped worker and hotel
1493 employers that employ a tipped worker shall submit a quarterly wage report for the preceding
1494 calendar quarter to the Mayor no later than 30 days after the end of each calendar quarter.

1495 “(2) Each quarterly wage report shall certify that each tipped worker was paid at
1496 least the required minimum wage, including gratuities, and shall include the following:

1497 “(A) Itemized, for each tipped worker, the worker’s:

1498 “(i) Name;

1499 “(ii) Average hourly wage received per week during the quarter;

1500 “(iii) Total hours worked at or above the minimum hourly wage
1501 established under section 4(f) per week;

1502 “(iv) Gross wages received per week; and

1503 “(v) Total gratuities received per week.

1504 “(B) For a hotel employer, a certification that all of the information in the
1505 report is accurate;

1506 “(C) For a third-party payroll business, a certification that the information
1507 in the report was generated using the same payroll data used to generate the information required
1508 to be furnished to employees pursuant to section 9(b); and

1509 “(D) If tips were shared, a copy of the employer’s tip-sharing policy used
1510 during the quarter, unless the third-party payroll business and the employer have agreed that the
1511 employer will submit the tip-sharing policy, in which case, a certification that such an agreement
1512 was in place during the calendar quarter.

1513 “(3)(A) An employer that agrees to submit its tip-sharing policy directly to the
1514 Mayor shall submit the policy to the Mayor no later than 30 days after the end of each calendar
1515 quarter.

1516 “(B) If the Mayor does not receive the tip-sharing policy of an employer
1517 that employs a tipped worker by the submission deadline for quarterly wage reports, the Mayor
1518 shall presume that the employer did not have a tip-sharing policy in place during the calendar
1519 quarter.”.

1520 (2) Subsection (b)(2) is amended to read as follows:

1521 “(2) A person required to submit documents pursuant to subsection (a) of this
1522 section shall submit the documents online through the Internet-based portal, unless the Mayor
1523 exempts the person from online reporting because it creates a hardship for the person, in which
1524 case, the person shall submit the documents in hard-copy form.”.

1525 (3) A new subsection (d) is added to read as follows:

1526 “(d) For the purposes of this section the term “tipped worker” means an employee
1527 paid in accordance with section 4(f).”.

1528 (b) Section 12(d)(1) (D.C. Official Code § 32-1011(d)(1)) is amended by adding a new
1529 subparagraph (E-i) to read as follows:

1530 “(E-i) \$500 against an employer for each failure to timely submit the
1531 quarterly wage report required pursuant to section 10a, in its entirety, unless the employer proves
1532 that it used a third-party payroll business to process the relevant quarter’s payroll for the
1533 employer.”.

1534 **SUBTITLE O. UNIVERSAL PAID LEAVE FUND**

1535 Sec. 2141. Short title.

1536 This subtitle may be cited as the “Universal Paid Leave Fund Emergency Amendment
1537 Act of 2020.”

1538 Sec. 2142. The Universal Paid Leave Implementation Fund Act of 2016, effective
1539 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01), is amended as follows:

1540 (a) A new section 1151a is added to read as follows:

1541 “Sec. 1151a. Definitions.

1542 “For the purposes of this subtitle, the term “Act” means the Universal Paid Leave Act of
1543 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*).”.

1544 (b) Section 1152 (D.C. Code § 32-551.01) is amended as follows:

1545 (1) The section heading is amended by striking the phrase “Universal Paid Leave
1546 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1547 (2) Subsection (a) is amended by striking the phrase “Universal Paid Leave
1548 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1549 (3) Subsection (b) is amended to read as follows:

1550 “(b) Money in the Fund shall be used to:

1551 (1) Pay benefits provided under the Act; and

1552 (2) Fund the Universal Paid Leave Administration Fund established pursuant to
1553 section 1153(a) in the following amounts:

1554 “(A) No more than 8.75% of money in the Fund for the purposes
1555 described in section 1153(c)(1);

1556 “(B) No more than .75% of the money in the Fund for the purposes
1557 described in section 1153(c)(2); and

1558 “(C) No more than 0.5% of the money in the Fund for the purposes
1559 described in section 1153(c)(3).

1560 (c) A new section 1153 is added to read as follows:

1561 “Sec. 1153. Universal Paid Leave Administration Fund.

1562 “(a) There is established as a special fund the Universal Paid Leave Administration Fund
1563 (“Fund”), which shall be administered by the Department of Employment Services (“DOES”) in
1564 accordance with subsections (c), (d), (e), and (f) of this section.

1565 “(b) Pursuant to section 1152(b)(2), amounts appropriated from the Universal Paid Leave
1566 Fund annually for the purposes described in subsection (c) of this section,, shall be deposited in
1567 the Fund.

1568 “(c) Money in the Fund shall be used for the following purposes:

1569 “(1) Administration of the Act by DOES, including public education pursuant to
1570 section 106(j) of the Act; provided, that no more than 6% of the money appropriated annually for
1571 administration may be used for public education and of those public education funds, at least

1572 \$500,000 shall be used to fund the Workplace Leave Navigators Program established pursuant to
1573 section 2093 of the Workplace Leave Navigators Program Establishment Amendment Act of
1574 2020, passed on 1st reading on July 7, 2020 (Bill 23-760);

1575 “(2) Enforcement of section 108(e) and section 110(a) and (b) of the Act by the
1576 Office of Human Rights, which may include education and outreach on individuals’ rights under
1577 the Act; and

1578 “(3) Hearing of appeals of claim determinations by the Office of Administrative
1579 Hearings, pursuant to section 108(a)-(c) of the Act.

1580 “(d) Beginning no later than October 1, 2020 and by October 1 annually thereafter,
1581 DOES shall execute a Memorandum of Understanding with the Office of Human Rights for the
1582 intradistrict transfer of funds appropriated, pursuant to subsection (c)(2) of this section, for
1583 enforcement; provided, that DOES shall transfer funds appropriated for enforcement to the
1584 Office of Human Rights no later than October 2 of any year even if the agencies fail to execute a
1585 Memorandum of Understanding by October 1 of that year.

1586 “(e) Beginning no later than October 1, 2020 and by October 1 annually thereafter, DOES
1587 shall execute a Memorandum of Understanding with the Office of Administrative Hearings for
1588 the intradistrict transfer of funds appropriated, pursuant to subsection (c)(3) of this section, for
1589 hearing of appeals of claim determinations; provided, that DOES shall transfer funds
1590 appropriated for hearing of appeals of claim determinations to the Office of Administrative
1591 Hearings no later than October 2 of any year even if the agencies fail to execute a Memorandum
1592 of Understanding by October 1 of that year.

1593 “(f) Money deposited into the Fund but not expended in a fiscal year shall revert to the
1594 Universal Paid Leave Fund, established pursuant to section 1152.”.

1595 Sec. 2143. Conforming amendments.

1596 The Universal Paid Leave Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C.

1597 Official Code § 32-541.01 *et seq.*), is amended as follows:

1598 (a) Subsection 101 (D.C. Official Code § 32-541.01) is amended as follows:

1599 (1) Paragraph (10)(A) is amended by striking the phrase “Universal Paid Leave

1600 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1601 (2) Paragraph (21) is amended by striking the phrase ““Universal Paid Leave

1602 Implementation Fund” means the Uniform Paid Leave Implementation Fund” and inserting the

1603 phrase ““Universal Paid Leave Fund” means the Universal Paid Leave Fund” in its place.

1604 (b) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

1605 (1) The section heading is amended by striking the phrase “Universal Paid Leave

1606 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1607 (2) Subsection (a) is amended by striking the phrase “Universal Paid Leave

1608 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1609 (3) Subsection (b) is amended by striking the phrase “Universal Paid Leave

1610 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1611 (4) Subsection (c) is amended by striking the phrase “Universal Paid Leave

1612 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1613 (5) Subsection (d) is amended by striking the phrase “Universal Paid Leave

1614 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1615 (6) Subsection (e) is amended by striking the phrase “Universal Paid Leave

1616 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1617 (7) Subsection (f) is amended by striking the phrase “Universal Paid Leave
1618 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1619 (c) Section 104(g)(6)(A) (D.C. Official Code § 32-541.04(g)(6)(A)) is amended by
1620 striking the phrase “Universal Paid Leave Implementation” and inserting the phrase “Universal
1621 Paid Leave” in its place.

1622 (d) Section 105(a)(2) (D.C. Official Code § 32-541.05(a)(2)) is amended by striking the
1623 phrase “Universal Paid Leave Implementation” and inserting the phrase “Universal Paid Leave”
1624 in its place.

1625 (e) Section 106(j)(1) (D.C. Official Code § 32-541.06(j)(1)) is amended to read as
1626 follows:

1627 “(j)(1) The Mayor shall conduct a public-education campaign, which shall be paid for out
1628 of the Universal Paid Leave Administration Fund, pursuant to section 1153(c)(1) of the
1629 Universal Paid Leave Implementation Fund Act of 2016, passed on 1st reading on July 7, 2020
1630 (Bill 23-760), to inform individuals of the benefits provided for in this act. The Workplace Leave
1631 Navigators Program, established pursuant to section 2093 of the Workplace Leave Navigators
1632 Program Establishment Amendment Act of 2020, passed on 1st reading on July 7, 2020 (Bill 23-
1633 760), shall be a component of the Mayor’s public-education campaign.”.

1634 (f) Section 109(c) (D.C. Official Code § 32-541.09(c)) is amended as follows:

1635 (1) Paragraph (1) is amended by striking the phrase “Universal Paid Leave
1636 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1637 (2) Paragraph (2) is amended by striking the phrase “Universal Paid Leave
1638 Implementation” both times it appears and inserting the phrase “Universal Paid Leave” in its
1639 place.

1640 **SUBTITLE P. SHARED WORK COMPENSATION PROGRAM**

1641 Sec. 2151. Short title.

1642 This subtitle may be cited as the “Shared Work Compensation Program Clarification
1643 Emergency Amendment Act of 2020”.

1644 Sec. 2152. The Keep D.C. Working Act of 2010, effective October 15, 2010 (D.C. Law
1645 18-238; D.C. Official Code § 51-171 *et seq.*), is amended as follows:

1646 (a) Section 2 (D.C. Official Code § 51-171) is amended as follows:

1647 (1) Paragraph (4) is repealed.

1648 (2) New paragraphs (4A) and (4B) are added to read as follows:

1649 “(4A) “Health and retirement benefits” means employer-provided health benefits,
1650 and retirement benefits under a defined benefit plan, as defined in section 414(j) of the Internal
1651 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(j)), or
1652 contributions under a defined contribution plan, as defined in section 414(i) of the Internal
1653 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(i)), which
1654 are incidents of employment in addition to the cash remuneration earned.

1655 “(4B) “Participating employee” means an employee who voluntarily agrees to
1656 participate in an employer’s shared work plan.”.

1657 (3) Paragraph (5) is amended to read as follows:

1658 “(5) “Usual weekly hours of work” means the usual hours of work per week for
1659 full-time or part-time employees in the affected unit when that unit is operating on its regular
1660 basis, not to exceed 40 hours and not including hours of overtime work.”.

1661 (4) Paragraph (7) is amended to read as follows:

1662 “(7) “Shared work benefits” means the unemployment benefits payable to a
1663 participating employee in an affected unit under a shared work plan, as distinguished from the
1664 unemployment benefits otherwise payable under the employment security law.”.

1665 (5) Paragraph (8) is amended to read as follows:

1666 “(8) “Shared work plan” means a written plan to participate in the shared work
1667 unemployment compensation program approved by the Director, under which the employer
1668 requests the payment of shared work benefits to participating employees in an affected unit of
1669 the employer to avert temporary or permanent layoffs, or both.”.

1670 (b) Section 4 (D.C. Official Code § 51-173) is amended to read as follows:

1671 “Sec. 4. Employer participation in the shared work unemployment compensation
1672 program.

1673 “(a) Employer participation in the shared work unemployment compensation program
1674 shall be voluntary.

1675 “(b) An employer that wishes to participate in the shared work unemployment
1676 compensation program shall submit a signed application and proposed shared work plan to the
1677 Director for approval.

1678 “(c) The Director shall develop an application form consistent with the requirements of
1679 this section. The application and shared work plan shall require the employer to:

1680 “(1) Identify the affected unit (or units) to be covered by the shared work plan,
1681 including:

1682 “(A) The number of full-time or part-time employees in such unit;

1683 “(B) The percentage of employees in the affected unit covered by the plan;

1684 “(C) Identification of each individual employee in the affected unit by
1685 name and social security number;

1686 “(D) The employer’s unemployment tax account number, and

1687 “(E) Any other information required by the Director to identify
1688 participating employees;

1689 “(2) Provide a description of how employees in the affected unit will be notified
1690 of the employer’s participation in the shared work unemployment compensation program if such
1691 application is approved, including how the employer will notify those employees in a collective
1692 bargaining unit as well as any employees in the affected unit who are not in a collective
1693 bargaining unit. If the employer will not provide advance notice of the shared work plan to
1694 employees in the affected unit, the employer shall explain in a statement in the application why it
1695 is not feasible to provide such notice;

1696 “(3) Identify the usual weekly hours of work for employees in the affected unit
1697 and the specific percentage by which hours will be reduced during all weeks covered by the plan.
1698 A shared work plan may not reduce participating employees’ usual weekly hours of work by less
1699 than 10% or more than 60%. If the plan includes any week for which the employer regularly
1700 provides no work (due to a holiday or other plant closing), then such week shall be identified in
1701 the application;

1702 “(4) If the employer provides health and retirement benefits to any participating
1703 employee whose usual weekly hours of work are reduced under the plan, certify that such
1704 benefits will continue to be provided to participating employees under the same terms and
1705 conditions as though the usual weekly hours of work of such participating employee had not
1706 been reduced or to the same extent as employees not participating in the shared work plan. For

1707 defined benefit retirement plans, the hours that are reduced under the shared work plan shall be
1708 credited for purposes of participation, vesting, and accrual of benefits as though the participating
1709 employee’s usual weekly hours of work had not been reduced. The dollar amount of employer
1710 contributions to a defined contribution plan that are based on a percentage of compensation may
1711 be reduced due to the reduction in the participating employee’s compensation. A reduction in
1712 health and retirement benefits scheduled to occur during the duration of a shared work plan that
1713 is equally applicable to employees who are not participating in the plan and to participating
1714 employees does not violate a certification made pursuant to this paragraph;

1715 “(5) Certify that the aggregate reduction in work hours under the shared work
1716 plan is in lieu of temporary or permanent layoffs, or both, and provide a good-faith estimate of
1717 the number of employees who would be laid off in the absence of the proposed shared work
1718 plan;

1719 “(6) Agree to:

1720 “(A) Furnish reports to the Director relating to the proper conduct of the
1721 shared work plan;

1722 “(B) Allow the Director or the Director’s authorized representatives access
1723 to all records necessary to approve or disapprove the application for a shared work plan;

1724 “(C) Allow the Director to monitor and evaluate the shared work plan; and

1725 “(D) Follow any other directives the Director considers necessary for the
1726 agency to implement the shared work plan consistent with the requirements for shared work plan
1727 applications;

1728 “(7) Certify that participation in the shared work unemployment compensation
1729 program and implementation of the shared work plan will be consistent with the employer’s
1730 obligations under applicable federal and District laws;

1731 “(8) State the duration of the proposed shared work plan, which shall not exceed
1732 365 days from the effective date established pursuant to section 6;

1733 “(9) Provide any additional information or certifications that the Director
1734 determines to be appropriate for purposes of the shared work unemployment compensation
1735 program, consistent with requirements issued by the United States Secretary of Labor; and

1736 “(10) Provide written approval of the proposed shared work plan by the collective
1737 bargaining representative for any employees covered by a collective bargaining agreement who
1738 will participate in the plan.”.

1739 (c) Section 5 (D.C. Official Code § 51-174) is amended to read as follows:

1740 “Sec. 5. Approval and disapproval of a shared work plan.

1741 “(a)(1) The Director shall approve or disapprove an application for a shared work plan in
1742 writing within 15 calendar days of its receipt and promptly issue a notice of approval or
1743 disapproval to the employer.

1744 “(2) A decision disapproving the shared work plan shall clearly identify the
1745 reasons for the disapproval.

1746 “(3) A decision to disapprove a shared work plan shall be final, but the employer
1747 may submit another application for a shared work plan not earlier than 10 calendar days from the
1748 date of the disapproval.

1749 “(b) Except as provided in subsections (c) and (d) of this section, the Director shall
1750 approve a shared work plan if the employer:

1751 “(1) Complies with the requirements of section 4; and
1752 “(2) Has filed all reports required to be filed under the employment security law
1753 for all past and current periods, and:
1754 “(A) Has paid all contributions and benefit cost payments; or
1755 “(B) If the employer is a reimbursing employer, has made all payments in
1756 lieu of contributions due for all past and current periods.
1757 “(c) Except as provided in subsection (d) of this section, the Director may not approve a
1758 shared work plan:
1759 “(1) To provide payments to an employee if the employee is employed by the
1760 participating employer on a seasonal, temporary, or intermittent basis;
1761 “(2) If the employer's unemployment insurance account has a negative
1762 unemployment experience rating;
1763 “(3) If the employer's unemployment insurance account is taxed at the maximum
1764 tax rate in effect for the calendar year;
1765 “(4) For employers who have not qualified to have a tax rate assigned based on
1766 actual experience; or
1767 “(5) For employees who are receiving or who will receive supplemental
1768 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue
1769 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any
1770 period a shared work plan is in effect.
1771 “(d) During the effective period of a shared work plan entered into during a public health
1772 emergency, subsection (c) of this section shall not apply. During a public health emergency, the
1773 Director may not approve a shared work plan:

1774 “(1) To provide payments to an employee if the employee is employed by the
1775 participating employer on a seasonal, temporary, or intermittent basis;

1776 “(2) For employees who are receiving or who will receive supplemental
1777 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue
1778 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any
1779 period a shared work plan is in effect; or

1780 “(3) For employers that have reported quarterly earnings to the Director for fewer
1781 than 3 quarters at the time of the application for the shared work unemployment compensation
1782 program.

1783 “(e) For the purposes of this section, the term “public health emergency” means the
1784 public health emergency declared in the Declaration of Public Health Emergency (Mayor’s
1785 Order 2020-046), declared on March 11, 2020, and any extensions thereof.”.

1786 (d) Section 6 (D.C. Official Code § 51-175) is amended to read as follows:

1787 “Sec. 6. Effective date and expiration, termination, or revocation of a shared work plan.

1788 “(a) A shared work plan shall be effective on the date that is mutually agreed upon by the
1789 employer and the Director, which shall be specified in the notice of approval to the employer.

1790 “(b) The duration of the plan shall be 365 days from the effective date, unless a shorter
1791 duration is requested by employer or the plan is terminated or revoked in accordance with this
1792 section.

1793 “(c) An employer may terminate a shared work plan at any time upon written notice to
1794 the Director, participating employees, and a collective bargaining representative for the
1795 participating employees. After receipt of such notice from the employer, the Director shall issue
1796 to the employer, the appropriate collective bargaining representative, and participating

1797 employees an Acknowledgment of Voluntary Termination, which shall state the date the shared
1798 work plan terminated.

1799 “(d) The Director may revoke a shared work plan at any time for good cause, including:

1800 “(1) Failure to comply with the certifications and terms of the shared work plan;

1801 “(2) Failure to comply with federal or state law;

1802 “(3) Failure to report or request proposed modifications to the shared work plan in
1803 accordance with section 7;

1804 “(4) Unreasonable revision of productivity standards for the affected unit;

1805 “(5) Conduct or occurrences tending to defeat the purpose and effective operation
1806 of the shared work plan;

1807 “(6) Change in conditions on which approval of the plan was based;

1808 “(7) Violation of any criteria on which approval of the plan was based; or

1809 “(8) Upon the request of an employee in the affected unit.

1810 “(e) Upon a decision to revoke a shared work plan, the Director shall issue a written
1811 revocation order to the employer that specifies the reasons for the revocation and the date the
1812 revocation is effective. The Director shall provide a copy of the revocation order to all
1813 participating employees and their collective bargaining representative.

1814 “(f) The Director may periodically review the operation of an employer’s shared work
1815 plan to ensure compliance with its terms and applicable federal and District laws.

1816 “(g) An employer may submit a new application for a shared work plan at any time after
1817 the expiration or termination of a shared work plan.”.

1818 (e) Section 7 (D.C. Official Code § 51-176) is amended to read as follows:

1819 “Sec. 7. Modification of a shared work plan.

1820 “(a) An employer may not implement a substantial modification to a shared work plan
1821 without first obtaining the written approval of the Director.

1822 “(b)(1) An employer must report, in writing, every proposed modification of the shared
1823 work plan to the Director a least 5 calendar days before implementing the proposed modification.
1824 The Director shall review the proposed modification to determine whether the modification is
1825 substantial. If the Director determines that the proposed modification is substantial, the Director
1826 shall notify the employer of the need to request a substantial modification.

1827 “(2) An employer may request a substantial modification to a shared work plan by
1828 filing a written request with the Director. The request shall identify the specific provisions of the
1829 shared work plan to be modified and provide an explanation of why the proposed modification is
1830 consistent with and supports the purposes of the shared work plan. A modification may not
1831 extend the expiration date of the shared work plan.

1832 “(c)(1) At the Director’s discretion, an employer’s request for a substantial modification
1833 of a shared work plan may be approved if:

1834 “(A) Conditions have changed since the plan was approved; and

1835 “(B) The Director determines that the proposed modification is consistent
1836 with and supports the purposes of the approved plan.

1837 “(2) The Director shall approve or disapprove a request for substantial
1838 modification, in writing, within 15 calendar days of receiving the request and promptly shall
1839 communicate the decision to the employer. If the request is approved, the notice of approval
1840 shall contain the effective date of the modification.”.

1841 (f) Section 8 (D.C. Official Code § 51-177) is amended to read as follows:

1842 “Sec. 8. Employee eligibility for shared work benefits.

1843 “(a) A participating employee is eligible to receive shared work benefits with respect to
1844 any week only if the individual is monetarily eligible for unemployment compensation, not
1845 otherwise disqualified from unemployment compensation, and:

1846 “(1) With respect to the week for which shared work benefits are claimed, the
1847 participating employee was covered by a shared work plan that was approved prior to that week;

1848 “(2) Notwithstanding any other provision of the employment security law relating
1849 to availability for work and actively seeking work, the participating employee was available for
1850 the individual’s usual hours of work with the shared work employer, which may include
1851 availability to participate in training to enhance job skills approved by the Director, such as
1852 employer-sponsored training or training funded under the Workforce Innovation and Opportunity
1853 Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*); and

1854 “(3) Notwithstanding any other provision of law, a participating employee is
1855 deemed unemployed for the purposes of determining eligibility to receive unemployment
1856 compensation benefits in any week during the duration of such plan if the individual’s
1857 remuneration as an employee in an affected unit is reduced under the terms of the plan.

1858 “(b) A participating employee may be eligible for shared work benefits or unemployment
1859 compensation, as appropriate, except that no participating employee may be eligible for
1860 combined benefits in any benefit year in an amount more than the maximum entitlement
1861 established for regular unemployment compensation; nor shall a participating employee be paid
1862 shared work benefits for more than 52 weeks under a shared work plan or in an amount more
1863 than the equivalent of the maximum of 26 weeks of regular unemployment compensation.

1864 “(c) The shared work benefit paid to a participating employee shall be deducted from the
1865 maximum entitlement amount of regular unemployment compensation established for that
1866 individual's benefit year.

1867 “(d) Provisions applicable to unemployment compensation claimants under the
1868 employment security law shall apply to participating employees to the extent that they are not
1869 inconsistent with this act. A participating employee who files an initial claim for shared work
1870 benefits shall receive a monetary determination of whether the individual is eligible to receive
1871 benefits.

1872 “(e) A participating employee who has received all of the shared work benefits or
1873 combined unemployment compensation and shared work benefits available in a benefit year shall
1874 be considered an exhaustee, as defined in section 7(g)(1)(H) of the District of Columbia
1875 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code
1876 § 51–107(g)(1)(H)) (“Act”), for purposes of eligibility to receive extended benefits pursuant to
1877 section 7(g) of the Act (D.C. Official Code § 51–107(g)), and, if otherwise eligible under that
1878 section, shall be eligible to receive extended benefits.

1879 “(f) Shared work benefits shall be charged to employers’ experience rating accounts in
1880 the same manner as unemployment compensation is charged under the employment security law,
1881 unless waived by federal or District law. Employers liable for payments in lieu of contributions
1882 shall have shared work benefits attributed to service in their employ in the same manner as
1883 unemployment compensation is attributed, unless waived by federal or District law.”.

1884 (g) Section 9 (D.C. Official Code § 51-178) is amended as follows:

1885 (1) Subsection (a) is amended to read as follows:

1886 “(a)(1) Except as provided in paragraph (2) of this subsection, the weekly benefit for a
1887 participating employee shall be the product of the regular weekly unemployment compensation
1888 amount for a week of total unemployment multiplied by the percentage of reduction in the
1889 participating employee’s usual weekly hours of work.

1890 “(2) The shared work benefit for a participating employee who performs work for
1891 another employer during weeks covered by a shared work plan shall be calculated as follows:

1892 “(A) If the combined hours of work in a week for both employers results
1893 in a reduction of less than 10% of the usual weekly hours of work the participating employee
1894 works for the shared work employer, the participating employee is not eligible for shared work
1895 benefits;

1896 “(B) If the combined hours of work for both employers results in a
1897 reduction equal to or greater than 10% of the usual weekly hours worked for the shared work
1898 employer, the shared work benefit payable to the participating employee is determined by
1899 multiplying the weekly unemployment benefit amount for a week of total unemployment by the
1900 percentage by which the combined hours of work have been reduced. A week for which benefits
1901 are paid under this subparagraph shall be reported as a week of shared work benefits.

1902 “(C) If an individual worked the reduced percentage of the usual weekly
1903 hours of work for the shared work employer and is available for all the participating employee’s
1904 usual hours of work with the shared work employer, and the participating employee did not work
1905 any hours for the other employer, either because of the lack of work with that employer or
1906 because the participating employee is excused from work with the other employer, the
1907 participating employee shall be eligible for the full value of the shared work benefit for that
1908 week.”.

1909 (2) Subsection (b) is repealed

1910 (3) New subsections (c) and (d) are added to read as follows:

1911 “(c) A participating employee who is not provided any work during a week by the shared
1912 work employer or any other employer and who is otherwise eligible for unemployment
1913 compensation shall be eligible for the amount of regular unemployment compensation to which
1914 the individual would otherwise be eligible.

1915 “(d) A participating employee who is not provided any work by the shared work
1916 employer during a week, but who works for another employer and is otherwise eligible for
1917 unemployment compensation may be paid unemployment compensation for that week subject to
1918 the disqualifying income provision and other provisions applicable to claims for regular
1919 unemployment compensation.”.

1920 Sec. 2153. Applicability.

1921 This subtitle shall apply as of the effective date of this act.

1922 **SUBTITLE Q. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESS**

1923 Sec. 2161. Short title.

1924 This subtitle may be cited as the “Equitable Impact Assistance for Local Businesses
1925 Emergency Act of 2020”.

1926 Sec. 2162. Definitions.

1927 For the purposes of this subtitle, the term:

1928 (1) “Economically disadvantaged individual” shall have the same meaning as set
1929 forth in section 2302(7) of the Small and Certified Business Enterprise Development and
1930 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-
1931 218.02(7)).

1932 (2)(A) “Eligible business” means an equity impact enterprise that has \$2 million
1933 or less in annual revenue and certifies in writing that the business is unable to obtain
1934 conventional financing or is a business enterprise that cannot reasonably be expected to qualify
1935 for financing under the standards of commercial lending.

1936 (B) For the purposes of this paragraph, the phrase “unable to obtain
1937 conventional financing” means that the business has attempted but failed in the attempt to obtain
1938 financing from conventional sources.

1939 (3) “Equity impact enterprise” shall have the same meaning as set forth in section
1940 2303(8A) of the Small and Certified Business Enterprise Development and Assistance Act of
1941 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)).

1942 (4) “Fund” means the Equity Impact Fund established in section 2163.

1943 (5) “Fund Manager” means a private financial organization selected by the Mayor
1944 pursuant to section 2164.

1945 (6) “Private financial organization” means a partnership, corporation, trust,
1946 limited liability company, Community Development Financial Institution, or a consortium of
1947 partnerships, corporations, trusts, limited liability companies, or Community Development
1948 Financial Institutions, whether organized on a profit or not-for-profit basis, that has as its primary
1949 activity the investment of capital into businesses.

1950 Sec. 2163. Establishment of the Equity Impact Fund.

1951 (a)(1) There is established a fund outside the General Fund of the District of Columbia,
1952 designated as the Equity Impact Fund (“Fund”), which shall be managed by a Fund Manager
1953 selected by the Mayor.

1954 (2) The Deputy Mayor for Planning and Economic Development shall provide,
1955 upon selection of the Fund Manager, \$1.25 million in the aggregate in Fiscal Year 2021 for
1956 deposit into the Fund (“District’s initial investment”).

1957 (b) The Fund shall be funded by money appropriated for the purposes of the Fund, other
1958 amounts, if any, received by the District or Fund Manager for deposit into the Fund, and any
1959 monies received as gifts, grants, donations, and awards.

1960 (c) Money in the Fund shall be used for the following purposes:

1961 (1) To facilitate investment in businesses that lack access to capital;

1962 (2) To make investments into eligible businesses based on an investment strategy
1963 determined by the Fund Manager; and

1964 (3) To administer the Fund, including the provision of technical assistance to
1965 eligible businesses; provided, that no more than 15% of the District’s initial investment may be
1966 used annually for this purpose.

1967 Sec. 2164. Fund Manager selection.

1968 (a) The Mayor shall solicit applications, in a form determined by the Mayor, for the
1969 position of Fund Manager from private financial organizations. The application shall contain
1970 description of:

1971 (1) The qualifications of the applicant, including demonstrable experience in
1972 investing in small businesses, businesses owned by economically disadvantaged individuals,
1973 businesses owned by individuals who have been subjected to racial or ethnic prejudice or cultural
1974 bias because of their identity as a member of a group without regard to their individual qualities,
1975 or businesses that otherwise meet the definition of, or are similar to an equity impact enterprise;

1976 (2) How the applicant will structure the Fund and investment criteria to achieve
1977 the goals and objectives of the Fund;

1978 (3) The ability and plans of the applicant to provide or raise sufficient funds to
1979 provide matching contributions for the Fund;

1980 (4) The ability of the applicant to maintain a sufficient fund balance to administer
1981 the Fund;

1982 (5) The type of businesses to be targeted for priority investment from the Fund;

1983 (6) A demonstrable ability to offer a variety of financing vehicles, including
1984 equity financing, revenue-based financing, royalty financing, and debt financing;

1985 (7) The investment strategies the applicant will employ to achieve the goals and
1986 objectives of the Fund; and

1987 (8) Other criteria that the Mayor considers necessary or appropriate.

1988 (b) The Fund Manager shall be selected from among the applicants for the position based
1989 on a scoring rubric established by the Mayor; provided, that:

1990 (1) A preference be given to applicants that are at least 51% owned, operated, or
1991 controlled by economically disadvantaged individuals or individuals who have been subjected to
1992 racial or ethnic prejudice or cultural bias because of their identity as a member of a group
1993 without regard to their individual qualities; and

1994 (2) If the applicant manages an existing investment fund, the existing fund not
1995 exceed \$100,000,000 in total investments.

1996 Sec. 2165. Minimum requirements for investment.

1997 (a) The Fund Manager shall source, underwrite, and monitor all investments placed
1998 pursuant to this subtitle. Except as otherwise provided by this subtitle, the Mayor shall not

1999 determine the recipient, amount, interest rate, or any other requirement related to an investment
2000 made pursuant to this subtitle.

2001 (b) The following requirements shall apply to any investment in an eligible business
2002 made from the Fund using the District's initial investment or interest earned on the initial
2003 investment:

2004 (1) The Fund Manager shall begin accepting applications from eligible businesses
2005 seeking investment, on a rolling basis, within 30 days of being selected for the position by the
2006 Mayor.

2007 (2) For the Fund Manager to provide an investment from the Fund, the eligible
2008 business must agree, in writing, to participate in technical assistance training.

2009 (3) The Fund Manager shall establish, for each selected eligible business, a 12-
2010 month individualized business plan. Investments shall be distributed to the eligible business in
2011 installments based upon completion of specific milestones clearly described in the business's
2012 individualized business plan. The individualized business plan shall include technical
2013 assistance, provided at no cost to the business, which shall include education on the
2014 management and scale of a business through live training or guided recorded sessions. All
2015 eligible businesses that receive an investment from the Fund shall be required to participate in at
2016 least 3 months of technical assistance training.

2017 Sec. 2166. Reporting requirements.

2018 The Fund Manager shall submit to the Mayor, on a quarterly basis, a report on the
2019 activities of the Fund. The report shall include, at a minimum:

2020 (1) The aggregate amount of dollars invested in eligible businesses during the
2021 reporting period;

2022 (2) The number of eligible businesses receiving an investment, including the
2023 name and business address for each;

2024 (3) A copy of the individualized business plan for each eligible business,
2025 including a description of the technical assistance training provided; and

2026 (4) The aggregate amount of funds in the Fund and a breakdown of the amount of
2027 the funds in the Fund used for each of the following, with each amount reported as a percentage
2028 of the aggregate amount of the Fund:

2029 (A) The percentage used for technical training assistance;

2030 (B) The percentage used for administration costs; and

2031 (C) The percentage used to compensate the Fund Manager.

2032 Sec. 2167. Recovery of District investment.

2033 The Mayor shall reserve the right to recover the amount of its initial investment into the
2034 Fund and may exercise this right if the Fund Manager does not, within a reasonable period, as
2035 determined by the Mayor, place investments into eligible businesses in an amount equal to the
2036 amount of the District's initial investment into the Fund.

2037 **SUBTITLE R. AFFORDABLE HOUSING LOAN FUND AUTHORIZATION**

2038 Sec. 2171. Short Title.

2039 This subtitle may be cited as the "Affordable Housing Loan Fund Authorization
2040 Emergency Amendment Act of 2020".

2041 Sec. 2172. The Department of Housing and Community Development is authorized to
2042 submit an application for the program offered by the U.S. Department of Housing and Urban
2043 Development, pursuant to section 108 of the Housing and Community Development Act of
2044 1974, approved August 22, 1974 (88 Stat. 647; 42 U.S.C. § 5308)("program"), to provide a gap

2045 subsidy resource source for program-eligible affordable housing acquisition and rehabilitation
2046 projects in Fiscal Year 2021.

2047 Sec. 2173. Section 2009(d) of the Department of Housing and Community Development
2048 Unified Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C.
2049 Official Code § 42-2857.01(d)), is amended as follows:

2050 (a) The existing text is redesignated as paragraph (1).

2051 (b) A new paragraph (2) is added to read as follows:

2052 “(2) Costs associated with the application or implementation of projects pursuant
2053 to the Affordable Housing Loan Fund Authorization Amendment Act of 2020, passed on 1st
2054 reading on July 7, 2020 (Engrossed version of Bill 23-760), shall not be considered project-
2055 delivery costs for purposes of paragraph (1) of this subsection.”.

2056 Sec. 2174. Section 3(b)(10) of the Housing Production Trust Fund Act of 1988, effective
2057 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(b)(10)), is amended as follows:

2058 (a) The existing text is redesignated as subparagraph (A).

2059 (b) A new subparagraph (B) is added to read as follows:

2060 “(B) Costs associated with the application or implementation of projects
2061 pursuant to the Affordable Housing Loan Fund Authorization Amendment Act of 2020, passed
2062 on 1st reading on July 7, 2020 (Engrossed version of Bill 23-760), shall not be considered
2063 administration of the Fund for purposes of paragraph (1) of this subsection.”.

2064 **SUBTITLE S. RENT STABILIZATION EXTENSION**

2065 Sec. 2181. Short Title.

2066 This subtitle may be cited as the “Rent Stabilization Extension Emergency Amendment
2067 Act of 2020”.

2068 Sec. 2182. Section 907 of the Rental Housing Act of 1985, effective July 17, 1985
2069 (D.C. Law 6-10; D.C. Official Code § 42-3509.07), is amended by striking the phrase “shall
2070 terminate on December 31, 2020” and inserting the phrase “shall terminate on December 31,
2071 2030” in its place.

2072 **SUBTITLE T. EXPENDITURES FROM THE PUBLIC HOUSING AND**
2073 **STRUCTURAL TRANSFORMATION CAPITAL ACCOUNT**

2074 Sec. 2191. Short title.

2075 This subtitle may be cited as the “Expenditures from the Public Housing and Structural
2076 Transformation Capital Account Emergency Act of 2020”.

2077 Sec. 2192. Expenditures from the Public Housing and Structural Transformation capital
2078 account.

2079 (a) The District of Columbia Housing Authority (“Authority”) shall not obligate or
2080 expend any money from capital project DHA00C unless the expenditure, or planned expenditure
2081 in the case of an obligation, is part of a proposed spending plan submitted by the Authority to the
2082 Mayor and thereafter approved by the Mayor. Each proposed spending plan shall also be
2083 submitted by the Authority to the Council for its information.

2084 (b) Each proposed spending plan submitted by the Authority to the Mayor shall include
2085 detailed information on each project for which the Authority proposes to expend funds from
2086 capital project DHA00C. At a minimum, the information provided for a project shall include:

- 2087 (1) The proposed location of the project;
- 2088 (2) A detailed proposed scope of the project;
- 2089 (3) A detailed proposed line-item budget for the project;
- 2090 (4) A detailed proposed timeline for the project;

2091 (5) A statement of whether the implementation of the proposed project will
2092 require the relocation of tenants and, if such relocation is required, a detailed proposed relocation
2093 plan.

2094 (c)(1) For each solicitation of a contract valued at \$100,000 or more that is funded with
2095 money from capital project DHA00C, the Authority shall:

2096 (A) Award preferences to certified business enterprises as provided in
2097 section 2343 of the Small and Certified Business Enterprise Development and Assistance Act of
2098 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.43); and

2099 (B) Exercise its contracting and procurement authority for contracts
2100 funded by capital project DHA00C so as to meet, on an annual basis, the goals of procuring and
2101 contracting at least 50% of the dollar volume of such contracts (the “CBE dollar volume”) with
2102 certified business enterprises and at least 50% of the CBE dollar volume with small business
2103 enterprises.

2104 (2) For the purposes of this subsection, the term:

2105 (A) “Certified business enterprise” shall have the meaning set forth in
2106 section 2302(1D) of the Small and Certified Business Enterprise Development and Assistance
2107 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)).

2108 (B) “Small business enterprise” shall have the meaning set forth in section
2109 2302(16) of the Small and Certified Business Enterprise Development and Assistance Act of
2110 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(16)).

2111 **SUBTITLE U. DC CENTRAL KITCHEN FACILITY GRANT**

2112 Sec. 2201. Short title.

2113 This subtitle may be cited as the “DC Central Kitchen Facility Grant Emergency
2114 Amendment Act of 2020”.

2115 Sec. 2202. Notwithstanding section 4(c) of the Workforce Investment Implementation
2116 Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), and
2117 the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.
2118 Official Code § 1-328.11 *et seq.*), in Fiscal Year 2021, the Workforce Investment Council shall
2119 award DC Central Kitchen a grant in the amount of \$1,000,000 to build a new training facility
2120 that will provide culinary training services and community nutrition programming and to aid in
2121 the relocation of its headquarters.

2122 **SUBTITLE V. C&O CANAL GRANT**

2123 Sec. 2211. Short title.

2124 This subtitle may be cited as the “C&O Canal Grant Act of 2020”.

2125 Sec. 2212. (a) In Fiscal Year 2021, the Office of Planning shall award a grant of
2126 not less than \$500,000 to an organization partnering with the National Park Service to
2127 complete concept design plans for the Chesapeake and Ohio Canal in Georgetown.

2128 (b) A grant awarded pursuant to this section shall be in addition to any other grant
2129 awarded by the Office of Planning for design work for the Chesapeake and Ohio Canal.

2130 **TITLE III. PUBLIC SAFETY AND JUSTICE**

2131 **SUBTITLE A. CRIMINAL CODE REFORM COMMISSION**

2132 Sec. 3001. Short title.

2133 This subtitle may be cited as the “Criminal Code Reform Commission Emergency
2134 Amendment Act of 2020”.

2135 Sec. 3002. The Criminal Code Reform Commission Establishment Act of 2016, effective
2136 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-151 *et seq.*), is amended as follows:

2137 (a) Section 3122(c)(1) (D.C. Official Code § 3-151(c)(1)) is amended by striking the phrase
2138 “, or until the Commission is dissolved pursuant to section 3127, and” and inserting the phrase “,
2139 and” in its place.

2140 (b) Section 3123 (D.C. Official Code § 3-152) is amended as follows:

2141 (1) The section heading is amended to read as follows:

2142 “Sec. 3123. Duties of the Criminal Code Reform Commission.”.

2143 (2) The lead-in language of subsection (a) is amended by striking the phrase “By
2144 September 30, 2020” and inserting the phrase “By March 31, 2021” in its place.

2145 (3) Subsection (d) is amended by striking the phrase “provide, upon request by the
2146 Council, a legal analysis of proposed legislation concerning criminal offenses, including” and
2147 inserting the phrase “provide, upon request by the Council or on its own initiative, a legal or
2148 policy analysis of proposed legislation or best practices concerning criminal offenses,
2149 procedures, or reforms, including” in its place.

2150 (4) Subsection (e) is amended by striking the phrase “regarding criminal code
2151 reform to advance” and inserting the phrase “to advance” in its place.

2152 (c) The lead-in language of section 3124(a) (D.C. Official Code § 3-153(a)) is amended
2153 by striking the phrase “section 3123” and inserting the phrase “section 3123(a)” in its place.

2154 (d) Section 3125 (D.C. Official Code § 3-154) is amended as follows:

2155 (1) Subsection (a) is amended by striking the phrase “The Commission” and
2156 inserting the phrase “Until March 31, 2021, the Commission” in its place.

2157 (2) Subsection (b) is amended by striking the phrase “The Commission shall file
2158 an annual report with the Council before March 31 of each year” and inserting the phrase
2159 “Before March 31, 2021, the Commission shall file a report with the Council” in its place.

2160 (3) A new subsection (c) is added to read as follows:

2161 “(c) Before March 31, 2022, and annually thereafter, the Commission shall file an annual
2162 report with the Council of its activities during the previous calendar year.”.

2163 (e) Section 3127 (D.C. Official Code § 3-156) is repealed.

2164 **SUBTITLE B. RESTORATIVE JUSTICE COLLABORATIVE**

2165 Sec. 3011. Short title.

2166 This subtitle may be cited as the “Restorative Justice Collaborative Emergency
2167 Amendment Act of 2020”.

2168 Sec. 3012. The Neighborhood Engagement Achieves Results Amendment Act of 2016,
2169 effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended as
2170 follows:

2171 (a) Section 101 (D.C. Official Code § 7-2411) is amended as follows:

2172 (1) Subsection (a) is amended as follows:

2173 (A) Paragraph (2) is amended by striking the phrase “; and” and inserting
2174 a semicolon in its place.

2175 (B) Paragraph (3) is amended by striking the period and inserting the
2176 phrase “; and” in its place.

2177 (C) A new paragraph (4) is added to read as follows:

2178 “(4) The Restorative Justice Collaborative, which shall serve as a centralized hub
2179 to coordinate and foster restorative justice programming and practices within the District
2180 government and by and in partnership with District community-based organizations.”.

2181 (2) Subsection (b) is amended as follows:

2182 (A) Paragraph (5) is amended by striking the phrase “; and” and inserting
2183 a semicolon in its place.

2184 (B) Paragraph (6) is amended by striking the period and inserting the
2185 phrase “; and” in its place.

2186 (C) A new paragraph (7) is added to read as follows:

2187 “(7) Coordinating and fostering restorative justice programming and practices
2188 within the District government and by and in partnership with District community-based
2189 organizations, with a focus on the 18-to-35-year old population.”.

2190 (b) Section 102(a)(3) (D.C. Official Code § 7-2412(a)(3)) is amended by striking the
2191 phrase “programming; and” and inserting the phrase “and restorative justice programming; and”
2192 in its place.

2193 **SUBTITLE C. EMERGENCY MEDICAL SERVICES TRANSPORT CONTRACT**

2194 Sec. 3021. Short title.

2195 This subtitle may be cited as the “Emergency Medical Services Transport Contract
2196 Authority Emergency Amendment Act of 2020”.

2197 Sec. 3022. Section 3073 of the Emergency Medical Services Transport Contract Authority
2198 Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR 10775), is
2199 amended by striking the date “September 30, 2021” and inserting the date “September 30, 2023”
2200 in its place.

2201 **SUBTITLE D. SENIOR POLICE OFFICERS PROGRAM**

2202 Sec. 3031. Short title.

2203 This subtitle may be cited as the “Senior Police Officers Retention Emergency
2204 Amendment Act of 2020”.

2205 Sec. 3032. Section 2(h)(1) of the Retired Police Officer Redeployment Amendment Act
2206 of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761(h)(1)), is
2207 amended by striking the date “October 1, 2020” and inserting the date “October 1, 2023” in its
2208 place.

2209 **SUBTITLE E. OFFICE ON RETURNING CITIZEN AFFAIRS**

2210 Sec. 3041. Short title.

2211 This subtitle may be cited as the “Moving the Office on Returning Citizen Affairs
2212 Emergency Amendment Act of 2020”.

2213 Sec. 3042. Section 3022 of the Office of the Deputy Mayor for Public Safety and Justice
2214 Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §
2215 1-301.191), is amended as follows:

2216 (a) Subsection (c) is amended as follows:

2217 (1) Paragraph (1) is amended to read as follows:

2218 “(1) Be responsible for providing guidance and support to, and coordination of,
2219 public safety, justice, and returning citizen agencies within the District of Columbia government,
2220 including the Office on Returning Citizen Affairs, established by section 3 of the Office on Ex-
2221 Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of
2222 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1302);”.

2223 (2) Paragraph (2) is amended to read as follows:

2224 “(2) Ensure accountability through general oversight over public safety, justice,
2225 and returning citizen agencies, as well as the programs under the jurisdiction of the Office;”.

2226 (3) Paragraph (3) is amended by striking the phrase “public-safety and justice
2227 services” and inserting the phrase “public safety, justice, and returning citizen services” in its
2228 place.

2229 (4) Paragraph (4) is amended by striking the phrase “criminal justice or public-
2230 safety issues, in the coordination, planning, and implementation of public-safety and justice
2231 matters” and inserting the phrase “public safety, justice, or returning citizen issues, in the
2232 coordination, planning, and implementation of public safety, justice, and returning citizen
2233 matters” in its place.

2234 (5) Paragraph (5) is repealed.

2235 (b) A new subsection (e) is added to read as follows:

2236 “(e) For the purposes of this section, the term “returning citizens” shall have the same
2237 meaning as provided in section 2(5) of the Office on Ex-Offender Affairs and Commission on
2238 Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C.
2239 Law 16-243; D.C. Official Code § 24-1301(5)).”.

2240 Sec. 3043. Section 3(a) of the Office on Ex-Offender Affairs and Commission on Re-
2241 Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law
2242 16-243; D.C. Official Code § 24-1302(a)), is amended by striking the phrase “established the
2243 Office on Returning Citizen Affairs” and inserting the phrase “established, as a subordinate
2244 Executive agency within the Public Safety and Justice cluster, the Office on Returning Citizen
2245 Affairs” in its place.

2246 **SUBTITLE F. CONCEALED PISTOL LICENSING REVIEW BOARD**

2247 Sec. 3051. Short title.

2248 This subtitle may be cited as the “Concealed Pistol Licensing Review Board Membership
2249 Emergency Amendment Act of 2020”.

2250 Sec. 3052. Section 908 of the Firearms Control Regulations Act of 1975, effective June 16,
2251 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08), is amended as follows:

2252 (a) Subsection (b)(1) is amended as follows:

2253 (1) The lead-in language is amended by striking the phrase “7 members” and
2254 inserting the phrase “11 members” in its place.

2255 (2) Subparagraph (D) is amended by striking the semicolon and inserting the
2256 phrase “; and” in its place.

2257 (3) Subparagraph (E) is amended as follows:

2258 (A) The lead-in language is amended by striking the phrase “Three public”
2259 and inserting the phrase “Seven public” in its place.

2260 (B) Sub-subparagraph (i) is amended by striking the phrase “; and” and
2261 inserting a semicolon in its place.

2262 (C) Sub-subparagraph (ii) is amended by striking the period and inserting
2263 a semicolon in its place.

2264 (D) New sub-subparagraphs (iii), (iv), and (v) are added to read as
2265 follows:

2266 “(iii) Two District residents with professional experience in the
2267 field of gun violence prevention;

2268 “(iv) One District resident with professional experience in the field
2269 of victim services or advocacy; and

2270 “(v) One District resident attorney in good standing with the
2271 District of Columbia Bar with professional experience in criminal law.”.

2272 (b) Subsection (c) is amended by striking the phrase “section. Each hearing panel shall
2273 contain at least one member designated by subsection (b)(1)(A), (B), or (D) of this section.” and
2274 inserting the phrase “section.” in its place.

2275 **SUBTITLE G. LITIGATION SUPPORT FUND AND GRANT-MAKING**

2276 **AUTHORITY**

2277 Sec. 3061. Short title.

2278 This subtitle may be cited as the “Litigation Support Fund and Grant-Making Authority
2279 Emergency Amendment Act of 2020”.

2280 Sec. 3062. The Attorney General for the District of Columbia Clarification and Elected
2281 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code §
2282 1-301.81 *et seq.*), is amended as follows:

2283 (a) Section 106b (D.C. Official Code § 1-301.86b) is amended as follows:

2284 (1) Subsection (c) is amended as follows:

2285 (A) Paragraph (1)(B) is amended by striking the phrase “Funding staff
2286 positions, up to a maximum amount of \$4 million” and inserting the phrase “Funding staff
2287 positions, personnel costs, and employee retirement and separation incentives, up to a maximum
2288 amount of \$6 million” in its place.

2289 (B) Paragraph (2) is amended to read as follows:

2290 “(2) Beginning in Fiscal Year 2020, up to \$7 million deposited into the Fund each
2291 fiscal year may be used for the purposes of crime reduction, violence interruption, and other
2292 public safety initiatives.”.

2293 (C) A new paragraph (3) is added to read as follows:

2294 “(3) In Fiscal Year 2021, the first \$500,000 deposited into the Fund shall be
2295 transferred to the Office of Victim Services and Justice Grants for victim services grants.”.

2296 (2) Subsection (d)(3) is amended as follows:

2297 (A) Subparagraph (A) is amended by striking the phrase “\$10 million”
2298 both times it appears and inserting the phrase “\$17 million” in its place.

2299 (B) Subparagraph (B) is amended by striking the phrase “\$11.6 million in
2300 the Fund until September 30, 2020” and inserting the phrase “\$19.1 million in the Fund until
2301 September 30, 2021” in its place.

2302 (3) A new subsection (f) is added to read as follows:

2303 “(f) Notwithstanding any other provision of this section, \$12,039,659.91 of the amount to
2304 be received by the District in Fiscal Year 2021 in settlement of *District of Columbia v. Monsanto*
2305 *Co.*, Superior Court Case No. 2020 CA 002445 B, shall be deposited in the Fund and allocated as
2306 follows:

2307 “(1) \$7,339,659.91 shall be paid in attorney’s fees and costs to May Firm/EKM
2308 Association on PCBs for legal services received pursuant to Contract No. DCCB-2019-C-0008;
2309 and

2310 “(2) \$4,700,000 shall be used for the authorized purposes of the Fund pursuant to
2311 subsection (c) of this section.”.

2312 (b) Section 108c (D.C. Official Code § 1-301.88f) is amended as follows:

2313 (1) The section heading is amended by striking the phrase “reduction and violence
2314 interruption” and inserting the phrase “reduction, violence interruption, and assistance to victims
2315 of crime and other vulnerable residents” in its place.

2316 (2) Subsection (a) is amended by striking the phrase “reduction and violence
2317 interruption” and inserting the phrase “reduction, violence interruption, and assistance to victims
2318 of crime and other categories of vulnerable residents served by the Office of the Attorney
2319 General, including seniors, children, individuals protected from discrimination under the Human
2320 Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-
2321 1401.01 *et seq.*), and individuals previously involved in the criminal justice system” in its place.

2322 Sec. 3063. Applicability.

2323 This subtitle shall apply as of July 31, 2020.

2324 **SUBTITLE H. CHIEF OF POLICE TERM OF OFFICE**

2325 Sec. 3071. Short title.

2326 This subtitle may be cited as the “Chief of Police Term of Office Emergency Amendment
2327 Act of 2020”.

2328 Sec. 3072. Section 1 of An Act Relating to the Metropolitan police of the District of
2329 Columbia, approved February 28, 1901 (31 Stat. 819; D.C. Official Code § 5-105.01), is
2330 amended by adding a new subsection (e) to read as follows:

2331 “(e)(1) Effective May 2, 2017, the term of office for Chief of Police shall be 4 years,
2332 except that the Mayor may earlier terminate a Chief of Police with or without cause during that
2333 Chief of Police’s term of office.

2334 “(2) In the event a Chief of Police leaves office prior to the expiration of a 4-year
2335 term, the successor Chief nominated by the Mayor and confirmed by the Council shall serve a

2336 new 4-year term of office, subject to removal during that term by the Mayor in accordance with
2337 paragraph (1) of this subsection.”.

2338 **SUBTITLE I. MONSANTO SETTLEMENT ALLOCATION**

2339 Sec. 3081. Short title.

2340 This subtitle may be cited as the “Monsanto Settlement Emergency Act of 2020”.

2341 Sec. 3082. Notwithstanding any other provision of law, the \$52 million to be received by
2342 the District in Fiscal Year 2021 in settlement of *District of Columbia v. Monsanto Co.*, Superior
2343 Court of the District of Columbia Case No. 2020 CA 002445 B, shall be recognized as revenue
2344 and allocated as follows:

2345 (1) \$7,339,659.91 shall be deposited in the Litigation Support Fund,
2346 established pursuant to section 106b of the Attorney General for the District of Columbia
2347 Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-
2348 160; D.C. Official Code § 1-301.86b) (“Litigation Support Fund”), to pay attorney’s fees and
2349 costs to May Firm/EKM Association on PCBs for legal services received pursuant to Contract
2350 No. DCCB-2019-C-0008;

2351 (2) \$4,700,000 shall be deposited into the Litigation Support Fund and
2352 used for the authorized purposes of that fund;

2353 (3) \$30,000,000 shall be deposited into the Clean Land Fund, established
2354 pursuant to section 308 of the Brownfield Revitalization Amendment Act of 2000, effective June
2355 13, 2001 (D.C. Law 13-312; D.C. Official Code § 8-633.08), to be used for the authorized
2356 purposes of that fund; and

2357 (4) \$9,960,340.09 shall be deposited as local funds into the General Fund
2358 and shall be made available as set forth in the approved Fiscal Year 2021 Budget and Financial
2359 Plan.

2360 Sec. 3083. Applicability.

2361 This subtitle shall apply as of July 28, 2020.

2362 **SUBTITLE J. ETHICS ENFORCEMENT**

2363 Sec. 3091. Short title.

2364 This subtitle may be cited as the “Ethics Enforcement Emergency Amendment Act of
2365 2020”.

2366 Sec. 3092. The Board of Ethics and Government Accountability Establishment and
2367 Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-
2368 124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

2369 (a) Section 215 (D.C. Official Code § 1-1162.15) is amended as follows:

2370 (1) Subsection (a) is amended as follows:

2371 (A) Paragraph (2) is amended by striking the phrase “the United States
2372 Attorney for the District of Columbia for enforcement or prosecution;” and inserting the phrase
2373 “the prosecutorial authority with jurisdiction for enforcement or prosecution; or” in its place.

2374 (B) Paragraph (3) is repealed.

2375 (2) Subsection (b) is amended to read as follows:

2376 “(b) The Board may refer information concerning an alleged violation of the Code of
2377 Conduct or of this title to the prosecutorial authority with jurisdiction for enforcement or
2378 prosecution after the presentation of evidence by the Director of Government Ethics to the Board
2379 as provided in section 212(b), 213(e), or 214(a).”.

2380 (b) Section 221 (D.C. Official Code § 1-1162.21) is amended as follows:

2381 (1) Subsection (b) is amended as follows:

2382 (A) Paragraph (1) is amended by striking the phrase “not more than
2383 \$25,000” and inserting the phrase “not more than \$5,000” in its place.

2384 (B) A new paragraph (1A) is added to read as follows:

2385 “(1A) The fine set forth in paragraph (1) of this subsection shall not be limited by
2386 section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11,
2387 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).”.

2388 (C) Paragraph (2) is amended to read as follows:

2389 “(2) Prosecutions of violations of this subsection shall be brought by the Attorney
2390 General of the District of Columbia.”.

2391 (D) A new paragraph (3) is added to read as follows:

2392 “(3) For the purposes of this subsection and section 222(a), violations of the
2393 following provisions of the Code of Conduct substantially threaten the public trust:

2394 “(A) Section 223; and

2395 “(B) Section 416 of the Procurement Practices Reform Act of 2010,
2396 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.16).”.

2397 (2) Subsection (d) is amended by striking the phrase “the Board, the Attorney
2398 General of the District of Columbia, or of the United States Attorney for the District of
2399 Columbia” and inserting the phrase “the Board or the Attorney General of the District of
2400 Columbia” in its place.

2401 **TITLE IV. PUBLIC EDUCATION SYSTEMS**

2402 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASE**

2403 Sec. 4001. Short title.

2404 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools
2405 Increase Emergency Amendment Act of 2020”.

2406 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public
2407 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §
2408 38-2901 *et seq.*), is amended as follows:

2409 (a) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase
2410 “\$10,980 per student for Fiscal Year 2020” and inserting the phrase “\$11,310 per student for
2411 Fiscal Year 2021” in its place.

2412 (b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array
2413 and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2021
“Pre-Kindergarten 3	1.34	\$15,155
“Pre-Kindergarten 4	1.30	\$14,703
“Kindergarten	1.30	\$14,703
“Grades 1-5	1.00	\$11,310
“Grades 6-8	1.08	\$12,215
“Grades 9-12	1.22	\$13,798
“Alternative program	1.445	\$16,343
“Special education school	1.17	\$13,233
“Adult	0.89	\$10,066

2414

2415 (c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

2416 “(c) The supplemental allocations shall be calculated by applying weightings to the

2417 foundation level as follows:

2418 “Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Level 1: Special Education	Eight hours or less per school week of specialized services	0.97	\$10,971
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$13,572
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$22,281
“Level 4: Special Education	More than 24 hours per school week of specialized services, which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$39,472
“Special Education Compliance Funding	Weighting provided in addition to special education level add-on weightings on a per-student basis for special education compliance.	0.099	\$1,120
“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	\$1,007
“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	\$18,888

2419

2420

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“ELL	Additional funding for English Language Learners	0.49	\$5,542
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level	0.2256	\$2,552

2421

2422

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“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	\$4,185
“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	\$15,155
“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	\$32,686
“Level 4: Special	Additional funding to support the after-hours level 4 special education needs of limited- and non-English-proficient	2.89	\$32,686

Education - Residential	students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting		
“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	\$7,555

2423
2424 “Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated
2425 in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“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	\$713
“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	\$2,567
“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	\$5,553
“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	\$5,553

2426
2427 (d) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase “Fiscal
2428 Year 2022” and inserting the phrase “Fiscal Year 2024” in its place.

2429 **SUBTITLE B. EDUCATION FACILITY COLOCATION**

2430 Sec. 4011. Short title.

2431 This subtitle may be cited as the “Education Facility Colocation Emergency Amendment
2432 Act of 2020”.

2433 Sec. 4012. Section 3422 of the Public School and Public Charter School Facilities
2434 Sharing Act of 2002, effective October 1, 2002 (D.C. Law 14-190; D.C. Official Code § 38-
2435 1831.01), is amended as follows:

2436 (a) Subsection (a) is amended to read as follows:

2437 “(a) The District of Columbia Public Schools (“DCPS”) system may allow existing
2438 public charter schools that are chartered pursuant to the District of Columbia School Reform Act
2439 of 1995, approved April 26, 1996 (110 Stat. 1321-115; D.C. Official Code 38-1802.01 *et seq.*),
2440 to utilize space in DCPS facilities, for a period not greater than 15 years, where such facilities are
2441 currently or are projected to be underutilized.”.

2442 (b) Subsection (b) is amended as follows:

2443 (1) Paragraphs (1) and (2) are amended to read as follows:

2444 “(1) As payment for the space allocation, the public charter school shall pay to
2445 DCPS an amount agreeable to the charter school and DCPS.

2446 “(2) The amount of payment shall be agreed upon before relocation of any public
2447 charter school into a DCPS facility.”.

2448 (2) Paragraph (3) is repealed.

2449 (c) Subsection (c) is amended by striking the phrase “Board of Education shall” and
2450 inserting the phrase “Mayor may” in its place.

2451 (d) A new subsection (d) is added to read as follows:

2452 “(d)(1) There is established as a special fund the DCPS School Facility Colocation Fund
2453 (“Fund”), which shall be administered by DCPS in accordance with paragraph (3) of this
2454 subsection.

2455 “(2) All payments received from public charter schools under this section shall be
2456 deposited in the Fund.

2457 “(3) Money in the Fund shall be used for the following purposes:

2458 “(A) To fund additional school programming, supplemental staff, special
2459 initiatives, and other activities and programs at DCPS schools in which charter schools are
2460 collocated; and

2461 “(B) For maintenance of, or improvements to, DCPS schools in which
2462 charter schools are collocated.

2463 “(4)(A) The money deposited into the Fund but not expended in a fiscal year shall
2464 not revert to the unassigned fund balance of the General Fund of the District of Columbia at the
2465 end of a fiscal year, or at any other time.

2466 “(B) Subject to authorization in an approved budget and financial plan,
2467 any funds appropriated in the Fund shall be continually available without regard to fiscal year
2468 limitation.”.

2469 (e) A new subsection (e) is added to read as follows:

2470 “(e) Any funds received by a DCPS school pursuant to this section shall be supplemental
2471 to any funds budgeted for the school from the Uniform Per Student Funding Formula or other
2472 fund source. A school’s school-based budget shall not be reduced based on funds received
2473 pursuant to this section.”.

2474 **SUBTITLE C. CHILD CARE GRANTS**

2475 Sec. 4021. Short title.

2476 This subtitle may be cited as the “Grantmaking Authority to Expand Access to Quality
2477 Child Care Emergency Amendment Act of 2020”.

2478 Sec. 4022. Child care grantmaking authority.

2479 Section 3(b) of the State Education Office Establishment Act of 2000, effective October
2480 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

2481 (a) Paragraph (30) is amended by striking the phrase “; and” and inserting a semicolon in
2482 its place.

2483 (b) Paragraph (31)(C) is amended by striking the period and inserting the phrase “; and”
2484 in its place.

2485 (c) A new paragraph (32) is added to read as follows:

2486 “(32) Have the authority to issue grants, from funds under its administration, to
2487 non-profit and community-based organizations to increase access to, the affordability of, and the
2488 quality of child care in the District.”.

2489 **SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA**

2490 **FUNDRAISING MATCH**

2491 Sec. 4031. Short title.

2492 This subtitle may be cited as the “University of the District of Columbia Fundraising
2493 Match Emergency Act of 2020”.

2494 Sec. 4032. (a) In Fiscal Year 2021, of the funds allocated to the Non-Departmental
2495 agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the

2496 District of Columbia (“UDC”) to match dollar-for-dollar the amount UDC raises from private
2497 donations by April 1, 2021.

2498 (b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less
2499 than one-third of the funds shall be deposited into UDC’s endowment fund.

2500 **SUBTITLE E. ADULT AND RESIDENTIAL PUBLIC CHARTER SCHOOL**
2501 **STABLIZATION**

2502 Sec. 4041. Short title.

2503 This subtitle may be cited as the “Adult and Residential Public Charter School Funding
2504 Stabilization Emergency Amendment Act of 2020”.

2505 Sec. 4042. Section 107b of the Uniform Per Student Funding Formula for Public Schools
2506 and Public Charter Schools Act of 1995, effective April 13, 2005 (D.C. Law 15-348; D.C.
2507 Official Code § 38-2906.02), is amended by adding a new subsection (c-1) to read as follows:

2508 “(c-1)(1) Notwithstanding subsections (b), (c), (d), and (g) of this section, for School
2509 Year 2020-2021, the annual payment pursuant to the Funding Formula for each adult education
2510 program and each residential public charter school shall equal the total estimated costs for the
2511 number of District resident students projected to be enrolled in the adult education program or
2512 the residential public charter school, during School Year 2020-2021, including the costs of all
2513 add-on components provided in sections 106 and 106a, based on the program or school’s
2514 enrollment projections contained in the Mayor’s Fiscal Year 2021 proposed budget, as modified
2515 pursuant to section 107(e).

2516 “(2)(A) The first quarterly payment shall be 35% of a school’s annual payment.

2517 “(B) A school’s October 25, January 15, and April 15 payments

2518 shall each equal 1/3 of the school’s total remaining annual payment after the first quarterly
2519 payment is made.”.

2520 “(3) For the purposes of this subsection, the term:

2521 “(A) “Adult education program” means a public charter school or a
2522 program in a public charter school that, during School Year 2019-2020, was identified as an
2523 adult education performance management framework school by the District of Columbia Public
2524 Charter School Board. .

2525 “(B) “Residential public charter school” means a public charter school
2526 that, during School Year 2019-2020, provided a majority of its students with room and board in a
2527 residential setting, in addition to their instructional program.”.

2528 Sec. 4043. Applicability.

2529 This subtitle shall apply as of July 31, 2020.

2530 **SUBTITLE F. SCHOOL FINANCIAL TRANSPARENCY**

2531 Sec. 4051. Short title.

2532 This subtitle may be cited as the “School Financial Transparency Emergency
2533 Amendment Act of 2020”.

2534 Sec. 4052. Section 202 of the Department of Education Establishment Act of 2007,
2535 effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191), is amended as follows:

2536 (a) Subsection (b) is amended as follows:

2537 (1) Paragraph (8) is amended by striking the phrase “; and” and inserting a
2538 semicolon in its place.

2539 (2) Paragraph (9) is amended by striking the period and inserting the phrase “;
2540 and” in its place.

2541 (3) A new paragraph (10) is added to read as follows:

2542 “(10)(A) By May 31, 2021, establish common financial reporting standards for
2543 the non-capital budgets and expenditures of District of Columbia Public Schools and public
2544 charter schools. The common financial reporting standards shall:

2545 “(i) Include categories for reporting budgets and expenditures for
2546 instructional staff, school administrators, instructional supports, educational materials, and non-
2547 educational administrative costs;

2548 “(ii) Permit meaningful and accurate budget and expenditure
2549 comparisons, including comparisons of budgets and expenditures for at-risk students, as defined
2550 in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public
2551 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §
2552 38-2901(2A)), between all public schools and between all local education agencies;

2553 “(iii) Ensure full and accurate disclosure of administrative costs for
2554 each local education agency; and

2555 “(iv) Make it possible to collect comparable data by school
2556 campus.

2557 “(B) For the purposes of this paragraph, the term:

2558 “(i) “Local education agency” means the District of Columbia
2559 Public Schools system or any individual or group of public charter schools operating under a
2560 single charter.

2561 “(ii) “Public schools” includes public charter schools.”.

2562 (b) A new subsection (f) is added to read as follows:

2563 “(f)(1) To support the establishment of common financial reporting standards required
2564 pursuant to subsection (b)(10) of this section, the Deputy Mayor for Education may issue grants
2565 not to exceed \$200,000, in Fiscal Year 2021.

2566 “(2) Grants issued pursuant to this subsection shall be administered pursuant to
2567 the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013
2568 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*)”.

2569 Sec. 4053. Section 3(b) of the State Education Office Establishment Act of 2000,
2570 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by
2571 adding a new paragraph (3A) to read as follows:

2572 “(3A) Beginning in May 2024, and annually thereafter, electronically publish for
2573 each public school and public charter school the previous school year’s expenditures, based on
2574 the common financial reporting standards established by the Department of Education pursuant
2575 to section 202(b)(10) of the Department of Education Establishment Act of 2007, effective June
2576 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191), in a manner that permits the public to
2577 easily compare expenditures between individual schools and between local education agencies.”.

2578 Sec. 4054. The Board of Education Continuity and Transition Amendment Act of 2004,
2579 effective December 7, 2004 (D.C. Law 15-211; D.C. Official Code § 38-2831 *passim*), is
2580 amended as follows:

2581 (a) Section 6 (D.C. Official Code § 38-2831) is amended as follows:

2582 (1) Subsection (b) is amended as follows:

2583 (A) Paragraph (1) is amended to read as follows:

2584 “(1) All funds budgeted for each school, including a summary statement or table
2585 of the local-funds budget for each school, by revenue source for activities and service levels, and
2586 by revenue source for comptroller source group by activities and service levels;”

2587 (B) Paragraph (2) is amended by striking the phrase “; and” and inserting a
2588 semicolon in its place.

2589 (C) Paragraph (3)(B) is amended by striking the period and inserting a
2590 semicolon in its place.

2591 (D) New paragraphs (4) and (5) are added to read as follows:

2592 “(4) The methodology used to determine each school’s local funding; and

2593 “(5) For each school’s individual budget, a separate budget line item for funding
2594 allocated to at-risk students, as defined in section 102(2A) of the Uniform Per Student Funding
2595 Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999
2596 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)), as coded in the District’s current official
2597 financial system of record.”.

2598 (2) A new subsection (g) is added to read as follows:

2599 “(g) By December 1, 2023, and annually thereafter, the Mayor shall transmit a report of
2600 the previous school year’s actual expenditures, for each school, to the Office of the State
2601 Superintendent of Education. The report shall conform to the common financial reporting
2602 standards established by the Department of Education pursuant to section 202(b)(10) of the
2603 Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9;
2604 D.C. Official Code § 38-191(b)(10)).”.

2605 (c) A new section 6a is added to read as follows:

2606 “Sec. 6a. District of Columbia Public Schools school-level budget model.

2607 As part of the District of Columbia Public Schools’ (“DCPS”) regular multi-year strategic
2608 planning and goal setting, DCPS shall include, and make publicly available, an analysis of the
2609 model used to determine school-level budgets for DCPS schools. The analysis shall include the
2610 following:

- 2611 (1) A summary of DCPS costs, including personnel costs;
- 2612 (2) Research in education and education finance;
- 2613 (3) A discussion of budget alignment with DCPS priorities; and
- 2614 (4) Recommendations for changes, if applicable.”.

2615 Sec. 4055. Section 106a of the Uniform Per Student Funding Formula for Public Schools
2616 and Public Charter Schools Amendment Act of 1998, effective February 22, 2014 (D.C. Law 20-
2617 87; D.C. Official Code § 38-2905.01), is amended by adding a new subsection (d) to read as
2618 follows:

2619 “(d) Beginning December 31, 2023, and annually thereafter, every local education agency
2620 that is allocated funds pursuant to this section shall provide OSSE with data related to
2621 expenditures of such funds consistent with reporting standards established by the Department of
2622 Education pursuant to section 202(b)(10) of the Department of Education Establishment Act of
2623 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191(b)(10)).”.

2624 Sec. 4056. The District of Columbia School Reform Act of 1995, approved April 26,
2625 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.01 *et seq.*), is amended as follows:

2626 (a) Section 2204(c) (D.C. Official Code § 38-1802.04(c)), is amended by adding a new
2627 paragraph (23) to read as follows:

2628 “(23) *School expenditures and budgets.* — (A) Beginning July 29, 2022, and
2629 annually thereafter, the Board of Trustees of each public charter school shall prepare and submit

2630 to the Public Charter School Board and OSSE, for each campus under its control, the following
2631 data:

2632 “(i) Actual expenditures for the prior school year;

2633 “(ii) The current school year’s budget; and

2634 “(iii) A draft budget for the following school year.

2635 “(B) The data submitted pursuant to subparagraph (A) of this paragraph

2636 shall conform to the common financial reporting standards established by the Department of

2637 Education pursuant to section 202(b)(10) of the Department of Education Establishment Act of

2638 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191(b)(10)).

2639 “(C) The Public Charter School Board shall electronically publish the data

2640 it receives pursuant to subparagraph (A) of this paragraph in a uniform manner for each school

2641 by November 1 each year.”.

2642 (b) Section 2205 (D.C. Official Code § 38-1802.05) is amended by adding a new

2643 subsection (e) to read as follows:

2644 “(e) *Open meetings*. — All meetings of a Board of Trustees shall be subject to

2645 the requirements of the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C.

2646 Official Code § 2-571 *et seq.*)”.

2647 Sec. 4057. The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C.

2648 Official Code § 2-571 *et seq.*), is amended as follows:

2649 (a) Section 404(3) (D.C. Official Code § 2-574(3)) is amended as follows:

2650 (1) The lead-in language is amended by striking the phrase “agency, or” and

2651 inserting the phrase “agency, the board of trustees of a public charter school, or” in its place.

2652 (2) Subparagraph (C) is repealed.

2653 (b) Section 405(b) (D.C. Official Code § 2-575(b)) is amended as follows:

2654 (1) Paragraph (10) is amended by striking the semicolon and inserting the phrase
2655 “, or of public charter school personnel, where the public body is the board of trustees of a public
2656 charter school;” in its place.

2657 (2) Paragraph (13) is amended by striking the phrase “; and” and inserting a
2658 semicolon in its place.

2659 (3) Paragraph (14) is amended by striking the period and inserting a semicolon in
2660 its place.

2661 (4) New paragraphs (15) and (16) are added to read as follows:

2662 “(15) To discuss matters involving personally identifiable information of students;
2663 and

2664 “(16) When the public body is the board of trustees for a public charter school:

2665 “(A) To discuss information related to the operation of a public charter
2666 school; provided, that a meeting may not be closed to discuss matters related to the approval of
2667 the public charter school’s annual budget or matters related to whether to open or close a public
2668 charter school or campus or to expand the public charter school’s program; or

2669 “(B) To meet with the staff of an eligible chartering authority.”.

2670 (c) Section 406(3) (D.C. Official Code § 2-576(3)) is amended by striking the phrase
2671 “subsection, notice” and inserting the phrase “subsection, except for meetings of boards of
2672 trustees for public charter schools, notice” in its place.

2673 (d) Section 408(b)(1) (D.C. Official Code § 2-578(b)(1)) is amended by striking the
2674 period and inserting the phrase “, or in the case of a board of trustees for a public charter school,
2675 no later than 30 business days after the meeting.”.

2676 **SUBTITLE G. HEALTHY SCHOOLS FUND RESTORATION**

2677 Sec. 4061. Short title.

2678 This subtitle may be cited as the “Healthy Schools Fund Restoration Emergency
2679 Amendment Act of 2020”.

2680 Sec. 4062. Section 102(f) of the Healthy Schools Act of 2010, effective July 27, 2010
2681 (D.C. Law 18-209; D.C. Official Code § 38-821.02(f)), is amended by striking the
2682 phrase “Beginning on October 1, 2019, an amount of \$5,110,000” and inserting
2683 the phrase “Beginning on October 1, 2020, an amount of \$5,590,000” in its place.

2684 **SUBTITLE H. WILKINSON SCHOOL DISPOSITION PROCESS**

2685 Sec. 4071. Short title.

2686 This subtitle may be cited as the “Wilkinson School Disposition Process Emergency
2687 Amendment Act of 2020”.

2688 Sec. 4072. Section 2209(b)(1) of the District of Columbia School Reform Act of 1995,
2689 approved April 26, 1996 (110 Stat. 1321-244; D.C. Official Code § 38-1802.09(b)(1)), is
2690 amended by adding a new subparagraph (B-ii) to read as follows:

2691 “(B-ii) Notwithstanding subparagraph (A) of this paragraph, the Mayor
2692 may give the right of first offer to purchase, lease, or otherwise use the former Wilkinson
2693 Elementary School building to:

2694 “(I) A charter school facility incubator that leased the former
2695 Birney Elementary School Building as of October 1, 2020;

2696 “(II) A public charter school that occupied all, or a portion of, the
2697 former Birney Elementary School building as of October 1, 2020.”.

2698 Sec. 4073. Section 1 of An Act Authorizing the sale of certain real estate in the District of
2699 Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C.
2700 Official Code § 10-801), is amended as follows:

2701 (a) Subsection (a)(1) is amended by striking the number “20” and inserting the number
2702 “15” in its place.

2703 (b) A new subsection (b-6) is added to read as follows:

2704 “(b-6)(1) Notwithstanding subsections (a-1)(4) and (b-2) of this section, for the
2705 disposition of the former Wilkinson Elementary School in Ward 8 (“Wilkinson real property”),
2706 the Mayor shall hold at least one public hearing on the finding that the Wilkinson real property is
2707 no longer required for public purposes and to obtain community input on the proposed
2708 disposition of the Wilkinson real property before submitting the proposed surplus resolution and
2709 proposed disposition resolution to the Council pursuant to this section.

2710 “(2) The hearing required by paragraph (1) of this subsection shall be held at an
2711 accessible evening or weekend time and in an accessible location in the vicinity of the Wilkinson
2712 real property. The Mayor shall provide at least 30 days written notice of the hearing to the
2713 affected Advisory Neighborhood Commission and publish notice of the hearing in the District of
2714 Columbia Register at least 15 days before the hearing.”.

2715 **SUBTITLE I. ACADEMIC MIDDLE MENTORING INITIATIVE**

2716 Sec. 4081. Short title.

2717 This subtitle may be cited as the “Academic Middle Mentoring Initiative Emergency Act
2718 of 2020”.

2719 Sec. 4082. In Fiscal Year 2021, the Office of the State Superintendent of Education shall
2720 award, on a competitive basis, a grant of \$200,000 to support a mentoring program that mentors

2721 low-income high school students and low-income, first generation college students in the
2722 academic middle, who are enrolled in or who graduated from a District public or public charter
2723 school, to provide the students with the skills and experiences needed to successfully complete
2724 college and excel in the workforce.

2725 **SUBTITLE J. TRUANCY PREVENTION AND LITERACY PILOT FUNDING**
2726 **EXTENSION**

2727 Sec. 4091. Short title.

2728 This subtitle may be cited as the “Truancy Prevention and Literacy Pilot Funding
2729 Extension Emergency Amendment Act of 2020”.

2730 Sec. 4092. Section 403(g) of the Community Schools Incentive Act of 2012, effective
2731 June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-754.03(g)) is amended by adding a
2732 new paragraph (4) to read as follows:

2733 “(4) Any funds awarded pursuant to paragraph (1) of this subsection but not
2734 expended in Fiscal Year 2020 shall be available to the grant recipients until September 30,
2735 2021.”.

2736 **SUBTITLE K. DCPS AUTHORITY FOR SCHOOL SECURITY**

2737 Sec. 4101. This subtitle may be cited as the “DCPS Authority for School Security
2738 Emergency Amendment Act of 2020”.

2739 Sec. 4102. The School Safety and Security Contracting Procedures Act of 2004, effective
2740 April 13, 2005 (D.C. Law 15-350; D.C. Official Code § 5-132.01 *et seq.*), is amended as follows:

2741 (a) Section 101 (D.C. Official Code § 5-132.01) is amended as follows:

2742 (1) A new paragraph (1B) is added to read as follows:

2743 “(1B) “MOA” means the Memorandum of Agreement into which DCPS and
2744 MPD enter pursuant to section 104.”.

2745 (2) Paragraph (4) is repealed.

2746 (3) Paragraph (5) is amended to read as follows:

2747 “(5) “School security personnel” means individuals, including unarmed security
2748 guards, that DCPS hires or contracts to support safety in DCPS schools.”.

2749 (4) A new paragraph (5A) is added to read as follows:

2750 “(5A) “Security-related contract” means any contract to provide physical or
2751 personal security services, including school security personnel, at DCPS schools.”.

2752 (5) Paragraph (6) is repealed.

2753 (b) Section 102 (D.C. Official Code § 5-132.02) is amended as follows:

2754 (1) Subsection (a) is amended by striking the phrase “security for the District of
2755 Columbia Public Schools” and inserting the phrase “school resource officers to the DCPS
2756 schools and public charter schools” in its place.

2757 (2) Subsection (c) is amended to read as follows:

2758 “(c) The School Safety Division shall:

2759 “(1) Hire and train school resource officers;

2760 “(2) Deploy school resource officers to:

2761 “(A) DCPS schools, consistent with the terms of the MOA; and

2762 “(B) Public charter schools;

2763 “(3) Coordinate with DCPS and public charter schools regarding the use and
2764 sharing of resources and communications between MPD and school-specific safety teams; and

2765 “(4) Provide recommendations to the Mayor, Council, and the DCPS Chancellor
2766 regarding the impact of school closings, consolidations, grade reconfigurations, use of swing
2767 space during school reconstruction, and gang and crew violence on the safety and well-being of
2768 children.”.

2769 (c) Section 103 (D.C. Official Code § 5-132.03) is amended as follows:

2770 (1) The section heading is amended by striking the phrase “security personnel”
2771 and inserting the phrase “resource officers” in its place.

2772 (2) The lead-in language is amended by striking the phrase “security personnel
2773 providing security for DCPS” and inserting the phrase “resource officers” in its place.

2774 (3) Paragraph (7) is amended by striking the phrase “laws and regulations,
2775 including Board of Education regulations” and inserting the phrase “laws and regulations” in its
2776 place.

2777 (4) Paragraph (8) is amended by striking the phrase “security personnel” and
2778 inserting the phrase “resource officers” in its place.

2779 (d) New sections 103a and 103b are added to read as follows:

2780 “Sec. 103a. DCPS responsibilities for school security.

2781 “(a) DCPS shall be responsible for school security personnel within DCPS schools, and
2782 shall:

2783 “(1) Oversee the hiring or contracting of school security personnel for DCPS;

2784 “(2) Deploy school security personnel to DCPS schools;

2785 “(3) Provide oversight over school security personnel and be responsible for
2786 administering all disciplinary actions related to school security personnel, including termination;

2787 “(4) Execute, approve, administer, monitor, and provide oversight over any
2788 security-related contract for school security personnel; and

2789 “(5) Create and implement school building security and emergency operations
2790 plans, in consultation with MPD and the Homeland Security and Emergency Management
2791 Agency.

2792 “Sec. 103b. Training for school security personnel.

2793 “(a) For the school year beginning in 2020, DCPS may use the training curriculum
2794 adopted by MPD pursuant to section 103 to train its school security personnel.

2795 “(b) By the start of the school year beginning in 2021, DCPS shall adopt a school security
2796 personnel training curriculum based on the positive youth development philosophy. The
2797 curriculum shall focus on training supervisory and on-site personnel to provide security services
2798 responsive and appropriate to the student, staff, and family populations at each school building.
2799 At a minimum, the curriculum shall include training in the following areas, developed with
2800 advice from appropriate other District agencies:

2801 “(1) Child and adolescent development;

2802 “(2) Effective communication skills;

2803 “(3) Behavior management;

2804 “(4) Conflict resolution, including restorative justice practices;

2805 “(5) De-escalation techniques;

2806 “(6) Behavioral health issues for youth and families;

2807 “(7) Child sexual abuse and gender-based violence prevention, identification, and
2808 response;

2809 “(8) Availability of social services for youth;

2810 “(9) District of Columbia laws and regulations;

2811 “(10) Constitutional standards for searches and seizures conducted by school

2812 security personnel on school grounds; and

2813 “(11) Violence prevention, including gang and crew dynamics.”.

2814 (e) Section 104 (D.C. Official Code § 5-132.04) is amended to read as follows:

2815 “Sec. 104. Coordination of school security efforts between DCPS and MPD.

2816 “Within 20 days after the effective date of the Fiscal Year 2020 Revised Local Budget

2817 Emergency Amendment Act of 2020, passed on emergency basis on July 23, 2020 (Enrolled

2818 version of Bill 23-763), DCPS and MPD shall enter into an MOA for the purpose of coordinating

2819 the agencies’ respective security obligations at DCPS schools. The MOA shall:

2820 “(1) Reflect DCPS’s role as the administrator of any security-related contract;

2821 “(2) Include provisions for effectuating the transfer of any personnel, property,

2822 funds, or records necessary to transfer responsibility for any existing security-related contract

2823 from MPD to DCPS;

2824 “(3) Delineate lines of authority, supervision, and communication between MPD

2825 and DCPS, including how school resource officers deployed at each school will provide security

2826 in coordination with the school’s principal and school security personnel; provided, that during

2827 emergencies, incident command shall be consistent with the District of Columbia response plan,

2828 as defined by section 2(1A) of the District of Columbia Public Emergency Act of 1980, effective

2829 March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301(1A));

2830 “(4) Include a process for resolving disagreements between DCPS and MPD at all

2831 levels; and

2832 “(5) Provide for MPD advice and consultation on DCPS school building security
2833 and emergency operations plans.”.

2834 (f) Section 105 (D.C. Official Code § 5-132.05) is amended to read as follows:

2835 “Sec. 105. Authority to issue RFPs for school security-related contracts.

2836 “(a)(1) Beginning on the effective date of the Fiscal Year 2020 Revised Local Budget
2837 Emergency Amendment Act of 2020, passed on emergency basis on July 23, 2020 (Enrolled
2838 version of Bill 23-763), DCPS shall be responsible for administering and funding any security-
2839 related contract effective during the 2020-2021 school year.

2840 “(2) MPD shall transfer to DCPS all personnel, property, funds, or records
2841 necessary for DCPS to administer and fund any security-related contract effective during the
2842 2020-2021 school year.

2843 “(b) Responsibility for the issuance of a Request for Proposals (“RFP”) for any security-
2844 related contract for DCPS for a contract term to begin June 30, 2021, or later shall transfer from
2845 the MPD to DCPS as of the effective date of the Fiscal Year 2020 Revised Local Budget
2846 Emergency Act of 2020, passed on emergency basis on July 21, 2020 (Enrolled version of Bill
2847 23-763). DCPS shall be responsible for awarding, executing, administering, and funding a
2848 contract resulting from an RFP issued under this subsection.”.

2849 **TITLE V. HUMAN SUPPORT SERVICES**

2850 **SUBTITLE A. MEDICAID HOSPITAL SUPPLEMENTAL AND DIRECTED**
2851 **PAYMENTS**

2852 Sec. 5001. Short title.

2853 This subtitle may be cited as the “Medicaid Hospital Supplemental and Directed
2854 Payments Emergency Amendment Act of 2020”.

2855 Sec. 5002. The Medicaid Hospital Outpatient Supplemental Payment Act of 2017,
2856 effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.01 *et seq.*), is
2857 amended as follows:

2858 (a) Section 5062(5) (D.C. Official Code § 44-664.01(5)) is amended by striking the
2859 phrase “September 30 of the period 3 fiscal years prior to the fiscal year the fee is assessed” and
2860 inserting the phrase “September 30, 2018” in its place.

2861 (b) Section 5063(c)(1) (D.C. Official Code § 44-664.02(c)(1)) is amended by striking the
2862 semicolon and inserting the phrase “, either directly or through payments to managed care
2863 organizations;” in its place.

2864 (c) Section 5064(a)(1) and (2) (D.C. Official Code § 44-664.03(a)(1) and (2)) is amended
2865 to read as follows:

2866 “(1) An amount equal to the non-federal share of the total available spending
2867 room under the outpatient Medicaid upper payment limit for private hospitals applicable to
2868 District Fiscal Year 2020, consistent with requirements and approvals from the United States
2869 Department of Health and Human Services, Centers for Medicare and Medicaid Services; plus

2870 “(2) An amount equal to the non-federal share of the total available spending
2871 room under the outpatient Medicaid upper payment limit for District operated hospitals
2872 applicable to District Fiscal Year 2020, consistent with the federal approval of the authorizing
2873 Medicaid State Plan amendment or associated templates and other authorities; plus”.

2874 (d) Section 5065(a) (D.C. Official Code § 44-664.04(a)) is amended by striking the
2875 phrase “the Centers for Medicare and Medicaid Services approves the Medicaid State Plan
2876 amendment” and inserting the phrase “the District obtains approvals required by the Centers for
2877 Medicare and Medicaid Services for” in its place.

2878 (e) Section 5066 (D.C. Official Code § 44-664.05) is amended to read as follows:

2879 “Sec. 5066. Medicaid outpatient hospital access payments; payments to MCOs.

2880 “(a) For visits and services beginning October 1, 2020, the District shall pay managed
2881 care organizations (“MCOs”) at a rate sufficient to support payments to hospitals located in the
2882 District for outpatient services at a rate that is not less than 130% of the District Fiscal Year 2020
2883 fee-for-service base rate and shall direct MCOs to pay such rate to their participating hospitals
2884 located in the District for such services.

2885 “(b) No payment shall be made under this section until such time that the Centers for
2886 Medicare and Medicaid Services approves the Medicaid State Plan amendment, associated
2887 template, and other authorities authorizing the Medicaid payments described in this section.

2888 “(c) The Medicaid payment methodologies authorized under this section shall not be
2889 altered unless such alteration is necessary to gain approval from the Centers for Medicare and
2890 Medicaid Services.”.

2891 Sec. 5003. Section 5013(a) of the Medicaid Hospital Inpatient Rate Supplement Act of
2892 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.13(a)), is
2893 amended to read as follows:

2894 “(a)(1) Beginning October 1, 2020, and except as provided in subsection (b) of this
2895 section and section 5087, the District, through the Office of Tax and Revenue, may charge each
2896 hospital a fee based on its inpatient net patient revenue.

2897 “(2) The fee shall be charged at a uniform rate necessary to generate no more than
2898 \$8,454,038 to support inpatient Medicaid Fee-for-Service and managed care rates at the District
2899 Fiscal Year 2015 level of not less than 98% of cost to non-specialty hospitals.

2900 “(3) The fee collected pursuant to this section shall be deposited in the Hospital
2901 Fund, established by section 5083.”.

2902 **SUBTITLE B. MEDICAL MARIJUANA PROGRAM ADMINISTRATION**

2903 Sec. 5011. Short title.

2904 This subtitle may be cited as the “Medical Marijuana Program Administration
2905 Emergency Amendment Act of 2020”.

2906 Sec. 5012. The Legalization of Marijuana for Medical Treatment Initiative of 1998,
2907 effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is
2908 amended as follows:

2909 (a) Section 2 (D.C. Official Code § 7-1761.01), is amended as follows:

2910 (1) Paragraphs (1), (1A), and (1B) are redesignated as paragraphs (1B), (1C), and
2911 (1D), respectively.

2912 (2) New paragraphs (1) and (1A) are added to read as follows:

2913 “(1) “ABC Board” means the Alcoholic Beverage Control Board.”.

2914 “(1A) “ABRA” means the Alcoholic Beverage Regulation Administration.

2915 (3) Paragraph (3)(B) is amended by striking the phrase “with the Department” and
2916 inserting the phrase “with ABRA” in its place.

2917 (4) Paragraph (5) is amended by striking the phrase “with the Mayor” and
2918 inserting the phrase “with ABRA” in its place.

2919 (5) Paragraph (6) is repealed.

2920 (6) Paragraph (7) is amended by striking the phrase “with the Mayor” and
2921 inserting the phrase “with ABRA” in its place.

2922 (7) Paragraph (19) is amended by striking the phrase “if the Department” and

2923 inserting the phrase “if ABRA” in its place.

2924 (8) Paragraph (21) is amended by striking the phrase “by the Department” and

2925 inserting the phrase “by ABRA” in its place.

2926 (b) Section 3 (D.C. Official Code § 7-1671.02) is amended as follows:

2927 (1) Subsection (c)(1)(B) is amended by striking the phrase “with the Mayor” and

2928 inserting the phrase “with ABRA” in its place.

2929 (2) Subsection (d) is amended by striking the phrase “with the Mayor” and

2930 inserting the phrase “with ABRA” in its place.

2931 (c) Section 5(b)(2) (D.C. Official Code § 7-1671.04(b)(2)) is amended by striking the

2932 phrase “by the Mayor” and inserting the phrase “by ABRA” in its place.

2933 (d) Section 6 (D.C. Official Code § 7-1671.05) is amended as follows:

2934 (1) The lead-in language is amended by striking the phrase “The Program shall be
2935 administered by the Mayor and shall” and inserting the phrase “The Program shall” in its place.

2936 (2) Paragraph (1)(A) is amended by striking the phrase “with the Department” and
2937 inserting the phrase “with ABRA” in its place.

2938 (3) Paragraph (4)(A) is amended as follows:

2939 (A) Subparagraph (iv) is amended by striking the phrase “by the
2940 Department” and inserting the phrase “by the ABC Board” in its place.

2941 (B) Subparagraph (v) is amended by striking the phrase “by the Mayor”
2942 and inserting the phrase “by ABRA” in its place.

2943 (4) Paragraph (5A) is amended as follows:

2944 (A) The lead-in language is amended by striking the phrase “by the
2945 Department” and inserting the phrase “by the ABC Board” in its place.

2946 (B) Paragraph (D) is amended by striking the phrase “by the Department”
2947 and inserting the phrase “by the ABC Board” in its place.

2948 (5) Paragraph (5B)(D) is amended by striking the phrase “that the Department”
2949 and inserting the phrase “that ABRA” in its place.

2950 (6) Paragraph (7) is amended by striking the phrase “if the Mayor determines”
2951 and inserting the phrase “if the ABC Board determines” in its place.

2952 (7) Paragraph (10)(A) is amended by striking the phrase “apply to the Mayor” and
2953 inserting the phrase “apply to the ABC Board” in its place.

2954 (8) Paragraph (14) is amended by striking the phrase “notify the Department” and
2955 inserting the phrase “notify ABRA” in its place.

2956 (e) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

2957 (1) Subsection (d) is amended as follows:

2958 (A) Paragraph (1) is amended by striking the phrase “with the Mayor” and
2959 inserting the phrase “with ABRA” in its place.

2960 (B) Paragraph (3)(A) is amended by striking the phrase “determined by
2961 rulemaking” and inserting the phrase “determined by the Mayor by rules issued in accordance
2962 with section 14” in its place.

2963 (C) Paragraph (4) is amended by striking the phrase “the Mayor” and
2964 inserting the phrase “the ABC Board” in its place.

2965 (D) Paragraph (5) is amended to read as follows:

2966 “(5)(A) An application for registration of a dispensary, cultivation center, or
2967 testing laboratory submitted by a medical cannabis certified business enterprise, or applicant

2968 eligible to be a medical cannabis certified business enterprise, shall be awarded a preference
2969 point equal to 50 points or 20% of the available points, whichever is more.

2970 “(B) A medical cannabis certified enterprise shall:

2971 “(i) Have one or more owners who are economically
2972 disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or
2973 cultural bias because of their identity as a member of a group without regard to their individual
2974 qualities and who are District residents and individually or collectively own at least 60% of the
2975 licensed business enterprise;

2976 “(ii) Have one or more owners whose income does not exceed
2977 \$349,999, who are residents of the District, and whose net worth, excluding the value of their
2978 residence, does not exceed \$1 million, and individually or collectively own at least 60% of the
2979 licensed business enterprise;

2980 “(iii) Have a chief executive officer and its highest-level
2981 managerial employees perform their managerial functions in a principal office located in the
2982 District;

2983 “(iv) Have at least 50% of its employees be residents of the
2984 District;

2985 “(v) Have at least 50% of its contractors be residents of the
2986 District; and

2987 “(vi) Have at least 80% of the assets of the certified business
2988 enterprise, including bank accounts, be in the District.

2989 “(C) An applicant seeking to qualify as a medical cannabis certified
2990 business enterprise shall submit with the application for registration of a dispensary, cultivation
2991 center, or testing laboratory, an affidavit attesting to:

2992 “(i) The number of owners of the applicant who are economically
2993 disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or
2994 cultural bias because of their identity as a member of a group without regard to their individual
2995 qualities;

2996 “(ii) The ownership interest of any owners of the applicant who are
2997 economically disadvantaged individuals or individuals who have been subjected to racial or
2998 ethnic prejudice or cultural bias because of their identity as a member of a group without regard
2999 to their individual qualities;

3000 “(iii) The number of employees of the applicant who are
3001 economically disadvantaged individuals or individuals who have been subjected to racial or
3002 ethnic prejudice or cultural bias because of their identity as a member of a group without regard to
3003 their individual qualities; and

3004 “(iv) The number of contractors of the applicant who are
3005 economically disadvantaged individuals or individuals who have been subjected to racial or
3006 ethnic prejudice or cultural bias because of their identity as a member of a group without regard
3007 to their individual qualities.”.

3008 “(D) For the purpose of this paragraph, the term:

3009 “(i) “Economically disadvantaged individual” shall have the same
3010 meaning as set forth in section 2302(7) of the Small and Certified Business Enterprise

3011 Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C.
3012 Official Code § 2-218.02(7)).

3013 “(ii) “Medical cannabis certified business enterprise” means a
3014 certified business enterprise, as that term is defined in section 2302(1D) of the Small and
3015 Certified Business Enterprise Development and Assistance Act of 2005, effective October 20,
3016 2005; (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)), that operates a medical cannabis
3017 business as a dispensary, cultivation center, or testing laboratory.”.

3018 (2) Subsection (e)(3) is amended by striking the phrase “that the Mayor may
3019 allow” and inserting the phrase “that the ABC Board may allow” in its place.

3020 (3) Subsection (g-2) is amended by striking the phrase “the Mayor” and inserting
3021 the phrase “the ABC Board” in its place.

3022 (4) Subsection (g-3) is amended by striking the phrase “the Mayor” and inserting
3023 the phrase “the ABC Board” in its place.

3024 (5) Subsection (j) is amended by striking the phrase “the Mayor” and inserting the
3025 phrase “the ABC Board” in its place.

3026 (f) Section 8(a) (D.C. Official Code § 7-1671.07) is amended by striking the phrase “to
3027 the Department” and inserting the phrase “to ABRA” in its place.

3028 (g) Section 14 (D.C. Official Code § 7-1671.13) is amended by adding a new subsection
3029 (a-1) to read as follows:

3030 “(a-1) Pursuant to the transfer of functions of the Department of Health to ABRA by D.C.
3031 Official Code § 25-204.02, the Mayor shall issue rules in accordance with subsection (b) of this
3032 section, which rules shall allow registered dispensaries to provide medical marijuana to
3033 qualifying patients through delivery, curbside pickup, and at-the-door options.”.

3034 (h) A new section 9a is added to read as follows:

3035 “Sec. 9a. Medical Cannabis Administration Fund.

3036 “(a) There is established as a special fund the Medical Cannabis Administration Fund
3037 (“Fund”), which shall be administered by ABRA in accordance with subsection (c) of this
3038 section.

3039 “(b) All funds received from medical cannabis licensing, permitting, and registration fees
3040 shall be deposited into the Fund.

3041 “(c) Money deposited in the Fund shall be used by ABRA for the purpose of
3042 administering the medical marijuana program.

3043 “(d)(1) The money deposited into the Fund shall not revert to the unrestricted fund
3044 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any
3045 other time.

3046 “(2) Subject to authorization in an approved budget and financial plan, any funds
3047 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

3048 “(e) Funds received from penalties and fines imposed under section 9 shall be credited to
3049 the unassigned fund balance of the General Fund of the District of Columbia.”.

3050 Sec. 5013. Chapter 2 of Title 25 of the District of Columbia Official Code is amended as
3051 follows:

3052 (a) The table of contents is amended by adding a new section designation to read as
3053 follows:

3054 “25-204.02. Medical marijuana program; transfer of functions of the Department of
3055 Health.”.

3056 (b) A new section 25-204.02 is added to read as follows:

3057 “§ 25-204.02. Medical marijuana program; transfer of functions of the Department of
3058 Health.

3059 “(a) The Board and ABRA shall be responsible for carrying out the responsibilities
3060 assigned to them by the Legalization of Marijuana for Medical Treatment Initiative of 1998,
3061 effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*)
3062 (“Medical Marijuana Act”), and for any responsibilities of the Mayor under the Medical
3063 Marijuana Act that the Mayor delegates to the Board or ABRA.

3064 “(b)(1) Except as provided in paragraph (2) of this subsection, all personal property,
3065 assets, records, including both electronic and physical files, licensing agreements, and contracts,
3066 equipment, computer software, obligations, and unexpended balances of appropriations,
3067 allocations, assets, and liabilities, and other funds available or to be made available relating to
3068 the powers, duties, functions, operations, and administration by the Department of Health of the
3069 medical marijuana program pursuant to the Legalization of Marijuana for Medical Treatment
3070 Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-
3071 1671.01 *et seq.*), as of September 30, 2020, are transferred to ABRA.

3072 “(2) This subsection shall not apply to the personal property, assets, records,
3073 including both electronic and physical files, licensing agreements, and contracts, equipment,
3074 computer software, obligations, and unexpended balances of appropriations, allocations, assets,
3075 and liabilities, and other funds available or to be made available relating to the powers, duties,
3076 functions, operations, and administration by the Department of Health of the medical marijuana
3077 program that are within the purview of the Board of Medicine, Board of Nursing, or Board of
3078 Dentistry.

3079 “(c) All rules, orders, obligations, determinations, contracts, agreements, and
3080 understandings of the Department of Health pertaining to the medical marijuana program shall
3081 remain in effect until such time as they may be lawfully amended, modified, or repealed.

3082 “(d) ABRA shall coordinate with the Department of Health regarding the transition of the
3083 administration of the medical marijuana program to ABRA.

3084 “(e)(1) The directors of ABRA and the Department of Health shall jointly determine
3085 which personnel, if any, of the Department of Health associated with the administration of the
3086 medical marijuana program shall be transferred from the Department of Health to ABRA.

3087 “(2) Personnel who are transferred to ABRA pursuant to this subsection shall be
3088 subject to the ABRA Director’s personnel authority, pursuant to section 406(b)(21) of the
3089 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March
3090 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)(21)), including as it relates to
3091 employment classifications and pay scales.”.

3092 **SUBTITLE C. STEVIE SELLOWS DIRECT SUPPORT PROFESSIONALS**
3093 **QUALITY IMPROVEMENTS**

3094 Sec. 5021. Short title.

3095 This subtitle may be cited as the “Stevie Sellows Direct Support Professionals Quality
3096 Improvements Emergency Amendment Act of 2020”.

3097 Sec. 5022. Section 47-1273 of the District of Columbia Official Code is amended by
3098 striking the figure “5.5%” and inserting the figure “6.0%” in its place.

3099 **SUBTITLE D. MEDICAID RESERVE RE-ESTABLISHMENT**

3100 Sec. 5031. Short title.

3101 This subtitle may be cited as the “Medicaid Reserve Re-Establishment Emergency
3102 Amendment Act of 2020”.

3103 Sec. 5032. The Department of Health Care Finance Establishment Act of 2007, effective
3104 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended as
3105 follows:

3106 (a) Section 8a (D.C. Official Code § 7-771.07a), is amended by adding a new subsection
3107 (a-3) to read as follows:

3108 “(a-3) For Fiscal Year 2021, the Director may issue grants pursuant to section
3109 8b(b)(4)(B)(ii) and (iii).”.

3110 (b) A new section 8b is added to read as follows:

3111 “Sec. 8b. Medicaid reserve.

3112 “(a) Beginning October 1, 2020, a Medicaid reserve shall be re-established as paper
3113 agency of the Department.

3114 “(b) Notwithstanding D.C. Official Code §§ 47-361, 47-362, 47-363, and 47-365, funds
3115 may be transferred from the Medicaid reserve to the Department:

3116 “(1) To pay expenses associated with increased Medicaid enrollment or service
3117 utilization upon a determination by the Agency Fiscal Officer that available funds within the
3118 Department are projected to be exhausted;

3119 “(2) To pay expenses associated increased costs of Medicaid services upon a
3120 determination by the Agency Fiscal Officer that available funds within the Department are
3121 projected to be exhausted;

3122 “(3) To satisfy the District’s requirement that sufficient funds be available to
3123 support a Department contract or a grant; and

3124 “(4) Provided that sufficient funds are still available within the Medicaid reserve
3125 to ensure a deficiency will not occur at the Department, to support the following health
3126 innovations within the Department:

3127 “(A) To create a Medicaid Buy-In Program;

3128 “(B) To fund telehealth programs including:

3129 “(i) Maintaining audio-only telehealth programs after a public
3130 health emergency;

3131 “(ii) Funding the Postpartum Coverage Expansion Act of 2020,
3132 passed on 2nd reading on July 21, 2020 (Enrolled version of Bill 23-326); and

3133 “(iii) Issuing contracts or grants for the purposes of expanding
3134 District health care providers’ digital or telehealth capacity, including, for example, such
3135 innovations as the creation or expansion of patient care coordination platforms to enable
3136 nonprofit entities and practitioners to communicate with Medicaid beneficiaries’ clinical and
3137 recovery support care teams in real time to improve continuity of care and ensure proper follow-
3138 up, including the purchase of telecommunications services, information services, devices,
3139 software, remote patient monitoring tools, and digital health tools; and

3140 “(C) To fund reforms to the DC Healthcare Alliance Program, including:

3141 “(i) Allowing eligible District residents to submit Alliance
3142 applications electronically, without a face-to-face interview with the Department of Human
3143 Services, during a public health emergency;

3144 “(ii) Allowing Alliance clients to submit recertification
3145 applications to health care providers approved by the Department, without a face-to-face
3146 interview with the Department of Human Services, after a public health emergency; and

3147 “(iii) Extending the Alliance eligibility period from 6 months to
3148 one year.

3149 “(c) The Office of the Chief Financial Officer shall notify the Budget Director of the
3150 Council of the District of Columbia in writing within 3 business days whenever a transfer is
3151 made from the Medicaid reserve pursuant to this section. The notice shall set forth the amount
3152 and purpose of the transfer.

3153 “(d) Funds may be reprogrammed from the Medicaid reserve for purposes other than
3154 those detailed in subsection (b) of this section, subject to subchapter IV of Chapter 3 of Title 47
3155 of the D.C. Official Code; provided, that the Office of the Chief Financial Officer determines
3156 that sufficient funds are still available within the Medicaid reserve to ensure a deficiency will not
3157 occur at the Department.”.

3158 **SUBTITLE E. TELEHEALTH REIMBURSEMENT**

3159 Sec. 5041. Short title.

3160 This subtitle may be cited as the “Telehealth Reimbursement Emergency Amendment
3161 Act of 2020”.

3162 Sec. 5042. Section 2(4) of the Telehealth Reimbursement Act of 2013, effective October
3163 17, 2013 (D.C. Law 20-26; D.C. Official Code § 31-3861(4)), is amended by striking the phrase
3164 “through audio only telephones, electronic mail messages, or facsimile” and inserting the phrase
3165 “through email messages or facsimile” in its place.

3166 **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

3167 **SUBTITLE A. OPPORTUNITY ACCOUNTS**

3168 Sec. 6001. Short title.

3169 This subtitle may be cited as the “Opportunity Accounts Expansion Emergency
3170 Amendment Act of 2020”.

3171 Sec. 6002. The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-
3172 266; D.C. Official Code § 1-307.61 *et seq.*), is amended as follows:

3173 (a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph
3174 (2A) to read as follows:

3175 “(2A) “Commissioner” means the Commissioner of the Department of Insurance,
3176 Securities, and Banking.”.

3177 (b) Section 8(b) (D.C. Official Code § 1-307.67(b)) is amended as follows:

3178 (1) Paragraph (2) is amended by striking the phrase “per account.” and inserting
3179 the phrase “per account, except as provided in paragraph (3) of this subsection.” in its place.

3180 (2) A new paragraph (3) is added to read as follows:

3181 “(3) The Commissioner may waive the requirement in subsection (a) of this
3182 section and may provide matching funds of up to \$4 for every dollar the account holder deposits
3183 into the opportunity account when adequate federal or private matching funds are not available.
3184 For each additional dollar of matching funds that the District provides to an opportunity account
3185 pursuant to such a waiver, the aggregate matching funds limit set forth in paragraph (2) of this
3186 subsection for that account shall be increased by \$1.”.

3187 (c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

3188 (1) Paragraph (6) is repealed.

3189 (2) Paragraph (8) is amended by striking the period at the end and inserting the
3190 phrase “; and” in its place.

3191 (3) A new paragraph (9) is added to read as follows:

3192 “(9) To pay for any cost, expense, or item authorized by a rule issued pursuant to
3193 section 14.”.

3194 (d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

3195 (1) Subsection (b) is amended as follows:

3196 (i) Paragraph (2) is amended by striking the phrase “; or” and inserting a
3197 semicolon in its place.

3198 (ii) Paragraph (3) is amended by striking the period and inserting the
3199 phrase “; and” in its place.

3200 (iii) A new paragraph (4) is added to read as follows:

3201 “(4) Making health insurance premium payments in the event of a sudden,
3202 unexpected loss of income.”.

3203 (2) Subsection (c) is repealed.

3204 (3) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

3205 “(c-1) If an account holder makes an emergency withdrawal for the purposes of
3206 subsection (b)(2) or (3) of this section, the account holder shall only withdraw funds deposited
3207 by the account holder and shall not withdraw matching funds.

3208 “(c-2) If an account holder makes an emergency withdrawal for the purposes of
3209 subsection (b)(1) of this section, the account holder shall only withdraw funds deposited by the
3210 account holder and shall not withdraw matching funds, unless the withdrawal is for a medical
3211 emergency.

3212 “(c-3) If an account holder makes an emergency withdrawal for the purposes of
3213 subsection (b)(4) of this section, the account holder may withdraw funds deposited by the
3214 account holder and matching funds.”.

3215 (4) The lead-in language of subsection (e) is amended to read as follows:

3216 “An account holder shall not be required to repay funds withdrawn from the opportunity
3217 account for an emergency withdrawal but must resume making deposits into the opportunity
3218 account within 90 days after the emergency withdrawal. If the account holder fails to make a
3219 deposit within 90 days after the emergency withdrawal.”.

3220 **SUBTITLE B. GREEN BUILDING FUND USE EXPANSION**

3221 Sec. 6011. Short title.

3222 This subtitle may be cited as the “Green Building Fund Emergency Amendment Act of
3223 2020”.

3224 Sec. 6012. Section 8(c)(2) of the Green Building Act of 2006, effective March 8, 2007
3225 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)), is amended as follows:

3226 (a) Subparagraph (D) is amended by striking the phrase “; and” and inserting a semicolon
3227 in its place.

3228 (b) Subparagraph (E) is amended by striking the period and inserting the phrase “; and”
3229 in its place.

3230 (c) A new subparagraph (F) is added to read as follows:

3231 “(F) Costs incurred to make green building materials accessible to low-
3232 income residents.”.

3233 **SUBTITLE C. GAME OF SKILL MACHINES**

3234 Sec. 6021. Short title.

3235 This subtitle may be cited as the “Game of Skill Machines Consumer Protection
3236 Emergency Act of 2020”.

3237 Sec. 6022. The Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles
3238 for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172;
3239 D.C. Official Code §§ 22-1716 to 22-1718 and 36-601.01 *et seq.*), is amended as follows:

3240 (a) Section 3 (D.C. Official Code § 22-1716) is amended by striking the phrase “Monte
3241 Carlo night parties,” and inserting the phrase “Monte Carlo night parties, game of skill
3242 machines,” in its place.

3243 (b) Section 3 (D.C. Official Code § 22-1717) is amended by striking the period and
3244 inserting the phrase “, or game of skill machines licensed and regulated by the Office of Lottery
3245 and Gaming.” in its place.

3246 (c) Section 3(a) (D.C. Official Code § 22-1718(a)) is amended by striking the period and
3247 inserting the phrase “, or the manufacture, distribution, servicing, retailing, sale, lease, purchase,
3248 or possession of machines, tickets, slips, certificates, or cards for game of skill machines
3249 excepted and permissible pursuant to this act.” in its place.

3250 (d) Section 4 (D.C. Official Code § 36-601.12) is amended as follows:

3251 (1) The section heading is amended to read as follows:

3252 “Sec. 4. Lottery, Gambling, and Gaming Fund.”.

3253 (2) Subsection (a) is amended to read as follows:

3254 “(a) There is established as an enterprise fund the Lottery, Gambling, and Gaming Fund
3255 (“Fund”), which shall be administered by the Chief Financial Officer. Revenue from the
3256 following sources shall be deposited into the Fund or a division of the Fund as established by the
3257 Chief Financial Officer:

3258 “(1) All funds generated by gambling activities operated or licensed by the Chief
3259 Financial Officer; and

3260 “(2) All fees collected pursuant to sections 406 through 409.”.

3261 (3) Subsection (c) is amended by striking the word “gambling” and inserting the
3262 phrase “gambling and gaming” in its place.

3263 (e) A new Title IV is added to read as follows:

3264 “TITLE IV. GAME OF SKILL MACHINES.

3265 “Sec. 401. Definitions

3266 “For purposes of this title, the term:

3267 “(1) “ABC Board” means the Alcoholic Beverage Control Board.

3268 “(2) “ABRA” means the Alcoholic Beverage Regulation Administration.

3269 “(3) “CFO” means the Chief Financial Officer of the District of Columbia.

3270 “(4) “Centralized accounting system” and “CAS” mean the accounting system
3271 linked by a communications network as described in sections 410 and 414.

3272 “(5) “Distributor” means a person licensed under this title to buy, sell, lease,
3273 maintain, or service game of skill machines, or any major components or parts of a game of skill
3274 machine, for distribution to retailers.

3275 “(6) “Game of skill machine” means a mechanical or electronic gaming device
3276 that rewards the winning player or players with cash, a gift card, or a voucher that can be
3277 redeemed for cash. The term “game of skill machine” does not include a mechanical or
3278 electronic gaming device if:

3279 “(A) The ability of a player to succeed at the game is impacted by the
3280 number or ratio of prior wins to prior losses of players playing the game;

3281 “(B) The outcome of the game can be controlled by a source other than a
3282 player playing the game;

3283 “(C) The success of a player is or may be determined by a chance event
3284 that cannot be altered by the player’s actions;

3285 “(D) The ability of a player to succeed at the game is impacted by game
3286 features not visible or known to a reasonable player; or

3287 “(E) The ability of a player to succeed at the game is impacted by the
3288 exercise of skill that no reasonable player could exercise.

3289 “(7) “Gross game of skill machine revenue” means the total of cash or cash
3290 equivalents received from a game of skill machine minus the total of:

3291 “(A) Cash or cash equivalents paid to players as a result of a game of skill
3292 machine;

3293 “(B) Cash or cash equivalents paid to purchase annuities to fund prizes
3294 payable to players over a period of time as a result of a game of skill machine; and

3295 “(C) The actual cost paid by the license holder for personal property
3296 distributed to a player as a result of a game of skill machine, excluding travel expenses, food,
3297 refreshments, lodging, and services.

3298 “(8) “Licensed establishment” means an on-premises retail establishment licensed
3299 by the ABC Board to sell, serve, and allow for the consumption of alcoholic beverages.

3300 “(9) “Licensed premises” means the physical location of a licensed establishment
3301 that is authorized by the Office to offer game of skill machines.

3302 “(10) “Licensee” means a person who possesses a game of skill manufacturer,
3303 distributor, supplier, or retailer license issued by the Office.

3304 “(11) “Manufacturer” means a person that is licensed under this title and that
3305 manufactures or assembles game of skill machines for sale or lease to distributors.

3306 “(12) “Office” means the Office of Lottery and Gaming.

3307 “(13) “Retailer” means a person that is licensed under this title to offer game of
3308 skill machines on its licensed premises.

3309 “(14) “Supplier” means a person that is licensed under this title to supply major
3310 components or parts of game of skill machines to licensed manufacturers or distributors.

3311 “Sec. 402. Authorization of game of skill machines.

3312 “The operation of game of skill machines shall be lawful in the District if conducted in
3313 accordance with this title and the rules issued pursuant to this title.

3314 “Sec. 403. Game of skill machine license requirements; prohibition.

3315 “(a) Except as provided in subsection (f) of this section, no person may offer or allow a
3316 game of skill machine in the District unless all the licenses required by this title, or by a rule
3317 issued pursuant to this title, have been duly obtained.

3318 “(b)(1) The Office shall issue the following categories of game of skill machine licenses:

3319 “(A) Manufacturer;

3320 “(B) Distributor;

3321 “(C) Supplier; and

3322 “(D) Retailer.

3323 “(2) The Office shall not grant a license listed in paragraph (1) of this subsection
3324 until it has determined that each person that possesses 10% or greater beneficial or proprietary
3325 interest in the applicant has been approved for licensure in accordance with this title and rules
3326 issued pursuant to this title.

3327 “(c)(1) An applicant for an initial manufacturer, distributor, or supplier license shall be
3328 subject to District and national criminal history background checks.

3329 “(2) The applicant shall submit an application to the Office, in a form determined
3330 by the Office, for fingerprints for a national criminal records check by the Metropolitan Police
3331 Department and the Federal Bureau of Investigation of all individuals required to be named in
3332 the application and a signed authorization of each individual submitting fingerprints for the
3333 release of information by the Metropolitan Police Department and the Federal Bureau of
3334 Investigation.

3335 “(3) In the case of an application for license renewal, the Office may require
3336 additional background checks.

3337 “(d) The Office shall require proof of good standing pursuant to D.C. Official Code § 29-
3338 102.08 of an applicant for a license pursuant to this title and may, in addition, require
3339 certification that the Citywide Clean Hands Database indicates that the proposed licensee is
3340 current with its District taxes.

3341 “(e) Proprietary information, trade secrets, financial information, and personal
3342 information about a person in an application submitted to the Office pursuant to this title shall
3343 not be a public record and shall not be made available under the Freedom of Information Act of
3344 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), or any
3345 other law.

3346 “(f)(1) A retailer shall display its license as required by section 411(d) and shall make the
3347 license immediately available for inspection upon request by an employee of the Office, the
3348 Metropolitan Police Department, or ABRA.

3349 “(2) When present at a licensed establishment, an employee of a distributor shall
3350 carry a copy of its license and make it readily available for inspection by an employee of the
3351 Office, the Metropolitan Police Department, or ABRA.

3352 “(g) A licensed establishment that applied for and obtained a game of skill machine
3353 endorsement from the ABC Board pursuant to D.C. Official Code § 25-113.01(e) prior to the
3354 effective date of the Game of Skill Machines Consumer Protection Act of 2020, passed on 1st
3355 reading on July 7, 2020 (Engrossed version of Bill 23-760), shall have 180 calendar days after
3356 the effective date of the Game of Skill Machines Consumer Protection Act of 2020, passed on
3357 1st reading on July 7, 2020 (Engrossed version of Bill 23-760), to come into compliance with
3358 this title or rules issued pursuant to this title. Failure to do so may result in the Office taking
3359 action against the licensed establishment in accordance with section 417.

3360 “Sec. 404. License prohibitions; suspensions and revocation of licenses.

3361 “(a) An applicant convicted of a disqualifying offense shall not be licensed. The Office
3362 shall define disqualifying offenses by a rule issued pursuant to this title.

3363 “(b) No Office or ABRA employee, or immediate family member of an Office or ABRA
3364 employee, may be an applicant for, have an interest in, or obtain a license issued pursuant to this
3365 title.

3366 “(c) Failure of an applicant or licensee to notify the Office of a change to the information
3367 provided in its application for license or renewal within 10 days after the change may result in
3368 the Office suspending or revoking the licensee’s license, denying the applicant’s license, or
3369 issuing a fine.

3370 “(d)(1) The Office shall not grant a license pursuant to this title, and shall revoke a
3371 license previously granted, if evidence satisfactory to the Office exists that the applicant or
3372 licensee has:

3373 “(A) Knowingly made a false statement of a material fact to the Office;

3374 “(B) Had a license revoked by a governmental authority responsible for
3375 regulation of games of skill;

3376 “(C) Been convicted of a felony and has not received a pardon or been
3377 released from parole or probation for at least 5 years; or

3378 “(D) Been convicted of a gambling-related offense or a theft or fraud
3379 offense.

3380 “(2) The Office may deny a license to an applicant or suspend or revoke a license
3381 of a licensee if the applicant or licensee:

3382 “(A) Has not demonstrated, to the satisfaction of the Office, financial
3383 responsibility sufficient to adequately meet the requirement of the proposed activity;

3384 “(B) Is not the true owner of the licensed business or has not disclosed the
3385 existence or identity of another individual or entity that has an ownership interest in the business;
3386 or

3387 “(C) Is a corporation that sells more than 5% of a licensee’s voting stock,
3388 more than 5% of the voting stock of a corporation that controls the licensee, or sells a licensee’s
3389 assets to an individual or entity not already determined by the Office to have met the
3390 qualifications of a licensee pursuant to this title, or is a non-corporate entity where a person not
3391 already determined by the Office to have met the qualifications of a licensee pursuant to this title
3392 holds more than 10% interest in the non-corporate entity.

3393 “Sec. 405. Conflicts of interest.

3394 “(a) Before issuing, authorizing the transfer to a new owner of, or renewing a license, the
3395 Office shall determine that the applicant is not disqualified because of a conflicting interest in
3396 another license.

3397 “(b) In making a determination regarding a conflicting interest, the following standards
3398 shall apply:

3399 “(1) No licensee under a supplier’s license shall hold a license in another license
3400 issued under this title.

3401 “(2) No licensee under a distributor’s license shall hold a license in another
3402 license issued under this title; except, that the holder of a distributor’s license may also hold a
3403 manufacturer’s license.

3404 “(3) No licensee under a manufacturer’s license shall hold another license issued
3405 under this title; except, that the holder of a manufacturer’s license may also hold a distributor’s
3406 license.

3407 “Sec. 406. Manufacturer licensure.

3408 “(a) A person may not manufacture a game of skill machine in the District unless the
3409 person has a valid manufacturer’s license issued under this title. A manufacturer may only sell
3410 game of skill machines for use in the District to persons having a valid distributor’s license.

3411 “(b) A person applying for a manufacturer’s license shall do so on a form prescribed by
3412 the Office. The form shall require:

3413 “(1) The name of the applicant;

3414 “(2) The mailing address of the applicant and, if the applicant is a corporation, the
3415 name of the state in which it is incorporated, the location of its principal place of business, and
3416 the names and addresses of its directors;

3417 “(3) A report of the applicant’s financial activities, including evidence of financial
3418 stability, such as bank statements, business and personal income and disbursement schedules,
3419 and tax returns; and

3420 “(4) Any other information the Office considers necessary.

3421 “(c) In considering whether to approve an application for a distributor’s license, the
3422 Office may consider evidence the distributor submitted to the Office of an existing license as a
3423 distributor from another jurisdiction that the Office has determined has licensing requirements
3424 similar to those required by the District.

3425 “(d) An applicant for a manufacturer’s license shall pay a nonrefundable application fee
3426 of \$10,000 with the application.

3427 “(e) A manufacturer’s license shall be renewed annually; provided, that the licensee has
3428 continued to comply with all statutory and regulatory requirements and pays upon submission of
3429 its renewal application a \$5,000 renewal fee.

3430 “Sec. 407. Distributor licensure.

3431 “(a) A person may not buy, sell, distribute, lease, maintain, market, or service a game of
3432 skill machine or a major component or part of a game of skill machine for distribution in the
3433 District unless the person has a valid distributor’s license issued by the Office.

3434 “(b) A licensed distributor may buy, sell, distribute, lease, maintain, market, or service a
3435 game of skill machine or any major component or part of a game of skill machine for distribution
3436 in the District to a licensed establishment that possesses a retailer’s license from the Office and a
3437 game of skill machine endorsement from the ABC Board pursuant to D.C. Official Code § 25-
3438 113.01(e). No distributor may give anything of value, including a loan or financing agreement,
3439 to a licensed establishment as an incentive or inducement to locate a game of skill machine in the
3440 establishment.

3441 “(c) A person applying for a distributor’s license shall do so on a form prescribed by the
3442 Office. The form shall require:

3443 “(1) The name of the applicant;

3444 “(2) The mailing address of the applicant and, if the applicant is a corporation, the
3445 name of the state in which it is incorporated, the location of its principal place of business, and
3446 the names and addresses of its directors;

3447 “(3) A report of the applicant’s financial activities, including evidence of financial
3448 stability, such as bank statements, business and personal income and disbursement schedules,
3449 and tax returns; and

3450 “(4) Any other information the Office considers necessary.

3451 “(d) In considering whether to approve an application for a distributor’s license, the
3452 Office may consider evidence the distributor submitted to the Office of an existing license as a
3453 distributor from another jurisdiction that the Office has determined has licensing requirements
3454 similar to those required by the District.

3455 “(e) An applicant for a distributor’s license shall demonstrate that the equipment, system,
3456 or device that the applicant plans to offer to retailers conforms to standards established pursuant
3457 to this title, rules issued pursuant to this title, and other applicable law.

3458 “(f) An applicant for a distributor’s license shall pay a nonrefundable application fee of
3459 \$10,000 with the application.

3460 “(g) A distributor’s license shall be renewed annually; provided, that the licensee has
3461 continued to comply with all statutory and regulatory requirements and pays upon submission of
3462 its renewal application a \$5,000 renewal fee.

3463 “(h) A distributor shall submit to the Office, at such times as are established by the Office
3464 by rule, a list of all game of skill machines sold, delivered, or offered to a retailer. All such

3465 equipment shall be tested and approved by an independent testing laboratory approved by the
3466 Office.

3467 “Sec. 408. Supplier licensure.

3468 “(a) A person shall not sell parts or components for a game of skill machine or provide
3469 services related to a game of skill machine unless the person has a valid supplier’s license. A
3470 supplier may only provide parts and components for a game of skill machine or services related
3471 to a game of skill machine for use in the District to a person having a valid manufacturer’s or
3472 distributor’s license.

3473 “(b) A person applying for a supplier’s license shall do so on a form prescribed by the
3474 Office. The form shall require:

3475 “(1) The name of the applicant;

3476 “(2) The mailing address of the applicant and, if the applicant is a corporation, the
3477 name of the state in which it is incorporated, the location of its principal place of business, and
3478 the names and addresses of its directors;

3479 “(3) A report of the applicant’s financial activities, including evidence of financial
3480 stability, such as bank statements, business and personal income and disbursement schedules,
3481 and tax returns; and

3482 “(4) Any other information the Office considers necessary.”.

3483 “(c) In considering whether to approve an application for a supplier’s license, the Office
3484 may consider evidence the supplier submitted to the Office of an existing license as a supplier
3485 from another jurisdiction that the Office has determined has licensing requirements similar to
3486 those required by the District.

3487 “(d) An applicant for a supplier’s license shall demonstrate that the equipment,
3488 components, or parts that the applicant plans to offer to manufacturers or distributors conform to
3489 standards established pursuant to this title, rules issued pursuant to this title, and other applicable
3490 law.

3491 “(e) An applicant for a supplier’s license shall pay a nonrefundable application fee of
3492 \$2,000 with the application.

3493 “(f) A supplier’s license shall be renewed annually; provided, that the licensee has
3494 continued to comply with all statutory and regulatory requirements and pays upon submission of
3495 its renewal application a \$1,000 renewal fee.

3496 “(g) A supplier shall submit to the Office, at such times as are established by the Office
3497 by rule, a list of all components or parts for game of skill machines sold, delivered, or offered to
3498 a manufacturer or operator. All such equipment shall be tested and approved by an independent
3499 testing laboratory approved by the Office.

3500 “Sec. 409. Retailer licensure; registration of game of skill machines.

3501 “(a)(1) A person may not own, lease, maintain, install, make available, or offer or allow
3502 another to play a game of skill machine in the District unless the person:

3503 “(A) Is a licensed establishment;

3504 “(B) Possesses a retailer’s license from the Office and a game of skill
3505 machine endorsement from ABRA in accordance with D.C. Official Code § 25-113.01(e); and

3506 “(C) Has entered into a written use agreement with a licensed distributor
3507 for the placement or installation of a game of skill machine on the licensed premises.

3508 “(2) A person convicted of violating this subsection shall be subject to a fine not
3509 to exceed \$5,000 or imprisonment not to exceed 6 months, or revocation of the retailer’s license,
3510 or all of the foregoing.

3511 “(b)(1) Each game of skill machine located on a retailer’s licensed premises shall be
3512 registered with the Office by the retailer before the game of skill machine is installed on the
3513 licensed premises.

3514 “(2) A retailer may register and operate up to 5 game of skill machines on the
3515 licensed premises at any time. The registration fee for each game of skill machine shall be \$100.

3516 “(3) The Office shall issue to the retailer a registration sticker for placement on
3517 each registered game of skill machine.

3518 “(c) A person shall apply for a retailer’s license on a form prescribed by the Office. The
3519 form shall require:

3520 “(1) The name of the applicant;

3521 “(2) The mailing address of the applicant and, if the applicant is a corporation, the
3522 name of the state in which it is incorporated, the location of its principal place of business, and
3523 the names and addresses of its directors;

3524 “(3) A report of the applicant’s financial activities, including evidence of financial
3525 stability, such as bank statements, business and personal income and disbursement schedules,
3526 and tax returns; and

3527 “(4) Any other information the Office considers necessary.

3528 “(d) An applicant for a retailer’s license shall pay a nonrefundable application fee of \$300
3529 with the application.

3530 “(e) A retailer’s license shall be renewed annually; provided, that the licensee continued
3531 to comply with the statutory and regulatory requirements and pays upon submission of its
3532 renewal application a \$300 renewal fee.

3533 “(f) The Office shall require a retailer to be bonded, in such amounts and in such manner
3534 as determined by the Office, and to agree, in writing, to indemnify and hold harmless the District
3535 government against any actions, claims, and demands of whatever kind or nature that the District
3536 may incur by reason of or in consequence of issuing the retailer’s license to the retailer.

3537 “Sec. 410. Minimum requirements of game of skill machines.

3538 “(a)(1) Every game of skill machine offered for play shall first be tested and approved
3539 pursuant to this title and rules issued pursuant to this title.

3540 “(2) The Office shall utilize the services of an accredited independent outside
3541 testing laboratory to test and assess each game of skill machine.

3542 “(3) The applicant shall be responsible for paying the fees associated with testing
3543 the game of skill machines.

3544 “(b) Every game of skill machine offered in the District shall meet the minimum
3545 standards approved by the Office, including that a game of skill machine:

3546 “(1) Conform to all requirements of federal law and regulations, including the
3547 Federal Communications Commission’s Class A emissions standards;

3548 “(2) Pay out a mathematically demonstrable percentage during the expected
3549 lifetime of the machine of all amounts played, which shall not be less than 80%;

3550 “(3) Display an accurate representation of the game outcome;

3551 “(4) Not automatically alter pay tables or any function of the game of skill
3552 machine based on an internal computation of a hold percentage or have a means of manipulation
3553 that affects the random selection process or probabilities of winning a game;

3554 “(5) Not be negatively affected by static discharge or other electromagnetic
3555 interference;

3556 “(6) Be capable of displaying the following during idle status: “power reset”;
3557 “door open”; or “door closed”;

3558 “(7) Be able to detect and display the game’s complete play history and winnings
3559 for the previous 10 games;

3560 “(8) Not have a theoretical payback percentage capable of being changed without
3561 making a hardware or software change in the machine itself;

3562 “(9) Be designed so that the replacement of parts or modules required for normal
3563 maintenance does not necessitate replacement of the electromechanical meters;

3564 “(10) Contain a non-resettable meter that shall be located in a locked area of the
3565 machine that is accessible only by a key;

3566 “(11) Be capable of storing the meter information required by paragraph (10) of
3567 this subsection for a minimum of 180 days after a power loss to the machine;

3568 “(12) Have accounting software that keeps an electronic record that includes:

3569 “(A) Total cash inserted into the game of skill machine;

3570 “(B) The value of winning tickets awarded to players by the game of skill
3571 machine;

3572 “(C) The total credits played on the game of skill machine;

3573 “(D) The total credits awarded by the game of skill machine; and

3574 “(E) The payback percentage credited to players of the game of skill
3575 machine;

3576 “(13) Be linked to a centralized accounting system that will allow the Office to
3577 activate or deactivate the game of skill machine from the centralized system remotely; and

3578 “(14) Be linked to a centralized accounting system in accordance with section 414
3579 by which all approved game of skill machines shall be connected for the purposes set forth in
3580 section 414.

3581 “(c) The CFO may issue rules to establish additional licensing and registration
3582 requirements.

3583 “Sec. 411. Registration; display of registration sticker, license, and warning sign;
3584 locations of game of skill machines.

3585 “(a) A retailer shall register each of its game of skill machines in the District with the
3586 Office before the game of skill machine may be installed at the licensed establishment.

3587 “(b) A retailer shall locate its game of skill machines for play only in specific locations
3588 approved by the ABRA within the retailer’s licensed establishment.

3589 “(c) A retailer shall affix and maintain a registration sticker issued by the Office to the
3590 game of skill machine at all times the game of skill machine is located at the establishment. If
3591 the registration sticker is damaged, destroyed, lost, or removed, the retailer shall pay the Office
3592 \$75 for a replacement registration sticker.

3593 “(d) A retailer shall post both its retailer’s license and a warning sign, maintained in good
3594 repair and in a place clearly visible at the point of entry to the designated areas where the game
3595 of skill machines are located. The warning sign shall include:

3596 “(1) The minimum age required to play a game of skill machine;

3597 “(2) The contact information for the District’s gambling hotline; and
3598 “(3) The contact information for the Office of Lottery and Gaming for purposes of
3599 filing a complaint against the manufacturer, supplier, distributor, or retailer.

3600 “(e) Failure to display the registration sticker, license, or warning sign may result in the
3601 Office revoking or suspending the license or issuing a fine against the licensed establishment
3602 pursuant to section 416.

3603 “Sec. 412. Cash award.

3604 “(a) A game of skill machine shall not directly dispense cash awards to a player. If, at the
3605 conclusion of the game, a player is entitled to a cash award, the game of skill machine shall
3606 dispense a ticket or voucher to the player. The ticket or voucher shall indicate:

3607 “(1) The total amount of the cash award;

3608 “(2) The time of day that the cash award was issued in a 24-hour format showing
3609 hours and minutes, the date, the terminal serial number, and the sequential number of the ticket
3610 or voucher; and

3611 “(3) An encrypted validation number from which the validity of the cash award
3612 may be determined.

3613 “(b) A retailer shall allow a player to take the ticket or voucher to the owner of the
3614 licensed establishment or the owner’s designee, who shall be located at the licensed
3615 establishment, for payment of the cash award.

3616 “Sec. 413. Game of skill machine use by minors prohibited.

3617 “(a) A licensee shall not permit a person under the age of 18 to use or play a game of skill
3618 machine.

3619 “(b) The Office may suspend or revoke a license and issue a fine, in accordance with
3620 section 416, against a licensee that knowingly allows a person under the age of 18 to use or play
3621 a game of skill machine.

3622 “Sec. 414. Centralized accounting system.

3623 “(a)(1) Within 6 months after the effective date of the Game of Skill Machines Consumer
3624 Protection Act of 2020, passed on 1st reading on July 7, 2020 (Engrossed version of Bill 23-
3625 760), the Office shall issue a solicitation to procure a centralized accounting system, which shall
3626 be administered by the Office and designed and operated to allow the monitoring and reading of
3627 all game of skill machines for the purpose of compliance with this title and rules issued pursuant
3628 to this title.

3629 “(2) When the Office is satisfied with the operation of the CAS, it shall:

3630 “(A) Certify the effective status of the system; and

3631 “(B) Notify all retailers of the date by which the retailer’s game of skill
3632 machines must be linked to the CAS.

3633 “(b)(1)(A) A game of skill machine approved prior to the effective date of the Game of
3634 Skill Machines Consumer Protection Act of 2020, passed on 1st reading on July 7, 2020
3635 (Engrossed version of Bill 23-760), shall be connected to the CAS within one year after
3636 notification pursuant to subsection (a)(2) of this section.

3637 “(B) A game of skill machine approved on or after the effective date of the
3638 Game of Skill Machines Consumer Protection Act of 2020, passed on 1st reading on July 7, 2020
3639 (Engrossed version of Bill 23-760), but prior to the deployment of the CAS shall be connected
3640 within 6 months after notification pursuant subsection (a)(2) of this section.

3641 “(C) A game of skill machine approved after the effective date of the
3642 Game of Skill Machines Consumer Protection Act of 2020, passed on 1st reading on July 7, 2020
3643 (Engrossed version of Bill 23-760), and after deployment of the CAS shall be connected to the
3644 CAS prior to operation of the game of skill machine.

3645 “(2) After a game of skill machine has been connected to the CAS, it shall remain
3646 connected as required by the Office.

3647 “(c) All game of skill machines registered in the District shall be linked to the CAS for
3648 purposes of accounting, reporting, monitoring, and reading machine activities as provided for in
3649 this title or rules issued pursuant to this title.

3650 “(d) The CAS shall not provide for the monitoring or reading of personal or financial
3651 information concerning patrons of game of skill machines.

3652 “(e) Employees and agents of a contractor or subcontractor of the Office that is engaged
3653 in building, operating, maintaining, or contracting to build, operate, or maintain the CAS, and the
3654 immediate family members of such employees and agents, shall be prohibited from obtaining a
3655 license under this title.

3656 “(f) Unless a retailer’s license is cancelled, suspended, or revoked, nothing in this section
3657 shall authorize the Office to limit or eliminate a registered game of skill from the CAS.

3658 “Sec. 415. Insurance.

3659 “Each distributor shall maintain liability insurance on all game of skill machines that it
3660 places in a licensed establishment in an amount set by the Office by rule issued pursuant to this
3661 title.

3662 “Sec. 416. Penalties.

3663 “(a) In the event of a violation of this title or a rule issued pursuant to this title, the Office
3664 may:

3665 “(1) Impose a fine of not more than \$50,000;

3666 “(2) Revoke a licensee’s license; or

3667 “(3) Suspend the licensee’s license for up to one year.

3668 “(b) A person that has been fined or whose application has been denied, revoked, or
3669 suspended pursuant to this section shall have a right to a hearing before the Office and, in the
3670 event of the Office’s affirmation of the fine, denial, revocation, or suspension, the right to appeal
3671 the decision of the Office to the Superior Court of the District of Columbia.

3672 “(c) The Office shall notify ABRA within 48 hours after the Office suspends or revokes a
3673 retailers license.

3674 “Sec. 417. Authority of the Office.

3675 “(a) The Office may enforce the provisions of this title with respect to licensees and any
3676 individual or entity not holding a license and offering a game of skill machine in violation of the
3677 provisions of this title or rules issued pursuant to this title.

3678 “(b) Subject to subsection (c) of this section, the Office and the Metropolitan Police
3679 Department may issue citations for civil violations of this title as set forth in rules issued
3680 pursuant to this title.

3681 “(c) A citation for a violation for which the penalty includes the suspension or revocation
3682 of a license shall be issued by the Office as a result of an investigation carried out by the Office.

3683 “(d) The Office may request and check the identification of a person who has played, is
3684 playing, or is attempting to play a game of skill machine. The Office may seize evidence that
3685 substantiates a violation under this title, which may include seizing the tickets, vouchers, or cash

3686 awards issued to a person under the age of 18 and fake identification documents used by a person
3687 under the age of 18.

3688 “(e) The Office may seize a game of skill machine license from an establishment if:

3689 “(1) The game of skill machine license has been suspended, revoked, or cancelled
3690 by the Office;

3691 “(2) The business is no longer in existence; or

3692 “(3) The business has been closed by another District government agency.

3693 “Sec. 418. Investigations and inspections.

3694 “(a) The Office may conduct investigations, searches, seizures, and perform other duties
3695 authorized by this title and rules issued pursuant to this title.

3696 “(b) An applicant for a license and each licensee shall allow an authorized member of the
3697 Office, an ABRA investigator, or any member of the Metropolitan Police Department full
3698 opportunity to examine at any time during business hours:

3699 “(1) The location on the premises where game of skill machines are available to
3700 play; and

3701 “(2) The books and records of the licensee or applicant.

3702 “Sec. 419. Unlawful acts; action by the Attorney General.

3703 “(a)(1) No manufacturer, distributor, supplier, licensed establishment, or employee or
3704 agent of a manufacturer, distributor, supplier, or licensed establishment shall intentionally make
3705 a false or misleading representation concerning an individual’s chances, likelihood, or
3706 probability of winning at playing a game of skill machine.

3707 “(2) An individual or entity claiming to be aggrieved by a fraudulent act or a false
3708 or misleading statement by a licensee shall have a cause of action in a court of competent
3709 jurisdiction for damages and any legal or equitable relief as may be appropriate.

3710 “(b) The Attorney General for the District of Columbia, in the name of the District of
3711 Columbia, may bring an action in the Superior Court of the District of Columbia to enjoin an
3712 individual or entity or to seek a civil penalty of up to \$50,000 for a violation of this title or rule
3713 issued pursuant to this title.

3714 “Sec. 420. Taxation of game of skill machines.

3715 “(a)(1) On or before the 20th day of each month, each retailer shall:

3716 “(A) File a return, on forms and in the manner prescribed by the CFO,
3717 with the CFO indicating the amount of gross game of skill machine revenue for the retailer’s
3718 game of skill machines for the preceding calendar month; and

3719 “(B) Pay to the District of Columbia Treasurer 10% of the gross game of
3720 skill machine revenue for the preceding month.

3721 “(b) All funds owed to the District under this section shall be held in trust within the
3722 boundaries of the District for the District by the retailer until the funds are paid to the District of
3723 Columbia Treasurer.

3724 “(c) A retailer that falsely reports or fails to report the amount due as required by this
3725 section may be fined or imprisoned in accordance with Title 22 of the District of Columbia
3726 Official Code and shall have its retailer’s license revoked.

3727 “(d) A retailer shall keep a record of the gross game of skill machine revenue, awards,
3728 and net income of each game of skill machine in such form as the Office may require.

3729 “(e) A payment required by this section that is not remitted when due shall be assessed a
3730 late payment penalty in amount set forth in D.C. Official Code § 47-4213.

3731 “(f) In the case of an underpayment of the tax required by this section, there shall be
3732 added to the tax, an amount of interest determined by applying the underpayment rate set forth in
3733 D.C. Official Code § 47-4201 to the amount of the underpayment for the period of the
3734 underpayment.

3735 “Sec. 421. Deposit of license fees.

3736 “All fees collected under sections 406 through 409 shall be deposited in the Lottery,
3737 Gambling, and Gaming Fund, established by section 4 (D.C. Official Code § 36-601.12).”.

3738 “Sec. 422. Rules and regulations governing game of skill machines.

3739 “(a) The CFO, pursuant to section 424(d) of the District of Columbia Home Rule Act,
3740 approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24d), shall issue rules to
3741 implement the provisions of this title.

3742 “(b) The rules issued by the CFO pursuant to subsection (a) of this section shall include:

3743 “(1) Standards for conducting inspections of game of skill machines for
3744 compliance with industry standards;

3745 “(2) Standards for inspecting licensed establishments for compliance with this
3746 title;

3747 “(3) Minimum and maximum payment amounts for playing game of skill
3748 machines;

3749 “(4) The maximum amount of allowable winnings per game;

3750 “(5) Requirements relating to how fees and taxes are to be remitted;

3751 “(6) The method of accounting to be used by a licensed establishment where a
3752 game of skill machine is authorized;

3753 “(7) Methods of age verification;

3754 “(8) Types of records that shall be required to be maintained by a licensee;

3755 “(9) Posting requirements;

3756 “(10) Advertising guidelines, including specific language concerning individuals
3757 under the age of 18;

3758 “(11) Penalties for a violation of this title or rule issued pursuant to this title; and

3759 “(12) Internal control standards for game of skill machines.”.

3760 Sec. 6023. Title 25 of the District of Columbia Official Code is amended as follows:

3761 (a) Section 25-101 is amended as follows:

3762 (1) A new paragraph (22B) is added to read as follows:

3763 “(22B) “Game of skill machine” has the meaning set forth in section 401(5) of the
3764 Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable
3765 Purposes in the District of Columbia, passed on 1st reading on July 7, 2020 (Engrossed version
3766 of Bill 23-760).”.

3767 (2) A new paragraph (53A) is added to read as follows:

3768 “(53A) “Voucher” means a ticket issued by a game of skill machine that is
3769 redeemable for cash winnings.”.

3770 (b) Section 25-113a is amended as follows:

3771 (1) The section is redesignated as § 25-113.01.

3772 (2) The section heading is amended to read as follows:

3773 “§ 25-113.01. License endorsements.”.

3774 (3) A new subsection (e) is added to read as follows:

3775 “(e)(1) A licensee under a manufacturer’s license class A or B holding an on-site sales
3776 and consumption permit, or an on-premises retailer’s license, class C/R, D/R, C/H, D/H, C/T,
3777 D/T, C/N, D/N, C/X, or DX, shall obtain a game of skill machine endorsement from the Board in
3778 order to offer a game of skill machine on the licensed premises.

3779 “(2)(A) A game of skill machine shall not be placed on outdoor public or private
3780 space; provided, that the Board, in its discretion, may allow for the placement of a game of skill
3781 on outdoor public or private space if, in the Board’s determination, activity associated with the
3782 game of skill machine is:

3783 “(i) Not visible from a public street or sidewalk;

3784 “(ii) Adequately secured against unauthorized entrance; and

3785 “(iii) Accessible only by patrons from within the establishment.

3786 “(B) Subparagraph (A) of this paragraph shall not apply to a licensee
3787 operating a passenger-carrying marine vessel in accordance with § 25-113(h).”.

3788 (c) Section 25-401 is amended by adding a new subsection (e) to read as follows:

3789 “(e) An applicant for a game of skill machine endorsement shall submit to the Board with
3790 its application:

3791 “(1) A diagram of where the game of skill machines will be placed on the licensed
3792 premises; and

3793 “(2) The name of the manufacturer and distributor of the game of skill machines
3794 and documentation reflecting that the manufacturer and distributor are licensed to do business
3795 and pays taxes in the District of Columbia.”.

3796 (d) Section 25-508 is amended to read as follows:

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“25-508. Minimum fee for permits, and manager’s license, and endorsement.
“The minimum fees for permits, manager’s license, and endorsement shall be as follows:
“Tasting permit for class A licensees \$100/year
“Importation permit \$5
“Manager’s license \$100/year
“On-site sales and consumption permit \$1,000/year
“Game of skill machine endorsement \$200”.

(e) Chapter 7 is amended as follows:

(1) The table of contents is amended by adding a new section designation to read as follows:

“25-786. Game of skill machine operating requirements.”.

(2) Section 25-763 is amended by adding a new subsection (g) to read as follows:

“(g) Exterior signs advertising game of skill machines shall be prohibited on the licensed establishment.”.

(3) Section 25-765 is amended by adding a new subsection (c) to read as follows:

“(c) Advertisements related to game of skill machines shall not be placed on the interior or exterior of a window or on the exterior of a door that is used to enter or exit the licensed establishment.”.

(4) A new section 25-786 is added to read as follows:

“§ 25-786. Game of skill machine operating requirements.

“A licensee with a game of skill machine endorsement shall:

“(1) Not allow or permit a person under 18 years of age to play a game of skill machine and shall designate an employee to regularly monitor the designated area where game of

3820 skill machines are played to ensure that no person under 18 years of age is playing or attempting
3821 to play a game of skill machine;

3822 “(2) Verify that each person playing a game of skill machine is lawfully permitted
3823 to do so by checking the person’s government-issued identification document upon entry into
3824 either the licensed establishment or the designated area where the game of skill machines are
3825 located and where the person seeks to cash out his or her winnings, if any; except, that the failure
3826 of a licensee to verify a person’s identification shall not be a violation of this paragraph if the
3827 person whose identification was not checked is 18 years of age or older;

3828 “(3) Not allow or permit a person that appears intoxicated or under the influence
3829 of a narcotic or other substance to play a game of skill machine;

3830 “(4) Not share revenue from the licensee’s sale of alcohol with a manufacturer or
3831 distributor of a game of skill machine, unless approved by the Board as an owner of the license;

3832 “(5) Not allow or permit the placement of a game of skill machine on an outdoor
3833 public or private space that has not been approved by the Board;

3834 “(6) Not allow or permit the placement of a game of skill machine outside of the
3835 designated areas contained on the applicant’s diagram provided as part of the license application
3836 or outside the areas approved by the Board;

3837 “(7) Not have more than 5 game of skill machines on the licensed premises; and

3838 “(8) Install security cameras that are operational and record for 30 days, in the
3839 areas designated for game of skill machines, near the cash register or terminal where cash
3840 winnings of game of skill machines are processed, and where the licensee’s money is stored.”.

3841 (f) Section 25-801 is amended by adding a new subsection (h) to read as follows:

3842 “(h) An ABRA investigator may request and check the identification of a person who has
3843 played, is playing, or is attempting to play a game of skill machine. An ABRA investigator may
3844 seize fake identification used by a person under 18 years of age and may seize such records
3845 related to a game of skill machine as the investigator deems appropriate to investigate the
3846 playing of a game of skill machine by a person under 18 years of age.”.

3847 Sec. 6024. Section 865 of An Act To establish a code of law for the District of Columbia,
3848 approved March 3, 1901 (31 Stat. 1331; D.C. Official Code § 22-1704), is amended as follows:

3849 (a) The existing text is designated as subsection (a).

3850 (b) A new subsection (b) is added to read as follows:

3851 “(b) It shall be unlawful to install or operate a game of skill machine in the District
3852 except as permitted by D.C. Official Code § 25-113.01(e). Whoever shall install or operate a
3853 game of skill machine at a location not licensed under Title 25 of the District of Columbia
3854 Official Code shall be punished by imprisonment for a term of 180 days or fined not more than
3855 the amount set forth in § 22-3571.01, or both.”.

3856 **SUBTITLE D. PAY-BY-PHONE TRANSACTION FEES FUND**

3857 Sec. 6031. Short title.

3858 This subtitle may be cited as the “Pay-By-Phone Transaction Fee Fund Emergency
3859 Amendment Act of 2020”.

3860 Sec. 6032. Section 9f of the Department of Transportation Establishment Act, effective
3861 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), is amended to read as
3862 follows:

3863 “Sec. 9f. Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund.

3864 “(a) There is established the Parking Meter and Transit Services Pay-by-Phone
3865 Transaction Fee Fund (“Fund”), which shall be administered by the director of the District
3866 Department of Transportation in accordance with subsection (c) of this section.

3867 “(b) The following revenue shall be deposited in the Fund:

3868 “(1) Notwithstanding section 3(h) of the District of Columbia Motor Vehicle
3869 Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50–
3870 2603(8)), all transaction fees imposed upon users who pay for parking, transit fares, Capital
3871 Bikeshare trips, and other forms of shared mobility and transportation services with the pay-by-
3872 phone system; and

3873 “(2) All money remaining in the District Department of Transportation Parking
3874 Meter Pay-by-Phone Transaction Fee Fund at the end of Fiscal Year 2020.

3875 “(c) Money in the Fund shall be used to pay vendors responsible for administering pay-
3876 by-phone payment systems for parking, transit fares, Capital Bikeshare trips, and other forms of
3877 shared mobility and transportation services.

3878 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
3879 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
3880 of a fiscal year, or at any other time.

3881 “(2) Subject to authorization in an approved budget and financial plan, any funds
3882 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3883 Sec. 6033. Section 3(h)(1) of the District of Columbia Motor Vehicle Parking Facility
3884 Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2603(8)(A)),
3885 is amended by striking the phrase “to be transferred to the District Department of Transportation
3886 Parking Meter Pay-by-phone Transaction Fee Fund and the DC Circulator Fund, in accordance

3887 with section 9f of the Department of Transportation Establishment Act of 2002, effective
3888 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14)” and inserting the
3889 phrase “to be transferred to the Parking Meter and Transit Services Pay-by-Phone Transaction
3890 Fee Fund, in accordance with section 9f of the Department of Transportation Establishment Act
3891 of 2002, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), and
3892 the DC Circulator Fund, in accordance with section 11c of the Department of Transportation
3893 Establishment Act of 2002, effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-
3894 921.33)” in its place.

3895 **SUBTITLE E. ENVIRONMENTAL SPECIAL PURPOSE REVENUE**

3896 **ACCOUNTS**

3897 Sec. 6041. Short title.

3898 This subtitle may be cited as the “Environmental Special Purpose Funds Reestablishment
3899 Emergency Amendment Act of 2020”.

3900 Sec. 6042. The Lead-Hazard Prevention and Elimination Act of 2008, effective
3901 March 31, 2009 (D.C. Law 17-381; D.C. Official Code § 8-231.01 *et seq.*), is amended by
3902 adding a new section 10a to read as follows:

3903 “Sec. 10a. Lead Poisoning Prevention Fund.

3904 “(a) There is established as a special fund the Lead Poisoning Prevention Fund (“Fund”),
3905 which shall be administered by the Department of Energy and Environment in accordance with
3906 subsection (c) of this section.

3907 “(b) All fees, fines, and penalties received from compliance with and enforcement of this
3908 act, and all interest earned on those monies, shall be deposited into the Fund.

3909 “(c) Money in the Fund shall be used to pay for the costs of implementing this act and
3910 may be used to provide low-income residents of the District with assistance to comply with the
3911 requirements of section 4, in accordance with rules issued by the Mayor.

3912 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
3913 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
3914 of a fiscal year, or at any other time.

3915 “(2) Subject to authorization in an approved budget and financial plan, any funds
3916 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3917 Sec. 6043. The District of Columbia Underground Storage Tank Management Act of
3918 1990, effective March 8, 1991 (D.C. Law 8-242; D.C. Official Code § 8-113.01 *et seq.*), is
3919 amended by adding a new section 6a to read as follows:

3920 “Sec. 6a. Underground Storage Tank Regulation Fund.

3921 “(a) There is established as a special fund the Underground Storage
3922 Tank Regulation Fund (“Fund”), which shall be administered by the Department of Energy and
3923 Environment in accordance with subsection (c) of this section.

3924 “(b) All fees, fines, and penalties received from compliance with and enforcement of this
3925 act, and contributions and monies received as reimbursement, and all interest earned on those
3926 monies, shall be deposited into the Fund.

3927 “(c) Money in the Fund shall be used to pay for the costs of implementing this act and
3928 may be used for assessment, clean up, and housing and relocation assistance.

3929 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
3930 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
3931 of a fiscal year, or at any other time.

3932 “(2) Subject to authorization in an approved budget and financial plan, any funds
3933 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3934 Sec. 6044. The District of Columbia Hazardous Waste Management Act of 1977,
3935 effective March 16, 1978 (D.C. Law 2-64; D.C. Official Code § 8-1301 *et seq.*), is amended by
3936 adding a new section 21a to read as follows:

3937 “Sec. 21a. Hazardous Waste and Toxic Chemical Source Reduction Fund.

3938 “(a) There is established as a special fund the Hazardous Waste and Toxic Chemical
3939 Source Reduction Fund (“Fund”), which shall be administered by the Department of Energy and
3940 Environment in accordance with subsection (c) of this section.

3941 “(b) All fees, fines, and penalties received from compliance with and enforcement of this
3942 act, and all interest earned on those monies, shall be deposited into the Fund.

3943 “(c) Money in the Fund shall be used to pay for the costs of implementing this act.

3944 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
3945 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
3946 of a fiscal year, or at any other time.

3947 “(2) Subject to authorization in an approved budget and financial plan, any funds
3948 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3949 **SUBTITLE F. ALCOHOLIC BEVERAGE SALES AND DELIVERY**

3950 Sec. 6051. Short title.

3951 This subtitle may be cited as the “Alcoholic Beverage Sales and Delivery Emergency
3952 Amendment Act of 2020”.

3953 Sec. 6052. Title 25 of the District of Columbia Official Code is amended as follows:

3954 (a) Chapter 1 is amended as follows:

3955 (1) Section 25-112 is amended by adding a new subsection (h) to read as follows:

3956 “(h)(1) A retailer with commercial street frontage at the Walter E. Washington
3957 Convention Center that sells food and is approved by the Washington Convention and Sports
3958 Authority to sell alcoholic beverages for on-premises consumption (“Convention Center food
3959 and alcohol business”) that registers as a Convention Center food and alcohol business with the
3960 Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed
3961 containers to individuals for carry out and may deliver beer, wine, or spirits in closed containers
3962 to consumers in the District, pursuant to §§ 25-113(a)(3)(C) and 25-113.01(g); provided, that
3963 such carry out and delivery orders are accompanied by one or more prepared food items.

3964 “(2) Board approval shall not be required for a registration under this subsection
3965 that occurs before April 1, 2021.

3966 “(3) After March 31, 2021, a Convention Center food and alcohol business that
3967 does not hold a valid registration under this subparagraph shall be required to obtain a carry out
3968 and delivery license as set forth in § 25-113.01(g) to sell beer, wine, or spirits in closed
3969 containers to customers to carry out and to sell and deliver to the homes of District residents
3970 beer, wine, or spirits in closed containers for delivery .

3971 “(4) A Convention Center food and alcohol business that has been authorized to
3972 offer alcoholic beverages for carry out and delivery in accordance with paragraph (1) of this
3973 subsection may only offer alcoholic beverages for carry out and delivery between the hours of
3974 6:00 a.m. and 1:00 a.m., 7 days a week.”.

3975 (2) Section 25-113(a)(3)(C) is amended to read as follows:

3976 “(C) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,
3977 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that registers with

3978 the Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed
3979 containers to individuals for carry out, or deliver beer, wine, or spirits in closed containers to
3980 consumers in the District between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week; provided,
3981 that each such carry out or delivery order is accompanied by one or more prepared food items.
3982 Board approval shall not be required for a registration under this subparagraph that occurs prior
3983 to April 1, 2021. After March 31, 2021, an on-premises retailer that does not hold a valid
3984 registration under this subparagraph shall be required to obtain a carry out and delivery
3985 endorsement as set forth in § 25-113.01(f) in order to sell for carry out and deliver alcoholic
3986 beverages.”.

3987 (3) Newly designated section 25-113.01 is amended by adding new subsections
3988 (f) and (g) to read as follows:

3989 “(f)(1) Effective April 1, 2021, a licensee under an on-premises retailer’s license, class
3990 C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or
3991 private club, shall obtain a carry out and delivery endorsement from the Board to be eligible to
3992 sell beer, wine, or spirits in closed containers to individuals for carry out, or deliver beer, wine,
3993 or spirits in closed containers to consumers in the District.

3994 “(2) Carry out sales and delivery shall be authorized under paragraph (1) of this
3995 subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

3996 “(3) Each carry out or delivery order of an alcoholic beverage pursuant to
3997 paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

3998 “(4) The annual fee for a carry out and delivery endorsement shall be established
3999 by the Board in an amount not less than \$200.

4000 “(5) An on-premises retailer’s licensee that has registered with the Board under §
4001 25-113(a)(3)(C) before April 1, 2021 (a “registered licensee”), shall not be required to apply with
4002 the Board for an endorsement under this subsection, and the registered licensee shall be granted
4003 the carry out and delivery endorsement upon request to the Board, if the registered licensee
4004 makes the request and pays the annual fee required by paragraph (4) of this subsection by March
4005 31, 2021.

4006 “(g)(1) Effective April 1, 2021, a Convention Center food and alcohol business that has
4007 registered with the Board under § 25-112(h), shall obtain a carry out and delivery license from
4008 the Board to be eligible to sell beer, wine, or spirits in closed containers to individuals for carry
4009 out, or deliver beer, wine, or spirits in closed containers to consumers in the District.

4010 “(2) Carry out sales and delivery shall be authorized under paragraph (1) of this
4011 subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

4012 “(3) Each carry out or delivery order of an alcoholic beverage pursuant to
4013 paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

4014 “(4) The annual fee for a carry out and delivery license shall be established by the
4015 Board in an amount not less than \$200.

4016 “(5) A Convention Center food and alcohol business that has registered with the
4017 Board under § 25-112(h) before April 1, 2021 (“registered Convention Center food and alcohol
4018 business”), shall not be required to apply with the Board for a license under this subsection, and
4019 the registered Convention Center food and alcohol business shall be granted a carry out and
4020 delivery license upon request to the Board, if the registered Convention Center food and alcohol
4021 business makes the request and pays the annual fee required by paragraph (4) of this subsection
4022 by March 31, 2021.

4023 “(6) Beginning June 30, 2022, and each year thereafter, ABRA shall submit an
4024 annual report to the Council on the outcomes of this section, including the number of on-premise
4025 licensees participating in the carry-out and delivery option, and the number of on- and off-
4026 premise retailer licensees that may have closed after the carry-out and delivery option was
4027 implemented”.

4028 (b) Chapter 7 is amended as follows:

4029 (1) Section 25-721 is amended as follows:

4030 (A) Subsection (a-1) is amended by striking the phrase “7:00 a.m. and
4031 12:00 a.m.” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4032 (B) Subsection (c) is amended as follows:

4033 (i) Paragraph (1) is amended by striking the phrase “2:00 a.m. and
4034 8:00 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

4035 (ii) Paragraph (2) is amended by striking the phrase “3:00 a.m. and
4036 8:00 a.m.” and inserting the phrase “3:00 a.m. 6:00 a.m.” in its place.

4037 (C) Subsection (d) is amended by striking the phrase “7:00 a.m. and
4038 midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4039 (2) Section 25-722 is amended as follows:

4040 (A) Subsection (a) is amended by striking the phrase “7:00 a.m. and
4041 midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4042 (B) Subsection (b) is amended by striking the phrase “7:00 a.m. and
4043 midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4044 (3) Section 25-723 is amended as follows:

4045 (A) Subsection (b) is amended as follows:

4046 (i) Paragraph (1) is amended by striking the phrase “2:00 a.m. and
4047 8:00 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

4048 (ii) Paragraph (2) is amended by striking the phrase “3:00 a.m. and
4049 8:00 a.m.” and inserting the phrase “3:00 a.m. and 6:00 a.m.” in its place.

4050 (B) Subsection (c)(1) is amended as follows:

4051 (i) Subparagraph (C) is amended by striking the word “and”.

4052 (ii) Subparagraph (D) is amended by striking the period and
4053 inserting the phrase “; and” in its place.

4054 (iii) A new subparagraph (E) is added to read as follows:

4055 “(E) The Saturday and Sunday adjacent to Veterans Day, Christmas Day,
4056 and District of Columbia Emancipation Day as set forth in § 1-612.02(a); except, that if the
4057 holiday under this subparagraph occurs on a Tuesday, the extended hours shall occur on the
4058 preceding Saturday and Sunday and if a holiday under this subparagraph occurs on a Wednesday
4059 or Thursday, the extended hours shall occur on the following Saturday and Sunday.”.

4060 (C) Subsection (e)(1) is amended by striking the phrase “2017, January 14
4061 through January 22” and inserting the phrase “2021, January 9 through January 24” in its place.

4062 **SUBTITLE G. THIRD-PARTY INSPECTION PLATFORM**

4063 Sec. 6061. Short title.

4064 This subtitle may be cited as the “Third-Party Inspection Platform Emergency
4065 Amendment Act of 2020”.

4066 Sec. 6062. Section 6d of the Construction Codes Approval and Amendments Act of 1986,
4067 effective June 25, 2002 (D.C. Law 14-162; D.C. Official Code § 6-1405.04), is amended by
4068 adding a new subsection (f) to read as follows:

4069 “(f) The Department may establish an online platform that may, at the Director’s
4070 discretion, serve as the exclusive mechanism by which an individual or entity may hire a third-
4071 party inspector to perform an inspection authorized by this section. The Department may charge
4072 a fee for the use of the online platform by an individual or entity and by the third-party
4073 inspectors.”.

4074 **SUBTITLE H. PARKING RECIPROCITY FEE UPDATE AMENDMENT**

4075 Sec. 6071. Short title.

4076 This subtitle may be cited as the “Reciprocity Parking Fee Update Emergency
4077 Amendment Act of 2020”.

4078 Sec. 6072. Section 8(d) of the District of Columbia Traffic Act, 1925, approved March 3,
4079 1925 (43 Stat. 1123; D.C. Official Code § 50-1401.02(d)), is amended by striking the figure
4080 “\$50” and inserting the figure “\$100” in its place.

4081 **SUBTITLE I. TAG TRANSFER FEE UPDATE AMENDMENT**

4082 Sec. 6081. Short title.

4083 This subtitle may be cited as the “Tag Transfer Fee Update Emergency Amendment Act
4084 of 2020”.

4085 Sec. 6082. Section 2(e) of the District of Columbia Revenue Act of 1937, approved
4086 August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.02(e)), is amended as follows:

4087 (a) Paragraph (2) is amended by striking the figure “\$7” and inserting the figure “\$12” in
4088 its place.

4089 (b) Paragraph (5) is amended by striking the figure “\$7” and inserting the figure “\$12” in
4090 its place.

4091 **SUBTITLE J. ATE PROGRAM REPORTING REQUIREMENT AMENDMENT**

4092 Sec. 6091. Short title.

4093 This subtitle may be cited as the “ATE Reporting Requirement Emergency Amendment
4094 Act of 2020”.

4095 Sec. 6092. Title IX of the Fiscal Year 1997 Budget Support Act of 1996, effective April
4096 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01 *et seq.*), is amended by adding
4097 a new section 905 to read as follows:

4098 “Sec. 905. ATE Reporting to Council.

4099 “Beginning January 1, 2021, the District Department of Transportation, in consultation
4100 with the Department of Motor Vehicles, shall report to the Council on a semi-annual basis the
4101 following information:

4102 “(1) The top 15 automated traffic enforcement (“ATE”) locations by value of
4103 citations generated in the District;

4104 “(2) The breakdown of the jurisdictions where those receiving ATE citations and
4105 with outstanding ATE citation debt have their vehicles registered;

4106 “(3) The locations where cameras have been added in the last 6 months and the
4107 reasons why those locations were chosen; and

4108 “(4) The amount of ATE citations issued in total and by location.”.

4109 **SUBTITLE K. CAPACITY MARKET WITHDRAWAL FEASIBILITY STUDY**

4110 Sec. 6101. Short title.

4111 This subtitle may be cited as the “Capacity Market Withdrawal Feasibility Study
4112 Emergency Act of 2020”.

4113 Sec. 6102. Feasibility study.

4114 By July 1, 2021, the Department of Energy and Environment shall make publicly
4115 available a study that evaluates and makes recommendations regarding the District withdrawing
4116 from the PJM capacity market, including outlining the potential advantages and disadvantages of
4117 withdrawal, the anticipated effects of *Calpine Corporation, et al. v. PJM Interconnection,*
4118 *L.L.C.*, 169 FERC ¶ 61, 239 (2019) on the District, and the procedure for withdrawal from the
4119 PJM capacity market, including any necessary legislative changes.

4120 **SUBTITLE L. COMPETITIVE GRANT**

4121 Sec. 6111. Short title.

4122 This subtitle may be cited as the “Competitive Grant Emergency Act of 2020”.

4123 Sec. 6112. The Department of Energy and Environment shall award an annual grant on a
4124 competitive basis, in an amount not to exceed \$200,000, to provide wildlife rehabilitation
4125 services.

4126 **SUBTITLE M. URBAN AGRICULTURE FUNDING**

4127 Sec. 6121. Short title.

4128 This subtitle may be cited as the “Urban Agriculture Funding Emergency
4129 Amendment Act of 2020”.

4130 Sec. 6122. The Food Production and Urban Gardens Program Act of 1986, effective
4131 February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as
4132 follows:

4133 (a) Section 3a(d)(1) (D.C. Official Code § 48-402.01(d)(1)) is amended by striking the
4134 phrase “base period of 5 years” and inserting the phrase “base period of at least 5 years” in its
4135 place.

4136 (b) Section 3b is amended to read as follows:

4137 “Sec. 3b. Limitations on expenditures.

4138 “Total real property tax abatements provided for certain urban farms established pursuant
4139 to D.C. Official Code § 47-868 and the tax-exempt status conferred by D.C. Official Code § 47-
4140 1005(c) shall not exceed \$150,000 each year.”.

4141 Sec. 6123. Section 47-1005(c) of the District of Columbia Official Code is amended by
4142 striking the phrase “Department of General Services” and inserting the phrase “Department of
4143 Energy and Environment” in its place.

4144 **SUBTITLE N. WASTE DISPOSAL FEES**

4145 Sec. 6131. Short title.

4146 This subtitle may be cited as the “Waste Disposal Fees Regulation Emergency
4147 Amendment Act of 2020”.

4148 Sec. 6132. Section 720.8 of Title 21 of the District of Columbia Municipal Regulations
4149 (21 DCMR § 720.8) is amended to read as follows:

4150 “720.8 Beginning on October 1, 2020, the applicable fee for the disposal of each ton of
4151 solid waste at the waste-handling facilities, excluding those wastes specified in §§ 720.5, 720.6,
4152 and 720.7, shall be seventy dollars and sixty-two cents (\$70.62) for each ton disposed; provided,
4153 that a minimum fee of thirty five dollars and thirty-one cents (\$35.31) shall be imposed on each
4154 load weighing one thousand pounds (1,000 lb.) or less.”.

4155 **SUBTITLE O. FAST FERRY GRANT**

4156 Sec. 6141. Short title.

4157 This subtitle may be cited as the “Fast Ferry Grant Emergency Act of 2020”.

4158 Sec. 6142. (a) In Fiscal Year 2021, the District Department of Transportation (“DDOT”)
4159 shall award a grant of not less than \$250,000 to a regional transportation system supporting

4160 efforts to establish M-495 Commuter Fast Ferry Service on the Occoquan, Potomac, and
4161 Anacostia River system.

4162 (b) A grant awarded pursuant to this section shall be in addition to any other grant
4163 awarded by DDOT for fast ferry service.

4164 **TITLE VII. FINANCE AND REVENUE**

4165 **SUBTITLE A. PERSONAL PROPERTY TAX**

4166 Sec. 7001. Short title.

4167 This subtitle may be cited as the “Personal Property Tax Emergency Amendment Act of
4168 2020”.

4169 Sec. 7002. Title 47 of the District of Columbia Official Code is amended as follows:

4170 (a) Section 47-1508 is amended by adding a new paragraph (13) to read as follows:

4171 “(13)(A) Computer software, unless:

4172 “(i) The software is incorporated as a permanent component of a
4173 computer, machine, piece of equipment, or device, or of real property, and the software is not
4174 commonly available separately; or

4175 “(ii) The cost of the software is included as part of the cost of a
4176 computer, machine, piece of equipment, or device, or of the cost of real property on the books or
4177 records of the taxpayer.

4178 “(B) This paragraph shall not be construed to affect the value of a
4179 machine, device, piece of equipment, or computer, or the value of real property, or to affect the
4180 taxable status of any other property subject to tax under this title.”.

4181 (b) Section 47-1521 is amended as follows:

4182 (1) Paragraph (1) is redesignated as paragraph (1A).

4183 (2) A new paragraph (1) is added to read as follows:

4184 “(1) “Computer software” means a set of statements or instructions that when
4185 incorporated in a machine-usable medium is capable of causing a machine or device having
4186 information processing capabilities to indicate, perform, or achieve a particular function, task, or
4187 result.”.

4188 (3) Paragraph (4) is amended by striking the phrase “goods and chattels” and
4189 inserting the phrase “goods and chattels, including computer software,” in its place.

4190 Sec. 7003. Applicability.

4191 This subtitle shall apply as of July 1, 2021.

4192 **SUBTITLE B. UNINCORPORATED BUSINESS FRANCHISE TAX**

4193 Sec. 7011. Short title.

4194 This subtitle may be cited as the “Unincorporated Business Tax Emergency Amendment
4195 Act of 2020”.

4196 Sec. 7012. Section 47-1808.02(1) of the District of Columbia Official Code is amended
4197 by striking the phrase “Internal Revenue Code of 1986.” and inserting the phrase “Internal
4198 Revenue Code of 1986. Taxable income shall include gain from the sale or other disposition of
4199 any assets, including tangible assets and intangible assets, including real property and interests in
4200 real property, in the District, even when such a sale or other disposition results in the termination
4201 of an unincorporated business.” in its place.

4202 Sec. 7013. Applicability.

4203 This subtitle shall apply as of January 1, 2021.

4204 **SUBTITLE C. BALLPARK REVENUE FUND**

4205 Sec. 7021. Short title.

4206 This subtitle may be cited as the “Ballpark Revenue Fund Excess Revenue Emergency
4207 Amendment Act of 2020”.

4208 Sec. 7022. Section 102(d) of the Ballpark Omnibus Financing and Revenue Act of 2004,
4209 effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.02(d)), is amended by
4210 striking the phrase “due on the bonds.” and inserting the phrase “due on the bonds; provided, that
4211 any excess that accrues during Fiscal Year 2020, Fiscal Year 2021, or Fiscal Year 2022 shall be
4212 deposited in the unrestricted fund balance of the General Fund during the fiscal year in which it
4213 accrues.” in its place.

4214 Sec. 7023. Applicability.

4215 This subtitle shall apply as of August 1, 2020.

4216 **SUBTITLE D. EVENTS DC AUTHORITY**

4217 Sec. 7031. Short title.

4218 This subtitle may be cited as the “Events DC Authority Emergency Amendment Act of
4219 2020”.

4220 Sec. 7032. Title II of the Washington Convention Center Authority Act of 1994, effective
4221 September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.01 *et seq.*), is amended as
4222 follows:

4223 (a) Section 203 (D.C. Official Code § 10-1202.03) is amended as follows:

4224 (1) Paragraph (10K) is amended by striking the period and inserting a semicolon
4225 in its place.

4226 (2) A new paragraph (10L) is added to read as follows:

4227 “(10L) To issue grants pursuant to section 208(h) to support go-go music in the
4228 District of Columbia.”.

4229 (b) Section 204(m) (D.C. Official Code § 10-1202.04(m)), is amended by striking the
4230 phrase “Fiscal Year 2019 or Fiscal Year 2020” and inserting the phrase “Fiscal Year 2020 or
4231 Fiscal Year 2021” in its place.

4232 (c) Section 208 (D.C. Official Code § 10-1202.08) is amended by adding a new
4233 subsection (h) to read as follows:

4234 “(h) For Fiscal Year 2021, the Authority shall issue not less than \$1 million in grants
4235 from the Convention Center Fund to support go-go related programming, branding, tourism, and
4236 marketing; provided, that funds are available for such purpose and that the Authority first satisfy
4237 its current liabilities and legally required reserves, which shall not include the elective purchase
4238 or redemption of outstanding indebtedness, unless such purchase or redemption is for the
4239 purpose of securing a lower cost of borrowing and lower debt service payments.”.

4240 **SUBTITLE E. PARKSIDE PARCEL E AND J MIXED-INCOME APARTMENTS**
4241 **TAX ABATEMENT**

4242 Sec. 7041. Short title.

4243 This subtitle may be cited as the “Parkside Parcel E and J Mixed-Income Apartments
4244 Tax Abatement Emergency Amendment Act of 2020”.

4245 Sec. 7042. Section 47-4658 of the District of Columbia Official Code is amended by
4246 striking the number “2020” and inserting the number “2022” in its place both times it appears.

4247 Sec. 7043. Applicability.

4248 This subtitle shall apply as of the effective date of this act.

4249 **SUBTITLE F. OFF-PREMISES ALCOHOL TAX RATE**

4250 Sec. 7051. Short title.

4251 This subtitle may be cited as the “Off-Premises Alcohol Tax Rate Emergency
4252 Amendment Act of 2020”.

4253 Sec. 7052. Section 47-2002(a) of the District of Columbia Official Code is amended as
4254 follows:

4255 (a) Paragraph (3) is amended by striking the phrase “defined in § 47-2001(g-1)” and
4256 inserting the phrase “defined in § 47-2001(g-1) or spirituous or malt liquors, beer, and wine sold
4257 by an alcoholic beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or
4258 25-113.01(f) or (g)” in its place.

4259 (b) Paragraph (3A) is amended by striking the phrase “where sold” and inserting the
4260 phrase “where sold, unless sold by an alcoholic beverage licensee acting under authority of §§
4261 25-112(h)(1), 25-113(a)(3)(C), or 25-113.01(f) or (g)” in its place.

4262 Sec. 7053. Section 47-2202(a) of the District of Columbia Official Code is amended as
4263 follows:

4264 (a) Paragraph (3)(A) is amended by striking the phrase “defined in § 47-2001(g-1)” and
4265 inserting the phrase “defined in § 47-2001(g-1) or spirituous or malt liquors, beer, and wine sold
4266 by an alcoholic beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or
4267 25-113.01(f) or (g)” in its place.

4268 (b) Paragraph (3A) is amended by striking the phrase “where sold” and inserting the
4269 phrase “where sold, unless sold by an alcoholic beverage licensee acting under authority of §§
4270 25-112(h)(1), 25-113(a)(3)(C), or 25-113.01(f) or (g)” in its place.

4271 **SUBTITLE G. SUBJECT-TO-APPROPRIATIONS REPEALS AND**
4272 **MODIFICATIONS**

4273 Sec. 7061. Short title.

4274 This subtitle may be cited as the “Subject-to-Appropriations Emergency Amendment Act
4275 of 2020”.

4276 Sec. 7062. Section 3 of the DC HealthCare Alliance Recertification Simplification
4277 Amendment Act of 2017, effective December 13, 2017 (D.C. Law 22-35; 64 DCR 10929), is
4278 repealed.

4279 Sec. 7063. Section 3 of the East End Certificate of Need Maximum Fee Establishment
4280 Amendment Act of 2018, effective October 30, 2018, (D.C. Law 22-176; 65 DCR 9552), is
4281 repealed.

4282 Sec. 7064. Section 301(a) of the Birth-to-Three for All DC Amendment Act of 2018,
4283 effective October 30, 2018 (D.C. Law 22-179; 65 DCR 9569), is amended by striking the phrase
4284 “107(b),” and inserting the phrase “107,” in its place.

4285 Sec. 7065. Section 8 of the Tipped Wage Workers Fairness Amendment Act of 2018,
4286 effective December 13, 2018 (D.C. Law 22-196; 65 DCR 12049), is repealed.

4287 Sec. 7066. The Ensuring Community Access to Recreational Spaces Act of 2018,
4288 effective February 22, 2019 (D.C. Law 22-210; D.C. Official Code § 38-431 *et seq.*), is amended
4289 as follows:

4290 (a) Section 4(b) (D.C. Official Code § 38-433(b)) is amended by striking the phrase
4291 “Within 180 days after February 22, 2019, the Mayor” and inserting the phrase “The Mayor” in
4292 its place.

4293 (b) A new section 7a is added to read as follows:

4294 “Sec. 7a. Applicability.

4295 “(a) Section 4 shall apply upon the date of inclusion of its fiscal effect in an approved
4296 budget and financial plan.

4297 “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect
4298 in an approved budget and financial plan, and provide notice to the Budget Director of the
4299 Council of the certification.

4300 “(c)(1) The Budget Director shall cause the notice of the certification to be published in
4301 the District of Columbia Register.

4302 “(2) The date of publication of the notice of the certification shall not affect the
4303 applicability of section 4.”.

4304 Sec. 7067. Section 3 of the Boxing and Wrestling Commission Amendment Act of 2018,
4305 effective February 22, 2019 (D.C. Law 22-228; 66 DCR 200), is repealed.

4306 Sec. 7068. The Senior Strategic Plan Amendment Act of 2018, effective March 28, 2019
4307 (D.C. Law 22-267; 66 DCR 1428), is amended by adding a new section 3a to read as follows:

4308 “Sec. 3a. Applicability.

4309 “(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved
4310 budget and financial plan.

4311 “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect
4312 in an approved budget and financial plan, and provide notice to the Budget Director of the
4313 Council of the certification.

4314 “(c)(1) The Budget Director shall cause the notice of the certification to be published in
4315 the District of Columbia Register.

4316 “(2) The date of publication of the notice of the certification shall not affect the
4317 applicability of this act.”.

4318 Sec. 7069. Section 5 of the Public Restroom Facilities Installation and Promotion Act of
4319 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is amended to read as follows:

4320 “Sec. 5. Applicability.

4321 “(a) Section 4 shall apply upon the date of inclusion of its fiscal effect in an approved
4322 budget and financial plan.

4323 “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect
4324 in an approved budget and financial plan and provide notice to the Budget Director of the
4325 Council of the certification.

4326 “(c)(1) The Budget Director shall cause the notice of the certification to be published in
4327 the District of Columbia Register.

4328 “(2) The date of publication of the notice of the certification shall not affect the
4329 applicability of section 4.”.

4330 Sec. 7070. Section 5 of the Sports Wagering Lottery Amendment Act of 2018, effective
4331 May 3, 2019 (D.C. Law 22-312; 66 DCR 1402), is repealed.

4332 Sec. 7071. Section 4 of the Mypheduh Films DBA Sankofa Video and Books Real
4333 Property Tax Exemption Act of 2019, effective September 11, 2019 (D.C. Law 23-24; 66 DCR
4334 9759), is repealed.

4335 Sec. 7072. Section 3 of the Certificate of Need Fee Reduction Amendment Act of 2019,
4336 effective March 10, 2020, (D.C. Law 23-60; 67 DCR 568), is repealed.

4337 Sec. 7073. Section 3 of the Electronic Medical Order for Scope of Treatment Registry
4338 Amendment Act of 2019, effective March 10, 2020, (D.C. Law 23-62; 67 DCR 574), is repealed.

4339 Sec. 7074. Section 5 of the Housing Conversion and Eviction Clarification Amendment
4340 Act of 2020, effective April 16, 2020 (D.C. Law 23-72; 67 DCR 2476), is repealed.

4341 Sec. 7075. Section 5 of the Urban Farming Land Lease Amendment Act of 2020,
4342 effective April 16, 2020 (D.C. Law 23-80; 67 DCR 2494), is repealed.

4343 Sec. 7076. Section 4 of the Office on Caribbean Affairs Establishment Act of 2020,
4344 effective May 6, 2020 (D.C. Law 23-87; 67 DCR 3534), is repealed.

4345 Sec. 7077. Section 3 of the Strengthening Reproductive Health Protections Amendment
4346 Act of 2020, effective May 6, 2020 (D.C. Law 23-90; 67 DCR 3537), is repealed.

4347 Sec. 7078. Section 6 of the Certified Professional Midwife Amendment Act of 2020,
4348 effective June 17, 2020, (D.C. Law 23-97; 67 DCR 3912), is repealed.

4349 Sec. 7079. Section 3 of the Leave to Vote Amendment Act of 2020, effective June 24,
4350 2020 (D.C. Law 23-110; 67 DCR 5057), is repealed.

4351 Sec. 7080. Section 3 of the Transportation Benefits Equity Amendment Act of 2020,
4352 effective June 24, 2020 (D.C. Law 23-113; 67 DCR 5069), is repealed.

4353 Sec. 7081. Section 3 of the Professional Art Therapist Licensure Amendment Act of
4354 2020, effective June 24, 2020, (D.C. Law 23-115; 67 DCR 5077), is repealed.

4355 Sec. 7082. Section 6 of the Ivory and Horn Trafficking Prohibition Act of 2020,
4356 enacted on April 27, 2020 (D.C. Act 23-302; 67 DCR 5060), is repealed.

4357 **SUBTITLE H. COUNCIL PERIOD 23 RULE 736 AND OTHER REPEALS**

4358 Sec. 7091. Short title.

4359 This subtitle may be cited as the “Council Period 23 Rule 736 and Other Repeals
4360 Emergency Amendment Act of 2020”.

4361 Sec. 7092. Section 1013(g) of the Innovation Fund Establishment Act of 2013, effective
4362 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-325.222(g)), is repealed.

4363 Sec. 7093. The Health Care Provider Facility Expansion Program Establishment Act of
4364 2018, effective May 5, 2018 (D.C. Law 22-97; D.C. Official Code § 7-1941.01 *et seq.*), is
4365 repealed.

4366 Sec. 7094. Section 202 of the Ballpark Omnibus Financing and Revenue Act of 2004,
4367 effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1602.02), is repealed.

4368 Sec. 7095. The School Health Innovations Grant Program Amendment Act of 2018,
4369 effective May 5, 2018 (D.C. Law 22-98; D.C. Official Code § 38-671.01 *et seq.*), is repealed.

4370 Sec. 7096. Section 3602(d) of the Restrictions on the Use of Official Vehicles Act of
4371 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(d)), is
4372 repealed.

4373 Sec. 7097. Sections 103 and 105(c) of the Employee Transportation Amendment Act of
4374 2012, effective March 5, 2013 (D.C. Law 19-223; D.C. Official Code §§ 50-211.03 and 50-
4375 211.05(c)), are repealed.

4376 Sec. 7099. The Exhaust Emissions Inspection Amendment Act of 2017, effective January
4377 25, 2018 (D.C. Law 22-47; 64 DCR 12403) is repealed.

4378 Sec. 7100. The Public School Health Services Amendment Act of 2017, effective
4379 February 17, 2018 (D.C. Law 22-61; 65 DCR 127), is repealed.

4380 Sec. 7101. The DC Healthcare Alliance Re-Enrollment Reform Amendment Act of 2017,
4381 effective February 17, 2018 (D.C. Law 22-62; 65 DCR 9), is repealed.

4382 Sec. 7102. The Ballpark Fee Forgiveness Act of 2017, effective February 28, 2018 (D.C.
4383 Law 22-64; 65 DCR 328), is repealed.

4384 Sec. 7103. Section 2(nn) and (oo) of the Homeless Services Reform Amendment Act of
4385 2017, effective February 28, 2018 (D.C. Law 22-65; 65 DCR 331), are repealed.

4386 Sec. 7104. The East End Commercial Real Property Tax Rate Reduction Amendment Act
4387 of 2018, effective March 29, 2018 (D.C. Law 22-81; 65 DCR 1582), is repealed.

4388 Sec. 7105. The Relieve High Unemployment Tax Incentives Act of 2018, effective April
4389 25, 2018 (D.C. Law 22-85; 65 DCR 1805), is repealed.

4390 Sec. 7106. The Telehealth Medicaid Expansion Amendment Act of 2018, effective July
4391 3, 2018 (D.C. Law 22-126; 65 DCR 5110), is repealed.

4392 Sec. 7107. The Expenditure Commission Establishment Act of 2019, effective September
4393 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

4394 **SUBTITLE I. DISTRICT HISTORY GRANT**

4395 Sec. 7111. Short title.

4396 This subtitle may be cited as the “District History Grant Emergency Act of 2020”.

4397 Sec. 7112. (a) The Washington Convention and Sports Authority (“Events DC”)
4398 shall award a grant to a nonprofit organization occupying space in the Carnegie Library
4399 building that is engaged in collecting, interpreting, and sharing the history of the District.

4400 (b) In Fiscal Year 2021, of the funds allocated to the Non-Departmental Account,
4401 \$100,000 shall be transferred to Events DC to use for the grant authorized by subsection
4402 (a) of this section.

4403 (c) A grant awarded pursuant to this section shall be in addition to any other grant
4404 awarded by Events DC in support of historical education and research.

4405 **SUBTITLE J. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING**
4406 **MATCH**

4407 Sec. 7121. Short title.

4408 This subtitle may be cited as the “National Cherry Blossom Festival Fundraising
4409 Match Emergency Act of 2020”.

4410 Sec. 7122. National Cherry Blossom Festival Fundraising.

4411 (a) There is established a matching grant program to support the 2021 National
4412 Cherry Blossom Festival (“Program”), which shall be administered by the Washington
4413 Convention and Sports Authority (“Events DC”). Under the Program, a matching grant
4414 shall be awarded to a nonprofit organization that organizes and produces an event or
4415 events as part of the official, month-long National Cherry Blossom Festival (“Festival”)
4416 of up to \$1,000,000 at a rate of \$2 for every dollar that the organization has raised in
4417 donations by April 30, 2021.

4418 (b) In Fiscal Year 2021, of the funds allocated to the Non-Departmental Account,
4419 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by
4420 subsection (a) of this section.

4421 (c) A grant awarded pursuant to this section shall be in addition to any other grant
4422 awarded by Events DC in support of the Festival.

4423 **SUBTITLE K. MOTOR VEHICLE FUEL TAX**

4424 Sec. 7131. Short Title.

4425 This subtitle may be cited as the “Motor Vehicle Fuel Tax Emergency Amendment Act
4426 of 2020”.

4427 Sec. 7132. Chapter 23 of Title 47 of the District of Columbia Official Code is amended as
4428 follows:

4429 (a) Section 47-2301 is amended as follows:

4430 (1) Subsection (a) is amended by adding a new paragraph (4) to read as follows:

4431 “(4) This subsection shall not apply after September 30, 2020.”.

4432 (2) A new subsection (a-1) is added to read as follows:

4433 “(a-1)(1) The District shall levy and collect a tax and a local transportation surcharge
4434 (“surcharge”) on motor vehicle fuels sold or otherwise disposed of by an importer or by a user,
4435 or used for commercial purposes.

4436 “(2) As of October 1, 2020:

4437 “(A) The rate of tax shall be \$.235 per gallon; and

4438 “(B) The surcharge shall be \$.053 per gallon;

4439 “(3) As of October 1, 2021, the surcharge shall be \$.103 per gallon, increased
4440 annually, beginning with the fiscal year commencing on October 1, 2022, by the cost-of-living
4441 adjustment.”.

4442 (3) Subsection (c) is amended to read as follows:

4443 “(c) The Chief Financial Officer of the District of Columbia shall:

4444 “(1) Transfer annually to the District of Columbia Highway Trust Fund the
4445 proceeds of the taxes imposed under subsection (a) and (a-1) of this section; and

4446 “(2) Transfer to the Capital Improvements Program the revenue derived from the
4447 surcharge under subsection (a-1) to fund the renovation, repair, and maintenance of local
4448 transportation infrastructure.”.

4449 (b) Section 47-2302 is amended by adding a new paragraph (24) to read as follows:

4450 “(24)(A) “Cost-of-living adjustment” means the ratio of CPI for the preceding
4451 calendar year and the CPI for the base year.

4452 “(B) For the purposes of this paragraph, the term:

4453 “(i) “Base year” means the calendar year ending December 31,
4454 2020.

4455 “(ii) "CPI" means the average of the Consumer Price Index for All
4456 Urban Consumers for the Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan
4457 Statistical Area (or such successor metropolitan statistical area that includes the District) for the
4458 preceding calendar year.”.

4459 Sec. 7133. Section 102a of the Highway Trust Fund Establishment Act of 1996, effective
4460 April 9, 1997 (D.C. Law 11-184; D.C. Official Code § 9-111.01a), is amended by adding a new
4461 subsection (c) to read as follows:

4462 “(c) Revenue derived from the local transportation surcharge on motor vehicle fuels sold
4463 or otherwise disposed of by an importer or by a user, or used for commercial purposes, pursuant
4464 to D.C. Official Code § 47-2301(a-1), shall be transferred to the Capital Improvements Program
4465 to fund the renovation, repair, and maintenance of local transportation infrastructure.”.

4466 **SUBTITLE L. NEW COMMUNITIES CLARIFICATION**

4467 Sec. 7141. Short title.

4468 This subtitle may be cited as the “New Communities Bond Clarification Emergency
4469 Amendment Act of 2020”.

4470 Sec. 7142. Section 203(b) of the Housing Production Trust Fund Act of 1988, effective
4471 October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 42-2812.03(b)), is amended to read as
4472 follows:

4473 “(b)(1) The bonds, which may be issued from time to time, in one or more series, shall be
4474 tax-exempt or taxable as the Mayor shall determine.

4475 (2) The total amount of funds allocated annually from the Housing Production
4476 Trust Fund to pay debt service on the bonds shall not exceed \$16 million.”.

4477 **SUBTITLE M. QHTC TAX INCENTIVES MODIFICATION**

4478 Sec. 7151. Short Title.

4479 This subtitle may be cited as the “QHTC Tax Incentives Modification Emergency
4480 Amendment Act of 2020”.

4481 Sec. 7152. Title 47 of the District of Columbia Official Code is amended as follows:

4482 (a) Section 47-1508(a)(10) is repealed.

4483 (b) Chapter 18 is amended as follows:

4484 (1) Section 47-1803.03(a)(18) is repealed.

4485 (2) Section 47-1817.01(5)(A)(ii) is amended by striking the number “2” and
4486 inserting the number “10” in its place.

4487 (3) Section 47-1817.02 is repealed.

4488 (4) Section 47-1817.04 is amended as follows:

4489 (A) Subsection (d) is amended by striking the figure “\$20,000” and
4490 inserting the figure “\$10,000” in its place.

4491 (B) Subsection (e) is repealed.

4492 (5) Section 47-1817.05(c) is repealed.

4493 (6) Section 47-1817.06 is repealed.

4494 (7) Section 47-1817.07 is repealed.

4495 (8) Section 47-1817.07a is amended by striking the phrase “For tax years
4496 beginning after December 31, 2018, notwithstanding” and inserting the phrase “For the tax year
4497 beginning after December 31, 2018 and ending before January 1, 2020, and for tax years
4498 beginning after December 31, 2024, notwithstanding” in its place.

4499 (9) Section 47-1818.06(3) is repealed.

4500 Sec. 7153. Applicability.

4501 This subtitle shall apply as of January 1, 2020 except for Section 7152(a) which shall
4502 apply as of July 1, 2021.

4503 **SUBTITLE N. ADAMS MORGAN BID**

4504 Sec. 7161. Short title.

4505 This subtitle may be cited as the “Adams Morgan Business Improvement District
4506 Emergency Amendment Act of 2020”.

4507 Sec. 7162. Section 206(c) of the Business Improvement District Act of 1996, effective
4508 March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56(c)), is amended to read as
4509 follows:

4510 “(c) The BID taxes for the taxable properties in the Adams Morgan BID shall not exceed
4511 \$.21 for each \$100 in assessed value for all taxable properties and all commercial portions of
4512 mixed use properties; provided, that any change in the BID taxes from the current tax year rates
4513 shall be made subject to the requirements of section 9.”.

4514 **SUBTITLE O. SKYLAND TAX EXEMPTION**

4515 Sec. 7171. This subtitle may be cited as the “Skyland Tax Exemption Emergency
4516 Amendment Act of 2020”.

4517 Sec. 7172. Section 302 of the District of Columbia Deed Recordation Tax Act, approved
4518 March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows:

4519 (a) Paragraph (34) is amended by striking the phrase “; and” and inserting a semicolon in
4520 its place.

4521 (b) Paragraph (35) is amended by striking the period at the end and inserting the phrase “;
4522 and” in its place.

4523 (c) A new paragraph (36) is added to read as follows:

4524 “(36)(A) Deeds conveying, vesting, granting, or assigning title to, an interest in, a
4525 security interest in, or an economic interest in the real property (and any improvements thereon)
4526 described as Square 5633, Lots 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814,
4527 815, 816, 817, 818, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 7000, 7009, and 7010 that
4528 are recorded between the applicability date of the Skyland Tax Exemption Amendment Act of
4529 2020, passed on 1st reading on July 7, 2020 (Engrossed version of Bill 23-760) and December
4530 31, 2020.

4531 “(B) The amount of all taxes, fees, and deposits exempted under this
4532 paragraph and D.C. Official Code § 47-902(28), shall not exceed, in the aggregate, \$420,840.”.

4533 Sec. 7173. Section 47-902 of the District of Columbia Official Code is amended by
4534 adding a new paragraph 28 to read as follows:

4535 “(28)(A) Transfers with respect to the real property (and any improvements
4536 thereon) described as Square 5633, Lots 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812,
4537 813, 814, 815, 816, 817, 818, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 7000, 7009, and
4538 7010, as evidenced by the recordation of a deed conveying title to the real property between the
4539 applicability date of the Skyland Tax Exemption Amendment Act of 2020, passed on 1st reading
4540 on July 7, 2020 (Engrossed version of Bill 23-760) and December 31, 2020.

4541 “(B) The amount of all taxes, fees, and deposits exempted under this
4542 paragraph and § 42-1102(36), shall not exceed, in the aggregate, \$420,840.”.

4543 **SUBTITLE P. COMBINED REPORTING TAX DEDUCTION DELAY**

4544 Sec. 7181. Short title.

4545 This subtitle may be cited as the “Combined Reporting Tax Deduction Delay Emergency
4546 Amendment Act of 2020”.

4547 Sec. 7182. Section 47-1810.08(b) of the District of Columbia Official Code is amended
4548 as follows:

4549 (a) Paragraph (1) is amended by striking the phrase “beginning with the 10th year of the
4550 combined filing” and inserting the phrase “beginning with the 15th year of the combined filing”
4551 in its place.

4552 (b) Paragraph (2) is amended by striking the number “2015” and inserting the number
4553 “2020” in its place.

4554 **SUBTITLE Q. ESTATE TAX ADJUSTMENT**

4555 Sec. 7191. Short title.

4556 This subtitle may be cited as the “Estate Tax Adjustment Emergency Amendment Act of
4557 2020”.

4558 Sec. 7192. Section 47-3701 of the District of Columbia Official Code is amended as
4559 follows:

4560 (a) Paragraph (4) is amended as follows:

4561 (1) Subparagraph (E) is amended by striking the phrase “dying after December
4562 31, 2017” and inserting the phrase “whose death occurs after December 31, 2017, but before
4563 January 1, 2021” in its place.

4564 (2) A new subparagraph (F) is added to read as follows:

4565 “(F) For a decedent whose death occurs after December 31, 2020:

4566 (i) The maximum amount of credit for state death taxes allowed by
4567 section 2011 of the Internal Revenue Code;

4568 (ii) The amount of the unified credit shall be \$1,545,800, increased
4569 annually, beginning with the year commencing on January 1, 2022, by the cost-of-living
4570 adjustment; and

4571 (iii) An estate tax return shall not be required to be filed if the
4572 decedent’s gross estate does not exceed the applicable zero bracket amount.”.

4573 (b) Paragraph (14) is amended as follows:

4574 (1) Subparagraph (B) is amended by striking the phrase “; or” and inserting a
4575 semicolon in its place.

4576 (2) Subparagraph (C) is amended as follows:

4577 (A) Strike the phrase “after December 31, 2017” and insert the phrase
4578 “after December 31, 2017, but before January 1, 2021” in its place.

4579 (B) Strike the period at the end and insert the phrase “; or” in its place.

4580 (3) A new subparagraph (D) is added to read as follows:

4581 “(D) For a decedent whose death occurs after December 31, 2020, \$4
4582 million, increased annually, beginning with the year commencing on January 1, 2022, by the
4583 cost-of-living adjustment.”.

4584 **SUBTITLE R. DISTRICT OF COLUMBIA LOW-INCOME HOUSING TAX**

4585 **CREDIT CLARIFICATION**

4586 Sec. 7201. Short title.

4587 This subtitle may be cited as the “District of Columbia Low-Income Housing Tax Credit
4588 Clarification Amendment Act of 2020”.

4589 Sec. 7202. Chapter 48 of Title 47 of the District of Columbia Official Code is amended as
4590 follows:

4591 (a) The table of contents is amended by striking the phrase “47-4806. Transfer, sale, or
4592 assignment” and inserting the phrase “47-4806. Transfer, sale, assignment, or allocation” in its
4593 place.

4594 (b) Section 47-4801 is amended as follows:

4595 (1) A new paragraph (1A) is added to read as follows:

4596 “(1A) “Commissioner” means the Commissioner of the Department of Insurance,
4597 Securities, and Banking.”.

4598 (2) Paragraph (3) is amended by striking the phrase “cause the construction of
4599 affordable housing” and inserting the phrase “cause the acquisition, rehabilitation, or
4600 construction of affordable housing” in its place.

4601 (3) Paragraph (6) is amended by striking the phrase ““Low-Income Housing Tax
4602 Credit Program” means the program authorized by section 42 of the Internal Revenue Code of
4603 1986” and inserting the phrase ““Federal low-income housing tax credit” means a tax credit
4604 claimed pursuant to section 42 of the Internal Revenue Code of 1986” in its place.

4605 (4) Paragraph (7) is repealed.

4606 (5) Paragraph (8) is amended by striking the phrase “a rental housing
4607 development that receives an allocation of federal Low-Income Housing Tax Credits from the
4608 Department” and inserting the phrase “a rental housing development in the District that receives
4609 an allocation of federal low-income housing tax credits under section 42(h)(1) or (4) of the 1986
4610 Internal Revenue Code after the effective date of the District of Columbia Low-Income Housing
4611 Tax Credit Clarification Amendment Act of 2020, passed on 2nd reading on July 28, 2020
4612 (Enrolled version of Bill 23-760), and receives an executed extended low-income housing

4613 commitment pursuant to section 42(h)(6)(b) of the 1986 Internal Revenue Code from the
4614 Department dated on or after October 1, 2022”.

4615 (c) Section 47-4802 is amended as follows:

4616 (1) Subsection (a) is amended to read as follows:

4617 “(a) There is established a District of Columbia low-income housing tax credit.”.

4618 (2) Subsection (b) is repealed.

4619 (3) Subsection (c) is repealed.

4620 (4) Subsection (d) is amended by striking the phrase “tax credit award” and
4621 inserting the phrase “tax credit” in its place.

4622 (d) Section 47-4803 is amended as follows:

4623 (1) Subsection (a) is amended to read as follow:

4624 “(a) An owner of a qualified project may receive a District of Columbia low-income
4625 housing tax credit with respect to that qualified project in an amount equal to 25% of the value of
4626 the federal low-income housing tax credit received with respect to the qualified project.”.

4627 (2) Subsection (b) is amended to read as follows:

4628 “(b) If the owner of a qualified project transfers, sells, or assigns a District of Columbia
4629 low-income housing tax credit to another taxpayer pursuant to § 47-4806, the District of
4630 Columbia low-income housing tax credit shall not be taken, pursuant to subsection (c) of this
4631 section, against taxes imposed under this title unless the owner has filed with the Department, in
4632 a form determined by the Department, an affidavit certifying that:

4633 “(1) The owner of the qualified project received, as consideration for transferring,

4634 selling, or assigning the District of Columbia low-income housing tax credit, at least 80% of the
4635 per dollar sale price for a federal low-income housing tax credit associated with the qualified
4636 project that the owner has transferred, sold, or assigned; and

4637 “(2) The value received by the owner of the qualified project was used to ensure
4638 financial feasibility of the qualified project.”.

4639 (3) Subsection (c) is amended to read as follows:

4640 “(c)(1) The District of Columbia low-income housing tax credit may be claimed against
4641 taxes imposed under Chapter 18 of this title or § 47-2608(a)(1).

4642 “(2) The District of Columbia low-income housing tax credit may be claimed
4643 equally for 10 years, subtracted from the tax otherwise due for each taxable period and shall not
4644 be refundable; provided, that the credit may not be taken against any tax that is dedicated in
4645 whole or in part to the Healthy DC and Health Care Expansion Fund established by § 31-
4646 3514.02.”.

4647 “(3) If the District of Columbia low-income housing tax credit is claimed against
4648 taxes imposed under Chapter 18 of this title, any amount of the low-income housing tax credit
4649 that exceeds the tax due for a taxable year may be carried forward to any of the 10 remaining
4650 subsequent taxable years for taxes imposed under Chapter 18 of this title. If the District of
4651 Columbia low-income housing tax credit is claimed against taxes imposed under § 47-
4652 2608(a)(1), any amount of the credit that exceeds the tax due for a taxable year may be carried
4653 forward to any of the 10 remaining subsequent taxable years for taxes imposed under § 47-
4654 2608(a)(1).”.

4655 (4) Subsection (d)(1) is amended by striking the phrase “allocated to parties who
4656 are eligible under the provisions of subsection (a) of this section” and inserting the phrase

4657 “transferred, sold, assigned, or allocated to parties who are eligible pursuant to Chapter 48 of
4658 Title 47 of the District of Columbia Official Code” in its place.

4659 (5) Subsection (e) is amended as follows:

4660 (A) The lead-in language is amended by striking the phrase “submitted to
4661 the Chief Financial Officer as provided in this section” and inserting the phrase “submitted to the
4662 Chief Financial Officer or the Commissioner as provided in this section” in its place.

4663 (B) Paragraph (2) is amended by striking the phrase “each taxpayer
4664 subject to the recapture” and inserting the phrase “each transferee, purchaser, assignee, or party
4665 to whom a credit is allocated” in its place.

4666 (C) Paragraph (3) is amended by striking the phrase “allocated to such
4667 taxpayer” and inserting the phrase “allocated to such transferee, purchaser, assignee, or party to
4668 whom a credit is allocated” in its place.

4669 (6) Subsection (f)(1) is amended by striking the phrase “A tax credit allowed
4670 under this section shall not be denied to the taxpayer with respect to any qualified project” and
4671 inserting the phrase “A District of Columbia low-income housing tax credit allowed under this
4672 section shall not be denied with respect to any qualified project” in its place.

4673 (e) Section 47-4804 is amended as follows:

4674 (1) Subsection (a) is amended to read as follows:

4675 “(a) The owner of a qualified project eligible for the District of Columbia low-income
4676 housing tax credit shall submit a copy of the eligibility statement issued by the Department with
4677 respect to the qualified project at the time of filing the return required to be filed by the owner
4678 pursuant to § 47-1805.02. In the case of failure to attach the eligibility statement, a credit under

4679 this section shall not be allowed with respect to such qualified project for that year until the copy
4680 is provided to the Chief Financial Officer and the Commissioner.”.

4681 (2) Subsection (b) is amended by striking the phrase “such qualified District of
4682 Columbia project shall also be recaptured” and inserting the phrase “such qualified District of
4683 Columbia project shall also be recaptured by the Office of Chief Financial Officer or
4684 Commissioner of Insurance, Securities, and Banking” in its place.

4685 (f) Section 47-4805 is amended by striking the phrase “The Chief Financial Officer or the
4686 Department may require” and inserting the phrase “The Chief Financial Officer, the
4687 Commissioner, or the Department may require” in its place.

4688 (g) Section 47-4806 is amended as follows:

4689 (1) The section heading is amended by striking the phrase “Transfer, sale, or
4690 assignment” and inserting the phrase “Transfer, sale, assignment, or allocation” in its place.

4691 (2) Subsection (a) is amended as follows:

4692 (A) The existing language is redesignated as paragraph (1) and amended
4693 to read as follows:

4694 “(1) All or any portion of credits issued in accordance with the provisions of
4695 this section may be transferred, sold, or assigned to another taxpayer. There is no limit on the
4696 total number of transactions for the transfer, sale, or assignment of all or part of the total credit
4697 authorized under this section. Collectively, all transfers, sales, assignments, and allocations
4698 pursuant to paragraph (a)(2) of this subsection are subject to the maximum credit allowable to a
4699 particular qualified project.”.

4700 (B) A new paragraph (2) is added to read as follows:

4701 “(2) A tax credit earned or purchased by, or transferred or assigned to, a

4702 partnership, limited liability company, S corporation, or other pass-through entity may be
4703 allocated to the partners, members, or shareholders of that entity in accordance with the
4704 provisions of any agreement among the partners, members, or shareholders and without
4705 regarding to the ownership interest of the partners, members, or shareholders in the qualified
4706 project. A partner, member, or shareholder to whom a tax credit is allocated may further allocate
4707 all or part of the allocated credit as provided in this subsection or may transfer, sell, or assign the
4708 allocated credit as provided in paragraph (1) of this subsection. There is no limit on the total
4709 number of allocations of all or part of the total credit authorized under this section; however,
4710 collectively, all transfers, sales, assignments, and allocations, made pursuant to this subsection,
4711 are subject to the maximum credit allowable to a particular qualified project.”.

4712 (3) Subsection (b) is amended to read as follows:

4713 “(b) An owner, transferee, purchaser, assignee, or taxpayer to whom a tax credit is
4714 allocated pursuant to subsection (a)(2) of this section, desiring to make a transfer, sale,
4715 assignment, or allocation pursuant to subsection (a)(2) of this section, shall submit to the Chief
4716 Financial Officer and the Commissioner a statement that describes the amount of District of
4717 Columbia low-income housing tax credit for which such transfer, sale, assignment, or allocation
4718 of District of Columbia low-income housing tax credit is eligible. The owner, transferor, seller,
4719 assignor, or taxpayer who is allocating, pursuant to subsection (a)(2) of this section, the tax
4720 credit, as applicable, shall provide to the Chief Financial Officer and the Commissioner
4721 appropriate information so that the low-income housing tax credit can be properly allocated.”.

4722 (4) Subsection (c)(3) is amended to read as follows:

4723 “(3) Amount of credit previously transferred, sold, assigned, or allocated to such
4724 transferee, purchaser, assignee, or taxpayer to whom a credit is allocated.”.

4725 (h) Section 47-4807 is amended as follows:

4726 (1) Subsection (a) is amended by striking the phrase “The Department, in
4727 consultation with the Chief Financial Officer, shall monitor” and inserting the phrase “The
4728 Department, in consultation with the Chief Financial Officer and the Commissioner, shall
4729 monitor” in its place.

4730 (2) Subsection (b) is amended by striking the phrase “The Department or the
4731 Chief Financial Officer shall report” and inserting the phrase “The Department, the Chief
4732 Financial Officer, or the Commissioner shall report” in its place.

4733 **TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

4734 Sec. 8001. Short title.

4735 This subtitle may be cited as the “Designated Fund Transfer Emergency Act of 2020”.

4736 Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the
4737 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year
4738 2021 and in each fiscal year through Fiscal Year 2024 the following recurring amounts from
4739 certified fund balances and other revenue in the identified accounts to the unassigned fund
4740 balance of the General Fund of the District of Columbia:

Agency Code	Agency	Fund Detail	Fund Name	FY 2021 -2024
CR0	DCRA	6013	Basic Business License Fund	6,000
CR0	DCRA	6040	Corporate Recordation Fund	12,500
HC0	DOH	0605	SHPDA Fees	4,000
HC0	DOH	0632	Pharmacy Protection	5,393
HC0	DOH	0633	Radiation Protection	3,500
HC0	DOH	0643	Board of Medicine	145,493
HC0	DOH	0656	EMS Fees	5,250
KG0	DOEE	0646	Stormwater Fees	2,000
KG0	DOEE	0662	Renewable Energy Development Fund	30,000

KG0	DOEE	6700	Sustainable Energy Trust Fund	40,000
LQ0	ABRA	6017	ABC - Import and Class License Fees	245,368
PO0	OCP	4010	DC Surplus Personal Property Sales Operation	10,000
SR0	DISB	2100	HMO Assessment	17,763
SR0	DISB	2200	Insurance Assessment	120,790
SR0	DISB	2350	Securities and Banking Fund	370,403
SR0	DISB	2800	Captive Insurance	82,741
TC0	DFHV	2400	Public Vehicles for Hire	21,000
Total				1,122,201

4741

4742 (b) The amounts identified in subsection (a) of this section shall be made available as set
4743 forth in the approved Fiscal Year 2021 Budget and Financial Plan.

4744 **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

4745 Sec. 9001. Applicability.

4746 Except as otherwise provided, this act shall apply as of October 1, 2020.

4747 Sec. 9002. Fiscal impact statement.

4748 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
4749 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
4750 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

4751 Sec. 9003. Effective date.

4752 This act shall take effect following approval by the Mayor (or in the event of veto by the
4753 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
4754 90 days, as provided for emergency acts of the Council of the District of Columbia in section
4755 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
4756 D.C. Official Code § 1-204.12(a)).

4757