


Chairman Phil Mendelson

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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 2022 budget.

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166 **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE 394**

167 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
168 act may be cited as the “Fiscal Year 2022 Budget Support Emergency Act of 2021”.

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

170 **SUBTITLE A. INSPECTOR GENERAL SUPPORT FUND**

171 Sec. 1001. Short title.

172 This subtitle may be cited as the “Inspector General Support Fund Establishment
173 Emergency Amendment Act of 2021”.

174 Sec. 1002. The District of Columbia Procurement Practices Act of 1985, effective
175 February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), is amended by
176 adding a new section 208a to read as follows:

177 “Sec. 208a. Office of the Inspector General Support Fund.

178 “(a) There is established as a special fund the Office of the Inspector General Support
179 Fund (“Fund”), which shall be administered by the Office of the Inspector General (“OIG”) in
180 accordance with subsection (d) of this section.

181 “(b) The following funds shall be deposited into the Fund:

182 “(1) Twenty-five percent of the revenue received by the District from each
183 restitution and recoupment resulting from a criminal action that was initiated based on a referral
184 by the Office of the Inspector General of a criminal matter to the United States Attorney’s Office
185 or the Office of the Attorney General for the District; provided, that such revenue is not due to

186 another party or encumbered by federal or other legal restrictions; provided further, that before
187 the deposit of such revenue into the Fund in each of Fiscal Years 2022 through 2025, there shall
188 be deposited first into the General Fund of the District of Columbia \$284,000 from such
189 recoveries or from recaptured payments described in paragraph (2) of this subsection; and

190 “(2) Twenty-five percent of the revenue received by the District resulting from
191 recaptured overpayments identified by the Office of the Inspector General during the course of
192 an audit, inspection, or evaluation; provided, that such revenue is not due to another party or
193 encumbered by federal or other legal restrictions; provided further, that before the deposit of
194 such revenue into the Fund in each of Fiscal Years 2022 through 2025, there shall be deposited
195 first into the General Fund of the District of Columbia \$284,000 from such recaptured
196 overpayments or from recoveries described in paragraph (1) of this subsection.

197 “(c)(1) Notwithstanding subsection (b) of this section:

198 “(A) No more than \$1 million may be deposited into the Fund in any fiscal
199 year; and

200 “(B) No additional revenue shall be deposited into the Fund if the deposit
201 of the additional revenue would result in the total amount in the Fund exceeding \$2.5 million.

202 “(2) Revenue described in subsection (b) of this section that is not deposited into
203 the Fund as a result of the restrictions set forth in this subsection shall instead be deposited in the
204 General Fund.

205 “(d) Money in the Fund shall be used to support OIG’s statutory responsibilities as set
206 forth in section 208.

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

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

212 “(f) For the purposes of this section, the term “recaptured overpayments” means local
213 funds disbursed by a District agency, a District contractor, a District grantee, or other entity
214 administering a District program or activity in excess of statutory, contractual, or other
215 applicable legal requirements, when such excess disbursements are identified by the OIG in an
216 audit or investigation, and when such excess disbursements are recovered by the District based
217 on the OIG audit or investigation.”.

218 **SUBTITLE B. COVID-19 PUBLIC HEALTH EMERGENCY PROCUREMENT**
219 **ANALYSIS**

220 Sec. 1011. Short title.

221 This subtitle may be cited as the “COVID-19 Public Health Emergency Procurement
222 Analysis Emergency Amendment Act of 2021”.

223 Sec. 1012. Section 204(b) of the Procurement Practices Reform Act of 2010, effective
224 April 8, 2011 (D.C. Law 18-371, D.C. Official Code § 2-352.04(b)), is amended as follows:

225 (a) Paragraph (16) is amended by striking the phrase “; and” and inserting a semicolon in
226 its place.

227 (b) Paragraph (17)(C) is amended by striking the period and inserting the phrase “; and”
228 in its place.

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

230 “(18) To issue a report to the Mayor and the Council no later than October 22,
231 2021 that includes:

232 “(A) A review and analysis of emergency procurements conducted during
233 the Public Health Emergency that began on March 11, 2020 (“Public Emergency”) that includes:

234 “(i) A comprehensive listing of each emergency procurement
235 conducted, including:

236 “(I) The date of contract award;

237 “(II) The source selection method, including whether the
238 procurement was competitively sourced;

239 “(III) The name and certified business enterprise status of
240 the awardee;

241 “(IV) The award amount;

242 “(V) The category of goods or services procured; and

243 “(VI) A description of the specific goods or services
244 procured;

245 “(ii) A breakdown of expenditures by funding source, including the
246 extent to which funds have been reimbursed by the federal government, or are in process of
247 reimbursement;

248 “(iii) The value of goods or services procured by each agency;

249 “(iv) A listing of inventory levels by product type on the date of
250 the last day of the Public Health Emergency;

251 “(v) A list of any IDIQ contracts awarded under the Public Health
252 Emergency, including the value of orders placed against each IDIQ contract;

253 “(vi) A process map of the emergency procurement process used
254 during the Public Health Emergency, including receipt of goods, quality assurance, and
255 inventory and distribution steps;

256 “(vii) Any lessons learned or areas for improvement in the
257 effective management of emergency procurements;

258 “(viii) A plan for disposition of any excess supplies and
259 equipment; and

260 “(ix) A plan for retaining or decommissioning the additional
261 warehouse space acquired during the Public Health Emergency;

262 “(B) An analysis of emergency procurements with certified local, small, or disadvantaged
263 business enterprises, as defined in section 2302 of the Small and Certified Business Enterprise
264 Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C.
265 Official Code § 2-218.02), including:

266 “(i) The total value of procurements with certified business
267 enterprises relative to the total value of emergency procurements;

268 “(ii) The number of emergency procurement contracts awarded to
269 certified business enterprises relative to the total number of emergency procurement contracts
270 awarded;

271 “(iii) The number of distinct certified business enterprises that
272 received an emergency procurement award; and

273 “(iv) An analysis of the types of goods or services the District
274 needed, when no more than 2 certified business enterprises were capable of performing the
275 contract requirements.”.

276 **SUBTITLE C. FAIR ELECTIONS CLARIFICATION**

277 Sec. 1021. Short title.

278 This subtitle may be cited as the “Fair Elections Clarification Emergency Amendment
279 Act of 2021”.

280 Sec. 1022. The Board of Ethics and Government Accountability Establishment and
281 Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-
282 124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

283 (a) Section 101(10D) (D.C. Official Code § 1-1161.01(10D)) is amended by striking the
284 phrase “member of the Council, and member of the State Board of Education” and inserting the
285 phrase “member of the Council elected at large, member of the Council elected by ward, member
286 of the State Board of Education elected at large, and member of the State Board of Education
287 elected by ward” in its place.

288 (b) Section 332c(c)(4) (D.C. Official Code § 1-1163.32c(c)(4)) is amended by striking
289 the phrase “his or her candidacy” and inserting the phrase “the participating candidate’s
290 candidacy” in its place.

291 (c) Section 332e(d) (D.C. Official Code § 1-1163.32e(d)) is amended to read as follows:

292 “(d) The maximum amount participating candidates may receive under this section shall
293 be:

294 “(1) For candidates for Mayor, 110% of the average expenditures per election
295 cycle of all candidates who were elected Mayor in the prior 4 general elections for Mayor;

296 “(2) For candidates for Chairman of the Council, 110% of the average
297 expenditures per election cycle of all candidates who were elected Chairman of the Council in
298 the prior 4 general elections for Chairman of the Council;

299 “(3) For candidates for Attorney General, 110% of the average expenditures per
300 election cycle of all candidates who were elected Attorney General in all prior general elections
301 for Attorney General, until such time as 4 general elections for Attorney General have been held,
302 after which time, 110% of the average expenditures per election cycle of all candidates who were
303 elected Attorney General in the prior 4 general elections for Attorney General;

304 “(4) For candidates for member of the Council elected at large, 110% of the
305 average expenditures per election cycle of all candidates who were elected member of the
306 Council at large in the prior 2 general elections for member of the Council elected at large;

307 “(5) For candidates for member of the Council elected by ward, 110% of the
308 average expenditures per election cycle of all candidates who were elected member of the
309 Council by ward in the prior 2 general elections for member of the Council elected by ward;

310 “(6) For candidates for member of the State Board of Education elected at large,
311 110% of the average expenditures per election cycle of all candidates who were elected member
312 of the State Board of Education at large in the prior 2 general elections for member of the State
313 Board of Education elected at-large; and

314 “(7) For candidates for member of the State Board of Education elected by ward,
315 110% of the average expenditures per election cycle of all candidates who were elected member

316 of the State Board of Education by ward in the prior 2 general elections for member of the State
317 Board of Education elected by ward.”.

318 (d) Section 332f(d)(3) (D.C. Official Code § 1-1163.32f(d)(3)) is amended by striking the
319 phrase “campaign purposes” and inserting the phrase “campaign purposes, including the
320 participating candidate’s childcare expenses” in its place.

321 (e) Section 333 (D.C. Official Code § 1-1163.33) is amended as follows:

322 (1) Subsection (l) is amended by striking the phrase “and (j)(2)” and inserting the
323 phrase “(j)(2), and (m)” in its place.

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

325 “(m) A candidate may make expenditures to reimburse the candidate for the candidate’s
326 childcare expenses incurred for campaign purposes.”.

327 **SUBTITLE D. ATTORNEY GENERAL SUPPORT AND RESTITUTION FUNDS**

328 Sec. 1031. Short title.

329 This subtitle may be cited as the “Attorney General Support and Restitution Fund
330 Expansion and Clarification Emergency Amendment Act of 2021”.

331 Sec. 1032. The Attorney General for the District of Columbia Clarification and Elected
332 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code §
333 1-301.81 *et seq.*), is amended as follows:

334 (a) Section 106b (D.C. Official Code § 1-301.86b) is amended as follows:

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

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

337 “(1) Subject to the limitations of subsection (d)(3) of this section and not
338 withstanding any other provision of District law, any recoveries from claims or litigation brought
339 by the Office of the Attorney General on behalf of the District shall be deposited into the Fund;

340 “(2) Funds collected pursuant to section 1043(a-4)(1) of the Delinquent Debt
341 Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
342 350.02(a-4)(1)); and

343 “(3) Funds recovered from owners under section 506(j)(2) of the Abatement and
344 Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27,
345 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06(j)(2)), and not deposited into the
346 Tenant Receivership Abatement Fund, in accordance with section 106e(b)(1)(B).”.

347 (2) Subsection (d)(3) is amended as follows:

348 (A) Subparagraph (A) is amended by striking the number “\$17 million”
349 both times it appears and inserting the number “\$19 million” in its place.

350 (B) Subparagraph (B) is repealed.

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

352 “(C) Notwithstanding subparagraph (A) of this subsection, recoveries
353 obtained on behalf of the District pursuant to contingency fee contracts shall be deposited into
354 the Fund and may remain in the Fund until paid to the contractor to satisfy costs and fees or
355 transferred to another fund by the Office of the Attorney General to pay contingency fee
356 contracts.”.

357 (3) Subsection (e) is amended to read as follows:

358 “(e) For the purposes of this section, the term “recovery” shall include funds obtained
359 through court determinations or through the settlement of claims in which the Office of the
360 Attorney General represents the District, but shall not include funds obtained through an
361 administrative proceeding or funds obligated to another source by federal law or pursuant to
362 section 2(b)(2) of the Subrogation Fund Establishment Act of 2018 (D.C. Law 22-122; D.C.
363 Official Code § 1-325.391(b)(2)), or section 2332 of the District of Columbia Government
364 Comprehensive Merit Personnel Act of 1979, effective March 3, 1979 (D.C. Law 2-139; D.C.
365 Official Code § 1-623.32). Recoveries shall be deposited into the Fund regardless of whether the
366 amounts payable to satisfy the underlying obligations otherwise would have been required to be
367 deposited into a different District special fund.”.

368 (b) Section 106c (D.C. Official Code § 1-301.86c), is amended as follows:

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

370 (A) The lead-in language is amended by striking the phrase “awards shall
371 be” and inserting the phrase “shall be” in its place.

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

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

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

377 “(3) Funds collected pursuant to section 1043(a-4)(2) of the Delinquent Debt
378 Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
379 350.02(a-4)(2)).”.

380 (2) Subsection (h) is repealed.

381 (c) Section 106d(b) (D.C. Official Code § 1-301.86d(b)) is amended to read as follows:

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

383 “(1) Awards of restitution and costs to individuals imposed under a court order,
384 judgment, or settlement in any action or investigation brought to enforce to section 203a of the
385 Criminal Abuse, Neglect, and Financial Exploitation of Vulnerable Adults and the Elderly Act of
386 2000, effective November 23, 2016 (D.C. Law 21-166; D.C. Official Code § 22-933.01); and

387 “(2) Funds collected pursuant to section 1043(a-4)(3) of the Delinquent Debt
388 Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
389 350.02(a-4)(3)).”.

390 **SUBTITLE E. CONSUMER PROTECTION PROCEDURES STAY**

391 Sec. 1041. Short title.

392 This subtitle may be cited as the “Attorney General Stay of Parallel Private Attorney
393 General Actions Emergency Amendment Act of 2021”.

394 Sec. 1042. Section 28-3905(k) of the District of Columbia Official Code is amended by
395 adding a new paragraph (7) to read as follows:

396 “(7)(A) Commencement of an action by the Attorney General under § 28-3909,
397 including the maintenance of an action previously commenced and pending as of the effective
398 date of this act, shall serve to stay until the resolution of the Attorney General’s action any civil
399 action that includes any claim that is:

400 “(i) Made pursuant to this subsection by a public interest
401 organization or on behalf of the general public; and

402 “(ii) Based in whole or in part on any matter complained of in the
403 action commenced by the Attorney General.

404 “(B) A plaintiff that is a public interest organization or is acting on behalf
405 of the general public shall provide notice to the Office of the Attorney General within 10 days of
406 the filing of an action that includes a claim made under this subsection.”.

407 **SUBTITLE F. MEDICAL MARIJUANA PROGRAM PATIENT EMPLOYMENT**
408 **PROTECTION REGULATION CLARIFICATION**

409 Sec. 1051. Short title.

410 This subtitle may be cited as the “Medical Marijuana Program Patient Employment
411 Protection Regulation Clarification Emergency Amendment Act of 2021”.

412 Sec. 1052. The District of Columbia Government Comprehensive Merit Personnel Act of
413 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is
414 amended as follows:

415 (a) Section 1503a(h) (D.C. Official Code § 1-615.03a(h)) is amended by striking the
416 word “rules” and inserting the phrase “rules pertaining to Council employees” in its place.

417 (b) Section 2062(e) (D.C. Official Code § 1-620.62(e)) is amended by striking the word
418 “rules” and inserting the phrase “rules pertaining to Council employees” in its place.

419 **SUBTITLE G. DISABILITY INSURANCE OVERPAYMENT REMEDY**

420 Sec. 1061. Short title.

421 This subtitle may be cited as the “Disability Insurance Overpayment Remedy Emergency
422 Act of 2021”.

423 Sec. 1062. Definitions.

424 For the purposes of this subtitle, the term:

425 (1) “Affected employee” means each past and current District government
426 employee determined by DCHR to have overpaid premiums on disability insurance at any time
427 during the period from January 1, 2010, through December 31, 2020.

428 (2) “DCHR” means the Department of Human Resources.

429 (3) “Disability insurance” means short-term or long-term disability insurance
430 provided as a voluntary opt-in benefit for District government employees.

431

432 (4) “Overpayment” means money paid by a District government employee for
433 disability insurance premiums in excess of what the employee owed.

434 Sec. 1063. Notification and repayment of premiums.

435 By September 30, 2022, DCHR shall:

436 (1) Identify all affected employees;

437 (2) Individually notify each affected employee regarding:

438 (A) The fact of the overpayment;

439 (B) The date range of the employee’s overpayment;

440 (C) The total dollar amount of the overpayment; and

441 (D) The formula DCHR used to arrive at the affected employee’s

442 overpayment amount;

443 (3) Provide affected employees a process to contest the overpayment calculation
444 provided pursuant to paragraph (2) of this subsection;

445 (4) Reimburse each affected employee by the amount DCHR determines the
446 affected employee overpaid, after considering any calculations contested pursuant to paragraph
447 (3) of this section; and

448 (5) Submit to the Council a report containing the:

449 (A) Total number of affected employees;

450 (B) Date the District collected the first overpayment and the date the
451 District ceased collecting overpayments;

452 (C) Total amount of all overpayments paid by all affected employees;

453 (D) Average amount by which affected employees overpaid their
454 disability insurance premiums from 2010 through 2019; and

455 (E) Total amount of money the District reimbursed to all affected
456 employees.

457 Sec. 1064. Sunset.

458 This subtitle shall expire 30 days after DCHR reimburses all affected employees and the
459 Council receives the report described in section 1063.

460 **SUBTITLE H. DISTRICT GOVERNMENT EMPLOYEE RESIDENCY**

461 **RESEARCH**

462 Sec. 1071. Short title.

463 This subtitle may be cited as the “District Government Employee Residency Research
464 Emergency Amendment Act of 2021”.

465 Sec. 1072. The Jobs for D.C. Residents Amendment Act of 2007, effective February 6,
466 2008 (D.C. Law 17-108; D.C. Official Code § 1-515.01 *et seq.*), is amended as follows:

467 (a) Section 101 (D.C. Official Code § 1-515.01) is amended as follows:

468 (1) New paragraphs (1A), (1B), and (1C) are added to read as follows:

469 “(1A) “Common jurisdiction of residence” means a local jurisdiction in which at
470 least 500 District government employees reside; provided, that the counties commonly known as
471 the “eastern shore of Maryland” may be grouped together as one jurisdiction and all counties in
472 West Virginia may be grouped together as one jurisdiction.

473 “(1B) “DCHR” means the Department of Human Resources.

474 “(1C) “Demographics” means socioeconomic factors such as a District
475 government employee’s race, household size, number of dependents, status as a parent of school-
476 aged children, jurisdiction of birth, and household income.”.

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

478 “(2A) “Employment information” means:

479 “(A) The agency for which the employee works;

480 “(B) The employee’s job title, salary, employment service and grade,
481 occupation, and occupational group;

482 “(C) The employee’s status as a full-time, part-time, term, or permanent
483 employee; and

484 “(D) The employee’s status as a highly-compensated employee.”.

485 (3) New paragraphs (4) and (5) are added to read as follows:

486 “(4) “Jurisdiction of residence” means the city, county, and state, as applicable, in
487 which a District government employee maintains the employee’s primary or permanent
488 residence.

489 “(5) “Residency-related policies” includes the preference points for District
490 residents who apply to District government employment and the District residency mandates in
491 sections 102 and 103, respectively, or in other District law.”.

492 (b) A new section 106a is added to read as follows:

493 “Sec. 106a. Study of District government employee residency.

494 “(a)(1) DCHR shall conduct a study on District government employee and applicant
495 residency and residency-related policies (“study”), which it shall submit to the Council no later
496 than October 1, 2022. The study shall utilize the results of each of the components described in
497 subsection (b) of this section to provide a comprehensive analysis on the District government
498 workforce as a whole and of sworn police officers, firefighters, and other groups regarding:

499 “(A) Current patterns related to District government employees’
500 jurisdictions of residence;

501 “(B) Barriers to higher rates of District residency;

502 “(C) Reasons for District residency;

503 “(D) Effectiveness of current residency-related policies; and

504 “(E) Factors or policies that, if changed, could increase the rates of District
505 residency for District government employees.

506 “(2) DCHR shall provide the Council Committee on Labor and Workforce
507 Development a status update on the research, in writing, 3 months, 6 months, 9 months, 10
508 months, and 12 months following the applicability date of the District Government Employee
509 Residency Research Amendment Act of 2021, passed on 1st reading on July 20, 2021
510 (Engrossed version of Bill 24-285).

511 “(b) The study shall consist of the following components:

512 “(1) Results from a data analysis of the jurisdiction of residence of District
513 government employees and applicants, consistent with the requirements of subsection (c) of this
514 section;

515 “(2) Results of an anonymous survey or confidential focus groups, or both, of
516 District government employees and former employees related to their opinions and experiences
517 regarding their jurisdictions of residence, consistent with the requirements of subsection (d) of
518 this section; and

519 “(3) Results of a review and analysis of District government agencies’ hiring
520 practices and outcomes through data analysis and interviews or surveys, or both, of agency hiring
521 directors, consistent with the requirements of subsection (e) of this section.

522 “(c)(1) The study’s data analysis component shall collect and analyze data, to the extent it
523 is available, for the purpose of documenting for the District government workforce:

524 “(A) Patterns, including correlations, between District government
525 employees’ current jurisdictions of residence and employees’:

526 “(i) Employment information;

527 “(ii) Demographics;

528 “(iii) Median housing costs, including monthly rent and home sale
529 price, in common jurisdictions of residence; and

530 “(iv) Applicable residency-related policies;

531 “(B) Patterns, including rates of application and of hire, of District
532 government job applicants, by jurisdiction of residence and then by agency, salary level,

533 employment service and grade, occupation, and occupational group; and for District resident
534 applicants, the analysis also shall include a review of total workforce and agency-level patterns
535 and rates at which applicants:

536 “(i) Were qualified for the applied-for jobs based on the 100-point
537 scale;

538 “(ii) Sought and received District residency preference points;

539 “(iii) Received an interview;

540 “(iv) Received job offers; and

541 “(v) Accepted job offers; and

542 “(C) Patterns related to District government employees moving into the
543 District, maintaining residency in the District, or moving out of the District, and factors or
544 circumstances that include the following:

545 “(i) Employees’ jurisdictions of residence immediately before
546 commencing work with the District government;

547 “(ii) Residency-related policies, including the end of the 7-year
548 period of required residency for employees who received a hiring preference pursuant to section
549 102;

550 “(iii) The length of time employees resided in the District before
551 commencing employment with the District government;

552 “(iv) Employment information; and

553 “(v) Demographics and changes in demographics.

554 “(2) Upon completion of the research and analysis conducted pursuant to
555 paragraph (1) of this subsection, DCHR shall issue and submit to the Council a report
556 documenting the findings of the data analysis for:

- 557 “(A) The District’s workforce as a whole;
- 558 “(B) Subordinate agency employees;
- 559 “(C) Independent agency employees;
- 560 “(D) Employees in jobs that require District residency;
- 561 “(E) Employees in jobs that do not require District residency;
- 562 “(F) Sworn police officers;
- 563 “(G) Firefighters;
- 564 “(H) Employees who received residency preference points;
- 565 “(I) Employees with long tenures with the District government;
- 566 “(J) Employees with short tenures with the District government; and
- 567 “(K) Other groups and subgroups that produce findings of interest,
568 relevance, or import, including disaggregation by demographics, employment information,
569 occupation, and other factors, when such disaggregation demonstrates observable patterns of
570 interest or importance.

571 “(d)(1) The study’s anonymous survey or confidential focus groups component shall:

572 “(A) Be conducted after issuance of the report required pursuant to
573 subsection (c)(2) of this section and be informed by its findings;

574 “(B) Include a sample size that is large and diverse enough for
575 disaggregation into the groups of employees listed in subsection (c)(2) of this section.

576 “(C) Capture demographic information as well as information on actual
577 housing costs of survey participants;

578 “(D) Capture data not available through the data analysis conducted
579 pursuant to subsection (c)(1)(A) and (C) of this section;

580 “(E) Include questions, and allow open-ended responses, related to:

581 “(i) Why District government employees choose to live in the
582 District or not to live in the District;

583 “(ii) The decision-making considerations of employees as to their
584 jurisdiction of residence, with a particular focus on housing costs, educational options, and other
585 significant or common factors;

586 “(iii) For public safety jobs, including sworn police officers and
587 firefighters, the unique factors of their jobs and how those factors’ impact their decisions related
588 to jurisdiction of residence;

589 “(iv) How District resident employees are able to afford to live in
590 the District; and

591 “(v) Other questions aimed at collecting the information required
592 in paragraph (3)(A) of this subsection or of interest, relevance, or importance to the study.

593 “(2) DCHR may utilize up to \$10,000 to incentivize survey participation.

594 “(3) Upon completion of the survey or focus groups and analysis conducted
595 pursuant to paragraph (1) of this subsection, DCHR shall issue and submit to the Council a report
596 with findings from the survey and confidential focus groups, which shall:

597 “(A) Include findings on:

598 “(i) The circumstances under which and reasons why District
599 residents hired into District government positions move out of the District;

600 “(ii) The circumstances under which and reasons why new District
601 government hires who are not District residents move into the District or do not move into the
602 District;

603 “(iii) Factors that would influence a non-District resident to
604 voluntarily live in the District or allow the individual to live in the District if the employee’s job
605 required District residency, including salary thresholds above which District employees who are
606 not District residents would be willing or able to become District residents; and

607 “(iv) Factors that would influence a District resident to remain a
608 District resident in the long term;

609 “(B) Disaggregate results by demographics, salary level, the employee
610 groups listed in subsection (c)(2) of this section, and other factors;

611 “(C) Provide average and median actual housing costs of survey or focus
612 group participants, in sum and disaggregated by demographics, salary level, and other factors
613 and;

614 “(D) Withhold or combine data to the extent failure to do so would
615 otherwise disclose a participant’s identity.

616 “(e)(1) The study component related to a review and analysis of agencies’ hiring
617 practices and outcomes shall utilize data gathered pursuant to subsection (c)(1)(B) of this section,
618 related to District government employee applicants, and interviews with or surveys of agency
619 hiring directors to inform the component, and shall include:

620 “(A) A review of:

621 “(i) District government agencies’ actual recruitment, hiring,

622 retention, and promotion practices;

623 “(ii) Whether and to what extent such practices focus on hiring

624 District residents;

625 “(iii) Success or lack of success of such practices at hiring District

626 residents;

627 “(iv) How to improve practices to increase hiring of District

628 residents; and

629 “(v) The main challenges, as supported by data or reported by

630 hiring directors, in hiring District residents and recruiting to positions that require District

631 residency;

632 “(B)(i) Identification of specific occupations or occupational groups and

633 patterns or correlations related to occupations or occupational groups for which District residents

634 represent less than 40% of new hires;

635 “(ii) Each occupation’s or occupational group’s starting salary; and

636 “(iii) Specific credentials necessary for each occupation or

637 occupational group; and

638 “(C) For agencies that consistently have an annual rate of new hires that is

639 less than 40% District residents, data analysis of, and agency hiring directors’ perspective on, the

640 reasons for such rates, such as inadequate recruitment, bona fide hard-to-fill positions, lack of

641 qualified District-resident applicants, lack of positions that require residency, or other legitimate
642 reasons.

643 “(2) Upon completion of the research conducted pursuant to paragraph (1) of this
644 subsection, DCHR shall issue and submit to the Council a report with findings of the review of
645 hiring practices conducted pursuant to this subsection.

646 “(f)(1) To perform the study and complete the reports required pursuant to this section,
647 including to prepare the reports required in subsections (a), (c)(2), (d)(3), and (e)(2) of this
648 section, DCHR may contract with or otherwise hire an outside entity with relevant expertise in
649 conducting related research and using research methodologies required to produce the study.

650 “(2) DCHR may use electronic communication tools, including e-mail, to
651 facilitate a contractor or other external entity’s outreach to District government employees.

652 “(3) DCHR shall:

653 “(A) Provide a contractor or hired entity, should one be procured or hired,
654 with the information and data necessary to facilitate completion of the study components
655 outlined in subsection (b) of this section and shall assist the contractor or hired entity in
656 obtaining data from other agencies, including the Office of the Chief Financial Officer
657 (“OCFO”) Office of Tax and Revenue.

658 “(B) Provide all raw data, survey questions, survey results, and all
659 research components and other materials prepared by a contractor or hired entity for the research
660 required by the study, but excluding individual-level data, to the Council upon request.

661 “(g) In complying with the provisions of this section, DCHR shall take steps to ensure the
662 privacy and confidentiality of current and former District government employees. DCHR may

663 not release to the public or to the Council any findings or data that contain personally identifying
664 information.

665 “(h)(1) OCFO shall provide all information requested by DCHR or DCHR’s hired entity
666 for the purposes of the research described in this subtitle unless sharing such information would
667 violate District or federal laws. DCHR shall enter a data-sharing agreement with OCFO if
668 necessary.

669 “(2) Independent agencies shall provide all information requested by DCHR for
670 the purposes of the research described in this subtitle. DCHR shall enter a data-sharing
671 agreement with the agencies if necessary.”.

672 (c) Section 108 (D.C. Official Code § 1-515.08) is amended as follows:

673 (1) Paragraph (1) is amended by striking the phrase “this act” and inserting the
674 phrase “this title” in its place.

675 (2) Paragraph (2) is amended by striking the phrase “this act” and inserting the
676 phrase “this title” in its place.

677 **SUBTITLE I. DELINQUENT DEBT**

678 Sec. 1081. Short title.

679 This subtitle may be cited as the “Delinquent Debt Recovery Emergency Amendment Act
680 of 2021”.

681 Sec. 1082. The Delinquent Debt Recovery Act of 2012, effective September 20, 2012
682 (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), is amended as follows:

683 (a) Section 1043 (D.C. Official Code § 1-350.02) is amended as follows:

684 (1) Subsection (a) is amended by striking the phrase “subsection (a-1)” and
685 inserting the phrase “subsections (a-1) and (a-4)” in its place.

686 (2) A new subsection (a-4) is added to read as follows:

687 “(a-4) The Office of the Attorney General may, in its discretion, transfer and refer
688 delinquent debts associated with settlements and judgments to the Central Collection Unit for
689 collection. Beginning in Fiscal Year 2022 and for each fiscal year thereafter:

690 “(1) Funds collected by the Central Collection Unit arising out of delinquent debts
691 associated with settlements and judgments transferred and referred to the Central Collection Unit
692 by the Office of the Attorney General for collection, net of costs and fees, shall be deposited into
693 the Litigation Support Fund established by section 106b of the Attorney General for the District
694 of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22,
695 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.86b), within 60 days;

696 “(2) Funds collected by the Central Collection Unit arising out of delinquent debts
697 payable as restitution pursuant to a court order, judgment, or settlement under D.C. Official Code
698 § 28-3909 and section 6(a)(2)(A)(iii) of An Act To provide for the payment and collection of
699 wages in the District of Columbia, approved August 3, 1956 (70 Stat. 977; D.C. Official Code §
700 32-1306(a)(2)(A)(iii)), transferred and referred to the Central Collection Unit by the Office of the
701 Attorney General for collection shall be deposited into the Attorney General Restitution Fund
702 established by section 106c of the Attorney General for the District of Columbia Clarification
703 and Elected Term Amendment Act of 2010, effective December 13, 2017 (D.C. Law 22-33; D.C.
704 Official Code § 1-301.86c), within 60 days; and

705 “(3) Funds collected by the Central Collection Unit arising out of delinquent debts
706 payable as restitution pursuant to a court order, judgment, or settlement in any action or
707 investigation brought to enforce section 203a of the Senior Protection Amendment Act of 2000,
708 effective November 23, 2016 (D.C. Law 21-166; D.C. Official Code § 22-933.01), transferred
709 and referred to the Central Collection Unit by the Office of the Attorney General for collection
710 shall be deposited into the Vulnerable Adult and Elderly Person Exploitation Restitution Fund
711 established by section 106d of the Attorney General for the District of Columbia Clarification
712 and Elected Term Amendment Act of 2010, effective September 11, 2019 (D.C. Law 23-16;
713 D.C. Official Code § 1-301.86d), within 60 days.”.

714 (b) Section 1045(b)(2) (D.C. Official Code § 1-350.04(b)(2)) is amended by striking the
715 phrase “section 1043(a-1), (a-2) and (a-3)” and inserting the phrase “section 1043(a-1), (a-2),
716 (a-3), and (a-4)” in its place.

717 **SUBTITLE J. TENANT RECEIVERSHIP**

718 Sec. 1091. Short title.

719 This section may be cited as the “Tenant Receivership Emergency Amendment Act of
720 2021”.

721 Sec. 1092. Rehabilitation Funding.

722 Section 506 of the Abatement and Condemnation of Nuisance Properties Omnibus
723 Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-
724 3651.06), is amended by adding a new subsection (j) to read as follows:

725 “(j)(1) In a case in which the court has appointed a receiver in response to a petition made
726 pursuant to section 503, if the court finds, after notice and hearing, that the owner of the rental

727 property currently lacks sufficient funds to pay for rehabilitation of the rental housing
728 accommodation and that such funds cannot be feasibly and timely obtained through grants or
729 subsidies:

730 “(A) The court may issue an order authorizing the Attorney General to supply
731 funding to the receiver, for initial and emergency repairs, from any funds available in the Tenant
732 Receivership Act Abatement Fund, established by section 106e of the Attorney General for the
733 District of Columbia Clarification and Elected Term Amendment Act of 2010, passed on 1st
734 reading on July 20, 2021 (Engrossed version of Bill 24-285); or

735 (B) The Court may extend the receivership in place under this act based on a
736 showing of demonstrated need and authorize the receiver to do either of the following:

737 “(i) Sell the property for a fair-market price to an owner capable of
738 maintaining the property; or

739 “(ii) If the owner is a District of Columbia corporation or other entity, file
740 a petition in the appropriate federal bankruptcy court to place the corporate owner into
741 bankruptcy proceedings pursuant to, and in a manner consistent with, the federal Bankruptcy
742 Code.

743 “(2)(A) If a court issues an order pursuant to paragraph (1)(A) of this subsection,
744 the owner shall be required to repay the funding supplied by the Attorney General no later than
745 30 days after the receiver receives those funds. Any funds unpaid as of that 30-day deadline shall
746 incur interest at the rate of 6% per annum until repaid. The Attorney General may petition the
747 court to convert the order into a final judgment, and once the order is so converted, the Attorney

748 General may take actions to collect on any unpaid balance, using all available collection methods
749 authorized under District or other applicable law.

750 “(B) An owner’s obligation to repay funding pursuant to subparagraph (A)
751 of this paragraph shall automatically become a lien on the owner’s real property as of the date
752 the Attorney General supplies funds to the receiver pursuant to paragraph (1)(A) of this section.

753 “(C) A lien established pursuant to subparagraph (B) of this paragraph
754 shall be a prior and preferred lien over all other liens or encumbrances on the real property.”.

755 Sec. 1093. Tenant Receivership Abatement Fund.

756 The Attorney General for the District of Columbia Clarification and Elected Term
757 Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-
758 301.81 *et seq.*), is amended as follows:

759 (a) Section 106c(c) (D.C. Official Code § 1-301.86c(c)) is amended as follows:

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

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

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

765 “(3) Supplying initial funding for, and from time-to-time replenishing, the Tenant
766 Receivership Act Abatement Fund pursuant to section 106e(b)(1)(A).”.

767 (b) A new section 106e is added to read as follows:

768 “Sec. 106e. Tenant Receivership Abatement Fund.

769 “(a) There is established as a special fund the Tenant Receivership Abatement Fund
770 (“Fund”), which shall be administered by the Attorney General in accordance with subsections
771 (b) and (c) of this section.

772 “(b)(1) Funds from the following sources shall be deposited into the Fund:

773 “(A) Funds from the Attorney General Restitution Fund, which the
774 Attorney General may use to supply initial funding for, and to from time to time to replenish, the
775 Fund; and

776 “(B) All funds recovered from owners under section 506(j)(2) of the
777 Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000,
778 effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06(j)(2)); except, that
779 when the deposit of such funds into the Fund would cause the Fund balance to exceed \$2 million,
780 the excess of such funds instead shall be deposited into the Litigation Support Fund established
781 by section 106b.

782 “(2) Amounts on deposit in the Fund shall not exceed \$2 million.

783 “(c) Money in the Fund shall be used to comply with orders issued by the Superior Court
784 under section 506(j) of the Abatement and Condemnation of Nuisance Properties Omnibus
785 Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-
786 3651.06(j)).

787 “(d)(1) Except as provided in subsection (b)(2) of this section, the money deposited into
788 the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the
789 General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

792 **SUBTITLE K. EARLY CHILDHOOD EDUCATOR COMPENSATION**

793 **TASKFORCE**

794 Sec. 1101. Short title.

795 This subtitle may be cited as the “Early Childhood Educator Equitable Compensation
796 Task Force Emergency Act of 2021”.

797 Sec. 1102. Definitions.

798 For purposes of this subtitle, the term:

799 (1) “Child development facility” shall have the same meaning as provided in
800 section 2(3) of the Child Development Facilities Regulation Act of 1998, effective April 13,
801 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031(3)).

802 (2) “Community-based organization” or “CBO” shall have the same meaning as
803 provided in section 101(1C) of the Pre-K Enhancement and Expansion Amendment Act of 2008,
804 effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38–271.01(1C)).

805 (3) “Early childhood development provider” shall have the same meaning as
806 provided in section 101(1G) of the Pre-K Enhancement and Expansion Amendment Act of 2008,
807 July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38–271.01(1G)).

808 (4) “Subsidy” means supplemental payments made by the Mayor pursuant to
809 section 5a of the Day Care Policy Act of 1979, effective April 13, 1999 (D.C. Law 12-216; D.C.
810 Official Code § 4-404.01).

811 Sec. 1103. Early Childhood Educator Equitable Compensation Task Force Establishment.

812 (a) There is established by the Council an Early Childhood Educator Equitable
813 Compensation Task Force (“Task Force”) to provide recommendations on how to implement an
814 employee compensation scale for early childhood development providers.

815 (b)(1) The Task Force shall be comprised of the Chairman of the Council, or his or her
816 designee, the State Superintendent of Education, or his or her designee, and 12 District residents,
817 appointed by the Chairman, representing the following entities or groups:

818 (A) Families whose children are receiving or have received childcare
819 services from an early childhood development provider in the District;

820 (B) Community-based organizations;

821 (C) Early childhood advocacy organizations;

822 (D) Operators of child development facilities who participate in the
823 childcare subsidy program;

824 (E) Operators of child development facilities who do not currently
825 participate in the childcare subsidy program;

826 (F) Operators of home-based child development facilities;

827 (G) Educators of child development facilities; and

828 (H) An individual with an expertise in economics or policy, who has an
829 understanding of the District’s early childhood development and education sector.

830 (2) At least 2 members of the Task Force shall be employees of child
831 development facilities.

832 (3) The Chairman, or his or her designee, shall serve as the Chairperson of the
833 Task Force.

834 (c) The Task Force shall:

835 (1) Review the findings and recommendations of the Early Childhood Educator
836 Compensation in the Washington Region study completed by the Urban Institute and any
837 completed employee compensation scale and other relevant materials provided by the Office of
838 the State Superintendent of Education; and

839 (2) Submit a report to the Mayor and Council by January 15, 2022, that:

840 (A) Assesses the potential impact of implementing an employee
841 compensation scale on early childhood development providers that:

842 (i) Do not provide childcare services to children eligible for
843 subsidy; or

844 (ii) Serve a minimum number of children who receive subsidy;

845 (B) Proposes an employee compensation scale for early childhood
846 development providers that accounts for employee role, credentials, and experience; and

847 (C) Provides recommendations for implementing the employee
848 compensation scale, which at a minimum considers:

849 (i) Equitable implementation that accounts for different staffing
850 models, types, and sizes of early childhood development facilities;

851 (ii) Long-term implications of the District providing funds to early
852 childhood providers to implement the pay scale, including how to allocate funds for new early
853 childhood development facilities that open after legislation is enacted; provided, that
854 recommendations do not exceed the \$70 million appropriated in the Early Childhood Educator
855 Pay Equity Fund, plus any amounts adjusted for inflation in years beyond Fiscal Year 2023; and

856 (iii) Oversight, reporting, and accountability mechanisms for the
857 use of funds allocated to early childhood development providers from the Early Childhood
858 Educator Pay Equity Fund.

859 Sec. 1104. Applicability.

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

861 **SUBTITLE L. FALSE CLAIMS CLARIFICATION**

862 Sec. 1111. Short title.

863 This subtitle may be cited as the “False Claims and Vacant Property Emergency
864 Amendment Act of 2021”.

865 Sec. 1112. Section 814(d) of the District of Columbia Procurement Practices Act of 1985,
866 effective May 8, 1998 (D.C. Law 12-104, D.C. Official Code § 2-381.02(d)), is amended to read
867 as follows:

868 “(d) This section shall not apply to claims, records, or statements made pursuant to those
869 portions of Title 47 that refer or relate to taxation, unless:

870 “(1)(A) The claim, record, or statement was made on or after January 1, 2015; and

871 “(B) The District taxable income, District sales, or District revenue of the
872 person against whom the action is being brought equals \$1 million for any taxable year subject to
873 any action brought pursuant to this part, and the damages pleaded in the action total \$350,000 or
874 more; or

875 “(2) The claim, record, or statement was made on or after January 1, 2015, and
876 relates to the classification of real property as vacant or blighted pursuant to An Act To provide
877 for the abatement of nuisances in the District of Columbia by the Commissioners of said District,

878 and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01
879 *et seq.*)

880 **SUBTITLE M. CHIEF FINANCIAL OFFICER AUTHORITY**

881 Sec. 1121. Short title.

882 This subtitle may be cited as the “Chief Financial Officer Authority to Budget New
883 Agencies Emergency Act of 2021”.

884 Sec. 1122. The Chief Financial Officer may, for the purpose of establishing a budget
885 structure for new agencies within the financial system for Fiscal Year 2022:

886 (a) Create new agencies in the financial system, as necessary, and reallocate funds in the
887 Office of the Chief Financial Officer for the purpose of implementing the Child Wealth Building
888 Act of 2021, as approved by the Committee on Business and Economic Development on July 12,
889 2021 (Committee print of Bill 24-236).

890 (b)(1) Create the Department of Buildings and redesignate the Department of Consumer
891 and Regulatory Affairs (“DCRA”) as the Department of Licensing and Consumer Protection in
892 the financial system; and

893 (2) Reallocate funds budgeted in DCRA and in the Non-Departmental Account as
894 necessary to implement the Department of Buildings Establishment Act of 2020, effective April
895 5, 2021 (D.C. Law 23-269; 68 DCR 1490).

896 **SUBTITLE N. RESIDENTIAL REENTRY DEVELOPMENT PLAN**

897 Sec. 1131. Short Title.

898 This subtitle may be cited as the “Residential Reentry Development Plan Emergency Act
899 of 2021”.

900 Sec. 1132. During Fiscal Year 2022, the Council will engage an analysis to develop and
901 submit a plan on how to open at least 8 small to mid-sized residential reentry centers across the
902 District, including one in each ward.

903 **SUBTITLE O. LGBTQ COMMUNITY BUSINESS EVALUATION AND**
904 **SUPPORT**

905 Sec. 1141. Short title.

906 This subtitle may be cited as the “LGBTQ Community Business Evaluation and Support
907 Emergency Amendment Act of 2021”.

908 Sec. 1142. The Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006,
909 effective April 4, 2006 (D.C. Law 16-89, D.C. Official Code § 2-1381 *et seq.*), is amended as
910 follows:

911 (a) Section 2 (D.C. Official Code § 2-1381) is amended by adding a new paragraph (2A)
912 to read as follows:

913 “(2A) “LGBTQ Community Business” means a for-profit business that:

914 “(A) Is authorized to do business in the District;

915 “(B) Either maintains at least one physical facility in the District that is
916 regularly open to the public or is a publication that dedicates a majority of its coverage to news
917 and issues in the District;

918 “(C) Is either majority-owned or primarily managed by LGBTQ
919 individuals; and

920 “(D) Holds itself out to the public as catering to LGBTQ customers or
921 communities, including through advertising or regular events; except, that a business that

922 declines to advertise widely its practice of catering to LGBTQ customers or communities to
923 protect the privacy and safety of its clientele, but can demonstrate that it willingly cultivates
924 LGBTQ individuals as customers through other means, such as word of mouth, may satisfy this
925 criterion.”.

926 (b) Section 4(b) (D.C. Official Code § 2-1383(b)) is amended as follows:

927 (1) Paragraph (11) is amended by striking the phrase “; and” and inserting a
928 semicolon in its place.

929 (2) Paragraph (12) is amended by striking the period and inserting the phrase “;
930 and” in its place.

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

932 “(13) No later than July 31, 2022, in coordination with the Advisory Committee
933 and after consultation with the LGBTQ community, submit to the Council a report on the state of
934 LGBTQ Community Businesses that shall include:

935 “(A) An evaluation of the state of the LGBTQ Community Business
936 economy and how that economy has changed over time;

937 “(B) The economic and social value of the LGBTQ Community Business
938 economy to the District as a whole;

939 “(C) The key challenges currently faced by LGBTQ Community
940 Businesses;

941 “(D) Recommendations for maintaining vibrant and diverse LGBTQ
942 Community Businesses; and

943 “(E) Recommendations for ensuring that LGBTQ Community Businesses
944 remain open and welcoming to all members of the LGBTQ community.”.

945 **SUBTITLE P. LEASE OF K.C. LEWIS SCHOOL BUILDING**

946 Sec. 1151. Short Title.

947 This subtitle may be cited as the “K.C. Lewis School Lease Authorization Emergency
948 Act of 2021”.

949 Sec. 1152. Notwithstanding the requirements of section 2209(b) of the District of
950 Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-244; D.C.
951 Official Code § 38-1802.09(b)), the Mayor may lease to Howard University the real property
952 located at 355 W Street, N.W., commonly known as K.C. Lewis Elementary School or the
953 former Washington Metropolitan High School (Lots 0067, 0854, 0855, and 0856 in Square
954 3069), with the terms and conditions to be established by the Mayor and which shall include the
955 following:

956 (1) That the lease shall be for a period no greater than 4 years; and

957 (2) That Howard University shall make improvements to the building at its own
958 expense.

959 Sec. 1153. Applicability.

960 This subtitle shall apply as of August 30, 2021.

961 **SUBTITLE Q. COUNCIL OBSERVATION OF LABOR NEGOTIATIONS**

962 Sec. 1161. Short title.

963 This subtitle may be cited as the “Council Observation of Collective Bargaining
964 Agreement Negotiations Emergency Amendment Act of 2021”.

965 Sec. 1162. Section 1717(h) of the District of Columbia Government Comprehensive
966 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code 1-
967 617.17(h)), is amended by striking the phrase “Council may appoint” and inserting the phrase
968 “Chairman of the Council may appoint” in its place.

969 Sec. 1163. Applicability.

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

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

972 **SUBTITLE A. ARTS AND HUMANITIES GRANT FUNDING**

973 Sec. 2001. Short title.

974 This subtitle may be cited as the “Equity in the Arts and Humanities Emergency
975 Amendment Act of 2021”.

976 Sec. 2002. Section 115 of Title III of Division C of the Consolidated Appropriations
977 Resolution, 2003, approved February 20, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01), is
978 amended by adding a new subsection (f) to read as follows:

979 “(f) This section shall not apply to the Commission on the Arts and Humanities, which
980 may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the
981 Commission on the Arts and Humanities without prior approval by the Mayor.”.

982 Sec. 2003. Section 1108(c-2) of the District of Columbia Government Comprehensive
983 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
984 611.08(c-2)), is amended as follows:

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

987 (b) Paragraph (5) is amended by striking the phrase “rulemaking.” and inserting the
988 phrase “rulemaking; and” in its place.

989 (c) A new paragraph (6) is added to read as follows:

990 “(6) Each member of an advisory panel appointed pursuant to Section 5(6) of the
991 Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C.
992 Official Code § 39-204(6)), may receive compensation from the Commission in the form of a
993 stipend of up to \$250 for each day the panel convenes to review applications; and”.

994 Sec. 2004. The Commission on the Arts and Humanities Act, effective October 21, 1975
995 (D.C. Law 1-22; D.C. Official Code § 39-201 *et seq.*), is amended as follows:

996 (a) Section 3 (D.C. Official Code § 39-202) is amended as follows:

997 (1) Paragraph (3) is repealed.

998 (2) Paragraph (9) is repealed.

999 (b) Section 4 (D.C. Official Code § 39-203) is amended as follows:

1000 (1) Subsection (a-1) is amended as follows:

1001 (A) Paragraph (1) is amended to read as follows:

1002 “(1) The Commission shall consist of 12 members appointed by the Mayor, with
1003 the advice and consent of the Council, in accordance with section 2(e)(32) of the Confirmation
1004 Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(32));
1005 except, that:

1006 “(A) Until June 30, 2022, the Commission shall consist of 18 members.

1007 “(B) From July 1, 2022, until June 30, 2023, the Commission shall consist
1008 of 16 members.

1009 “(C) From July 1, 2023, until June 30, 2024, the Commission shall consist
1010 of 14 members.”.

1011 (B) A new paragraph (1A) is added to read as follows:

1012 “(1A) Notwithstanding section (2)(c) of the Confirmation Act of 1978, effective
1013 March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(c)), a member with a term that
1014 expires June 30, 2023, or June 30, 2024 may not serve in a hold-over capacity unless a resolution
1015 confirming the nomination for reappointment of the member has been transmitted by the Mayor
1016 to the Council.”.

1017 (2) Subsection (b)(1) is amended by striking the phrase “that 6 terms” and
1018 inserting the phrase “that, beginning on July 1, 2022, 4 terms” in its place.

1019 (3) Subsection (c) is amended by striking the phrase “Council shall” and inserting
1020 the phrase “Chairman of the Council shall” in its place.

1021 (4) Subsection (d) is amended by striking the phrase “from among the 18
1022 members” and inserting the phrase “from among the members” in its place.

1023 (c) Section 5(6) (D.C. Official Code § 39-204(6)) is amended by striking the phrase
1024 “shall serve without compensation” and inserting the phrase “may be compensated, pursuant to
1025 section 1108(c-2)(6) of the District of Columbia Government Comprehensive Merit Personnel
1026 Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(6)),
1027 from funds allocated pursuant to section 6(c-1)(1); except, that no District of Columbia
1028 government employee or Commissioner of the Commission may be compensated.”.

1029 (d) Section 6(c-1) (D.C. Official Code § 39-205(c-1)) is amended to read as follows:

1030 “(c-1) For Fiscal Year 2022 and every fiscal year thereafter the Commission shall
1031 allocate the annual budget as follows:
1032 “(1) Not more than 22% of the annual budget shall be allocated for administrative
1033 costs.
1034 “(2) Not less than 78% of the annual budget shall be allocated for the following
1035 purposes:
1036 “(A) 17% for grants to fund capital projects in support of all eligible arts
1037 and humanities organizations; provided, that during Fiscal Years 2021 and 2022, these grant
1038 funds may be used, if approved by the Commission, to pay:
1039 “(i) Rent or mortgage expenses for the operation of a grant
1040 recipient’s arts-or humanities-related home-based office in the District; and
1041 “(ii) Rent or mortgage expenses for the operation of a grant
1042 recipient’s space in the District used to produce or publicly present arts-or humanities-related
1043 work.
1044 “(B)(i) 54% for General Operating Support grants to all eligible arts and
1045 humanities organizations.
1046 “(ii) Awards of General Operating Support grants shall be
1047 competitive, and each application of an eligible organization shall be reviewed in cohorts of
1048 similar budget size, and with grant award amounts tiered in relation to the grantee’s budget size;
1049 and
1050 “(C) 25% for other art grant programs established by the Commission.

1051 “(D) 4% the for the Humanities Grant Program administered by
1052 HumanitiesDC.”.

1053 (e) Section 6b (D.C. Official Code § 39-205.02) is amended as follows:

1054 (1) Subsection (b) is amended to read as follows:

1055 “(b)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1056 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13 *et seq.*), the Commission shall have
1057 grantmaking authority to provide funds to HumanitiesDC; provided, that such funds be included
1058 in an approved budget and designated for the HumanitiesDC; provided further, that, except as
1059 provided in paragraph (2) of this subsection, such funds shall be used to make subgrants in the
1060 humanities for the purpose of promoting cross-cultural understanding and appreciation of local
1061 history in all District neighborhoods.

1062 “(2) Up to 30% of each disbursement from the Humanities Grant Program budget
1063 to HumanitiesDC may be utilized by HumanitiesDC for administrative expenses, capacity
1064 building, technical assistance, and evaluation of the Humanities Grant Program.”

1065 (2) Subsection (d) is repealed.

1066 (3) Subsection (e) is amended as follows:

1067 (A) Strike the phrase “The grant-managing entity” and insert the word
1068 “HumanitiesDC” in its place.

1069 (B) Strike the phrase “the grant-managing entity” both times it appears
1070 and insert the word “HumanitiesDC” in its place.

1071 Sec. 2005. Section 1072(b)(1) of the Cultural Plan for the District Act of 2015, effective
1072 October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 39-231(b)(1)), is amended as follows:

1073 (a) Subparagraph (E) is amended by striking the phrase “Chairman of the Council’s
1074 designee” and inserting the phrase “Chairman of the Council’s first designee” in its place.

1075 (b) Subparagraph (F) is amended to read as follows:

1076 “(F) The Chairman of the Council’s second designee; and”.

1077 Sec. 2006. Applicability.

1078 This subtitle shall apply as of the effective date of this act.

1079 **SUBTITLE B. GREAT STREETS PROGRAM**

1080 Sec. 2011. Short title.

1081 This subtitle may be cited as the “Great Streets Emergency Amendment Act of 2021”.

1082 Sec. 2012. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004
1083 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

1084 (a) Subsection (f) is amended by striking the phrase “; continuing south along 12th Street,
1085 N.E.” and inserting the phrase “, to 12th Street, N.E.; thence north to include all properties
1086 abutting the west side of 12th Street, N.E., to Michigan Avenue, N.E.; thence south to include all
1087 properties abutting the east side of 12th Street, N.E.” in its place.

1088 (b) Subsection (g) is amended by striking the phrase “parcels, squares, and lots within the
1089 area” and inserting the phrase “parcels, squares, and lots within or abutting the area” in its place.

1090 (c) Subsection (o) is amended by striking the phrase “parcels, squares, and lots within the
1091 following area:” and inserting the phrase “parcels, squares, and lots within or abutting the
1092 following area:” in its place.

1093 **SUBTITLE C. SUPERMARKET TAX INCENTIVES**

1094 Sec. 2021. Short title.

1095 This subtitle may be cited as the “Supermarket Tax Incentives Emergency Amendment
1096 Act of 2021”.

1097 Sec. 2022. Chapter 38 of Title 47 of the District of Columbia Official Code is amended
1098 as follows:

1099 (a) The table of contents is amended by adding a new section designation to read as
1100 follows:

1101 “47-3801.01. Expansion of supermarket investment areas.”.

1102 (b) Section 47-3801 is amended as follows:

1103 (1) Paragraph (1D) is amended to read as follows:

1104 “(1D) “Eligible area” means:

1105 “(A)(i) An area consisting of those properties within or abutting the
1106 boundaries of low-income census tracts where a significant number of residents are more than
1107 1/2 mile from the nearest supermarket, as designated based on the 2019 data from the United
1108 States Department of Agriculture Food Access Research Atlas, not including any census tract, as
1109 identified by the Mayor, in which a college or university campus is located or nearby that has
1110 been designated as a low-income census tract due primarily to the incomes of college or
1111 university students residing within the census tract; or

1112 “(ii) An area consisting of properties within or abutting proximal
1113 neighborhood groups with over 20% participation in the Supplemental Nutrition Assistance
1114 Program or other public assistance programs as designated in the 2018 District of Columbia
1115 Health Equity Report; or

1116 “(B) For supermarkets under construction as of January 1, 2021, for which
1117 a certificate of occupancy is issued on or before July 1, 2023 and for which an application for
1118 certification under this chapter is filed on or before July 1, 2023:

1119 “(i) A historically underutilized business zone, as defined by
1120 section 3(p)(1) of the Small Business Act, approved July 18, 1958 (72 Stat. 384; 15 U.S.C. §
1121 632(p)(1)); or

1122 “(ii) Census tracts 103, 33.01, 94, 95.05, 95.07, or 95.08.”.

1123 (2) Paragraph (3)(A) is amended as follows:

1124 (A) Sub-subparagraph (ii) is amended to read as follows:

1125 “(ii) Offers for sale at least 6 of the following categories of food or
1126 beverages:

1127 “(I) Fresh fruits and vegetables;

1128 “(II) Fresh and uncooked meats, poultry, and seafood;

1129 “(III) Dairy products;

1130 “(IV) Canned foods;

1131 “(V) Frozen foods;

1132 “(VI) Dry groceries and baked goods; and

1133 “(VII) Non-alcoholic beverages;”

1134 (B) Sub-subparagraph (iii) is amended by striking the period and inserting a
1135 semicolon in its place.

1136 (C) New sub-subparagraphs (iv) and (v) are added to read as follows:

1137 “(iv) Dedicates either 50% of the establishment’s total square footage of
1138 selling area (defined as the area in the establishment that is open to the public and not including
1139 storage areas, preparation areas, or bathrooms), or 6,000 square feet of the establishment’s
1140 selling area to the sale of the categories of food or beverages listed in sub-subparagraph (ii) of
1141 this subparagraph; and

1142 “(v) Dedicates at least 5% of the establishment’s total square footage of
1143 selling area to each of at least 6 of the categories of food or beverages listed in sub-subparagraph
1144 (ii) of this subparagraph.”.

1145 (b) A new section 47-3801.01 is added to read as follows:

1146 “§ 47-3801.01. Expansion of supermarket investment areas.

1147 “(a) If the Mayor determines that there is an area that warrants investment pursuant to
1148 this chapter that is not an eligible area, as defined by § 47-3801(1D), the Mayor shall prepare a
1149 plan describing the area, geographically and otherwise, along with a detailed rationale for
1150 extending the tax incentives provided for by this chapter, a fiscal impact statement, and an
1151 explication of the benefits to be derived for the area and the District as a whole.

1152 “(b) The Mayor shall transmit the plan to the Council, with a proposed resolution for a
1153 45-day period of review, excluding days of Council recess. If the Council does not approve or
1154 disapprove the plan, in whole or in part, by resolution within this 45-day review period, the plan
1155 shall be deemed approved and the area described in the plan shall be considered an eligible area
1156 for purposes of this chapter.”.

1157 (c) Section 47-3802 is amended as follows:

1158 (1) Subsection (c)(1) is amended to read as follows:

1159 “(1) Effective for applications filed on or after January 1, 2011, to be eligible for
1160 any exemption provided under subsection (a) of this section, an applicant shall file with the
1161 Mayor, in such manner and form as the Mayor may prescribe, an application requesting
1162 certification of eligibility for the exemption. As part of the application, and as a condition of
1163 certification, an applicant seeking an exemption for a qualified supermarket shall agree in writing
1164 to:

1165 “(A) Become authorized to accept Supplemental Nutrition Assistance
1166 Program (“SNAP”) benefits as payment at the qualified supermarket, and to accept SNAP
1167 benefits for payment after such authorization;

1168 “(B) Apply to the Department of Health (“DOH”) for approval to accept
1169 Special Supplemental Nutrition Program for Women, Infants, and Children (“WIC”) benefits as
1170 payment at the qualified supermarket, and accept WIC benefits as payment at the qualified
1171 supermarket if approved by DOH to accept WIC benefits; and

1172 “(C) Conduct community listening sessions on the store’s product
1173 offerings and operations at least once every 2 years.”.

1174 (2) New subsections (e) and (f) are added to read as follows:

1175 “(e) To remain eligible to continue to receive the tax benefits provided by this chapter, a
1176 qualified supermarket shall:

1177 “(1) Accept SNAP benefits for payment at the qualified supermarket;

1178 “(2) Accept WIC benefits for payment at the qualified supermarket, unless
1179 determined ineligible by DOH to accept payments by WIC benefits; and

1180 “(3) Conduct a community listening session on the store’s product offerings and
1181 operations at least once every 2 years.

1182 “(f) The Mayor shall review the definition of the term “eligible area” at least once every 5
1183 years to determine whether it continues to appropriately reflect the areas of the District where tax
1184 incentives for new supermarkets provide substantial benefits to District residents and
1185 neighborhoods.”.

1186 **SUBTITLE D. REAL PROPERTY TAX APPEALS COMMISSION**
1187 **MEMBERSHIP**

1188 Sec. 2031. Short title.

1189 This subtitle may be cited as the “Real Property Tax Appeals Commission Membership
1190 Emergency Amendment Act of 2021”.

1191 Sec. 2032. Section 47-825.01a of the District of Columbia Official Code is
1192 amended as follows:

1193 (a) Subsection (a) is amended as follows:

1194 (1) Paragraph (1) is amended as follows:

1195 (A) Subparagraph (B) is amended as follows:

1196 (i) Sub-subparagraph (ii) is amended by striking the
1197 semicolon and inserting the phrase “; and” in its place.

1198 (ii) Sub-subparagraph (iii) is amended by striking the
1199 phrase “; and” and inserting a period in its place.

1200 (iii) Sub-subparagraph (iv) is repealed.

1201 (B) Subparagraph (C) is amended to read as follows:

1202 “(C)(i) The Commission may non-competitively appoint to
1203 temporary appointments up to 8 hearing examiners, who each shall be appointed for a
1204 term not to exceed 6 months each year, who shall hear cases of single-family residential
1205 property or any noncommercial real property assessed during the administrative review
1206 (or under the notice of assessment if the administrative review is unavailable) at \$3
1207 million or less.

1208 “(ii) The Chairperson may assign hearing examiners
1209 appointed pursuant to sub-subparagraph (i) of this subparagraph to hear cases of real
1210 property assessments other than those described in sub-subparagraph (i) of this
1211 subparagraph.”.

1212 (C) Subparagraph (D) is amended as follows:

1213 (i) Sub-subparagraph (i) is amended to read as follows:

1214 “(i) The Chairperson of the Commission shall:

1215 “(I) Be a District of Columbia certified appraiser
1216 with at least 3 years of professional experience; or

1217 “(II) Have at least 5 years of commercial real estate
1218 property appraisal experience.”.

1219 (ii) Sub-subparagraph (iv) is amended by striking the
1220 phrase “All Commissioners” and inserting the phrase “All Commissioners and hearing
1221 examiners” in its place.

1222 (D) Subparagraph (E) is amended by striking the phrase “The
1223 Commissioners” and inserting the phrase “The Commissioners and hearing examiners” in

1224 its place.

1225 (2) Paragraph (2) is amended as follows:

1226 (A) Subparagraph (A) is amended to read as follows:

1227 “(A) Each Commissioner and hearing examiner shall be prohibited
1228 from representing any client or business interest before the Commission for a period of 2
1229 years after the separation of the Commissioner or hearing examiner from the
1230 Commission.”.

1231 (B) Subparagraph (B) is amended as follows:

1232 (i) Strike the phrase “A Commissioner” and insert the
1233 phrase “Each Commissioner and hearing examiner” in its place.

1234 (ii) Strike the phrase “the Commissioner” and insert the
1235 phrase “the Commissioner or hearing examiner” in its place.

1236 (C) Subparagraph (C) is amended to read as follows:

1237 “(C) A Commissioner or hearing examiner shall not review an
1238 appeal for which that Commissioner or hearing examiner has a direct or indirect
1239 interest.”.

1240 (3) Paragraph (3) is amended by adding a new subparagraph (C) to read as
1241 follows:

1242 “(C)(i) Each part-time Commissioner serving on the day before the
1243 effective date of the Real Property Tax Appeals Commission Membership Amendment
1244 Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version of Bill 24-285)
1245 (“Act”), shall, with the Commissioner’s consent, be converted to a hearing examiner on

1246 the effective date of the Act.

1247 (ii) The position of part-time Commissioner shall be
1248 abolished as of the effective date of the Act, and no individual shall continue to serve in
1249 the position of part-time Commissioner after that date.”.

1250 (4) Paragraph (5) is amended by striking the phrase “Commissioners
1251 shall” and inserting the phrase “Commissioners and hearing examiners shall” in its place.

1252 (5) Paragraph (6) is amended to read as follows:

1253 “(6) The Commission shall employ staff in addition to the hearing
1254 examiners, including an executive director and a general counsel.”.

1255 (b) Subsection (c) is amended as follows:

1256 (1) Paragraph (1) is amended as follows:

1257 (A) Subparagraph (A) is amended as follows:

1258 (i) The lead-in text is amended by striking the word
1259 “Commissioners” and inserting the phrase “Commissioners and hearing examiners” in its
1260 place.

1261 (ii) Sub-subparagraph (i) is amended as follows:

1262 (I) Strike the phrase “one-Commissioner” and insert
1263 the phrase “one-Commissioner or hearing examiner” in its place; and

1264 (II) Strike the phrase “multi-Commissioner panel”
1265 and insert the phrase “multi-member panel” in its place.

1266 (iii) Sub-subparagraph (ii) is amended to read as follows:

1267 “(ii) In the case of all other real property, a panel consisting

1268 of 3 members shall be convened; provided, that a panel consisting of 2 members may be
1269 convened if the appellant and OTR agree.”.

1270 (B) Subparagraph (B) is amended by striking the word
1271 “Commissioner” and inserting the phrase “Commissioner or hearing examiner” in its
1272 place.

1273 (2) Paragraph (2) is amended by striking the word “Commissioners” and
1274 inserting the word “members” in its place.

1275 (3) Paragraph (3) is amended as follows:

1276 (A) Strike the phrase “deciding Commissioner” and insert the
1277 phrase “deciding Commissioner or hearing examiner” in its place;

1278 (B) Strike the phrase “multi-Commissioner” and insert the phrase
1279 “multi-member” in its place; and

1280 (C) Strike the phrase “each Commissioner” and insert the phrase
1281 “each member” in its place.

1282 (4) Paragraph (4)(C) is amended to read as follows:

1283 “(C) The names of the member who were on the panel that
1284 established the assessment or classification, or both, indicating whether each participating
1285 member agreed with, or dissented from, the decision of the panel.”.

1286 (c) Subsection (e) is amended as follows:

1287 (1) Paragraph (3) is amended by striking the word “Commission or a
1288 Commissioner” and inserting the phrase “Commission, or a Commissioner or hearing
1289 examiner,” in its place.

1290 (2) Paragraph (6)(C) is amended to read as follows:

1291 “(C) In the case of a rehearing, a panel shall be convened
1292 consisting of the Chairperson, Vice-Chairperson, and a Commissioner or hearing
1293 examiner who was a member of the panel that heard the underlying appeal.”.

1294 (d) A new subsection (k) is added to read as follows:

1295 “(k) For the purposes of this section, the word “member” means a Commissioner
1296 or hearing examiner.”.

1297 Sec. 2033. Section 406(b) of the District of Columbia Government Comprehensive Merit
1298 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
1299 604.06(b)), is amended as follows:

1300 (a) Paragraph (27) is amended by striking the phrase “; and” and inserting a
1301 semicolon in its place.

1302 (b) Paragraph (28) is amended by striking the period at the end and inserting a
1303 semicolon in its place.

1304 (c) Paragraph (29) is amended by striking the period and inserting the phrase “; and” in
1305 its place.

1306 (d) A new paragraph (30) is added to read as follows:

1307 “(30) For the Real Property Tax Appeals Commission, the personnel authority is
1308 the Real Property Tax Appeals Commission.”.

1309 Sec. 2034. Section 15 of An Act To provide for the abatement of nuisances in the District
1310 of Columbia by the Commissioners of said District, and for other purposes, approved April 14,
1311 1906 (34 Stat. 115; D.C. Official Code § 42-3131.15), is amended by adding a new subsection

1312 (d) to read as follows:

1313 “(d) The District, through the Office of the Attorney General, may appeal a decision of
1314 the Real Property Tax Appeals Commission to the Superior Court of the District of Columbia
1315 within 2 months after receipt of the written decision.”.

1316 **SUBTITLE E. LOCAL RENT SUPPLEMENT PROGRAM**

1317 Sec. 2041. Short title.

1318 This subtitle may be cited as the “Local Rent Supplement Program Enhancement
1319 Emergency Amendment Act of 2021”.

1320 Sec. 2042. The District of Columbia Housing Authority Act of 1999, effective May 9,
1321 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

1322 (a) Section 2 (D.C. Official Code § 6-201) is amended as follows:

1323 (1) A new paragraph (7B) is added to read as follows:

1324 “(7B) “Capital-based assistance” means capital gap financing for the construction
1325 or rehabilitation of housing units for which project-based voucher assistance or sponsor-based
1326 voucher assistance was previously awarded as an operating subsidy.”.

1327 (2) A new paragraph (43C) is added to read as follows:

1328 “(43C) “Tenant-based voucher assistance” means housing subsidy payments
1329 provided for households with extremely low incomes or histories of homelessness to pay all or a
1330 portion of the household’s rent in privately owned housing units in the District.”.

1331 (b) Section 26a (D.C. Official Code § 6-226), is amended as follows:

1332 (1) Subsection (a) is amended to read as follows:

1333 “(a) The Rent Supplement Program is established to provide housing assistance to
1334 extremely low-income District residents, including those who are homeless and those in need of
1335 supportive services, such as elderly individuals or those with disabilities. The funding of this
1336 program is subject to appropriation. The assistance under this section, section 26b, and section
1337 26c shall not constitute an entitlement.”

1338 (2) Subsection (b) is amended to read as follows:

1339 “(b)(1) The Authority shall award the funds appropriated for the program’s sponsor-
1340 based voucher assistance and capital-based assistance.

1341 “(2) The Department of Housing and Community Development shall award the
1342 funds appropriated for the program’s project-based voucher assistance.

1343 “(3) The Authority shall award the funds appropriated for ongoing tenant-based
1344 voucher assistance.

1345 “(4) The Authority shall award the funds appropriated for new tenant-based
1346 voucher assistance, including funds appropriated to the Department of Human Services as
1347 described in section 26a-1(c)(5), to the extent that such funds are transferred to the Housing
1348 Authority Rent Supplement Program Fund pursuant to section 26a-1(c)(4).”.

1349 (3) Subsection (c) is amended to read as follows:

1350 “(c)(1) The Authority shall promulgate rules, subject to Council approval, for sponsor-
1351 based voucher assistance as required by section 26b and capital-based assistance as required by
1352 section 26d, which shall govern the administration of funds for these types of assistance.

1353 “(2) The Authority shall promulgate emergency and final rules for tenant-based
1354 voucher assistance. Rules issued pursuant to this paragraph shall establish a process to allow

1355 applicants to self-certify eligibility factors when an applicant cannot easily obtain verification
1356 documentation. Emergency rules shall be issued by November 1, 2021. Final rules shall be
1357 subject to Council approval.

1358 “(3) The Department of Human Services shall promulgate emergency and final
1359 rules governing the referral of applicants to the Authority for tenant-based voucher assistance,
1360 including eligibility criteria for Targeted Affordable Housing. In Fiscal Year 2022, such
1361 eligibility criteria for Targeted Affordable Housing shall include a prioritization for families that
1362 have been in rapid re-housing the longest but are not eligible for Permanent Supportive Housing.
1363 Emergency rules shall be issued by November 1, 2021. Final rules shall be subject to Council
1364 approval.

1365 “(4) The Authority shall promulgate rules, subject to Council approval, for
1366 project-based voucher assistance, which shall govern the administration of funds for this type of
1367 assistance; except, that the Department of Housing and Community Development shall
1368 promulgate rules governing the award of project-based voucher assistance, as provided in
1369 paragraph (5) of this subsection.

1370 “(5) The Department of Housing and Community Development shall promulgate
1371 rules, subject to Council approval, governing the award of project-based voucher assistance;
1372 provided, that the rules previously promulgated by the Authority that govern the award of funds
1373 for project-based voucher assistance shall remain in effect unless amended or repealed by the
1374 Department of Housing and Community Development.

1375 “(6) The rules proposed pursuant to this subsection shall:

1376 “(A) Provide for allocating project-based and sponsor-based funds to
1377 maintain or create new affordable housing units, including by combining funds under this
1378 program with other sources of funds for housing production and development and for allocating
1379 tenant-based funds to expand affordable housing choices for households through housing
1380 subsidies; and

1381 “(B) Be submitted to the Council for a 45-day period of review, excluding
1382 Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve
1383 or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review
1384 period, the proposed rules shall be deemed approved.”.

1385 (4) Subsections (d) and (e) are repealed.

1386 (c) A new section 26a-1 is added to read as follows:

1387 “Sec. 26a-1. Rent Supplement Program Funds.

1388 “(a) Housing Authority Rent Supplement Program Fund.

1389 (1) There is established as a special fund the Housing Authority Rent Supplement
1390 Program Fund, which shall be administered by the Authority in accordance with paragraph (3) of
1391 this subsection.

1392 “(2) There shall be deposited into the Housing Authority Rent Supplement
1393 Program Fund:

1394 “(A) Money appropriated for sponsor-based voucher assistance;

1395 “(B) Money appropriated for capital-based assistance;

1396 “(C) Money appropriated to the Authority for tenant-based voucher
1397 assistance;

1398 “(D) Money appropriated to the Authority for the ongoing provision of
1399 project-based voucher assistance previously awarded by the Department of Housing and
1400 Community Development;

1401 “(E) Money for project-based voucher assistance transferred to the
1402 Housing Authority Rent Supplement Program Fund pursuant to subsection 26b(b-1)(3);

1403 “(F) Money for tenant-based voucher assistance transferred to the Housing
1404 Authority Rent Supplement Program Fund pursuant to subsection (c)(4) of this section; and

1405 “(G) Money remaining in the Rent Supplement Fund, established by
1406 section 26a(d)(1), at the end of Fiscal Year 2021.

1407 “(3) Money in the Housing Authority Rent Supplement Program Fund shall be
1408 used solely to:

1409 “(A) Provide sponsor-based voucher assistance and capital-based
1410 assistance;

1411 “(B) Provide project-based voucher assistance to projects awarded such
1412 assistance by the Authority before October 1, 2021;

1413 “(C) Provide project-based voucher assistance to projects awarded such
1414 assistance by the Department of Housing and Community Development after September 30,
1415 2021, including assistance from funds transferred to the Housing Authority Rent Supplement
1416 Program Fund from the Rent Supplement Program Project-Based Allocation Fund established by
1417 subsection (b) of this section;

1418 “(D) Provide tenant-based voucher assistance including assistance from
1419 funds transferred from the Rent Supplement Program Tenant-Based Allocation Fund established
1420 by subsection (c) of this section; and

1421 “(E) Provide new tenant-based voucher assistance to families on the
1422 Housing Choice Voucher Program wait list.

1423 “(4)(A) The money deposited into the Housing Authority Rent Supplement
1424 Program Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of
1425 the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

1426 “(B) Subject to authorization in an approved budget and financial plan,
1427 any funds in the Housing Authority Rent Supplement Program Fund shall be continually
1428 available without regard to fiscal year limitation.

1429 “(b) Rent Supplement Program Project-Based Allocation Fund.

1430 (1) There is established as a special fund the Rent Supplement Program Project-
1431 Based Allocation Fund, which shall be administered by the Department of Housing and
1432 Community Development in accordance with paragraph (3) of this subsection.

1433 “(2) Amounts appropriated for new project-based voucher assistance shall be
1434 deposited into the Rent Supplement Program Project-Based Allocation Fund.

1435 “(3)(A) Money in the Rent Supplement Program Project-Based Allocation Fund
1436 shall be used to fund awards to applicants selected for project-based voucher assistance as
1437 defined in section 2(39A) and shall be transferred to the Housing Authority Rent Supplement
1438 Program Fund as described in section 26b(b-1)(3).

1439 “(B) Money in the Rent Supplement Program Project-Based Allocation
1440 Fund may be used to increase the amount of project-based voucher assistance previously
1441 awarded to an applicant to account for a documented need to increase the proposed rent charged
1442 on a rental unit.

1443 “(4)(A) The money deposited into the Rent Supplement Program Project-Based
1444 Allocation Fund shall not revert to the unrestricted fund balance of the General Fund of the
1445 District of Columbia at the end of a fiscal year, or at any other time.

1446 “(B) Subject to authorization in an approved budget and financial plan,
1447 any funds appropriated in the Rent Supplement Program Project-Based Allocation Fund shall be
1448 continually available without regard to fiscal year limitation.”.

1449 “(c) Rent Supplement Program Tenant-Based Allocation Fund.

1450 (1) There is established as a special fund the Rent Supplement Program Tenant-
1451 Based Allocation Fund, which shall be administered by the Department of Human Services in
1452 accordance with paragraph (3) of this subsection.

1453 “(2) The following funds shall be deposited into the Rent Supplement Program
1454 Tenant-Based Allocation Fund:

1455 “(A) Amounts appropriated to the Department of Human Services for new
1456 tenant-based voucher assistance; and

1457 “(B) Any unspent local dollars appropriated for supportive services, as
1458 that term is defined in section 2(39) of the Homeless Services Reform Act, effective October 22,
1459 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(39)), for the Targeted Affordable
1460 Housing Program or a permanent housing program, as that term is defined in section 2(27C) of

1461 the Homeless Services Reform Act, effective October 22, 2005 (D.C. Law 16-35; D.C. Official
1462 Code § 4-751.01(27C)), in the operating budget of the Department of Human Services at the end
1463 of each fiscal year.

1464 “(3) Money in the Rent Supplement Program Tenant-Based Allocation Fund shall
1465 be used in a fiscal year to fund awards to applicants selected for tenant-based voucher assistance,
1466 to the extent that the dollar amount of all new or previously awarded tenant-based voucher
1467 assistance awarded to applicants in that fiscal year or a prior fiscal year, for which the Authority
1468 continues to be obligated to make payments, exceeds the amount of money deposited into the
1469 Housing Authority Rent Supplement Program Fund during the then-current fiscal year for the
1470 ongoing provision of tenant-based voucher assistance pursuant to subsection (a)(2)(C) of this
1471 section.

1472 “(4) Money in the Rent Supplement Program Tenant-Based Allocation Fund
1473 shall, at the direction of the Director of the Department of Human Services, be transferred to the
1474 Housing Authority Rent Supplement Program Fund when such funding is necessary to fund the
1475 award of new tenant-based vouchers because the dollar amount of tenant-based vouchers for
1476 which the Authority would be obligated to make payments would otherwise exceed the amount
1477 of money deposited into the Housing Authority Rent Supplement Program Fund during the
1478 applicable fiscal year for the ongoing provision of tenant-based voucher assistance pursuant to
1479 subsection (a)(2)(C) of this section.

1480 “(5)(A) The money deposited into the Rent Supplement Program Tenant-Based
1481 Allocation Fund shall not revert to the unrestricted fund balance of the General Fund of the
1482 District of Columbia at the end of a fiscal year, or at any other time.

1483 “(B) Subject to authorization in an approved budget and financial plan,
1484 any funds appropriated in the Rent Supplement Program Tenant-Based Allocation Fund shall be
1485 continually available without regard to fiscal year limitation.

1486 “(6) For the purposes of this subsection, the phrase “new tenant-based voucher
1487 assistance” means, with respect to the amount of money to be deposited into the Rent
1488 Supplement Program Tenant-Based Allocation Fund, the amount of money appropriated to the
1489 Department of Human Services in a fiscal year for the provision of tenant-based voucher
1490 assistance”.

1491 (d) Section 26b (D.C. Official Code § 6-227), is amended as follows:

1492 (1) Subsection (a) is amended by striking the phrase “project-based and sponsor-
1493 based voucher assistance” and inserting the phrase “sponsor-based voucher assistance” in its
1494 place”.

1495 (2) A new subsection (b-1) is added to read as follows:

1496 “(b-1)(1) The funds allocated under the program for new project-based voucher
1497 assistance shall be awarded by the Department of Housing and Community Development for the
1498 construction of new housing, or rehabilitation or preservation of existing housing, for extremely
1499 low-income District residents.

1500 “(2) The Department of Housing and Community Development shall promulgate
1501 rules to govern the awarding of project-based voucher assistance and the continuing eligibility
1502 for such assistance.

1503 “(3) The funds awarded pursuant to paragraphs (1) and (2) of this subsection shall
1504 be held in the Rent Supplement Program Project-Based Allocation Fund, established by section
1505 26a-1(b).

1506 “(4) Prior to the Authority’s submission to the Council, pursuant to section 451 of
1507 the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C.
1508 Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010,
1509 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), for approval by the
1510 Council of an Agreement to Enter into a Long-Term Subsidy Contract (“ALTSC”), the
1511 Department of Housing and Community Development shall submit in a form satisfactory to the
1512 Authority:

1513 (A) A letter of commitment that confirms the project-based voucher
1514 assistance funding allocation to the Authority for the initial 15-year term Long-Term Subsidy
1515 Contract in accordance with the proposed terms of the ALTSC and the required certification to
1516 the Council under section 202(c)(6) of the Procurement Practices Reform Act of 2010, effective
1517 April 8, 2011 (D.C. Law 18-371; D.C. Code Official § 2-352.02(c)(6)); and

1518 (B) An acceptable memorandum of agreement between the Department of
1519 Housing and Community Development and the Authority that details the terms and conditions
1520 between the parties and shall include the transfer by the Department of Housing and Community
1521 Development of funds to the Housing Authority Rent Supplement Program Fund established by
1522 Section 26a-1(a).”.

1523 (3) Subsection (c) is amended to read as follows:

1524 “(c) The Authority shall apply its existing Partnership Program and Housing Choice
1525 Voucher Program rules to govern eligibility, admission, and continuing occupancy by tenants in
1526 units receiving sponsor-based or project-based voucher assistance under this section, section 26a,
1527 and section 26d, except if the rules are inconsistent with this section, section 26a, or section 26d;
1528 provided, that the Authority shall modify or waive such rules so as not to exclude households on
1529 the basis of immigration status, prior criminal convictions, or pending criminal matters. The
1530 Authority shall promulgate such additional rules as are necessary to ensure that eligibility for
1531 tenancy in the units supported by grants under this section is limited to households with gross
1532 income at or below 30% of the area median income. The Authority shall promulgate rules with
1533 respect to eligibility, admission, and continuing occupancy by tenants in units receiving project-
1534 based voucher assistance that are consistent with similar rules previously promulgated by the
1535 Authority for eligibility for tenants in units receiving sponsor-based voucher assistance.”.

1536 (4) Subsection (d) is amended to read as follows:

1537 “(d) To maintain consistency for households receiving rental housing support, the
1538 Authority shall, to the extent possible, given funding resources available in the Housing
1539 Authority Rent Supplement Program Fund, continue to fund project-based and sponsor-based
1540 grantees at the same level, adjusted for inflation on an annual basis, or on such other basis as
1541 may be agreed to with the grantee, unless the Authority determines that a grantee is not meeting
1542 the criteria set forth in the rules governing project-based or sponsor-based voucher assistance.”.

1543 (5) Subsection (e) is repealed.

1544 (e) Section 26c (D.C. Official Code § 6-228), is amended as follows:

1545 (1) Subsection (a) is amended by striking the phrase “procedures for the Housing
1546 Choice Voucher Program.” and inserting the phrase “procedures for the Housing Choice
1547 Voucher Program; provided, that the Authority shall waive or modify such rules, regulations,
1548 policies, and procedures so as not to exclude households on the basis of immigration status, prior
1549 criminal convictions, or pending criminal matters.” in its place.

1550 (2) Subsection (b) is amended as follows:

1551 (A) The lead-in language is amended by striking the phrase “Eligible
1552 families shall be selected from the households” and inserting the phrase “Eligible households
1553 shall be selected from the individuals and families” in its place.

1554 (B) Paragraph (1) is amended by striking the phrase “Eligible families”
1555 and inserting the phrase “Eligible households” in its place.

1556 (C) Paragraph (2) is amended to read as follows:

1557 “(2)(A)(i) The Authority shall develop rules that give preference in awarding a
1558 percentage of the vouchers funded under this program to District residents who are homeless
1559 applicants with one or more children under 18 years of age.

1560 “(ii) The percentage to be applied in sub-subparagraph (i) of this
1561 subparagraph shall be determined by the Authority and shall be included in the rules adopted for
1562 the program.

1563 “(B) Notwithstanding subparagraph (A) of this paragraph, in Fiscal Year
1564 2022, preference in awarding all vouchers funded under this program shall be given to District
1565 residents who are homeless applicants with one or more children under 18 years of age.

1566 “(C) Families who participate in time-limited housing programs shall be
1567 considered homeless for purposes of this paragraph.”.

1568 (3) Subsection (c) is amended by striking the phrase “Eligible families may be
1569 referred” and inserting the phrase “Individuals and families may be referred for eligibility
1570 determination” in its place.

1571 (4) Subsection (g)(2) is amended by striking the phrase “eligible to participate in
1572 the Authority’s Housing Choice Voucher Program” and inserting the phrase “eligible for tenant-
1573 based voucher assistance” in its place.

1574 (f) New sections 26d-1, 26d-2, and 26d-3 are added to read as follows:

1575 “Sec. 26d-1. Housing Authority Rent Supplement Program quarterly reporting.

1576 “(a) The Authority shall submit to the Mayor and the Council, within 30 days after the
1577 end of each fiscal quarter, a Rent Supplement Program report.

1578 “(b) Each report shall include the following information with respect to the Housing
1579 Authority Rent Supplement Program Fund:

1580 “(1) The total amount of money in the fund at the beginning and end of the
1581 reporting period;

1582 “(2) The amount of money in the fund allocated to project-based voucher
1583 assistance at the beginning of the reporting period, the amount of money expended from the fund
1584 on project-based voucher assistance during the reporting period, and the amount of money in the
1585 fund allocated to project-based voucher assistance at the end of the reporting period;

1586 “(3) The amount of money in the fund allocated to sponsor-based voucher
1587 assistance at the beginning of the reporting period, the amount of money expended from the fund

1588 on sponsor-based voucher assistance during the reporting period, and the amount of money in the
1589 fund allocated to sponsor-based voucher assistance at the end of the reporting period;

1590 “(4) The amount of money in the fund allocated to tenant-based voucher
1591 assistance at the beginning of the reporting period, the amount of money expended from the fund
1592 on tenant-based voucher assistance during the reporting period, and the amount of money in the
1593 fund allocated to tenant-based voucher assistance at the end of the reporting period;

1594 “(5) The amount of money in the fund allocated to capital assistance at the
1595 beginning of the reporting period, the amount of money expended from the fund on capital
1596 assistance during the reporting period, and the amount of money in the fund allocated to capital
1597 assistance at the end of the reporting period; and

1598 “(6) The amount of money expended from the fund during the reporting period on
1599 administrative costs, which shall include a breakdown by category of expense.

1600 “(c) Each report shall include the following information with respect to project-based
1601 voucher assistance:

1602 “(1) For each project that has a contract with the Authority for project-based
1603 voucher assistance, the name of, address of, number of total housing units in, number of units
1604 subsidized by project-based voucher assistance (“project-based units”) in, and contract end date
1605 of the project;

1606 “(2) For each project listed pursuant to paragraph (1) of this subsection:

1607 “(A) The dollar amount of project-based voucher assistance received
1608 during the reporting quarter;

1609 “(B) The occupancy status of each project-based unit;

1610 “(C) The contract rent for each project-based unit, including both the
1611 tenant-paid portion of the rent and project-based subsidy amount associated with the unit; and

1612 “(D) The income level at the most recent income certification of the
1613 household occupying the unit.

1614 “(3) The name of, address of, number of project-based units in, and project-based
1615 voucher assistance contract end date of, each project that has a contract with the Authority for
1616 project-based voucher assistance that is scheduled to expire within 24 months after the last day
1617 of the reporting period;

1618 “(4) The name of, address of, number of project-based units in, and contract end
1619 date of each project whose contract with the Authority for project-based voucher assistance
1620 expired during the reporting period;

1621 “(5) The name of, address of, and number of project-based units to be located in
1622 each project that has been awarded project-based voucher assistance but for which a contract
1623 with the Authority for such assistance has not been entered into, along with the date by which the
1624 Authority expects to enter into such a contract.

1625 “(d) Each report shall include the following information with respect to sponsor-based
1626 voucher assistance:

1627 “(1) The name and address of each non-profit organization or landlord
1628 (“sponsor”) with sponsor-based vouchers, along with the number of vouchers issued to the
1629 sponsor;

1630 “(2) For each sponsor listed pursuant to paragraph (1) of this subsection, the
1631 following information with respect to each sponsor-based unit of the sponsor:

1632 “(A) The address of the sponsor-based unit;

1633 “(B) The occupancy level of each sponsor-based unit, defined as the
1634 number of days in the reporting quarter the unit was leased to a household eligible for Rent
1635 Supplement Program assistance;

1636 “(C) The contract rent of the unit, including the tenant-paid portion of the
1637 rent and the sponsor-based subsidy amount allocated to the unit; and

1638 “(D) The income level at last income certification of the household
1639 occupying the sponsor-based unit.

1640 “(e) Each report shall include the following information with respect to tenant-based
1641 voucher assistance:

1642 “(1) The number of households, categorized separately as individual households
1643 and family households, receiving tenant-based voucher assistance on the first day and last day of
1644 the reporting quarter, listed separately by the program in which the household is participating,
1645 including the Permanent Supportive Housing and Targeted Affordable Housing program;

1646 “(2) The total dollar amount of rental payments made for tenant-based voucher
1647 recipients during the reporting quarter and fiscal year to date, listed separately by the program in
1648 which the household is participating, including the Permanent Supportive Housing and Targeted
1649 Affordable Housing program;

1650 “(3) The average monthly rent of housing units leased by households receiving
1651 tenant-based voucher assistance, listed separately by the program in which the household is
1652 participating, including the Permanent Supportive Housing and Targeted Affordable Housing
1653 program;

1654 “(4) The number of households receiving tenant-based vouchers at the beginning
1655 of the fiscal year that were no longer receiving tenant-based vouchers on the last day of the
1656 reporting quarter, listed separately by the program in which the household is participating,
1657 including the Permanent Supportive Housing and Targeted Affordable Housing program; and

1658 “(5) Tenant-based voucher assistance funding spent on security deposits,
1659 administrative services, and any other non-rental expenses, by expenditure type, during the
1660 reporting quarter and fiscal year to date.

1661 “(f) Each report shall include the following information with respect to capital-based
1662 assistance:

1663 “(1) The name of, address of, and number of project-based and sponsor-based
1664 units in each project that received capital-based assistance during the reporting quarter; and

1665 “(2) The dollar amount of capital assistance provided to each project listed
1666 pursuant to paragraph (1) of this subsection.

1667 “Sec. 26d-2. Rent Supplement Program Project-Based Allocation Fund quarterly
1668 reporting.

1669 “(a) The Department of Housing and Community Development shall submit to the
1670 Council, within 30 days after the end of each fiscal quarter, a Project-Based Rent Supplement
1671 Program report.

1672 “(b) Each report shall include the following information with respect to the Rent
1673 Supplement Program Project-Based Allocation Fund:

1674 “(1) The total amount of money in the fund at the beginning and end of the
1675 reporting period;

1676 “(2) The amount of money in the fund transferred to the Authority for project-
1677 based voucher assistance during the reporting period, listed separately by the project for which
1678 the funds were awarded;

1679 “(3) The amount of money in the fund awarded to projects that do not yet have a
1680 certificate of occupancy, listed separately by project;

1681 “(4) For each project that has been awarded project-based voucher assistance, the
1682 developer, address, planned number of total housing units, planned number of units subsidized
1683 by project-based voucher assistance, planned period of project-based voucher assistance, date of
1684 award, expected completion date, and whether the project is new construction or existing
1685 housing rehabilitation or preservation; and

1686 “(5) The amount of money expended from the fund during the reporting period on
1687 administrative costs, which shall contain a breakdown by category of expense.

1688 “Sec. 26d-3. Rent Supplement Program Tenant-Based Allocation Fund quarterly
1689 reporting.

1690 “(a) The Department of Human Services shall submit to the Council, within 30 days after
1691 the end of each fiscal quarter, a Rent Supplement Program Tenant-Based Allocation Fund report.

1692 “(b) Each report shall include the following information with respect to the Rent
1693 Supplement Program Tenant-Based Allocation Fund:

1694 “(1) The total amount of money in the fund at the beginning and end of the
1695 reporting period;

1696 “(2) The amount of money in the fund transferred to the Authority for each
1697 tenant-based voucher assistance program during the reporting period, listed separately by the
1698 program

1699 “(A) In which the household is currently participating, including the
1700 Permanent Supportive Housing, Targeted Affordable Housing program, and the Rapid
1701 Rehousing program if applicable, and categorized by individual households and family
1702 households; and

1703 “(B) To which the household is being referred, including the Permanent
1704 Supportive Housing and Targeted Affordable Housing program;

1705 “(3) The amount of money remaining in the fund at the end of the reporting
1706 period, listed separately by the program in which the household is participating, including the
1707 Permanent Supportive Housing, Targeted Affordable Housing program, and the Rapid
1708 Rehousing program, and categorized by individual households and family households;

1709 “(4) The number of households, categorized separately as individual households
1710 and family households, matched with a tenant-based voucher assistance program during the
1711 reporting quarter, listed separately by the program in which the household is participating,
1712 including the Permanent Supportive Housing and Targeted Affordable Housing program; and

1713 “(5) The amount of money expended from the fund during the reporting period on
1714 administrative costs, which shall contain a breakdown by category of expense.”.

1715 (g) Section 22b of the Homeless Services Reform Act of 2005, effective February 28,
1716 2018 (D.C. Law 22-65; D.C. Official Code § 4-754.36b), is amended by adding a new subsection
1717 (e) to read as follows:

1718 “(e) In Fiscal Year 2022, a provider may exit a client pursuant to this section only if the
1719 Mayor determines that the client has a reasonable likelihood of sustaining housing stability
1720 independently of the rapid re-housing program. Such a determination shall be based on the
1721 client’s rent burden at the time of program exit, the client’s job stability and income, and other
1722 factors known to cause housing instability.”.

1723 **SUBTITLE F. HOUSING PRODUCTION TRUST FUND CONTRACTS**

1724 Sec. 2051. Short title.

1725 This subtitle may be cited as the “Housing Production Trust Fund Pipeline Advancement
1726 Emergency Amendment Act of 2021”.

1727 Sec. 2052. Section 3(f)(2) of the Housing Production Trust Fund Act of 1988, effective
1728 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(f)(2)), is repealed.

1729 **SUBTITLE G. PROPERTY TAX RELIEF FOR LOW INCOME HOUSING**

1730 Sec. 2061. Short title.

1731 This subtitle may be cited as the “Property Tax Relief for Low Income Housing
1732 Harmonization Emergency Act of 2021”.

1733 Sec. 2062. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as
1734 follows:

1735 (a) Section 47-1005.02 is amended as follows:

1736 (1) Subsection (a) is amended as follows:

1737 (A) Paragraph (1) is amended to read as follows:

1738 “(1) Real property eligible for the low-income housing tax credit provided by
1739 section 42 of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2189; 26

1740 U.S.C. § 42), (“affordable housing”) that is owned by or leased to an organization that is not
1741 organized or operated for private gain, or that is owned by or leased to an entity controlled,
1742 directly or indirectly, by such an organization, for which a certification has been made as to both
1743 the real property and owner or lessee pursuant to subsection (b)(1) of this section (and that has
1744 not been revoked under subsection (b)(2) of this section) shall be exempt from the taxes imposed
1745 by Chapters 8 and 10 of this title and from a payment in lieu of tax imposed under § 47-1002(20)
1746 during the time that the real property is being developed for or being used as affordable housing
1747 and is subject to restrictive covenants governing the income of residents that occupy the
1748 affordable housing units during the federal low-income housing tax credit compliance period,
1749 including any extended use period; provided, that if the property is eligible for the tax relief
1750 provided by this subsection in part because it is leased to an organization that is not organized or
1751 operated for private gain, or is leased to an entity controlled, directly or indirectly, by such an
1752 organization, the owner and lessee shall certify to the Mayor, and the Mayor shall confirm, that
1753 the value of the tax abatement provided by this subsection will be passed through to the lessee.”.

1754 (B) Paragraph (2) is amended by striking the word “owner” wherever it
1755 appears and inserting the phrase “owner or lessee” in its place.

1756 (2) A new subsection (a-1) is added to read as follows:

1757 “(a-1)(1) Real property shall be exempt from the taxes imposed by Chapters 8 and 10 of
1758 this title and from a payment in lieu of tax imposed under § 47-1002(20), for the time period set
1759 forth in paragraph (2) of this subsection, if:

1760 “(A) The real property is owned by or leased to a nonprofit owner, as
1761 defined by § 47-1005.03(a)(2), or leased to a nonprofit organization that provides rental housing
1762 in buildings that it owns and that satisfies the requirements of § 47-1005.03(a)(2)(B);

1763 “(B) Affordable housing developed or to be developed on the real property
1764 has been awarded financial assistance in the form of a grant or a loan from the Housing
1765 Production Trust Fund or other District government low-income housing financing assistance
1766 program designated by the Mayor to provide housing affordable to households earning not in
1767 excess of 80% of the adjusted median income, as defined by § 47-1005.03(a)(1);

1768 “(C) The financial assistance described in subparagraph (B) of this
1769 paragraph was awarded after the effective date of the Property Tax Relief for Low Income
1770 Housing Harmonization Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version
1771 of Bill 24-285);

1772 “(D) A certification as to both the real property and owner or lessee has
1773 been made pursuant to subsection (b)(1) of this section (and that has not been revoked under
1774 subsection (b)(2) of this section); and

1775 “(E) The real property is subject to, and in compliance with, restrictive
1776 covenants governing the income of residents that occupy or will occupy the affordable housing
1777 units developed or to be developed on the real property.

1778 “(2) Real property described in paragraph (1) of this subsection shall be exempt
1779 from the taxes imposed by Chapters 8 and 10 of this title and from a payment in lieu of tax
1780 imposed under § 47-1002(20) during the time that the real property is being developed for or
1781 being used as affordable housing.”.

1782 (3) Subsection (b) is amended as follows:

1783 (A) Paragraph (1) is amended as follows:

1784 (i) The lead-in text is amended to read as follows:

1785 “The Mayor shall certify to the Office of Tax and Revenue (“OTR”) each property and
1786 owner or lessee eligible for an exemption. The certification shall identify:”.

1787 (ii) Subparagraph (B) is amended by striking the word “owner”
1788 and inserting the phrase “owner or lessee” in its place.

1789 (iii) Subparagraph (E) is amended to read as follows:

1790 “(E) The effective date of the exemption, which shall be:

1791 “(i) In the case of an application by an eligible owner, the date on
1792 which the eligible owner acquired the real property or October 1, 2012, whichever is later; and

1793 “(ii) In the case of an application by an eligible lessee, the date on
1794 which the eligible lessee leased the real property, or October 1, 2021, whichever is later.”.

1795 (B) Paragraph (2) is amended as follows:

1796 (i) The lead-in language is amended as follows:

1797 (I) Strike the phrase “owner or property” and insert the
1798 phrase “property, owner, or lessee” in its place.

1799 (II) Strike the phrase “subsection (a)” and insert the phrase
1800 “subsection (a) or (a-1)” in its place.

1801 (ii) Subparagraph (B) is amended by striking the word “owner”
1802 and inserting the phrase “owner or lessee” in its place.

1803 (iii) Subparagraph (E) is amended by striking the phrase “taxpayer
1804 or property” and inserting the phrase “property, owner, or lessee” in its place.

1805 (C) Paragraph (3) is amended as follows:

1806 (i) Strike the phrase “subsection (a)” and insert the phrase
1807 “subsection (a) or (a-1)” in its place.

1808 (ii) Strike the word “owner” and insert the phrase “owner or lessee,
1809 whichever is applicable,” in its place.

1810 (4) Subsection (c) is amended by striking the word “owner” and inserting
1811 the phrase “owner or lessee” in its place.

1812 (b) Section 47-1005.03 is amended as follows:

1813 (1) Subsection(a)(2)(B) is amended as follows:

1814 (A) Sub-subparagraph (i) is amended by striking the phrase “; or” and
1815 inserting a semicolon in its place.

1816 (B) Sub-subparagraph (ii) is amended by striking the period and inserting
1817 the phrase “; or” in its place.

1818 (C) A new sub-subparagraph (iii) is added to read as follows:

1819 “(iii) Is a limited-equity cooperative as defined by § 42-2061(2).”.

1820 (2) Subsection (b) is amended as follows:

1821 (A) The lead-in language is amended by striking the phrase “provided,
1822 that” and inserting the phrase “provided, that the land and buildings are acquired by the nonprofit
1823 owner in an arm’s-length transaction on or after October 1, 2020, or, in the case of a nonprofit

1824 owner that is a limited-equity cooperative as defined by § 42-2061(2), on or after October 1,
1825 2021; provided further, that” in its place.

1826 (B) Paragraph (6) is amended to read as follows:

1827 “(6) Such nonprofit owner, or its sole member if the nonprofit owner is
1828 disregarded for income tax purposes, is the subject of a Determination Letter issued by the
1829 Internal Revenue Service providing for recognition under section 501(c)(3) of the Internal
1830 Revenue Code; except, that this requirement shall not apply to a limited-equity cooperative.”.

1831 **SUBTITLE H. SECTION 108 DEBT RESERVE ACCOUNT**

1832 Sec. 2071. Short title.

1833 This subtitle may be cited as the “Section 108 Debt Reserve Account Establishment
1834 Emergency Act of 2021”.

1835 Sec. 2072. Section 108 debt reserve account.

1836 (a) The Chief Financial Officer shall establish as a special fund under section 450 of the
1837 District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official
1838 Code § 1-204.50), or as an account at a financial institution outside the District government, the
1839 Section 108 Debt Reserve Account (“Account”).

1840 (b) The Chief Financial Officer shall deposit into the Account an amount sufficient to pay
1841 the principal and interest due during the remainder of that fiscal year to the Department of
1842 Housing and Urban Development in the event of a default on a loan of amounts borrowed by the
1843 District under the federal loan guarantee program authorized by section 108 of the Housing and
1844 Community Development Act of 1974, approved August 22, 1974 (88 Stat. 647; 42 U.S.C. 5308)
1845 (“Section 108 Loan Guarantee Program”).

1846 **SUBTITLE I. PARK MORTON REDEVELOPMENT**

1847 Sec. 2081. Short title.

1848 This subtitle may be cited as the “Park Morton Redevelopment Emergency Act of
1849 2021”.

1850 Sec. 2082. Park Morton Redevelopment.

1851 The use of funds allocated for the redevelopment of public housing at Park Morton shall
1852 be limited to furthering the project requirements and shall be subject to the guidelines,
1853 conditions, and standards as approved by the Zoning Commission for the District of Columbia in
1854 Zoning Commission Order Nos. 16-11 and 16-12, and in any subsequent applicable orders.

1855 **SUBTITLE J. REENTRY HOUSING AND SERVICES PROGRAM**

1856 Sec. 2091. Short title.

1857 This subtitle may be cited as the “Reentry Housing and Services Program Emergency Act
1858 of 2021”.

1859 Sec. 2092. Definitions

1860 For purposes of this subtitle, the term:

1861 (1) “Area median income” means the area median income of the Washington
1862 Metropolitan Statistical Area as set forth in the periodic calculation provided by the U.S.
1863 Department of Housing and Urban Development.

1864 (2) “Community Housing Development Organization” means a private nonprofit
1865 community-based organization with the capacity to develop affordable housing for the target
1866 population.

1867 (3) “Extremely low-income” means having a household income equal to 30% or
1868 less of the area median income.

1869 (4) “Housing production” means the construction, rehabilitation, or preservation
1870 of decent, safe, and affordable housing.

1871 (5) “Low-income” means having a household income that is less than 60% of the
1872 area median income.

1873 (6) “On-site services” means services, provided in connection with housing,
1874 designed primarily to help tenants maintain housing, including coordination or case
1875 management, physical and mental health support, substance use management and recovery
1876 support, job training, literacy and education, youth and children’s programs, and money
1877 management.

1878 (7) “Project-based assistance” means funds allocated to a particular Community
1879 Housing Development Organization to subsidize rent and social services in units owned and
1880 operated by the Community Housing Development Organization for a maximum number of
1881 households as established by contract.

1882 (8) “Qualifying housing project” means a development that has an approved
1883 building permit and provides permanent and transitional housing with on-site services for the
1884 target population.

1885 (9) “Returning citizen” means a District resident who was previously
1886 incarcerated.

1887

1888 (10) “Target population” means low-income, very low-income, and extremely
1889 low-income individuals, families, or returning citizens.

1890 (11) “Very low-income” means a household income equal to or less than 50% of
1891 the area median income.

1892 Sec. 2093. (a)(1) The Department of Housing and Community Development (“DHCD”)
1893 shall establish a Reentry Housing and Services Program (“Program”), subject to available
1894 funding, to provide project-based assistance to a Community Housing Development for
1895 qualifying housing projects.

1896 (2) The Program shall allocate project-based funds to produce and maintain new
1897 affordable housing units and subsidize the cost of monthly rent and on-site services for the target
1898 population at a qualifying housing project.

1899 (3) In Fiscal Year 2022 only, DHCD may use up to \$174,000 of funds allocated
1900 for this project for administrative costs associated with implementing the Program.

1901 (b) To be eligible, a qualifying housing project shall provide:

1902 (1) No fewer than 60 units of housing, which may include single room occupancy
1903 units;

1904 (2) On-site services for the target population; and

1905 (3) A preference for returning citizens as tenants.

1906 (c) The agency shall issue a request for proposals no later than January 31, 2022, and
1907 issue awards no later than July 1, 2022.

1908 (d)(1) The Mayor, pursuant to Title I of the District of Columbia Administrative
1909 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
1910 shall issue rules to implement the provisions of this act, including rules addressing:

1911 (A) The distribution of funds under this program; and

1912 (B) The allocation of project-based funds pursuant to this section,
1913 including by combining funds under this program with other sources of funds for housing
1914 production and development.

1915 (2) The proposed rules shall be submitted to the Council for a 45-day period of
1916 review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council
1917 does not approve or disapprove the proposed rules, by resolution, within the 45-day review
1918 period, the proposed rules shall be deemed approved.

1919 **SUBTITLE K. EMORY BEACON OF LIGHT TAX EXEMPTION**

1920 Sec. 2101. Short title.

1921 This subtitle may be cited as the “Emory United Methodist Church Tax Exemption and
1922 Equitable Tax Relief Emergency Act of 2021”.

1923 Sec. 2102. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as
1924 follows:

1925 (a) The table of contents is amended by adding a new section designation to read as
1926 follows:

1927 “47-1099.11. Emory United Methodist Church; Square 2940, Lots 826, 828, 831, 832,
1928 7007, 7008, 7009, 7010, 7011, and 7012.”.

1929 (b) A new section 47-1099.11 is added to read as follows:

1930 “§ 47-1099.11. Emory United Methodist Church; Square 2940, Lots 826, 828, 831, 832,
1931 7007, 7008, 7009, 7010, 7011, and 7012.

1932 “(a) The real property described for assessment and taxation purposes as Square 2940,
1933 Lots 826, 828, 831, 832, 7007, 7008, 7009, 7010, 7011, and 7012 (“real property”) shall be
1934 exempt from real property taxation and possessory interest taxation so long as the real property
1935 is:

1936 “(1) Owned by Emory United Methodist Church or an entity controlled directly or
1937 indirectly by Emory United Methodist Church;

1938 “(2) If leased, leased to Beacon Center QALICB, LLC, or a nonprofit
1939 organization, including Emory Beacon of Light;

1940 “(3) If subleased, subleased to Beacon Center QALICB, LLC, or a nonprofit
1941 organization, including Emory United Methodist Church or Emory Beacon of Light; and

1942 “(4) Used, or, if vacant, held for use, by Emory United Methodist Church, an
1943 entity controlled directly or indirectly by Emory United Methodist Church, Beacon Center
1944 QALICB, LLC, or a nonprofit organization, including Emory Beacon of Light, for affordable
1945 housing or community-serving purposes, such as a church, gymnasium, classroom, food pantry,
1946 community or incubator kitchen, immigration clinic, small-business services, restaurant staffed
1947 by returning citizens, youth leadership academy, or health clinic.

1948 “(b) Any transfer, assignment, or other disposition of all or any portion of the real
1949 property, including a lease or sublease of the real property between Emory United Methodist
1950 Church or any entity controlled directly or indirectly by Emory United Methodist Church
1951 including Emory Beacon of Light, and Beacon Center QALICB, LLC, and any security interest

1952 instrument in the real property granted by Emory United Methodist Church, an entity controlled
1953 directly or indirectly by Emory United Methodist Church, or Beacon Center QALICB, LLC,
1954 shall be exempt from the tax imposed by § 42-1103 and § 47-903.”.

1955 Sec. 2103. The Council orders that all recordation and transfer taxes, interest, and
1956 penalties assessed or assessable, fees, and other related charges assessed with respect to
1957 documents recorded concerning the real property, for the period beginning with January 1, 2016,
1958 through the end of the month following the effective date of this subtitle shall be forgiven, and
1959 any payments made of such taxes, interest, penalties, fees, or other related charges shall be
1960 refunded.

1961 Sec. 2104. This section shall apply as of January 1, 2016.

1962 **SUBTITLE L. DSLBD GRANTS**

1963 Sec. 2111. Short title.

1964 This subtitle may be cited as the “Department of Small and Local Business Development
1965 Grant Emergency Act of 2021”.

1966 Sec. 2112. Notwithstanding the Grant Administration Act of 2013, effective December
1967 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2022, the
1968 Department of Small Business and Local Development shall award:

1969 (a) By November 1, 2021, a grant in the amount of \$175,000 to Columbia Heights Day
1970 Initiative DBA District Bridges to hire two full-time positions to provide direct support,
1971 relationship development, and resource brokering to individuals who spend time in the Columbia
1972 Heights Civic Plaza who face systemic challenges and mental health or substance abuse issues.

1973 (b)(1) A grant in the amount of up to \$250,000 to the DC Community Development

1974 Consortium (“Consortium”) to develop a Ward 8 Community Investment Fund to provide access
1975 to capital to entrepreneurs residing in Ward 8 or to assist in operating a small business in Ward 8.

1976 (2) Grant funds shall be matched with private capital and shall be used to provide
1977 grants or microloans to eligible entrepreneurs.

1978 (3) The Consortium shall give Ward 8 residents control over the deployment of
1979 capital in the Community Investment Fund through an investment committee comprised of Ward
1980 8 residents and supported by technical and administrative staff, as necessary.

1981 (c) A grant of not less than \$300,000 to an organization partnering with property owners
1982 in the Friendship Heights neighborhood for place making, place management, branding, and
1983 economic development.

1984 **SUBTITLE M. REDEVELOPMENT OF THE CENTER LEG FREEWAY**

1985 Sec. 2121. Short title.

1986 This subtitle may be cited as the “Redevelopment of the Center Leg Freeway (Interstate
1987 395) Emergency Amendment Act of 2021”.

1988 Sec. 2122. Section 47-4640 of the District of Columbia Official Code is amended by
1989 adding a new subsection (i) to read as follows:

1990 “(i)(1) For the purposes of this subsection, the term “Property” means the real property,
1991 including any improvements thereon, described as Lots 50, 861, and 862 in Square 566 and Lots
1992 44 and 865 in Square 568, including any future subdivisions of those lots.

1993 “(2) The Owner shall make real property tax payments to the District in the
1994 amount of 25% of the real property taxes that would otherwise be imposed on the Property by
1995 Chapter 8 of this title for 10 years starting October 1, 2027; provided, that:

1996 “(A) The residential building on the Property is constructed and has
1997 received its final certificate of occupancy by September 30, 2027;

1998 “(B) The Owner and the Mayor, prior to October 1, 2022, have executed
1999 an amendment to the documents governing the transfer of the Center Leg Freeway (Interstate
2000 395) PILOT Area to the Owner pursuant to section 3 of the Redevelopment of the Center Leg
2001 Freeway (Interstate 395) Act of 2010, effective October 26, 2010 (D.C. Law 18-257; 57 DCR
2002 8144), to require, in addition to completion of the residential building on the Property by
2003 September 30, 2027, completion of all remaining development of the Property by September 30,
2004 2033, and such economic inclusion requirements as the Mayor may require;

2005 “(C) The Owner is in compliance with the amended documents described
2006 in subparagraph (B) of this paragraph; and

2007 “(D) The total amount of real property taxes abated under this paragraph
2008 shall not exceed \$100 million.”.

2009 **SUBTITLE N. DMPED GRANTS AND INITIATIVES**

2010 Sec. 2131. Short title.

2011 This subtitle may be cited as the “Deputy Mayor for Planning and Economic
2012 Development Grants and Initiatives Emergency Amendment Act of 2021”.

2013 Sec. 2132. Vibrant places recovery support.

2014 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2015 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2016 Official Code § 1-328.04), is amended by adding new subsections (j) and (k) to read as follows:

2017 “(j)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2018 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make
2019 grants to eligible BID corporations, as defined by section 2(4) of the Business Improvement
2020 Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-
2021 1215.02(4)), and Main Street corridors supported by the Department of Small and Local
2022 Business Development for the purpose of making the area served by the BID corporation or
2023 Main Street organization (“commercial district”) and the surrounding area more people-focused
2024 and engaging to attract more residents and visitors to the commercial district and surrounding
2025 area.

2026 “(2) A grant awarded pursuant to paragraph (1) of this subsection may be used to
2027 pay for the costs of:

2028 “(A) The development of neighborhood brand identities;

2029 “(B) Investments to implement neighborhood brand identities guidelines;

2030 “(C) Marketing campaigns for the commercial district and surrounding
2031 area;

2032 “(D) Wayfinding signage and resources for the commercial district and
2033 surrounding area;

2034 “(E) Training of employees who work in the commercial district;

2035 “(F) Market studies that examine visitor attraction, hotel occupancy,
2036 marketing campaigns in competitive jurisdictions, and other indicators that may inform actions
2037 that may be taken to gain market share; and

2038 “(G) Public space improvements and activation, including pedestrian
2039 priority zones in the commercial district and surrounding area.

2040 “(3) A BID corporation or Main Street organization seeking a grant under
2041 paragraph (1) of this subsection shall submit to the Deputy Mayor an application, in a form
2042 proscribed to the Deputy Mayor. The application shall include:

2043 “(A) A description of how the applicant proposes to spend the grant funds
2044 to attract visitors to its commercial district and surrounding area to shop, eat, and attend or
2045 engage in cultural and entertainment activities.

2046 “(B) A description of how the increased spending by visitors attracted
2047 through the expenditure of the grant funds will directly impact local businesses in the
2048 commercial district and surrounding area; and

2049 “(C) Any additional information requested by the Deputy Mayor.

2050 “(k) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013
2051 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make grants:

2052 “(1) To the Anacostia BID to support an art and culture district;

2053 “(2) To the Southwest Waterfront BID to support autonomous vehicle shuttles;

2054 and

2055 “(3) To the Golden Triangle BID for an innovation district.”.

2056 Sec. 2133. Small Business Rent Relief Program.

2057 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2058 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2059 Official Code § 1-328.04), is amended by adding a new subsection (l) to read as follows:

2060 “(1)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2061 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and subject to the availability of
2062 funds, the Deputy Mayor shall establish the Small Business Rent Relief Program to award grants
2063 to small businesses operating a restaurant, tavern, nightclub, entertainment venue, or retail
2064 establishment on leased property to pay one-third of the applicant’s past-due rent for the period
2065 of April 1, 2020, through June 30, 2021.

2066 “(2)(A) To be eligible for rent relief, a small business operating a restaurant,
2067 tavern, nightclub, entertainment venue, or retail establishment on leased property shall meet the
2068 following criteria:

2069 “(i) The restaurant, tavern, nightclub entertainment venue, or retail
2070 establishment shall be physically located in the District;

2071 “(ii) The small business shall have operated the restaurant, tavern,
2072 nightclub entertainment venue, or retail establishment continuously since at least December 1,
2073 2018, except for any interruptions required by Mayor’s Orders 2020-045 and 2020-046 and
2074 subsequent public health emergency orders;

2075 “(iii) The small business shall be in good standing with the District
2076 of Columbia’s Office of Tax and Revenue;

2077 “(iv) The small business shall have experienced a 50% decrease in
2078 revenue during any 3-month period from April through March 2021 when compared to the same
2079 time period in 2019;

2080 “(v) The lease for the restaurant, tavern, nightclub entertainment
2081 venue, or retail establishment shall extend at least until December 31, 2023;

2082 “(vi) If the small business is a franchisee of a franchise with
2083 multiple locations, the business receiving assistance shall be independently owned and operated;

2084 “(vii) The small business shall not have received funding from the
2085 Restaurant Revitalization Fund established by section 5003 of the American Rescue Plan Act of
2086 2021, approved March 11, 2021 (135 Stat. 85; 15 U.S.C. § 9009c);

2087 “(viii) The small business shall not have received funding from the
2088 Shuttered Venue Operators Grant established by section 324 of the Economic Aid to Hard-Hit
2089 Small Businesses, Nonprofits and Venues Act, approved December 27, 2020 (134 Stat. 2022; 15
2090 U.S.C. § 9009a); and”

2091 “(ix) The small-business owner shall demonstrate that he or she
2092 will pay one-third of the amount of past due rent.

2093 “(B) In addition to the requirements set forth under subparagraph (A) of
2094 this paragraph, as part of the grant application, the landlord of a small-business owner applying
2095 to receive grants shall certify that:

2096 “(i) He or she will forgive one-third of the past due rent; and

2097 “(ii) The grant will make the business current on rent.

2098 “(3) The Mayor shall prioritize grant funding under this subsection for eligible
2099 small businesses that did not receive Paycheck Protection Program loans from the Coronavirus
2100 Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. §
2101 9001 *et seq.*) or section 501 of Division N of the Consolidated Appropriations Act, 2021,
2102 approved December 27, 2020 (134 Stat. 2069; 15 U.S.C. § 9058a).

2103 “(4) The Mayor may issue one or more grants to a third-party grant-managing
2104 entity for the purpose of administering the grant program under this subsection and making
2105 subgrants on behalf of the Mayor in accordance with the requirements of this subsection.

2106 “(5) (A) The Mayor, and any third-party entity chosen pursuant to paragraph (4)
2107 of this subsection, shall, at a minimum, maintain the following information for each grant award:

2108 “(i) The name, location and business license number of the grant
2109 recipient;

2110 “(ii) Proof of revenue declines as required by paragraph (2)(A)(iv)
2111 of this subsection;

2112 “(iii) The date and amount, if any, of Paycheck Protection Program
2113 loans received by the small business for purposes of compliance with paragraph (3) of this
2114 subsection;

2115 “(iv) The date of the award;

2116 “(v) The intended uses of the award;

2117 “(vi) A certification of rent forgiveness by the landlord as required
2118 by paragraph (2)(B)(i) of this subsection;

2119 “(vii) Proof of the small-business owners’ ability to pay a third of
2120 past due rent as required by paragraph (2)(A)(ix) of this subsection;

2121 “(viii) The award amount; and

2122 “(ix) Any other information deemed necessary to implement the
2123 requirements of this section.

2124 “(B) The Mayor shall issue a report with information required to be
2125 maintained pursuant to subparagraph (A) of this paragraph to the Council no later than June 1,
2126 2022.

2127 “(6) For purposes of this subsection, the term “small business” means a brick-and-
2128 mortar, for-profit establishment located in the District that made no more than \$5 million in
2129 revenue in 2020.

2130 “(7) The Deputy Mayor may use up to 1% of the funds allocated for the grants in
2131 this subsection for administrative expenses associated with implementing the grant programs
2132 authorized in subsections (j) through (v) of this section. ”.

2133 Sec. 2134. LGBTQ+ Center.

2134 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2135 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2136 Official Code § 1-328.04), is amended by adding a new subsection (m) to read as follows:

2137 “(m) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2138 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make
2139 grants to support the buildout or acquisition of new office and community space for the DC
2140 Center for the LGBT Community, currently located at the Frank D. Reeves Center.”.

2141 Sec. 2135. Employment center vitality and local jobs creation.

2142 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2143 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2144 Official Code § 1-328.04), is amended by adding a new subsection (n) to read as follows:

2145 “(n)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2146 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), the Deputy Mayor may award
2147 grants to attract large companies, in sectors designated by the Deputy Mayor, that have the
2148 ability to attract additional businesses to the District.

2149 “(2) Grants awarded pursuant to this subsection may be used for the following
2150 purposes:

2151 (A) As initial startup capital;

2152 (B) To cover operational costs;

2153 (C) As down-payment assistance or to subsidize rent;

2154 (D) Tenant improvements;

2155 (E) Workforce training or professional development costs not eligible for
2156 support through other workforce programs; and

2157 (F) Recruitment and hiring costs.

2158 “(3) To be eligible to receive a grant under this subsection, a business must:

2159 “(A) Have 25 or more employees;

2160 “(B) Lease or own, or agree to lease or acquire, a physical office or
2161 business location of at least 20,000 square feet in the District’s central business District and enter
2162 into an agreement with the District to remain in the leased or owned space for at least 10 years;

2163 “(C) Be in the field of cloud and computer systems, food technology,
2164 cybersecurity, artificial intelligence, big data, life sciences, education, education technology,
2165 research, consulting services, professional services, marketing, or communications;

2166 “(D) Enter into an agreement with the District to implement a workforce
2167 development program that offers District residents opportunities for training or employment
2168 within the business or the industry in which it operates;

2169 “(E) Commit to spending at least 5% of its total annual contracting with
2170 businesses eligible for certification as local business enterprises, pursuant to section 2331 of the
2171 Small and Certified Business Enterprise Development and Assistance Act of 2005, effective
2172 October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31), during the 10-year period
2173 referred to in subparagraph (B) of this paragraph; and

2174 “(F) Require its employees, in the aggregate, to be on-site at the location
2175 referred to in subparagraph (B) of this paragraph for at least 50% of their work hours.”.

2176 Sec. 2136. Local food access.

2177 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2178 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2179 Official Code § 1-328.04), is amended by adding a new subsection (o) to read as follows:

2180 “(o)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2181 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*) the Deputy Mayor may make
2182 grants and loans for the purpose of supporting the equitable distribution of food businesses in
2183 Wards 7 and 8 and in eligible areas, including:

2184 “(A) Grants and loans to assist in the startup, growth, and long-term
2185 sustainability of food business in Wards 7 and 8 and in eligible areas; and

2186 “(B) Grants for the provision of technical assistance to food businesses
2187 and individuals seeking to establish food businesses in the District.

2188 “(2) The Deputy Mayor may issue one or more grants to a third-party grant-
2189 managing entity to issue or administer, or both, the grants and loans authorized by this
2190 subsection.

2191 “(3) For the purposes of this subsection, the term “eligible areas” shall have the
2192 same meaning as set forth in D.C. Official Code § 47-3801(1D).”.

2193 Sec. 2137. Guaranteed income pilot.

2194 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2195 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2196 Official Code § 1-328.04), is amended by adding a new subsection (p) to read as follows:

2197 “(p)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
2198 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in Fiscal Year 2022, the
2199 Deputy Mayor shall have grant-making authority for the purpose of providing funds, on or
2200 before December 1, 2021, and in amount of at least \$1.5 million to support District-based direct
2201 cash assistance programs or pilot programs that provide unrestricted cash assistance directly to
2202 individuals or households and that are administered by a nonprofit organization or organizations.

2203 “(2) By September 30, 2022, a grantee who has received a grant pursuant to
2204 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the
2205 grant funds, including a description of:

2206 “(A) The cash assistance program, including how often cash was
2207 distributed and in what amounts, and for any grant funds not yet distributed, the plan for their
2208 distribution and in what amounts;

2209 “(B) The eligibility requirements for the program or pilot, including the
2210 total number of individuals or households served;

2211 “(C) The funding structure for the program or pilot program; and

2212 “(D) Information on how the program or pilot-program participants used
2213 the cash assistance they received.

2214 “(3) By December 1, 2022, the Deputy Mayor shall provide to the Council a
2215 report based on the information required by paragraph (2) of this subsection, along with a
2216 summary analysis of the efficacy and benefits of the cash assistance issued by the grantee or
2217 grantees.”.

2218 Sec. 2138. CDFI and MDI small business assistance.

2219 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2220 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2221 Official Code § 1-328.04), is amended by adding a new subsection (q) to read as follows:

2222 “(q)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
2223 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in Fiscal Year 2022, the
2224 Deputy Mayor shall make grants to multiple Community Development Financial Institutions or
2225 Minority Depository Institutions located in the District of Columbia in an aggregate amount of
2226 up to \$1 million to assist activities that support equitable economic recovery and increase access
2227 to loans, grants, technical assistance, and financial services to eligible entities.

2228 “(2) An applicant shall submit a grant application in the form and with the
2229 information required by the Deputy Mayor, which may include:

2230 “(A) An explanation of proposed activities to be supported by the grant
2231 funds; and

2232 “(B) A demonstration that the applicant has a record of success in serving
2233 small business based in the District of Columbia.

2234 “(3) Grant funds may be used:

2235 “(A) To provide technical assistance to eligible entities that have
2236 outstanding loans from the CDFI or MDI or to borrow funds from the CDFI or MDI within one
2237 year of the date of the CDFI or MDI’s application for grant funds. Technical assistance shall be
2238 tailored to help ensure the success of borrowers and repayment of loans;

2239 “(B) For loan capital; provided, that the approved loan is for a business
2240 purpose;

2241 “(C) For risk capital, including loan loss reserves, loan guarantees, and
2242 cash collateral support for business loans;

2243 “(D) For administrative support for the CDFI or MDI, including the
2244 provision of technical and financial assistance; except, that the amount of grant proceeds used for
2245 this purpose may not exceed the NICRA between a CDFI and the federal government, or 10% of
2246 the grant proceeds if the CDFI does not have a NICRA in effect.

2247 “(4) By November 1, 2022, a grantee who has received a grant pursuant to
2248 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the
2249 grant funds, including:

2250 “(A) A description of services provided through the grant funds;

2251 “(B) The aggregate number of eligible entities receiving support from the
2252 grantee and the aggregate amount received; and

2253 “(C) Except as may be prohibited by federal law, the business name and
2254 address for each business receiving support from the grantee and the amount received by each
2255 such business.

2256 “(5) By December 1, 2022, the Deputy Mayor shall provide to the Council a
2257 report based on the information required by paragraph (4) of this subsection, along with a
2258 summary analysis of the efficacy and benefits of the use of the grant funds by the grantee.

2259 “(6) For purposes of this subsection, the term:

2260 “(A) “Community Development Financial Institution” or “CDFI” means
2261 an organization operating the District that has been certified as a community development
2262 financial institution by the federal community development institutions fund, pursuant to the
2263 Riegle Community Development and Regulatory Improvement Act of 1994, approved
2264 September 23, 1994 (108 Stat. 2160; 12 U.S.C. § 4701 *et seq.*).

2265 “(B) “Eligible entity” means an equity impact enterprise, as defined in
2266 section 2302(8A) of the Small and Certified Business Enterprise Development and Assistance
2267 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)),
2268 or a business entity that meets the definition of an equity impact enterprise.

2269 “(C) “Minority Depository Institution” or “MDI” means an organization
2270 operating in the District that qualifies as a minority depository institution pursuant to the
2271 Financial Institutions Reform, Recovery, and Enforcement Act of 1989, approved August 9,
2272 1989 (Pub. L. No. 101-73; 103 Stat. 183).

2273 (D) “NICRA” means a Negotiated Indirect Cost Rate Agreement, which is
2274 an agreement that estimates the indirect cost rate negotiated between the federal government and
2275 a grantee organization that reflects indirect costs and fringe benefit expenses incurred by the
2276 organization that the federal government may reimburse.

2277 Sec. 2139. Equity impact enterprise growth.

2278 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2279 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2280 Official Code § 1-328.04), is amended by adding a new subsection (r) to read as follows:

2281 “(r)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
2282 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in Fiscal Year 2022, the
2283 Deputy Mayor shall award a grant in an amount of up to \$400,000 to an organization based and
2284 located in the District and founded in 2017 that is an affiliate of a national organization and that
2285 promotes and supports the growth of equity impact enterprises, as defined in section 2302(8A) of
2286 the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective
2287 October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)), to provide resources
2288 for advocacy and education and the facilitation of networking opportunities.

2289 “(2) By November 1, 2022, a grantee who has received a grant pursuant to
2290 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the
2291 grant funds, including a description of services it provided through the grant funds.

2292 “(3) By December 1, 2022, the Deputy Mayor shall provide to the Council a
2293 report based on the information required by paragraph (2) of this subsection, along with a
2294 summary analysis of the efficacy and benefits of services provided by the grantee.”.

2295 Sec. 2140. Great Streets grants.

2296 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2297 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2298 Official Code § 1-328.04), is amended by adding a new subsection (s) to read as follows:

2299 “(s) For fiscal year 2022, the Deputy Mayor may make grants in an aggregate amount of
2300 up to \$800,000 to businesses that are located within the geographical boundaries set forth in the
2301 Great Streets Neighborhood Retail Priority Amendment Act of 2021, as introduced on March 31,
2302 2021 (Bill 24-179), and that would otherwise qualify for a Great Streets Small Business grant.”.

2303 Sec. 2141. Bridge Fund recovery and special events support grants.

2304 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2305 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2306 Official Code § 1-328.04), is amended by adding a new subsection (t) to read as follows:

2307 “(t)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2308 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Mayor may make grants,
2309 loans, and other financial assistance for the purpose of supporting the reopening, recovery, and
2310 long-term viability of businesses within the restaurant, retail, and hospitality sectors, along with
2311 arts, cultural, and entertainment venues that incurred significant financial losses due to the
2312 impacts of COVID-19, and to support arts, cultural, entertainment, and other special events,
2313 including through the waiver of District government fees associated with such events.

2314 “(2) The Deputy Mayor may issue one or more grants to a third-party grant-
2315 managing entity for the purpose of issuing or administering grants or loans authorized by this
2316 subsection on behalf of the Deputy Mayor.”.

2317 Sec. 2142. Small and medium business recovery and growth program.

2318 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2319 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2320 Official Code § 1-328.04), is amended by adding a new subsection (u) to read as follows:

2321 “(u)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2322 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make
2323 grants to new and existing District businesses to support activities that are likely to increase the
2324 revenue of the business, result in the hiring of additional employees by the business, or to
2325 improve the short-term and long-term sustainability of the business.

2326 “(2) To be eligible for a grant pursuant to this subsection, a business must:

2327 “(A) Be eligible for certification as a local business enterprise pursuant to
2328 section 2331 of the Small and Certified Business Enterprise Development and Assistance Act of
2329 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31);

2330 “(B) Be independently owned and operated, in the case of franchises;

2331 “(C) Have no more than 100 employees; and

2332 “(D) Have annual revenues less than \$15 million.

2333 “(3) A grant awarded pursuant to paragraph (1) of this subsection may be used for
2334 purposes such as:

2335 “(A) Capital improvements to existing property owned or leased by the
2336 grantee;

2337 “(B) Digital technology upgrades for the grantee’s business; or

2338 “(C) Acquiring or improving equipment for the grantee’s business.

2339 “(4) The Deputy Mayor may issue one or more grants to a third-party grant-
2340 managing entity for the purpose of issuing or administering grants authorized by this subsection
2341 on behalf of the Deputy Mayor.

2342 “(5) The Deputy Mayor, and any third-party entity chosen pursuant to paragraph
2343 (4) of this subsection, shall maintain a list of all grants awarded pursuant to this subsection. The
2344 list shall identify the grant recipient, date of award, and award amount.”.

2345 Sec. 2143. Equity impact enterprise commercial property acquisition.

2346 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2347 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2348 Official Code § 1-328.04), is amended by adding a new subsection (v) to read as follows:

2349 “(v)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2350 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make
2351 grants to a District equity impact enterprise business or a business eligible to be a certified equity
2352 impact enterprise to provide down payment assistance of up to \$750,000 or 25% of the sale
2353 price, whichever is less, for the acquisition of commercial property in the District.

2354 “(2) For the purposes of this section, “equity impact enterprise” shall have the
2355 same meaning as defined in section 2302(8A) of the Small and Certified Business Enterprise
2356 Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C.
2357 Official Code § 2-218.02(8A)).

2358 “(3) To be eligible for a grant pursuant to this subsection, an equity impact
2359 enterprise or business eligible to be an equity impact enterprise must:

2360 “(A) Be independently owned and operated, in the case of a franchise;

2361 “(B) Have no more than 100 employees;
2362 “(C) Have annual revenues less than \$15 million; and
2363 “(D) Commit to own and operate a business in at least 25% of the leasable
2364 square footage of the acquired commercial property as a small business enterprise or business
2365 eligible to be a small business enterprise for at least 7 years.

2366 “(4) The Deputy Mayor may issue one or more grants to a third-party grant-
2367 managing entity for the purpose of issuing or administering the grants authorized by this
2368 subsection on behalf of the Deputy Mayor.

2369 “(5) The Deputy Mayor, and any third-party grant-making entity chosen pursuant
2370 to paragraph (4) of this subsection, shall, by April 1, 2021, submit information to the
2371 Chairperson of the Committee on Business and Economic Development, that includes:

2372 “(A) An explanation of the methods used to promote the grant program;

2373 “(B) The number of grant applications received; and

2374 “(C) The number of grants awarded, including the grant recipient, award
2375 date, award amount, and property location.

2376 “(6)(A) If a grant recipient seeks to sell or transfer the commercial property
2377 within 7 years of purchase, uses the grant funds for an unauthorized purpose, uses the grant funds
2378 for any purpose other than the acquisition of the commercial property, including costs and fees
2379 associated with the acquisition, or otherwise breaches the grant agreement, the grant recipient
2380 shall return all grant funds to the District.

2381 “(B) In the event of a breach of the grant agreement by the
2382 recipient or, in the event of one the failure of the recipient to return all grant funds as required by

2383 subparagraph (A) of this paragraph, the Deputy Mayor shall have all applicable remedies
2384 available at law or equity.”.

2385 Sec. 2144. Conforming amendments; rulemaking authority grants authorization from the
2386 Economic Development Special Account.

2387 (a) The Deputy Mayor for Planning and Economic Development Limited Grant-Making
2388 Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code
2389 *passim*), is amended by adding a new section 2032a to read as follows:

2390 “Sec. 2032a. Rules.

2391 “The Mayor may, pursuant to Title I of the District of Columbia Administrative
2392 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
2393 issue rules to implement section 2032.”.

2394 (b) Section 301 of the National Capital Revitalization Corporation and Anacostia
2395 Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-
2396 138; D.C. Official Code § 2-1225.21), is amended by adding a new subsection (d-2) to read as
2397 follows:

2398 “(d-2) Monies credited to the Account may be used to provide grants authorized by the
2399 section 2032 (j) and (k) of the Deputy Mayor for Planning and Economic Development Limited
2400 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2401 Official Code § 1-328.04(j) and (k)).”.

2402 **SUBTITLE O. BID CLARIFICATION**

2403 Sec. 2151. Short title.

2404 This subtitle may be cited as the “Business Improvement Districts Clarification
2405 Emergency Amendment Act of 2021”.

2406 Sec. 2152. Section 206 of the Business Improvement Districts Act of 1996, effective
2407 March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56), is amended by adding a new
2408 subsection (a-1) to read as follows:

2409 “(a-1)(1) Notwithstanding any other provision of law or order to the contrary, the initial
2410 term of the Adams Morgan BID began, pursuant to Mayor’s Order 2005-121, dated August 22,
2411 2005, on June 30, 2005, and expired on September 30, 2011.

2412 “(2) This subsection shall apply as of January 1, 2010.”.

2413 **SUBTITLE P. D.C. HOUSING AUTHORITY BOARD OF COMMISSIONERS**
2414 **REFORM**

2415 Sec. 2161. Short title.

2416 This subtitle may be cited as the “District of Columbia Housing Authority Board of
2417 Commissioners Reform Emergency Amendment Act of 2021.”

2418 Sec. 2162. Section 12 of the District of Columbia Housing Authority Act of 1999,
2419 effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-211), is amended as follows:

2420 (a) Subsection (a) is amended as follows:

2421 (1) The lead-in language is amended by striking the number “11” and inserting
2422 the number “13” in its place.

2423 (2) Paragraph (4) is amended by striking the phrase “; and” and inserting a
2424 semicolon in its place.

2425 (3) Paragraph (5) is amended by striking the period and inserting the phrase “;
2426 and” in its place.

2427 (4) A new paragraph (6) is added to read as follows:

2428 “(6) Two Commissioners, who shall not be employees of the Authority, one
2429 nominated by the Mayor, with the advice and consent of the Council by resolution, and one
2430 appointed by the Council, who shall be representatives with professional experience designing
2431 and developing public and private multi-family housing and who shall:

2432 “(A) Have demonstrated professional competence in at least one of the
2433 following areas:

2434 “(i) Public housing law and regulations;

2435 “(ii) Public or affordable housing development, operation, and
2436 management;

2437 “(iii) Subsidized or nonprofit housing production and
2438 development;

2439 “(iv) Community-based redevelopment;

2440 “(v) Legal or counseling services provided to public or affordable
2441 housing tenants for the purposes of obtaining or maintaining housing; or

2442 “(vi) Multifamily residential housing construction; and

2443 “(B) Not be an officer or employee of the federal government or the
2444 District government.”.

2445 (b) Subsection (b) is amended as follows:

2446 (1) The lead-in language is amended by striking the phrase “nominated by the
2447 Mayor pursuant to subsection (a)(1) of this section” and inserting the phrase “nominated by the
2448 Mayor pursuant to subsection (a)(1) and (a)(6) of this section or appointed by the Council
2449 pursuant to subsection (a)(6) of this section” in its place.

2450 (2) Paragraph (1) is amended by striking the word “individual’s” and inserting the
2451 word “Commissioner’s” in its place.

2452 (3) Paragraph (2) is amended by striking the phrase “Each individual shall be
2453 selected by the Mayor from among District residents” and inserting the phrase “Each
2454 Commissioner shall be selected from among District residents” in its place.

2455 (c) Subsection (j) is amended to read as follows:

2456 “(j)(1) The Commissioners shall serve 3-year terms, which shall be staggered.

2457 “(2) On the initial Board, the 3 elected Commissioners shall each serve a term of
2458 3 years, the Chairperson shall serve a term of 3 years, 2 of the appointed Commissioners shall
2459 each serve initial terms of 2 years, and the remaining Commissioners shall each serve a term of
2460 one year.

2461 “(3) The 2 Commissioners appointed by the Council shall serve 3-year terms:
2462 except, that their initial terms may be less than 3 years and shall end in 2024.”.

2463 (d) Subsection (v)(1) is amended to read as follows:

2464 “(v)(1) To review and approve all contracts for goods or services having a value of more
2465 than \$500,000;”.

2466 **SUBTITLE Q. CNHED TOPA STUDY**

2467 Sec. 2171. Short title.

2468 This subtitle may be cited as the “The Coalition for Non-Profit Housing and Economic
2469 Development TOPA Study and Grant Emergency Act of 2021”.

2470 Sec. 2172. Tenant Opportunity to Purchase Act Outcomes Study.

2471 In Fiscal Year 2022, the Department of Housing and Community Development shall
2472 issue a grant in the amount of \$250,000 to the Coalition for Non-Profit Housing and Economic
2473 Development to conduct a study of Tenant Opportunity to Purchase Act outcomes. The study
2474 shall be completed and delivered to the Council by September 30, 2022.

2475 **SUBTITLE R. MCMILLAN SLOW SAND FILTRATION SITE DEVELOPMENT**

2476 Sec. 2181. This subtitle may be cited as the “McMillan Site Development Act of 2021.”

2477 Sec. 2182. (a) Notwithstanding any provision of law, the development of the McMillan
2478 Slow Sand Filtration Site described in subsection (b) of this section, shall proceed expeditiously
2479 and without further delay through all phases of demolition and construction of the foundation of
2480 the community center consistent with the permits already issued by the Department of Consumer
2481 and Regulatory Affairs, including Demolition Permit number D1600814 and Foundation Permit
2482 number FD1800040, and any extensions or reinstatements of, or amendments to, those permits,
2483 and other permits for the project.

2484 (b) The “McMillan Slow Sand Filtration Site” is the property that is located at 2501 First
2485 Street, N.W., and known for tax and assessment purposes as Lot 0800 in Square 3128 (“McMillan
2486 Site”).

2487 Sec. 2183. Applicability.

2488 This subtitle shall apply as of the effective date of this act.

2489 **SUBTITLE S. COVID-19 HOTEL RECOVERY**

2490 Sec. 2191. Short Title.

2491 This subtitle may be cited as the “COVID-19 Hotel Recovery Grant Program Emergency
2492 Act of 2021”.

2493 Sec. 2192. Hotel Recovery Grant Program.

2494 (a) To be eligible for a grant under this section, a business shall:

2495 (1) Be physically located in the District;

2496 (2) Have an active hotel, inn and motel, or bed and breakfast lodging business
2497 license;

2498 (3) Be in good standing with the District of Columbia’s Office of Tax and
2499 Revenue;

2500 (4)(A) Have opened and begun operating during 2020 or 2021; or

2501 (B) Have remained open and operating during 2020 and 2021, except for
2502 any interruptions required by Mayor’s Orders 2020-045 and 2020-046 and subsequent public
2503 health emergency orders; and

2504 (5)(A) For a business that remained open and operating in 2019, have experienced
2505 in 2020, as compared to end-of-year 2019, at least a 40% reduction in:

2506 (i) Occupancy;

2507 (ii) Revenue; or

2508 (iii) Revenue-per-available room;

2509 (B) For a business that was closed or partially closed in 2019, have
2510 experienced in 2020, as compared to end-of-year 2018, at least a 40% reduction in:

2511 (i) Occupancy;
2512 (ii) Revenue; or
2513 (iii) Revenue-per-available room; or
2514 (C) For a business that opened and began operating between January 1,
2515 2020 and December 31, 2021, have incurred significant costs due to the COVID-19 pandemic, as
2516 determined by the Mayor.
2517 (b) The Mayor shall prioritize grant funding for eligible businesses that did not receive
2518 Paycheck Protection Program loans pursuant to the Coronavirus Aid, Relief, and Economic
2519 Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), or section 501
2520 of Division N of the Consolidated Appropriations Act, 2021, approved December 27, 2020 (134
2521 Stat. 2069; 15 U.S.C. § 9058a).
2522 (c) The amount of funding awarded to an eligible business shall be calculated on a per
2523 room key basis.
2524 (d) Grant funding issued to an eligible business shall be used to pay for employee wages,
2525 benefits, and other related costs, such as recruitment, training, uniforms, and personal protective
2526 equipment.
2527 (e) The Mayor may issue one or more grants to a third-party grant-managing entity for
2528 the purpose of administering the grant program and making subgrants on behalf of the Mayor in
2529 accordance with the requirements of this section.
2530 (f)(1) The Mayor, and any third-party entity chosen pursuant to subsection (e) of this
2531 section, shall, at a minimum, maintain the following information for each grant award:

2532 (A) The name, location and business license number of the grant
2533 recipient;

2534 (B) Proof of eligibility under subsection (a)(5) of this section;

2535

2536 (C) The date and amount of Paycheck Protection Program loans received
2537 by the business for purposes of compliance with subsection (b) of this section;

2538 (D) The date of the award;

2539 (E) Evidence that the grant recipient used the award as required by
2540 subsection (d) of this section;

2541 (F) The award amount; and

2542 (G) Any other information deemed necessary to implement the
2543 requirements of this section.

2544 (2) The Mayor shall issue a report setting forth the information required by
2545 paragraph (1) of this subsection to the Council no later than June 1, 2022.

2546 (g) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
2547 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue
2548 rules as necessary to implement the provisions of this section.

2549 (h) For purposes of this section, the term “hotel, motel, inn, or bed and breakfast” means
2550 a real property:

2551 (1) Any part of which is classified as Class 2 Property under D.C. Official Code §
2552 47-813;

2553 (2) That is commercially improved and occupied;

2554 (3) That has 10 or more rooms; and

2555 (4) That is regularly used for the purpose of furnishing rooms, lodgings, or
2556 accommodations to transients.

2557 (i) In the event that the Mayor determines that a grant recipient violated the requirements
2558 of this subtitle, the grant recipient shall reimburse the amount of the grant not used in compliance
2559 with the act; except, that in the event the Mayor determines that such violation was knowing and
2560 willful, the grant recipient shall reimburse the entire amount of the grant.

2561 **SUBTITLE T. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESSES**

2562 Sec. 2201. Short title.

2563 This subtitle may be cited as the “Equitable Impact Assistance for Local Businesses
2564 Emergency Amendment Act of 2021”.

2565 Sec. 2202. The Equitable Impact Assistance for Local Businesses Act of 2020, effective
2566 December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 2-281.01 *et seq.*), is amended as
2567 follows:

2568 (a) Section 2162 (D.C. Official Code § 2-281.01) is amended as follows:

2569 (1) Paragraph (2)(A) is amended by striking the phrase “equity impact enterprise”
2570 and inserting the phrase “equity impact enterprise or an entity that would qualify as an equity
2571 impact enterprise” in its place.

2572 (2) A new paragraph (5A) is added to read as follows:

2573 “(5A) “Investment”, unless the context otherwise requires, means a grant, loan,
2574 credit enhancement, or other financial funding tool approved by the Mayor.”.

2575 (b) Section 2163 (D.C. Official Code § 2-281.02) is amended to read as follows:

2576 “(a)(1) The Mayor shall select one or more Fund Managers to manage a fund outside the
2577 District of Columbia government to be known as the Equity Impact Fund (“Fund”).

2578 “(2) The selected Fund Managers shall have completed at least one round of prior
2579 funding in an amount greater than or equal to the amount of the District’s initial grant.

2580 “(3) The Deputy Mayor for Planning and Economic Development shall provide,
2581 upon selection of the Fund Manager, the District’s initial grant to the Fund Manager for deposit
2582 into the Fund ("District's initial investment").

2583 “(b) The Fund shall be used to:

2584 “(1) Facilitate investment in eligible businesses that lack access to capital; and

2585 “(2) Make investments into eligible businesses based on a strategy determined by
2586 the Fund Managers.”.

2587 (c) Section 2164 (D.C. Official Code § 2-281.03) is amended as follows:

2588 (1) Subsection (a) is amended as follows:

2589 (A) The lead-in text is amended by striking the phrase “contain description
2590 of” and inserting the phrase “contain a description of” in its place.

2591 (B) Paragraph (1) is amended to read as follows:

2592 “(1) The applicant’s qualifications, which shall include 5 or more
2593 years of demonstrable experience investing in:

2594 “(A) Small businesses;

2595 “(B) Businesses owned by economically disadvantaged
2596 individuals;

2597 “(C) Businesses owned by individuals who have been
2598 subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a
2599 group without regard to their individual qualities;

2600 “(D) Businesses that otherwise meet the definition of, or
2601 are similar to, an equity impact enterprise; or

2602 “(E) District-based businesses.”.

2603

2604 (2) Subsection (b) is amended as follows:

2605 (A) The lead-in language is amended by striking the phrase “The Fund
2606 Manager” and inserting the phrase “A Fund Manager” in its place.

2607 (B) Paragraph (1) is amended to read as follows:

2608 “(1) A preference be given to applicants that:

2609 “(A) Have experience working with entrepreneurs in the District; and

2610 “(B)(i) Are at least 51% owned, operated, or controlled by economically
2611 disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or
2612 cultural bias because of their identity as a member of a group without regard to their individual
2613 qualities; or

2614 (ii) Are an equity impact enterprise; and”.

2615 (C) Paragraph (2) is amended by striking the figure “\$100,000,000” and
2616 inserting the figure “\$50,000,000” in its place.

2617 (d) Section 2165 (D.C. Official Code § 2-281.04) is amended to read as follows:

2618 (1) Subsection (a) is amended by striking the phrase “The Fund Manager” and
2619 inserting the phrase “A Fund Manager” in its place.

2620 (2) Subsection (b) is amended as follows:

2621 (A) Paragraph (1) is amended by striking the phrase “The Fund Manager”
2622 and inserting the phrase “A Fund Manager” in its place.

2623 (B) Paragraph (2) is amended by striking the phrase “The Fund Manager”
2624 and inserting the phrase “A Fund Manager” in its place.

2625 (C) Paragraph (3) is amended to read as follows:

2626 “(3)(A) A Fund Manager shall establish, for each selected eligible business, a 12-
2627 month individualized business plan.

2628 “(B) The individualized business plan shall include technical assistance,
2629 provided at no cost to the eligible business, which shall include education on the management
2630 and scale of a business through live training or guided recorded sessions.

2631 “(C) All eligible businesses that receive an investment from the Fund shall
2632 be required to participate in at least 3 months of technical assistance training prior to receipt of
2633 an investment.

2634 “(D) Investments shall be distributed to the eligible business in
2635 installments based upon completion of specific milestones clearly described in the eligible
2636 business's individualized business plan.”.

2637 (e) Section 2166 (D.C. Official Code § 2-281.05) is amended by striking the phrase “The
2638 Fund Manager” and inserting the phrase “A Fund Manager” in its place.

2639 (f) Section 2167 (D.C. Official Code § 2-281.06) is amended to read as follows:

2640 “Sec. 2167. Recovery of District grant.

2641 (2) The text is amended to read as follows:

2642 “The Mayor shall reserve the right to recover the amount of the District’s initial grant or
2643 any subsequent grant of funds to the Fund Manager for deposit into the Fund and may exercise
2644 this right if the Fund Manager does not, within a reasonable period, as determined by the Mayor,
2645 place investments into eligible businesses in an amount equal to the amount of the District's
2646 initial grant or any subsequent grant of funds to the Fund Manager for deposit into the Fund.”.

2647 Sec. 2203. Applicability.

2648 This subtitle shall apply as of the effective date of this act.

2649 **SUBTITLE U. DC LOW INCOME HOUSING TAX CREDIT**

2650 Sec. 2211. Short title.

2651 This subtitle may be cited as the “DC Low Income Housing Tax Credit Emergency
2652 Amendment Act of 2021”.

2653 Sec. 2212. Chapter 48 of Title 47 of the District of Columbia Official Code is amended as
2654 follows:

2655 (a) Section 47-4801(8) is amended to read as follows:

2656 “(8) “Qualified project” means a rental housing development in the
2657 District that receives an allocation of federal low-income housing tax credits under 26 U.S.C. §
2658 42(h)(1) or (4) after October 1, 2021, and with respect to which an extended low-income housing
2659 commitment pursuant to 26 U.S.C. § 42(h)(6)(B) between the owner of the rental housing
2660 development and the Department is executed on or after October 1, 2021.”.

2661 (b) Section 47-4803 is amended as follows:

2662 (1) Subsection (a) is amended by striking the phrase “equal to 25% of the value”
2663 and inserting the phrase “up to 25% of the value” in its place.

2664 (2) Subsection (b)(1)(A) is amended by striking the phrase “at least 80% of the
2665 per dollar sale” and inserting the phrase “an amount that exceeds the lesser of \$0.70 per \$1.00 in
2666 District of Columbia low-income housing tax credit or 80% of the per dollar sale” in its place.

2667 **TITLE III. PUBLIC SAFETY AND JUSTICE**

2668 **SUBTITLE A. EMERGENCY MEDICAL SERVICE FEES**

2669 Sec. 3001. Short title.

2670 This subtitle may be cited as the “Emergency Medical Services Fees Emergency
2671 Amendment Act of 2021”.

2672 Sec. 3002. Section 502 of the Revenue Act for Fiscal Year 1978, effective April 19, 1977
2673 (D.C. Law 1-124; D.C. Official Code § 5-416), is amended as follows:

2674 (a) Subsection (a) is amended as follows:

2675 (1) Strike the phrase “his or her inability to pay” and insert the phrase “inability to
2676 pay” in its place.

2677 (2) Strike the phrase “his or her ability to pay” and insert the phrase “ability to
2678 pay” in its place.

2679 (b) Subsection (b)(2) is repealed.

2680 (c) Subsection (c)(2) is amended to read as follows:

2681 “(2) Non-Medicaid revenue generated by fees authorized in subsection (a) of this
2682 section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998, effective
2683 September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)), in excess of the

2684 amount of Medicaid and non-Medicaid revenue generated by fees authorized in subsection (a) of
2685 this section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998,
2686 effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)), in Fiscal
2687 Year 2016, shall be deposited in the Fund.”.

2688 (d) New subsections (d) and (e) are added to read as follows:

2689 “(d) Fees charged for pre-hospital medical care and transport services shall be set as
2690 follows:

2691 “(1) For the transportation of each patient in an advanced life support unit or basic
2692 life support unit, when advanced life support or basic life support, respectively, is administered
2693 to the patient being transported, no more than:

2694 “(A) \$750, beginning January 1, 2021;

2695 “(B) \$1,000, beginning January 1, 2022;

2696 “(C) \$1,250, beginning January 1, 2023;

2697 “(D) \$1,500, beginning January 1, 2024;

2698 “(E) \$1,750, beginning January 1, 2025; and

2699 “(F) \$2,000, beginning January 1, 2026; and

2700 “(2) For each patient transported as described in paragraph (1) of this subsection,
2701 an additional fee for each mile, or fraction thereof, that the patient is transported by ambulance,
2702 no more than:

2703 “(A) \$11.25, beginning January 1, 2021;

2704 “(B) \$15, beginning January 1, 2022;

2705 “(C) \$18.75, beginning January 1, 2023;

2706 “(D) \$22.50, beginning January 1, 2024;

2707 “(E) \$26.25, beginning January 1, 2025; and

2708 “(F) \$30, beginning January 1, 2026.

2709 “(e) For the purposes of this section, the term:

2710 “(1) “Advanced life support unit” means an ambulance staffed by an emergency
2711 medical technician and an emergency medical technician intermediate or paramedic.

2712 “(2) “Ambulance” means any privately or publicly owned vehicle specially
2713 designed, constructed, modified, or equipped for use as a means for transporting patients in a
2714 medical emergency, or any privately or publicly owned vehicle that is advertised, marked, or in
2715 any way held out as a vehicle for the transportation of patients in a medical emergency. The term
2716 “ambulance” includes vehicles capable of operation over ground, on water, and in air.

2717 “(3) “Basic life support unit” means an ambulance staffed by 2 emergency
2718 medical technicians, or an emergency medical technician and an emergency medical technician
2719 intermediate or paramedic.

2720 “(4) “Health care facility” shall have the same meaning as provided in section
2721 2(5) of the Nurse Staffing Agency Act of 2003, effective March 10, 2004 (D.C. Law 15-74; D.C.
2722 Official Code § 44-1051.02(5)).”.

2723 **SUBTITLE B. OFFICE OF RESILIENCY**

2724 Sec. 3011. Short title.

2725 This subtitle may be cited as the “Office of Resiliency and Recovery Emergency
2726 Amendment Act of 2021”.

2727 Sec. 3012. Section 2(a) of the Office of Resilience and Recovery Establishment Act of
2728 2020, effective May 6, 2020 (D.C. Law 23-84; D.C. Official Code § 1-301.201(a)), is amended
2729 as follows:

2730 (a) Strike the phrase “Office of the City Administrator” and insert the phrase “Homeland
2731 Security and Emergency Management Agency” in its place.

2732 (b) Strike the phrase “man-made challenges” and insert the phrase “human-made
2733 challenges” in its place.

2734 **SUBTITLE C. CONCEALED PISTOL LICENSING REVIEW BOARD STIPEND**

2735 Sec. 3031. Short title.

2736 This subtitle may be cited as the “Concealed Pistol Licensing Review Board Stipend
2737 Emergency Amendment Act of 2021”.

2738 Sec. 3032. Section 1108(c-2) of the District of Columbia Government Comprehensive
2739 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
2740 611.08(c-2)), is amended by adding a new paragraph (7) to read as follows:

2741 “(7) Each member of the Concealed Pistol Licensing Review Board, except
2742 members who are District or federal government employees, shall be entitled to a stipend of
2743 \$250 per week for their service on the board.”.

2744 Sec. 3033. Section 908(b) of the Firearms Control Regulations Act of 1975, effective
2745 June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08(b)), is amended as follows:

2746 (a) Paragraph (1) is amended as follows:

2747 (1) Subparagraph (A) is amended by striking the phrase “his or her designee” and
2748 inserting the phrase “the USAO’s designee” in its place.

2749 (2) Subparagraph (B) is amended by striking the phrase “his or her designee” and
2750 inserting the phrase “the Attorney General’s designee” in its place.

2751 (b) Paragraph (4) is amended to read as follows:

2752 “(4) Members of the Board, except members who are District or federal
2753 government employees, shall be entitled to compensation as provided in section 1108 of the
2754 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March
2755 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08), for their service on the Board.”.

2756 **SUBTITLE D. SERVICES IN SUPPORT OF VIOLENCE PREVENTION,**
2757 **INTERRUPTION, AND RESPONSE**

2758 Sec. 3041. Short title.

2759 This subtitle may be cited as the “Services in Support of Violence Prevention,
2760 Interruption, and Response Emergency Amendment Act of 2021”.

2761 Sec. 3042. Section 26c of the District of Columbia Housing Authority Act of 1999,
2762 effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a
2763 new subsection (f-1) to read as follows:

2764 “(f-1) Agencies within the District government may refer individuals and families who
2765 have been victims of gun violence or are at risk of gun violence to the Authority for eligibility
2766 determination for the Local Rent Supplement Program.”.

2767 Sec. 3043. The Neighborhood Engagement Achieves Results Amendment Act of 2016,
2768 effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended by
2769 adding a new section 103b to read as follows:

2770 “Sec. 103b. Violence prevention, interruption, and response services.

2771 “(a) To support initiatives, programs, and interventions that aim to prevent, interrupt, or
2772 respond to gun violence in the District, the Mayor may:

2773 “(1) Issue housing vouchers, financial assistance for housing, housing counseling,
2774 and other supportive services to individuals and families who have been victims of gun violence
2775 or are at risk of gun violence;

2776 “(2) Waive statutory, regulatory, and administrative fees, including vital record
2777 fees and driver license and non-driver identification fees, for, and settle or forgive debts owed to
2778 the District government by, individuals participating in or potentially eligible to participate in a
2779 violence prevention, violence interruption, violence response, or victim services program;

2780 “(3) Pay private, local, state, and federal fees, including fees for licenses and
2781 certifications, vital records, educational fees, and background and suitability checks, for
2782 individuals participating in or potentially eligible to participate in a violence prevention, violence
2783 interruption, violence response, or victim services program;

2784 “(4) Provide social, economic, educational, health, and other services and
2785 supports for the purposes of violence prevention, violence interruption, violence response, and
2786 victim services to individuals participating in or eligible to participate in a violence prevention,
2787 violence interruption, violence response, or victim services program. Services and supports
2788 provided pursuant to this paragraph may include:

2789 “(A) Transportation, including transportation to government offices and
2790 non-governmental service providers and transportation of public-school students in safe passage
2791 areas;

2792 “(B) Housing relocation costs, including moving costs and the costs of
2793 establishing a new household;

2794 “(C) Tests and test preparation;

2795 “(D) Post office boxes;

2796 “(E) Secure document storage;

2797 “(F) Cell phones and cell phone service; and

2798 “(G) Driver education;

2799 “(5) Provide financial payments to individuals participating in or potentially
2800 eligible to participate in a violence prevention, violence interruption, or violence response
2801 program to incentivize such individuals to apply for, participate in, or continue to participate in,
2802 such program;

2803 “(6) Issue grants in support of violence prevention, violence interruption, violence
2804 response, and victim services programs; and

2805 “(7) Provide the services and supports described in section 402a of the District of
2806 Columbia Government Comprehensive Merit Personnel Act, effective February 22, 2019 (D.C.
2807 Law 22-211; D.C. Official § 1-604.02a), including paid internships, to individuals participating
2808 in a violence prevention, violence interruption, violence response, or victim services program,
2809 regardless of whether the individual has received a high school diploma or its equivalent.

2810 “(b) The financial assistance for housing provided pursuant to subsection (a)(1) of this
2811 section shall be used to assist the recipients with relocation from their current housing and t
2812 provide them with short- and mid-term housing supports.

2813 “(c) Payments made for services and supports under subsection (a)(4) and (5) of this
2814 section may be made by direct voucher.”.

2815 Sec. 3044. Applicability.

2816 This subtitle shall apply as of the effective date of this act.

2817 **SUBTITLE E. HUMAN RIGHTS CASE MANAGEMENT METRICS**

2818 Sec. 3051. Short title.

2819 This subtitle may be cited as the “Human Rights Case Management Metrics Emergency
2820 Amendment Act of 2021”.

2821 Sec. 3052. Section 301 of the Human Rights Act of 1977, effective December 13, 1977
2822 (D.C. Law 2-38, D.C. Official Code § 2-1403.01), is amended by adding a new subsection (g-1)
2823 to read as follows:

2824 “(g-1)(1) The Mayor shall report quarterly to the Council as to the volume and age of
2825 cases before the Office and the Commission, including at minimum the following measures:

2826 “(A) The number of initial questionnaires or other inquiries alleging
2827 unlawful discrimination the Office received during the prior quarter, broken down by protected
2828 characteristics and categories of alleged discriminatory action;

2829 “(B) The number of signed formal complaints that were filed during the
2830 prior quarter, broken down by protected characteristics and categories of alleged discriminatory
2831 action;

2832 “(C) The number of intake interviews that took place during the prior
2833 quarter;

2834 “(D) The number of initial inquiries awaiting intake interviews, broken
2835 down by number of weeks since initial questionnaire or other inquiry;

2836 “(E) The number of initial inquiries that were withdrawn or otherwise
2837 closed before a signed formal complaint could be completed;

2838 “(F) The number of mediation sessions that took place during the prior
2839 quarter, broken down by protected characteristics, categories of alleged discriminatory action,
2840 and number of weeks elapsed from complaint to mediation;

2841 “(G) The number of mediation sessions that resulted in conciliation;

2842 “(H) The number of mediation sessions that failed to produce conciliation
2843 and proceeded to the investigation stage;

2844 “(I) The number of signed formal complaints awaiting mediation, broken
2845 down by number of weeks since filing;

2846 “(J) The number of signed formal complaints withdrawn or otherwise
2847 closed before a mediation could be completed;

2848 “(K) The number of determinations of jurisdiction and probable cause or
2849 lack thereof that the Office issued the prior quarter, broken down by protected characteristics,
2850 categories of alleged discriminatory action, determination, and number of weeks between
2851 unsuccessful mediation and determination;

2852 “(L) The number of cases awaiting a determination of jurisdiction and
2853 probable cause following unsuccessful mediation, broken down by number of weeks since
2854 unsuccessful mediation;

2855 “(M) The number of investigations open per Office full-time equivalent
2856 investigator;

2857 “(N) The number of decisions and orders the Commission rendered in the
2858 prior quarter, broken down by protected characteristics and categories of alleged discriminatory
2859 conduct;

2860 “(O) The number of matters withdrawn or otherwise terminated without a
2861 decision of the Commission in the prior quarter; and

2862 “(P) The number of matters pending before the Commission, broken down
2863 by number of weeks since the Office issued a determination of jurisdiction and probable cause,
2864 and whether the Commission has held a hearing.

2865 “(2) In each quarterly report, if the Mayor is unable to calculate one or more of
2866 the metrics specified in paragraph (1) of this subsection, then for each such omitted measure, the
2867 Mayor shall:

2868 “(A) Briefly explain the obstacle preventing accurate measurement;

2869 “(B) Specify what steps the Office and the Commission are taking to
2870 enable accurate measurement; and

2871 “(C) Estimate the time remaining before the Office will be in a position to
2872 provide consistent quarterly updates on the measure.”.

2873 **SUBTITLE F. ALTERNATIVE RESPONSES TO CALLS FOR SERVICE PILOT**
2874 **PROGRAM**

2875 Sec. 3061. Short title.

2876 This subtitle may be cited as the “Alternative Responses to Calls for Service Emergency
2877 Amendment Act of 2021”.

2878 Sec. 3062. The Office of Unified Communications Establishment Act of 2004, effective
2879 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq.*), is amended by
2880 adding a new section 3205c to read as follows:

2881 “Sec. 3205c. Alternative Responses to Calls for Service Pilot Program.

2882 “(a)(1) The Office shall, in coordination with the Deputy Mayor for Public Safety and
2883 Justice (“DMPSJ”) and the Department of Behavioral Health (“DBH”), establish an Alternative
2884 Responses to Calls for Service Pilot Program (“Pilot Program”) to dispatch non-law enforcement
2885 agency personnel and community-based responders to calls for service, including calls for
2886 service related to individuals experiencing:

2887 “(A) Behavioral health emergencies;

2888 “(B) Homelessness; or

2889 “(C) Substance use.

2890 “(2) The Pilot Program shall:

2891 “(A) Center a public-health approach to emergency response in its
2892 protocols, training, operations, and public engagement;

2893 “(B) Prioritize the diversion of calls for service away from a law
2894 enforcement response and towards District agencies or community-based organizations that
2895 employ unarmed practitioners or professionals, such as mental-health professionals and social
2896 workers; and

2897 “(C) To the extent possible, operate during non-business hours.

2898 “(b) With regard to the Pilot Program, the Office, DMPSJ, and DBH shall:

2899 “(1) Develop protocols for:

2900 “(A) Identifying and dispatching certain categories of calls for service; and

2901 “(B) Cross-training law enforcement personnel, non-law enforcement

2902 agency personnel, and community-based responders, including call-center employees;

2903 “(2) Conduct public education to build awareness and trust in the Pilot Program,

2904 including by developing branding, publicly accessible and lay-friendly educational materials, and

2905 strategic messaging about:

2906 “(A) The Pilot Program’s purpose, goals, and operations; and

2907 “(B) Alternatives to calling 9-1-1 or dispatching law enforcement for

2908 certain categories of calls for service;

2909 “(3) By October 1, 2021, convene a working group of community-based experts

2910 and practitioners in alternative responses to calls for service, in addition to directly impacted

2911 individuals, to advise on the Pilot Program’s development, training, operations, community

2912 engagement, and evaluation, including the District agencies, community-based organizations, or

2913 other entities to which individuals will be diverted pursuant to subsection (a)(2)(B) of this

2914 section; and

2915 “(4) By January 1, 2022, and every 3 months thereafter, publish, at a minimum,

2916 the following information on the Office’s website:

2917 “(A) The members of the working group convened pursuant to paragraph

2918 (3) of this subsection;

2919 “(B) The Pilot Program’s protocols for identifying and dispatching calls
2920 for service;

2921 “(C) The non-law enforcement agencies and community-based responders
2922 to which eligible calls for service are being dispatched; and

2923 “(D) Aggregated for that reporting period:

2924 “(i) The hours during which the Pilot Program operated;

2925 “(ii) A description of the Pilot Program’s staffing internal and
2926 external to the Office and any training provided;

2927 “(iii) The expenditures for the Pilot Program, by purpose for the
2928 expenditure, amount, and source;

2929 “(iv) A list of the public events held, attended, and upcoming
2930 related to the Pilot Program;

2931 “(v) The number of calls for service eligible for diversion, broken
2932 down by day, period of time, and category of call for service;

2933 “(vi) Of those eligible calls for service identified under sub-
2934 subparagraph (v) of this subparagraph, the number of calls for service diverted, broken down by
2935 day, period of time, category of call for service, entity to which the calls for service were
2936 diverted, response time, the reason for any significant delays in response time, and outcome of
2937 the call for service, including whether anyone on the scene was:

2938 “(I) Taken into custody through arrest or other means, such
2939 as involuntary commitment;

2940 “(II) Sustained physical injuries during the response; or

2941 “(III) Connected to or provided supportive services, and the
2942 nature of those supportive services; and

2943 “(vii) Of those eligible calls for service identified under sub-
2944 subparagraph (v) of this subparagraph, if law enforcement was not initially dispatched in
2945 response to the call for service, whether the responding non-law enforcement agency personnel
2946 or community-based responders later requested a law enforcement response, and if so, the
2947 outcome of that request.”.

2948 **SUBTITLE G. ACCESS TO JUSTICE INITIATIVE**

2949 Sec. 3071. Short title.

2950 This subtitle may be cited as the “Access to Justice Initiative Emergency Amendment Act
2951 of 2021”.

2952 Sec. 3072. The Access to Justice Initiative Amendment Act of 2010, effective September
2953 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1701.01 *et seq.*), is amended as follows:

2954 (a) Section 201(a) (D.C. Official Code § 4-1702.01(a)) is amended by striking the phrase
2955 “District residents and providing” and inserting the phrase “District residents, or support to their
2956 nonprofit organization partners; and providing” in its place.

2957 (b) Section 301(a) (D.C. Official Code § 4-1703.01(a)) is amended by striking the phrase
2958 “District residents, including” and inserting the phrase “District residents, or support to their
2959 nonprofit organization partners, including” in its place.

2960 Sec. 3073. Section 3052(4) of the Expanding Access to Justice Amendment Act of 2017,
2961 effective December 17, 2013 (D.C. Law 22-33; D.C. Official Code § 4-1801(4)), is amended by
2962 striking the phrase “whose gross household income falls at or below 200% of the federal poverty

2963 guidelines” and inserting the phrase “whose gross household income falls at or below 250% of
2964 the federal poverty guidelines” in its place.

2965 **SUBTITLE H. OFFICE OF THE CHIEF MEDICAL EXAMINER AND CHILD**
2966 **FATALITY REVIEW COMMITTEE**

2967 Sec. 3081. Short title.

2968 This subtitle may be cited as the “Office of the Chief Medical Examiner and Child
2969 Fatality Review Committee Emergency Amendment Act of 2021”.

2970 Sec. 3082. The Establishment of the Office of the Chief Medical Examiner Act of 2000,
2971 effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1401 *et seq.*), is amended
2972 as follows:

2973 (a) Section 2902 (D.C. Official Code § 5-1401) is amended as follows:

2974 (1) Paragraph (1) is redesignated as paragraph (1A).

2975 (2) A new paragraph (1) is added to read as follows:

2976 “(1) “CME” means the Chief Medical Examiner within the OCME.”.

2977 (3) A new paragraph (2A) is added to read as follows:

2978 “(2A) “OCME” means the Office of the Chief Medical Examiner.”.

2979 (b) Section 2903 (D.C. Official Code § 5-1402) is amended as follows:

2980 (1) Subsection (a) is amended to read as follows:

2981 “(a) There is established as a subordinate agency in the Executive branch of the District
2982 government, the Office of the Chief Medical Examiner.”.

2983 (2) Subsection (b) is amended by striking the phrase “Examiner (“CME”) within”
2984 and inserting the phrase “Examiner within” in its place.

2985 (3) Subsection (c)(1) is amended by striking the phrase “District of Columbia.”
2986 and inserting the phrase “District.” in its place.

2987 (c) Section 2904(b) (D.C. Official Code § 5-1403(b)) is amended by striking the phrase
2988 “equipment, as” and inserting the phrase “equipment as” in its place.

2989 (d) Section 2905 (D.C. Official Code § 5-1404) is amended as follows:

2990 (1) Subsection (a) is amended by striking the phrase “the District of Columbia”
2991 and inserting the phrase “the District” in its place.

2992 (2) A new subsection (a-1) is added to read as follows:

2993 “(a-1) The CME may provide pathology and toxicology services to other District
2994 government agencies, non-District government agencies, and private entities, and may establish
2995 fees or require the payment of costs for the provision of such services.”.

2996 (3) Subsection (b) is amended to read as follows:

2997 “(b) The CME, and OCME employees authorized by the CME, may teach post-
2998 secondary, medical, and law school classes, conduct special classes for government personnel,
2999 conduct research, and engage in other activities related to their work.”.

3000 (4) Subsection (c) is amended by striking the phrase “in any event within” and
3001 inserting the phrase “in any event, within” in its place.

3002 (5) Subsection (d) is amended to read as follows:

3003 “(d) The CME, or the CME’s designee, shall attend all reviews of deaths by District
3004 government fatality review committees and fatality review boards. The CME shall coordinate
3005 with such committees and boards in their investigations of deaths.”.

3006 (e) Section 2906 (D.C. Official Code § 5-1405) is amended as follows:

3007 (1) Subsection (b) is amended as follows:

3008 (A) The lead-in language is amended by striking the phrase “the District of
3009 Columbia” and inserting the phrase “the District” in its place.

3010 (B) Paragraph (1) is amended by striking the phrase “suicidal or accidental
3011 including” and inserting the phrase “suicidal, or accidental, including” in its place.

3012 (C) Paragraph (7) is amended by striking the phrase “District of Columbia
3013 government” and inserting the phrase “District government” in its place.

3014 (D) Paragraph (9) is amended by striking the phrase “legal custody” and
3015 inserting the phrase “the legal custody” in its place.

3016 (E) Paragraph (10) is amended by striking the phrase “trauma including”
3017 and inserting the phrase “trauma, including” in its place.

3018 (F) Paragraph (11) is amended to read as follows:

3019 “(11) Deaths for which the Metropolitan Police Department, another law
3020 enforcement agency, or the United States Attorney’s Office for the District of Columbia
3021 requests, or a court orders, investigation;”.

3022 (G) Paragraph (12) is amended by striking the phrase “District of
3023 Columbia without” and inserting the phrase “District without” in its place.

3024 (2) The lead-in language of subsection (b-1)(2) is amended by striking the phrase
3025 “a woman’s” and inserting the phrase “a birthing parent’s” in its place.

3026 (3) Subsection (c) is amended by striking the phrase “the District of Columbia”
3027 and inserting the phrase “the District” in its place.

3028 (f) Section 2907(b) (D.C. Official Code § 5-1406(b)) is amended by striking the phrase
3029 “(EMS) personnel,” and inserting the phrase “personnel,” in its place.

3030 (g) Section 2908 (D.C. Official Code § 5-1407) is amended by striking the phrase “in his
3031 or her opinion” and inserting the phrase “in the CME’s opinion” in its place.

3032 (h) Section 2909(a) (D.C. Official Code § 5-1408(a)) is amended by striking the phrase
3033 “in his or her opinion” and inserting the phrase “in the opinion of the medical examiner,
3034 medicolegal investigator, or law enforcement officer” in its place.

3035 (i) Section 2912(b) (D.C. Official Code § 5-1411(b)) is amended by striking the phrase
3036 “the District of Columbia” and inserting the phrase “the District” in its place.

3037 (j) Section 2915 (D.C. Official Code § 5-1414) is amended by striking the phrase “the
3038 United States Attorney, on his or her own motion, or on request of a medical examiner, or the
3039 Metropolitan Police Department, or other law enforcement agency” and inserting the phrase “the
3040 United States Attorney for the District of Columbia, on the United States Attorney’s own motion,
3041 or at the request of a medical examiner, the Metropolitan Police Department, or another law
3042 enforcement agency” in its place.

3043 (k) A new section 2918c is added to read as follows:

3044 “Sec. 2918c. Office of the Chief Medical Examiner Fund.

3045 “(a) There is established as a special fund the Office of the Chief Medical Examiner Fund
3046 (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this
3047 section.

3048 “(b) All funds from fees received by OCME for services provided pursuant to section
3049 2905(a-1) shall be deposited in the Fund.

3050 “(c) Money in the Fund shall be used to support any personnel and non-personnel
3051 expenses associated with District fatality reviews, in addition to other agency expenses.

3052 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
3053 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
3054 of a fiscal year, or at any other time.

3055 “(2) Subject to authorization in an approved budget and financial plan, any funds
3056 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3057 Sec. 3083. The Child Fatality Review Committee Establishment Act of 2001, effective
3058 October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.01 *et seq.*), is amended as
3059 follows:

3060 (a) Section 4603 (D.C. Official Code § 4-1371.03) is amended to read as follows:

3061 “Sec. 4603. Establishment and purpose.

3062 “(a) There is established a Child Fatality Review Committee. Facilities and other
3063 administrative support shall be provided by the Office of the Chief Medical Examiner.

3064 “(b) The Committee shall:

3065 “(1) Identify and characterize the scope and nature of all child deaths in the
3066 District, particularly those that are violent, accidental, unexpected, or unexplained;

3067 “(2) In an effort to reduce the number of preventable child fatalities, examine past
3068 events and circumstances surrounding child deaths in the District by reviewing the records, files,
3069 and other pertinent documents of public and private agencies responsible for serving families and
3070 children, investigating deaths, or treating children, giving special attention to child deaths that
3071 may have been caused by abuse, negligence, or other forms of maltreatment;

3072 “(3) Develop and revise, as necessary, operating rules and procedures for the
3073 review of child deaths, including identification of cases to be reviewed, coordination among the
3074 agencies and professionals involved, and improvement of the identification, data collection, and
3075 record keeping of the causes of child death;

3076 “(4) Recommend specific and systemic improvements to promote improved and
3077 integrated public and private systems serving families and children;

3078 “(5) Recommend components for prevention and education programs; and

3079 “(6) Recommend training to improve the investigation of child deaths.”.

3080 (b) Section 4604 (D.C. Official Code § 4-1371.04) is amended as follows:

3081 (1) Subsection (a) is amended as follows:

3082 (A) Paragraph (13) is amended by striking the phrase “; and” and inserting
3083 a semicolon in its place.

3084 (B) Paragraph (14) is amended by striking the period and adding the
3085 phrase “; and” in its place.

3086 (C) A new paragraph (15) is added to read as follows:

3087 “(15) Director of Gun Violence Prevention.”.

3088 (2) A new subsection (a-1) is added to read as follows:

3089 “(a-1) The Council Chairpersons with jurisdiction over judiciary and human services
3090 matters, or their designees, shall serve as Committee members.”.

3091 (c) Section 4605 (D.C. Official Code § 4-1371.05) is amended as follows:

3092 (1) The lead-in language of subsection (a) is amended by striking the phrase “the
3093 deaths of children who were residents of the District of Columbia and of such children” and

3094 inserting the phrase “all deaths of children who were residents of the District of Columbia, and
3095 with particular attention, such children” in its place.

3096 (2) Subsection (c) is amended to read as follows:

3097 “(c) The Committee’s manner of review shall be to conduct a multidisciplinary, multi-
3098 agency review of all individual fatalities within 6 months after the final determination of the
3099 cause and manner of death and prioritize fatalities where child abuse, neglect, or another form of
3100 child maltreatment is the cause of death or a contributing factor.”.

3101 (3) Subsection (d) is amended by striking the phrase “establish 2 review teams”
3102 and inserting the phrase “establish at least 2 review teams” in its place.

3103 (4) Subsection (e) is repealed.

3104 (d) Section 4606 (D.C. Official Code § 4-1371.06) is amended as follows:

3105 (1) Subsection (c) is repealed.

3106 (2) Subsection (d) is repealed.

3107 (e) Section 4607(b) (D.C. Official Code § 4-1371.07(b)) is amended by striking the
3108 phrase “or his or her” and inserting the phrase “or the witness’s” in its place.

3109 (f) Section 4608(a) (D.C. Official Code § 4-1371.08(a)) is amended by striking the phrase
3110 “. Committee members” and inserting the phrase “. Unless authorized by a majority vote of the
3111 Committee members appointed pursuant to section 4604(c), Committee members” in its place.

3112 (g) Section 4609 (D.C. Official Code § 4-1371.09) is amended as follows:

3113 (1) Subsection (e) is amended by striking the phrase “any person, other than a
3114 person who has consented to be identified, are” and inserting the phrase “a person identified in
3115 section 4608(c) are” in its place.

3116 (2) Subsection (f) is amended to read as follows:

3117 “(f) The Committee shall compile an Annual Report of Findings and Recommendations
3118 which shall be publicly available and submitted to the Mayor and Council. The annual report
3119 shall include:

3120 “(1) The number of child fatalities in the District annually, with a description of
3121 the causes, and for those fatalities where abuse, neglect, or another form of child maltreatment is
3122 the cause of the fatality or a contributing factor, the number, type, and response of any agency
3123 contact prior to the fatality;

3124 “(2) Statistics on all reviews conducted in the past calendar year, including the
3125 date of each fatality, when the Committee staff learned of the fatality, and when the Committee
3126 began and concluded each review;

3127 “(3) Findings regarding factors, including agency practices, that may have
3128 prevented particular fatalities from occurring;

3129 “(4) Recommendations for preventing fatalities and identifying children most at
3130 risk of fatalities, including agency policies and practices that need improvement to prevent
3131 fatalities;

3132 “(5) A timeline for implementing corrective actions;

3133 “(6) An identification of any necessary funding to implement changes to policies
3134 and practices or corrective actions;

3135 “(7) The responses required by subsection (f-1) of this section; and

3136 “(8) A description of the progress made on the findings and recommendations
3137 made in the prior annual report.”.

3138 (3) A new subsection (f-1) is added to read as follows:

3139 “(f-1) Any agency that is implicated by a recommendation included in the Committee’s
3140 Annual Report of Findings and Recommendations shall provide the Committee with a response
3141 to the specific recommendation.”.

3142 (4) Subsection (g) is repealed.

3143 (5) Subsection (j) is amended by striking the phrase “Human Services” and
3144 inserting the phrase “Human Services, Child and Family Services Agency,” in its place.

3145 (h) Section 4610 (D.C. Official Code § 4-1371.10) is amended by striking the phrase
3146 “from liability, administrative, civil, or criminal, that” and inserting the phrase “from
3147 administrative, civil, or criminal liability that” in its place.

3148 (i) Section 4611 (D.C. Official Code § 4-1371.11) is amended by striking the phrase “the
3149 Corporation Counsel or his or her designee” and inserting the phrase “the Attorney General” in
3150 its place.

3151 (j) Section 4613 (D.C. Official Code § 4-1371.13) is amended by striking the phrase
3152 “from liability, administrative, civil, or criminal, that” and inserting the phrase “from
3153 administrative, civil, or criminal liability that” in its place.

3154 (k) Section 4614 (D.C. Official Code § 4-1371.14) is amended by striking the phrase “the
3155 Corporation Counsel of the District of Columbia, or his or her agent, in” and inserting the phrase
3156 “the Attorney General in” in its place.

3157 **SUBTITLE I. REDUCING LAW ENFORCEMENT PRESENCE IN SCHOOLS**

3158 Sec. 3091. Short title.

3159 This subtitle may be cited as the “Reducing Law Enforcement Presence in Schools
3160 Emergency Amendment Act of 2021”.

3161 Sec. 3092. The School Safety and Security Contracting Procedures Act of 2004, effective
3162 April 13, 2005 (D.C. Law 15-350; D.C. Official Code § 5-132.01 *et seq.*), is amended as follows:

3163 (a) Section 101(3) (D.C. Official Code § 5-132.01(3)) is amended to read as follows:

3164 “(3) “School resource officer” means a sworn MPD officer assigned to DCPS or
3165 public charter schools for the purpose of working in collaboration with DCPS, public charter
3166 schools, and community-based organizations to ensure that DCPS schools, public charter
3167 schools, and their grounds are safe environments for students, teachers, and staff through the use
3168 of culturally competent, developmentally-appropriate, and community-oriented policing
3169 strategies and practices.”.

3170 (b) Section 102 (D.C. Official Code § 5-132.02) is amended as follows:

3171 (1) A new subsection (c-1) is added to read as follows:

3172 “(c-1) School resource officers shall not report any information regarding a student’s
3173 suspected crew or gang affiliation, or that of their family members, to a law enforcement agency
3174 for the purpose of including such information in any District government crew or gang database,
3175 nor shall any such information shared by or derived from a school resource officer be otherwise
3176 included in any District government crew or gang database.”.

3177 (2) A new subsection (e) is added to read as follows:

3178 “(e) The School Safety Division’s sworn and civilian staffing shall be as follows:

3179 “(1) By July 1, 2022, a maximum of 60 personnel;

3180 “(2) By July 1, 2023, a maximum of 40 personnel;

3181 “(3) By July 1, 2024, a maximum of 20 personnel; and

3182 “(4) By July 1, 2025, the School Safety Division shall be dissolved, and MPD
3183 shall no longer staff DCPS and public charter schools with school resource officers.”.

3184 Sec. 3093. Section 16-2309 of the District of Columbia Official Code is amended by
3185 adding new subsections (c), (d), and (e) to read as follows:

3186

3187 “(c)(1) Notwithstanding any other law, a law enforcement officer shall not seize, serve a
3188 custody order on, or take into custody a DCPS or public charter school student at a DCPS or
3189 public charter school or on its grounds for a:

3190 “(1) School-based offense unless:

3191 “(A) The school-based offense is alleged to be a crime of violence, as that
3192 term is defined in § 23-1331(4); or

3193 “(B) Exigent circumstances exist; or

3194 “(2) Non-school-based offense unless exigent circumstances exist.

3195 “(d) Prior to seizing, serving a custody order on, or taking into custody of a DCPS or
3196 public charter school student at a DCPS or public charter school or on its grounds pursuant to
3197 subsection (c) of this section, a law enforcement officer shall:

3198 “(1) In consultation with the administration of the DCPS or public charter school,
3199 MPD Youth and Family Engagement Bureau leadership, and the Office of the Attorney General,
3200 determine if there are reasonable alternatives to seizing, serving a custody order on, or taking
3201 into custody a DCPS or public charter school student at the DCPS or public charter school or on
3202 its grounds; and

3203 “(2) If the law enforcement officer is seeking to execute a custody order, present a
3204 copy of that custody order to the DCPS or public charter school’s principal or assistant principal.

3205 **TITLE IV. PUBLIC EDUCATION SYSTEMS**

3206 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASES**

3207 Sec. 4001. Short title.

3208 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools
3209 Increase Emergency Amendment Act of 2021”.

3210 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public
3211 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §
3212 38-2901 *et seq.*), is amended as follows:

3213 (a) Section 102 (D.C. Official Code § 38-2901) is amended as follows:

3214 (1) Redesignate existing paragraph (2B) as paragraph (2C).

3215 (2) Add a new paragraph (2AB) to read as follows:

3216 “(2B) “At-Risk High School Over-age Supplement” means weighting provided in
3217 addition to the at-risk weight for a student who is at-risk because the student is a high school
3218 student that is one year older, or more, than the expected age for the grade in which the student is
3219 enrolled.;

3220 (3) Add a new paragraph (4A) to read as follows:

3221 “(4A) “Elementary ELL” means students who are LEP/NEP and enrolled in
3222 grades pre-kindergarten 3 through 5.”.

3223 (4) Redesignate existing paragraph (10B) as paragraph (10C).

3224 (5) Add a new paragraph (10B) to read as follows:

3225 “(10B) “Secondary ELL” means students who are LEP/NEP and enrolled in:

3226 (A) Grades 6 through 12 at a DCPS or public charter school

3227 (B) An alternative program;

3228 (C) Adult education; or

3229 (D) Grades 6 through 12 at a special education school.

3230 (b) Section 103(b) (D.C. Official Code § 38-2902(b)) is amended by striking the phrase
3231 “Charter Schools” and inserting the phrase “Charter Schools; except, that, for Fiscal Year 2022,
3232 the Formula shall not apply to funding allocated to a DCPS school to meet the requirement of
3233 section 108a(a)(2) that the school be provided with not less than 95% of its prior year allocation
3234 of Formula funds” in its place.

3235 (c) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase
3236 “\$11,310 per student for Fiscal Year 2021” and inserting the phrase “\$11,730 per student for
3237 Fiscal Year 2022” in its place.

3238 (d) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array
3239 and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2022
“Pre-Kindergarten 3	1.34	\$15,705
“Pre-Kindergarten 4	1.30	\$15,236
“Kindergarten	1.30	\$15,236
“Grades 1-5	1.00	\$11,720
“Grades 6-8	1.08	\$12,658
“Grades 9-12	1.22	\$14,298
“Alternative program	1.52	\$17,814
“Special education school	1.17	\$13,712
“Adult	0.89	\$10,431

3240 (e) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

3241 “(c) The supplemental allocations shall be calculated by applying weightings to the

3242 foundation level as follows:

3243 “Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$11,368
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$14,064
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$23,088
“Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$40,903
“Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.099	\$1,160
“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	\$1,043
“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	\$19,572

3244 “General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Elementary ELL	Additional funding for English Language Learners in grades PK3-5.	0.50	\$5,860

“Secondary ELL	Additional funding for English Language Learners in grades 6-12, alternative students, adult students, and students in special education schools.	0.75	\$8,790
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level in high school.	0.24	\$2,813
“At-risk High School Over-Age Supplement	Weighting provided in addition to at-risk weight for students who are behind grade level in high school.	0.06	\$703

3245

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“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	\$4,336
“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	\$15,705
“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	\$33,871
“Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non- English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$33,871
“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	0.668	\$7,829

	provides students with room and board in a residential setting		
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3246 “Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated

3247 in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$738
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.227	\$2,660
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.491	\$5,755
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs”.	0.491	\$5,755

3248

3249 (f) Section 106a (D.C. Official Code § 38-2905.01) is amended as follows:

3250 (1) Subsection (b) is amended by striking the phrase “a weighting factor” and

3251 inserting the phrase “weighting factors” in its place.

3252 (2) Subsection (c) is amended as follows:

3253 (A) Strike the phrase “weighting for at-risk students” and insert the phrase

3254 “weighting factors for at-risk students” in its place.

3255 (B) Strike the phrase “both as at-risk” and insert the phrase “both at-risk”

3256 in its place.

3257 (3) A new subsection (c-1) is added to read as follows:

3258 “(c-1) To ensure alignment between the alternative program and at-risk weighting
3259 factors, the alternative program weighting factor should be amended whenever the grades 9-12,
3260 at-risk, or at-risk high school over-age supplement weighting factors are amended.”.

3261 (g) Section 109 (D.C. Official Code § 38-2908) is amended as follows:

3262 (1) Subsection (b-2)(2D) is amended to read as follows:

3263 “(2D) For Fiscal Years 2021, 2022, and 2023, the per pupil facility allowance for
3264 Public Charter Schools shall be \$3,408.”.

3265 (2) A new subsection (b-3) is added to read as follows:

3266 “(b-3) Beginning with Fiscal Year 2024, and for each subsequent fiscal year, the
3267 per pupil facility allowance for Public Charter Schools shall be 3.1% greater than the previous
3268 fiscal year’s per pupil facility allowance. The per pupil facility allowance shall be multiplied by
3269 the number of students estimated to attend each Public Charter School to determine the actual
3270 facility allowance payments to be received by each Public Charter School.”.

3271 Sec. 4003. Section 6(b) of the Board of Education Continuity and Transition Amendment
3272 Act of 2004, effective December 7, 2004 (D.C. Law 15-211; D.C. Official Code § 38-2831(b)),
3273 is amended as follows:

3274 (a) Paragraph (3)(B) is amended to read as follows:

3275 “(B) Any funding associated with at-risk students and with the at-risk high
3276 school over-age supplement that has been retained by the Chancellor;”.

3277 (b) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in
3278 its place.

3279 (c) Paragraph (5) is amended to read as follows:

3280 “(5) For each school’s individual budget, a separate budget line item for funding
3281 allocated to the following, as coded in the District’s current official financial system of record:

3282 “(A) At-risk students;

3283 “(B) The at-risk high school over-age supplement;

3284 “(C) Elementary ELL; and

3285 “(D) Secondary ELL; and”.

3286 (d) A new paragraph (6) is added to read as follows:

3287 “(6) The projected enrollment, by school, for the following:

3288 “(A) At-risk students;

3289 “(B) The number of students counted for the at-risk high school over-age
3290 supplement;

3291 “(C) Elementary ELL; and

3292 “(D) Secondary ELL.”.

3293 (e) A new subsection (h) is added to read as follows:

3294 “(h) For the purposes of this section, the following terms shall have the same meaning as
3295 provided in section 102 of the Uniform Per Student Funding Formula for Public Schools and
3296 Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official
3297 Code § 38-2901):

3298 (1) “At-risk”;

3299 (2) “At-risk high school over-age supplement”;

3300 (3) “Elementary ELL”;

3301 (4) “Secondary ELL.”.

3302 **SUBTITLE B. DCPS REPROGRAMMING FLEXIBILITY**

3303 Sec. 4011. Short title.

3304 This subtitle may be cited as the “DCPS Intra-School Reprogramming Flexibility
3305 Emergency Amendment Act of 2021”.

3306 Sec. 4012. Section 4012(a) of the DCPS Contracting and Spending Flexibility
3307 Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 38-
3308 2955(a)), is amended by striking the figure “\$10,000” and inserting the figure “\$25,000” in its
3309 place.

3310 **SUBTITLE C. PARKS AND RECREATION GRANT-MAKING AUTHORITY**

3311 Sec. 4021. Short title.

3312 This subtitle may be cited as the “Parks and Recreation Grant-Making Authority
3313 Emergency Amendment Act of 2021”.

3314 Sec. 4022. Section 3 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law
3315 10-246; D.C. Official Code § 10-302), is amended by adding a new subsection (f) to read as
3316 follows:

3317 “(f) Beginning in Fiscal Year 2022, and on an annual basis thereafter, and in accordance
3318 with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.
3319 Official Code § 1-328.11 *et seq.*), the Department of Parks and Recreation shall issue:

3320 “(1) A grant of not less than \$150,000 to an organization to plan, promote, and
3321 manage events and programs for the community in the new Eastern Market Metro Park. The
3322 organizer shall obtain permits, book talent, publicize programming, and supervise the site during
3323 events and clean up.

3324 “(2) One or more grants that total no more than \$235,000 to individual program
3325 providers and nonprofit organizations to assist the Department in implementing a comprehensive
3326 program of public recreation as described in section 3 of Article II of An Act To create a
3327 Recreation Board for the District of Columbia, to define its duties, and for other purposes,
3328 approved April 29, 1942 (56 Stat. 263; D.C. Official Code § 10-213).”.

3329 Sec. 4023. In Fiscal Year 2022, the Department of Parks and Recreation, in accordance
3330 with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.
3331 Official Code § 1-328.11 *et seq.*), shall award:

3332 (a) A grant of not less than \$7,000 to an organization to conduct a community run or walk
3333 event series. Grant funds shall be used to organize weekly run or walk events in at least 3
3334 locations, and may be spent on outreach, advertising, equipment, or permits associated with the
3335 event series.

3336 (b) One or more grants that total not less than \$50,000 for regular activation of spaces in
3337 Ward 1 at Columbia Heights Civic Plaza, 14th and Girard Park, and Unity Park.

3338 (c) A grant of not less than \$500,000 to an organization developing an urban farm and
3339 community wellness space in Oxon Run Park in Ward 8.

3340 (d) A grant of not less than \$375,000 to a non-profit organization working on the
3341 restoration of the Chesapeake and Ohio Canal in Georgetown to support the design of a welcome
3342 center.

3343 **SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA**
3344 **FUNDRAISING MATCH**

3345 Sec. 4031. Short title.

3346 This subtitle may be cited as the “University of the District of Columbia Fundraising
3347 Match Emergency Act of 2021”.

3348 Sec. 4032. (a) In Fiscal Year 2022, of the funds allocated to the Non-Departmental
3349 agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the
3350 District of Columbia (“UDC”) for every \$2 that UDC raises from private donations by April 1,
3351 2022.

3352 (b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less
3353 than one-third of the funds shall be deposited into UDC’s endowment fund.

3354 **SUBTITLE E. APPRENTICESHIP FINES**

3355 Sec. 4041. Short title.

3356 This subtitle may be cited as the “Apprenticeship Fines Emergency Amendment Act of
3357 2021”.

3358 Sec. 4042. Section 5(c)(3) of the Amendments to An Act To Provide for Voluntary
3359 Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-
3360 156; D.C. Official Code § 32-1431(c)(3)), is amended as follows:

3361 (1) Strike the phrase “District of Columbia Public Schools” and insert the phrase
3362 “Department of Employment Services” in its place.

3363 (2) Strike the phrase “education program, subject to appropriations by Congress”
3364 and insert the phrase “education programs” in its place.

3365 **SUBTITLE F. SCHOLARSHIP AND TUITION ASSISTANCE PAYMENTS**

3366 Sec. 4051. Short title.

3367 This subtitle may be cited as the “Scholarship and Tuition Assistance Payment Method
3368 Emergency Amendment Act of 2021”.

3369 Sec. 4052. Section 3(b) of the State Education Office Establishment Act of 2000,
3370 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by
3371 adding a new paragraph (29A) to read as follows:

3372 “(29A) Have the authority to increase access, promote retention, and improve District
3373 resident completion of postsecondary education in the District by:

3374 “(A) Awarding scholarships and financial assistance for tuition, fees, room and
3375 board, books, supplies, and other costs of postsecondary education, including:

3376 “(i) Dual enrollment programs;

3377 “(ii) Costs associated with gaining admission or increasing the chances of
3378 gaining admission to an institution of higher education in the District, including test preparation
3379 programs, standardized test fees, and application fees;

3380 “(iii) Programs designed to support students navigating the college process
3381 through completion;

3382 “(iv) Funding if the cost of education prevents a student or prospective
3383 student from starting, continuing, or completing their postsecondary education.

3384 “(B) Paying for the financial assistance described in subparagraph (A) of this
3385 paragraph through the issuance of direct vouchers or payments to institutions of higher education
3386 in the District;”.

3387 **SUBTITLE G. UNIVERSAL PAID LEAVE**

3388 Sec. 4061. Short title.

3389 This subtitle may be cited as the “Universal Paid Leave Emergency Amendment Act of
3390 2021”.

3391 Sec. 4062. The Universal Paid Leave Amendment Act of 2016, effective April 7, 2017
3392 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*), is amended as follows:

3393 (a) Section 101 (D.C. Official Code § 32-541.01) is amended as follows:

3394 (1) Paragraph (1) is amended to read as follows:

3395 “(1) “Average weekly wage” means the total wages subject to contribution under
3396 section 103 earned by an eligible individual during the 4 quarters during which the individual’s
3397 wages were the highest out of the 5 quarters immediately preceding the qualifying leave event,
3398 divided by 52; except that, for claims filed after the applicability date of the Universal Paid
3399 Leave Amendment Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version of
3400 Bill 24-285), and before the 365th day after the end of the public health emergency, the term
3401 “average weekly wage” means the total wages subject to contribution under section 103 for the 4
3402 quarters during which the individual’s wages were the highest out of the 10 quarters immediately
3403 preceding the qualifying leave event, divided by 52.”.

3404 (2) New paragraphs (6A) and (6B) are added to read as follows:

3405 “(6A) “Employer contribution rate” means the uniform percentage of covered
3406 employees’ wages that covered employers must contribute to the Universal Paid Leave Fund,
3407 including the percentage of annual self-employment income that a covered employer who is a
3408 self-employed individual must contribute, as provided under this act.”.

3409 “(6B) “Exigent circumstances” means:

3410 “(A) Physical or mental incapacity that prevents an eligible individual or
3411 eligible individual’s authorized representative from filing for paid leave benefits following the
3412 occurrence of a qualifying leave event;

3413 “(B) A demonstrable inability to reasonably access the means by which a
3414 claim could have been filed by the eligible individual or the eligible individual’s authorized
3415 representative following the occurrence of a qualifying leave event; or

3416 “(C) Actual lack of knowledge by an eligible individual of his or her right
3417 to apply for paid leave benefits pursuant to this act due to the noncompliance of all of the eligible
3418 individual’s covered employers with the notice requirements required by section 106(i)(3) during
3419 the period when the individual could have received paid leave benefits pursuant to this act;
3420 provided, that such employer noncompliance shall be confirmed by the Mayor before the eligible
3421 individual shall be eligible for paid leave benefits pursuant to this act.”.

3422 (3) A new paragraph (8A) is added to read as follows:

3423 “(8A) “Insurer” shall have the same meaning as provided in section 101(7) of the
3424 Insurance Trade and Economic Development Amendment Act of 2000, effective April 2, 2001
3425 (D.C. Law 13-265; D.C. Official Code § 31-2231.01(7)).”.

3426 (4) A new paragraph (9A) is added to read as follows:

3427 “(9A) “Miscarriage” means the loss of a pregnancy before 20 weeks’ gestation.”.

3428 (5) New paragraphs (11A) and (11B) are added to read as follows:

3429 “(11A) “Pre-natal medical care” means routine and specialty appointments,
3430 exams, and treatments associated with a pregnancy provided by a health care provider, including

3431 pre-natal check-ups, ultrasounds, treatment for pregnancy complications, bedrest that is required
3432 or prescribed by a health care provider, and pre-natal physical therapy.

3433 “(11B) “Public health emergency” means the Coronavirus (COVID-19) public
3434 health emergency declared pursuant to Mayor’s Order 2020-045, on March 11, 2020, and all
3435 subsequent extensions.”.

3436 (6) Paragraph (12) is amended to read as follows:

3437 “(12) “Qualifying family leave” means paid leave that an eligible individual may
3438 take in order to provide care or companionship to a family member because of the occurrence of
3439 a qualifying family leave event.”.

3440 (7) A new paragraph (13A) is added to read as follows:

3441 “(13A) “Qualifying leave event” means a qualifying family leave event, a
3442 qualifying medical leave event, a qualifying pre-natal leave event, or a qualifying parental leave
3443 event.”.

3444 (8) Paragraph (14) is amended to read as follows:

3445 “(14) “Qualifying medical leave” means paid leave that an eligible individual may
3446 take following the occurrence of a qualifying medical leave event.”.

3447 (9) Paragraph (15) is amended to read as follows:

3448 “(15) “Qualifying medical leave event” means, for an eligible individual, the
3449 diagnosis or occurrence of a serious health condition, which shall include the occurrence of a
3450 stillbirth and the medical care related to a miscarriage.”.

3451 (10) Paragraph (16) is amended to read as follows:

3452 “(16) “Qualifying parental leave” means paid leave that an eligible individual
3453 may take within one year of the occurrence of a qualifying parental leave event.”.

3454 (11) New paragraphs (17A) and (17B) are added to read as follows:

3455 “(17A) “Qualifying pre-natal leave” means paid leave that an eligible individual
3456 who is pregnant may take for pre-natal medical care following the occurrence of a qualifying
3457 pre-natal leave event and prior to the occurrence of a qualifying parental leave event.

3458 “(17B) “Qualifying pre-natal leave event” means the diagnosis of pregnancy by a
3459 health care provider.”.

3460 (12) A new paragraph (19A) is added to read as follows:

3461 “(19A) “Self-insured employer” means an employer that uses its own resources,
3462 rather than providing benefits directly through an insurance contract with a third-party insurer, to
3463 pay its employees’ family, medical, short-term disability, or related leave benefits (“leave
3464 benefits”) and includes an employer that contracts with a third-party insurer to administer its
3465 leave benefits program.”.

3466 (13) A new paragraph (20A) is added to read as follows:

3467 “(20A) “Stillbirth” means the loss of a pregnancy at 20 weeks’ gestation or
3468 later.”.

3469 (14) Paragraph (21) is amended to read as follows:

3470 “(21) “Universal Paid Leave Fund” means the fund established pursuant to
3471 section 1153 of the Universal Paid Leave Implementation Fund Act of 2016, effective October 8,
3472 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.02).”.

3473 (b) Section 102 (D.C. Official Code § 32-541.02) is amended by adding a new subsection
3474 (c) to read as follows:

3475 “(c) Within 30 days after the applicability date of the Universal Paid Leave Amendment
3476 Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version of Bill 24-285), or of
3477 any expansion of benefits or change to the employer contribution rate pursuant to section
3478 104a(c), the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,
3479 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules,
3480 which may include the issuance of emergency rules, to implement the provisions of this act.”.

3481 (c) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

3482 (1) Subsection (a) is amended by striking the phrase “0.62%” and inserting the
3483 phrase “0.62%, or a lower rate computed pursuant to section 104a(c)(2),” in its place.

3484 (2) Subsection (b) is amended by striking the phrase “0.62%” and inserting the
3485 phrase “0.62%, or a lower rate computed pursuant to section 104a(c)(2),” in its place.

3486 (d) Section 104 (D.C. Official Code § 32-541.04) is amended as follows:

3487 (1) Subsection (a) is amended by striking the phrase “qualifying family leave
3488 event, qualifying medical leave event, or qualifying parental leave event” and inserting the
3489 phrase “qualifying leave event” in its place.

3490 (2) Subsection (b) is amended to read as follows:

3491 “(b)(1) Except as provided in paragraph (2) of this subsection, after the
3492 occurrence of a qualifying leave event, an eligible individual shall wait one week during and for
3493 which no benefits are payable before being entitled to receive payment of his or her paid-leave
3494 benefits; provided, that regardless of the number of qualifying events for which an eligible

3495 individual files a claim for paid-leave benefits, he or she shall only have one waiting period
3496 during and for which no benefits are payable within a 52-week period.

3497 “(2) For claims filed after the applicability date of the Universal Paid
3498 Leave Amendment Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version of
3499 Bill 24-285), and before the 365th day after the end of the public health emergency, paragraph
3500 (1) of this subsection shall not apply.”.

3501 (3) Subsection (d) is amended to read as follows:

3502 “(d)(1)(A) An eligible individual may submit a claim for payment of his or her
3503 paid-leave benefits for a period during which he or she does not or did not perform his or her
3504 regular and customary work because of the occurrence of a qualifying leave event.

3505 “(B) An eligible individual may receive retroactive paid-leave
3506 benefits pursuant to subparagraph (A) of this paragraph only if he or she submits a claim within
3507 30 calendar days after the qualifying leave event; provided, that the 30-calendar day limitation
3508 may be waived if an individual is unable to apply for his or paid-leave benefits within 30
3509 calendar days after the qualifying leave event due to exigent circumstances.

3510 “(2) Except as provided in paragraph (3), within a 52-workweek period, an
3511 eligible individual shall not receive paid-leave benefits, for any number or combination of
3512 qualifying leave events, for a duration that exceeds the maximum duration of qualifying parental
3513 leave available in the fiscal year during which the individual files a claim for paid-leave benefits,
3514 as provided in subsection (e-1) of this section.

3515 “(3) Within a 52-workweek period, an eligible individual may receive the
3516 maximum duration of qualifying pre-natal leave available in the fiscal year during which the

3517 individual files a claim for paid-leave benefits in addition to the maximum duration of parental
3518 leave available during such fiscal year, as provided in subsection (e-1) of this section; provided,
3519 that an eligible individual shall not receive any combination of qualifying pre-natal leave and
3520 qualifying medical leave for a duration that exceeds the maximum duration of qualifying medical
3521 leave available for the fiscal year during which the individual files a claim for paid-leave
3522 benefits.”.

3523 (4) Subsection (e) is amended to read as follows:

3524 “(e) The International Classification of Diseases, Tenth Revision (ICD-10), or subsequent
3525 revisions by the World Health Organization to the International Classification of Diseases, along
3526 with the health care provider or caretaker assessments, shall be used to determine the appropriate
3527 length of qualifying family leave an eligible individual is entitled to, based on the serious health
3528 condition of the eligible individual’s family member, or the appropriate length of qualifying
3529 medical leave an eligible individual is entitled to, based on the serious health condition of the
3530 eligible individual, subject to the limits set forth in subsection (e-1) of this section.”.

3531 (5) A new subsection (e-1) is added to read as follows:

3532 “(e-1)(1) For claims filed before October 1, 2021, the maximum duration of each type of
3533 paid-leave benefits within a 52-workweek period shall be:

3534 “(A) 8 workweeks of qualifying parental leave;

3535 “(B) 6 workweeks of qualifying family leave;

3536 “(C) 2 workweeks of qualifying medical leave; and

3537 “(D) Zero workweeks of qualifying pre-natal leave.

3538 “(2) For claims filed on or after October 1, 2021, and before October 1, 2022, the
3539 maximum duration of each type of paid-leave benefits within a 52-workweek period shall be:

3540 “(A) 8 workweeks of qualifying parental leave;

3541 “(B) 6 workweeks of qualifying family leave;

3542 “(C) 6 workweeks of qualifying medical leave; and

3543 “(D) 2 workweeks of qualifying pre-natal leave.

3544 “(3) For claims filed on or after October 1, 2022, and thereafter, the maximum
3545 duration of each type of paid-leave benefits within a 52-workweek period shall be determined
3546 pursuant to section 104a, but shall be no less than the maximum durations for each type of paid-
3547 leave benefits set forth in paragraph (1) of this subsection.”.

3548 (6) Subsection (f) is amended to read as follows:

3549 “(f) An eligible individual may receive payment for intermittent leave; provided, that the
3550 duration of paid-leave benefits an individual receives in a 52-week period shall not exceed the
3551 total maximum duration of paid-leave benefits or the maximum duration of any type of paid-
3552 leave benefits available in the fiscal year during which the individual files a claim to receive
3553 paid-leave benefits, as provided in subsection (d)(2) and (3) and (e-1) of this section.”.

3554 (7) Subsection (g)(4) is amended to read as follows:

3555 “(4) Medical, family, parental, and pre-natal leave benefits for partial weeks of
3556 leave shall be prorated.”.

3557 (e) A new section 104a is added to read as follows:

3558 “Sec. 104a. Expansion of paid-leave benefits and employer contribution rate change.

3559 “(a) By March 1, 2022, and annually thereafter, the Chief Financial Officer (“CFO”) shall
3560 update estimates of the projected cost of the paid-leave program established by this act and any
3561 paid-leave benefit expansions set forth in subsection (c)(1) of this section that have not yet been
3562 implemented.

3563 “(b)(1) On or before March 1 of each year beginning with March 1, 2022, the CFO shall
3564 certify the:

3565 “(A) Fund balance of the Universal Paid Leave Fund;

3566 “(B) Projected annual revenues for the current fiscal year and future fiscal
3567 years, for the duration of the financial plan, to be deposited into the Universal Paid Leave Fund
3568 at the then-existing employer contribution rate;

3569 “(C) Projected annual expenditures from the Universal Paid Leave Fund at
3570 the then-existing maximum paid-leave benefit durations;

3571 “(D) Projected fiscal impact of the paid-leave benefit expansions and
3572 employer contribution rate change set forth in subsection (c) of this section, which shall include
3573 whether, and at what tier of expansion, the paid-leave benefit expansions and employer
3574 contribution rate would cause the projected fund balance of the Universal Paid Leave fund to fall
3575 below the equivalent of 9 months of paid-leave benefits at the expanded tier; and

3576 “(E) Projected employer contribution rate necessary to maintain the then-
3577 existing level of benefits and continued solvency of the Universal Paid Leave Fund.

3578 “(2) The Mayor shall incorporate the certification required pursuant to paragraph
3579 (1) of this subsection into the Mayor’s annual submission of the District’s multiyear budget and
3580 financial plan to the Council, which shall reflect any paid-leave benefit expansions or employer

3581 contribution rate change required pursuant to subsection (c) of this section, as certified pursuant
3582 to paragraph (1) of this subsection.

3583 “(3) A paid-leave benefit expansion or employer contribution rate change set forth
3584 in subsection (c) of this section shall apply as of July 1 of the year in which the paid-leave
3585 benefit expansion or employer contribution rate change will not cause the projected fund balance
3586 of the Universal Paid Leave Fund to fall below the equivalent of 9 months of benefits at the
3587 expanded tier, as certified pursuant to paragraph (1) of this subsection.

3588 “(c)(1) Paid-leave benefits shall be expanded in the following order:

3589 “(A) Extend the maximum duration of qualifying pre-natal leave by one or
3590 more workweeks, until the maximum duration of qualifying pre-natal leave equals 2 workweeks;

3591 “(B) Extend the maximum duration of qualifying medical leave by one or
3592 more workweeks, until the maximum duration of qualifying medical leave equals 6 workweeks;

3593 “(C) Extend the maximum duration of qualifying parental leave by one or
3594 more workweeks, until the maximum duration of qualifying parental leave equals 10 workweeks;

3595 “(D) Extend the maximum duration of qualifying medical leave by one or
3596 more workweeks, until the maximum duration of qualifying medical leave equals 8 workweeks;

3597 “(E) Extend the maximum duration of qualifying family leave by one or
3598 more workweeks, until the maximum duration of qualifying family leave equals 8 workweeks;

3599 “(F) Extend the maximum duration of qualifying parental leave by one or
3600 more workweeks, until the maximum duration of qualifying parental leave equals 12 workweeks;

3601 “(G) Extend the maximum duration of qualifying medical leave by one or
3602 more workweeks, until the maximum duration of qualifying medical leave equals 10 workweeks;

3603 “(H) Extend the maximum duration of qualifying family leave by one or
3604 more workweeks, until the maximum duration of qualifying family leave equals 10 workweeks;

3605 “(I) Extend the maximum duration of qualifying medical leave by one or
3606 more workweeks, until the maximum duration of qualifying medical leave equals 12 workweeks;

3607 “(J) Extend the maximum duration of qualifying family leave by one or
3608 more workweeks, until the maximum duration of qualifying family leave equals 12 workweeks;

3609 “(2) Beginning with July 1 of the first year in which all paid-leave benefit
3610 expansions set forth in paragraph (1) of this subsection have been implemented, and annually
3611 thereafter, if the projected employer contribution rate calculated by the CFO pursuant to
3612 subsection (b)(1)(E) of this section is below 0.62%, the employer contribution rate shall equal
3613 that projected employer contribution rate. If the projected employer contribution rate calculated
3614 pursuant to subsection (b)(1)(E) is greater than or equal to 0.62%, then the employer contribution
3615 rate shall be 0.62%.

3616 “(d)(1) At least 60 days before implementation of any paid-leave benefit expansion or
3617 employer contribution rate change pursuant to this section, the Mayor shall prescribe and provide
3618 to covered employers an update to the notice required under section 106(i). The Mayor may
3619 conduct a public-education campaign to inform individuals of expanded benefits. Costs of the
3620 notice and campaign authorized under this subsection shall be payable pursuant to section
3621 1153(c)(1) of the Universal Paid Leave Implementation Fund Act of 2016, effective December 3,
3622 2020 (D.C. Law 23-149; D.C. Official Code § 32–551.02(c)(1)), from the Universal Paid Leave
3623 Administration Fund.

3624 “(2) A public education campaign conducted pursuant to paragraph (1) of this
3625 subsection shall include:

3626 “(A) Updated programmatic notices sent electronically to all covered
3627 employers, which shall be distributed to their covered employees;

3628 “(B) At least 3 webinars, of which at least one shall be offered during
3629 evening hours or on the weekend, that are open to the public and that shall be promoted through
3630 multiple methods of communication at least 2 weeks before they occur; and

3631 “(C) Promotional mailers, including postcards, sent to all households with
3632 residents enrolled in the District's Medicaid or Health Care Alliance Program, and other
3633 households as determined by the Mayor.”.

3634 (f) Section 106(j)(1) (D.C. Official Code § 32-541.06(j)(1)) is amended by striking the
3635 final sentence.

3636 (g) Section 107 (D.C. Official Code § 32-541.07) is amended by adding a new subsection
3637 (j) to read as follows:

3638 “(j)(1) An insurer shall not offset or reduce benefits or income available to an eligible
3639 individual under a temporary or short-term disability insurance policy or contract provided by an
3640 insurer based on estimated or actual payment of benefits under this act.

3641 “(2) Paragraph (1) of this subsection shall not apply to the actions of a self-
3642 insured employer or to the actions of an insurer to the extent the insurer is acting on behalf of a
3643 self-insured employer as a third-party administrator for the self-insured employer.”.

3644 (h) Section 108(e) (D.C. Official Code § 32-541.08(e)) is amended by striking the period
3645 and inserting the phrase “; except, that complaints arising from a violation of section 107(j) shall

3646 be filed with the Department of Insurance, Securities, and Banking for resolution pursuant to
3647 Title I of the Insurance Trade and Economic Development Amendment Act of 2000, effective
3648 April 3, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.01 *et seq.*)” in its place.

3649 (i) Section 112(a) (D.C. Official Code § 32-541.12(a)) is amended to read as follows:

3650 “(a) Subject to the provisions in subsection (b) of this section, an eligible individual, the
3651 Attorney General for the District of Columbia, or the Mayor may bring a civil action against an
3652 employer to enforce the provisions of this act in a court of competent jurisdiction; except, that a
3653 civil action for a violation of section 107(j) may only be brought against an insurer and may not
3654 be brought against an employer or self-insured employer.”.

3655 Sec. 4063. The Universal Paid Leave Implementation Fund Act of 2016, effective
3656 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01 *et seq.*), is amended as
3657 follows:

3658 (a) Section 1152 (D.C. Official Code § 32-551.01) is amended as follows:

3659 (1) Subsection (l) is amended to read as follows:

3660 “(l) As of December 31, 2021, and as of the last day of each quarter thereafter, the Chief
3661 Financial Officer shall compare its estimated costs of each type of paid-leave benefit with the
3662 actual cost of such leave during the most recently completed calendar quarter. If, on the basis of
3663 such comparison, the estimated cost of any type of paid-leave benefit was 3 or more times
3664 greater than the actual cost of such leave, then the Chief Financial Officer shall promptly deliver
3665 a letter to the Council disclosing the extent to which costs were overestimated, whether funds are
3666 sufficient to implement all or any portion of the paid-leave benefit expansions and the employer

3667 contribution rate change in the order set forth in section 104a(c) of the Act, and the earliest point
3668 at which the benefits could be expanded or the employer contribution rate could be reduced.”.

3669 (2) A new subsection (n) is added to read as follows:

3670 “(n) The cost of the benefits authorized under the Act shall be payable solely from the
3671 Fund. Nothing contained in the Act or this act shall be construed to create an obligation on the
3672 part of the District to pay benefits from any source other than the Fund.”.

3673 (b) Section 1153 (D.C. Official Code Sec. § 32-551.02) is amended as follows:

3674 (1) Subsection (c)(1) is amended as follows:

3675 (A) Strike the phrase “section 105(j)” and insert the phrase “sections
3676 104a(d) and 105(j)” in its place.

3677 (B) Strike the phrase “and of those public education funds, at least
3678 \$500,000 shall be used to fund the Workplace Leave Navigators Program established pursuant to
3679 section 2093 of the Workplace Leave Navigators Program Establishment Amendment Act of
3680 2020, passed on 2nd reading on July 28, 2020 (Enrolled version of Bill 23-760)”.

3681 (2) Subsection (d) is amended as follows:

3682 (A) Designate the existing text as paragraph (1).

3683 (B) Add a new paragraph (2) to read as follows:

3684 “(2) In Fiscal Year 2022, notwithstanding any other provision of this section, up
3685 to 5 employees hired and employed with funds transferred pursuant to paragraph (1) of this
3686 subsection may perform work on matters other than enforcement pursuant to the Act; provided,
3687 that they prioritize enforcement.”.

3688 (3) Subsection (e) is amended as follows:

3689 (A) Designate the existing text as paragraph (1)

3690 (B) Add a new paragraph (2) to read as follows:

3691 “(2) In Fiscal Year 2022, notwithstanding any other provision of this section, the
3692 Office of Administrative Hearings may use funds transferred pursuant to paragraph (1) of this
3693 subsection for matters other than the hearing of appeals of claims determinations pursuant to the
3694 Act; provided, that it prioritizes the use of such funds for the hearing of appeals of claims
3695 determinations.”.

3696 Sec. 4064. The District of Columbia Family and Medical Leave Act of 1990, effective
3697 October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*), is amended as follows:

3698 (a) Section 2(1) (D.C. Official Code § 32-501(1)(A)) is amended to read as follows:

3699 “(1) (A) For leave provided under sections 3 or 4, an individual who has:

3700 “(i) Been employed by the same employer for at least 12
3701 consecutive or non-consecutive months, inclusive of holiday, sick, or personal leave granted by
3702 the employer as part of its regular benefits whether such leave was paid or unpaid, in the 7 years
3703 immediately preceding the date on which the period of family or medical leave is to commence;
3704 and

3705 “(ii) Worked at least 1,000 hours for the employer during
3706 the 12-month period referenced in sub-subparagraph (i) of this paragraph preceding the date on
3707 which the period of family or medical leave is to commence.”.

3708 “(B) For leave provided under section 3a, an individual employed bay an
3709 employer for at least 30 days prior to the request for leave.”.

3710 (b) Section 11(b) (D.C. Official Code § 32-510(b)) is amended by striking the period and
3711 inserting the phrase “, except that this limitations period shall toll while a claim is pending
3712 administrative review under section 10(b).” in its place.

3713 Sec. 4065. The Workplace Leave Navigators Program Establishment Amendment Act of
3714 2020, effective Dec. 3, 2020 (D.C. Law 23-149; D.C. Official Code § 32-561.01 *et seq.*), is
3715 repealed.

3716 Sec. 4066. Title I of the Fiscal Year 2017 Budget Support Act of 2016, effective October
3717 8, 2016 (D.C. Law 21-160; 63 DCR 10775), is amended by striking the subtitle heading
3718 “SUBTITLE P. UNIVERSAL PAID LEAVE IMPLEMENTATION FUND” and inserting the
3719 subtitle heading “SUBTITLE P. UNIVERSAL PAID LEAVE FUND” in its place.

3720 Sec. 4067. Title I of the Insurance Trade and Economic Development Amendment Act of
3721 2000, effective April 2, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.01 *et seq.*), is
3722 amended by adding a new section 120a to read as follows:

3723 “Sec. 120a. Prohibition on offsetting short-term disability benefits.

3724 “(a) No insurer may offset or reduce benefits or income available to an individual under a
3725 temporary or short-term disability insurance policy based on estimated or actual benefits the
3726 individual may or does receive under the Universal Paid Leave Amendment Act of 2016,
3727 effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*).

3728 “(b) Subsection (a) of this section shall not apply to the actions of a self-insured employer
3729 or to the actions of an insurer to the extent the insurer is acting on behalf of a self-insured
3730 employer as a third-party administrator for the self-insured employer.

3731 “(c) For the purposes of this section, the term “self-insured employer” shall have the
3732 same meaning as provided in section 101(19A) of the Universal Paid Leave Amendment Act of
3733 2016 effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*).”.

3734 **SUBTITLE H. STUDENT ACTIVITY FUND**

3735 Sec. 4071. Short title.

3736 This subtitle may be cited as the “Student Activity Fund Theatrical and Music
3737 Performance Expenditures Emergency Act of 2021”.

3738 Sec. 4072. Use of Student Activity Funds for theatrical and music performances.

3739 (a) Expenditures on school-administered theatrical and music performances, including
3740 stipends for non-District of Columbia Public Schools (“DCPS”) employees, but excluding
3741 stipends for DCPS employees, shall be an allowable expenditure from a DCPS school’s Student
3742 Activity Fund.

3743 (b) For the purposes of this act, the term “theatrical and music performances” means the
3744 planning, rehearsal, or presentation of a musical, staged play, choral production, orchestral or
3745 band concert, variety show, improvised or sketch comedy performance, or other live
3746 performance.

3747 **SUBTITLE I. UDC HEI QUALIFIED APPLICANTS**

3748 Sec. 4081. Short title.

3749 This subtitle may be cited as the “UDC HEI Qualified Applicants Expansion Emergency
3750 Amendment Act of 2021”.

3751 Sec. 4082. Section 402(b) of the “Pre-k Enhancement and Expansion Amendment Act of
3752 2008, effective July 18, 2008 (D.C. Law 17-202, D.C. Official Code § 38-274.02(b)), is amended
3753 to read as follows:

3754 “(b)(1) A qualified applicant shall be a high school graduate enrolled in a post-secondary
3755 institution receiving funding pursuant to Title IV of this act in an effort to pursue an associate
3756 degree in education or early childhood education or a bachelor of arts degree in education,
3757 human development, or early childhood education.

3758 “(2) A preference shall be given to individuals who:

3759 “(A) Are domiciled in the District;

3760 “(B)(i) Work in a bilingual childhood development facility in the District
3761 that is licensed by the Office of the State Superintendent of Education; and

3762 “(ii) Are required to obtain an associate degree or bachelor’s
3763 degree pursuant to sections 164 to 171 of Title 5-A of the District of Columbia Municipal
3764 Regulations (5-A DCMR §§ 164-171);

3765 “(C) Graduated from a District of Columbia Public Schools high school or
3766 District public charter high school; or

3767 “(D) Commit to be domiciled in the District within 180 days of accepting a
3768 scholarship.”.

3769 **SUBTITLE J. IT COMMUNITY TRAINING AND ADVISORY BOARD**
3770 **ESTABLISHMENT**

3771 Sec. 4091. Short title.

3772 This subtitle may be cited as the “IT Community Training and Advisory Board
3773 Establishment Emergency Act of 2021”.

3774 Sec. 4092. Definitions.

3775 For the purposes of this subtitle:

3776 (1) “Community training provider” means an entity in the District that has
3777 received an IT training grant awarded pursuant to section 4097.

3778 (2) “Dual-enrollment” means enrollment at both a WIC-approved community-
3779 based IT training program and UDC-CC or WDLL.

3780 (3) “IT” means information technology.

3781 (4) “IT Board” means the Information Technology Occupational Advisory Board.

3782 (5) “IT training” means occupational skills training that leads to an industry-
3783 recognized credential for IT jobs in any sector.

3784 (6) “Program” means the Information Technology Investment Program
3785 established pursuant to section 4093 of this subtitle.

3786 (7) “Program participant” means a District resident who is enrolled in Program
3787 training and receiving Program assistance authorized pursuant to section 4093.

3788 (8) “Program training” means any of the following, collectively or independently,
3789 as determined by context:

3790 (A) Credit-bearing courses at UDC-CC that may be applied toward a
3791 UDC-CC degree;

3792 (B) WDLL courses; or

3793 (C) IT training through a community training provider.

3794 (9) “Program training providers” means UDC-CC and WDLL, to the extent those
3795 entities are engaged in providing Program training, and community training providers.

3796 (10) “Public health emergency” means the Coronavirus (COVID-19) public
3797 health emergency declared pursuant to Mayor’s Order 2020-046, on March 11, 2020, and all
3798 subsequent extensions.

3799 (11) “Satisfactory academic progress” means maintaining an academic standing
3800 consistent with the requirements for Program completion, as determined by the Program training
3801 provider.

3802 (12) “UDC” means the University of the District of Columbia.

3803 (13) “UDC-CC” means the UDC Community College.

3804 (14) “UDC-CC degree” means the Associate of Science degree in Computer
3805 Science, Information Technology, or any of the technology academies offered through the UDC-
3806 CC.

3807 (15) “WDLL” means the UDC-CC Division of Workforce Development and
3808 Lifelong Learning.

3809 (16) “WDLL courses” means Information Technology and Office Administration
3810 Career Pathway courses offered through the WDLL.

3811 (17) “WIC” means the Workforce Investment Council, established pursuant to
3812 section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000
3813 (D.C. Law 13-150; D.C. Official Code § 32-1603).

3814 (18) “WIOA” means the Workforce Innovation and Opportunity Act, approved
3815 July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

3816 Sec. 4093. Establishment of the Information Technology Investment Program.

3817 (a) The WIC, in collaboration with UDC, the University of the District of Columbia
3818 Foundation, Inc., and community training providers, shall establish the Information Technology
3819 Investment Program to provide financial assistance to District residents who seek to obtain IT
3820 occupational credentials through Program training and to support District residents in obtaining
3821 IT jobs. The WIC shall be responsible for providing funding for the Program consistent with the
3822 memoranda of understanding required pursuant to section 4096 and the IT training grants
3823 authorized pursuant to section 4097.

3824 (b) The Program shall provide industry-informed, up-to-date IT training and certification
3825 at no cost to eligible District residents, who, under the Program, may receive the following
3826 financial assistance to pursue Program training:

3827 (1) Payment of tuition, to the extent charged;

3828 (2) Payment of academic costs, including the costs of books, supplies, and
3829 membership fees; and

3830 (3) A monthly stipend to be used toward living expenses and transportation for
3831 participants pursuing WDLL courses or IT training through community training providers.

3832 (c) Program training shall be offered at the UDC-CC campus and any WDLL satellite
3833 location and at community training provider sites located in the District, as approved by the
3834 WIC.

3835 (d) Program marketing and public education shall be provided by UDC-CC, WDLL, and
3836 community training providers to attract District residents to the Program and for the duration of
3837 the Program.

3838 Sec. 4094. Conditions of Program eligibility.

3839 (a) To be eligible for Program assistance to pursue a UDC-CC degree, an individual

3840 shall:

3841 (1) Meet the relevant enrollment requirements for a UDC-CC degree;

3842 (2) Be a resident of the District;

3843 (3) Have a stated interest in working in IT occupations;

3844 (4) Not have already completed an associate degree in IT or a bachelor's degree at

3845 an institution of higher education; and

3846 (5)(A) Have experienced unemployment or significant loss of income due to the

3847 public health emergency; or

3848 (B) Have multiple barriers to employment, as determined by the WIC.

3849

3850 (b) To be eligible for Program assistance to pursue WDLL courses, an individual shall:

3851 (1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4),

3852 and (5) of this section; and

3853 (2) Meet the enrollment requirements for WDLL courses.

3854 (c) To be eligible for Program assistance to pursue IT training through a community

3855 training provider, an individual shall:

3856 (1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4),

3857 and (5) of this section; and

3858 (2) Meet the enrollment requirements of the community training provider.

3859 (d) Program training providers shall select Program participants according to the terms of

3860 the applicable memorandum of understanding or grant agreement with the WIC.

3861 Sec. 4095. Program participation.

3862 (a) To maintain eligibility for Program assistance, an individual shall:

3863 (1) Maintain satisfactory academic progress;

3864 (2) Be a resident of the District throughout enrollment in Program training; and

3865 (3) Meet any other requirements determined by the WIC to be necessary or

3866 appropriate for Program participation.

3867 (b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor

3868 to remain a District resident for 6 months for each Program training course the participant

3869 completes.

3870 (2) The WIC shall establish requirements and procedures to administer this

3871 subsection.

3872 Sec. 4096. Memoranda of Understanding.

3873 (a)(1) No later than November 1, 2021, and by November 1 annually thereafter, the WIC

3874 shall execute Memoranda of Understanding (“MOUs”) with UDC and the University of the

3875 District of Columbia Foundation, Inc. (“Foundation”) for the purpose of implementing the

3876 Program through UDC-CC, including WDLL, and authorizing the intradistrict transfer of funds

3877 in accordance with the terms of this subsection.

3878 (2) The MOU with UDC shall, among other things, include funding from the WIC

3879 to support the following purposes in amounts to be determined by the parties:

3880 (A) Tuition, required fees, equipment, supplies, tools, and memberships

3881 for Program participants who are full-time or part-time students enrolled at UDC-CC to obtain a

3882 UDC-CC degree;

3883 (B) Required academic fees, equipment, supplies, tools, and membership
3884 fees for Program participants who are students enrolled in WDLL courses, and the salaries and
3885 fringe benefits of faculty and staff directly engaged in the provision of such courses;

3886 (C) Reasonable costs of facilities and equipment upgrades necessary to
3887 provide Program training offered through UDC-CC, including WDLL;

3888 (D) Marketing and recruitment activities to attract District
3889 residents to the Program; and

3890 (E) Development of dual enrollment guidance and policies for the
3891 expansion of dual-enrollment programs.

3892 (3) The MOU with UDC shall, among other things, include funding from the WIC
3893 to provide Program participants enrolled in WDLL courses monthly stipends to defray living
3894 expenses in amounts to be determined by the parties. UDC will disperse the stipends in a timely
3895 manner and apply criteria for providing stipends, which may include amounts for the following:

3896 (A) Fees associated with occupational licensing exams;

3897 (B) Reasonable transportation costs to and from classes; and

3898 (C) Any other expenses deemed appropriate by the WIC.

3899 Sec. 4097. Establishment of IT training grants.

3900 (a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000,
3901 effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than
3902 January 31, 2022, and by November 1 annually thereafter, the WIC shall issue IT training grants
3903 (“grants”) to eligible providers of IT training in the District.

3904 (b) Grant recipients shall use funds received pursuant to this section to support the
3905 salaries and fringe benefits of faculty and staff engaged in the provision of IT training and to
3906 provide Program participants the financial assistance outlined in section 4093(b).

3907 (c) Subject to availability of funds, the WIC shall award grants totaling not less than
3908 \$1,875,000 per year with the option of one additional year based on performance results from
3909 previous years.

3910 (d) To be eligible for a grant, an applicant shall:

3911 (1) Be licensed by the Higher Education Licensure Commission as a
3912 postsecondary institution, degree or non-degree seeking.

3913 (2) Demonstrate that its IT training participants consistently and successfully
3914 attain the following benchmarks:

3915 (A) Completion of IT training;

3916 (B) Attainment of an IT occupational credential;

3917 (C) Obtainment of unsubsidized employment in an IT occupation; and

3918 (D) Retention of employment in an IT occupation for 6 months or longer.

3919 (e) The WIC may give preference to grant applicants utilizing integrated education and
3920 training, as defined by 34 C.F.R. § 463.35.

3921 Sec. 4098. Program performance and reporting.

3922 (a) At the termination of each semester, UDC shall furnish to the WIC a statement of:

3923 (1) The disaggregated number of Program participants by course who, during that
3924 semester, participated in one or more Program training courses;

3925 (2) The total number of Program training course enrollments attributable to the
3926 Program participants identified pursuant to paragraph (1) of this section;

3927 (3) The disaggregated number of Program participants included in the response to
3928 paragraph (1) of this section who successfully completed each Program training course and, who
3929 dropped out or otherwise did not complete a Program training course in which the Program
3930 participant had enrolled;

3931 (4) The disaggregated number, by occupational credential, of Program
3932 participants who successfully secured an IT occupational credential; and

3933 (5) The total number of Program participants who successfully secured
3934 employment in an IT occupation and the average starting wage.

3935 (b) At the end of each fiscal year, the University shall furnish to the WIC a written
3936 accounting, for the previous year, of the monthly stipends dispersed, the number of Program
3937 participants who received monthly stipends, the average amount of stipend per Program
3938 participant, and the approved purposes for the monthly stipends.

3939 (c) At the middle and end of each grant award cycle, a community training provider shall
3940 furnish to the WIC a report on the number of Program participants achieving the targets
3941 identified by the IT Advisory Report outlined in section 4101(d).

3942 (d) The WIC shall:

3943 (1) Use common performance measures outlined in section 116 of WIOA (29
3944 U.S.C. § 3141), to track the performance of Program training providers; and

3945 (2) Report on the performance of the Program as required by section 102 of the
3946 Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018
3947 (D.C. Law 22-95; D.C. Official Code § 32-1622).

3948 (e) Beginning no later than September 30, 2022, and by September 30 annually
3949 thereafter, the WIC shall furnish to the Mayor and the Council of the District of Columbia copies
3950 of the IT Advisory Report issued pursuant to section 4101 and a report, which shall include;

3951 (1) Reporting on the attainment of the target performance outcomes established
3952 pursuant to section 4101(d);

3953 (2) A narrative analysis on the effectiveness of the Program at increasing the
3954 number of District residents in IT occupations; and

3955 (3) Recommendations on the expansion or extension of the Program beyond the
3956 terms of this subtitle, including any additional budgetary needs.

3957 Sec. 4099. Program funding.

3958 The WIC shall make best efforts to use federal WIOA Title I Adult and Dislocated
3959 Worker funds to supplement funds appropriated for the purposes of implementing this subtitle.

3960 Sec. 4100. Establishment of the Information Technology Occupational Advisory Board.

3961 (a) The WIC shall establish an Information Technology Occupational Advisory
3962 Board, which shall work to advise UDC-CC, WDLL, and community training providers
3963 on their IT training courses to ensure a high quality of training, to maximize the
3964 employability of graduates of IT training course offerings, and to meet the IT staffing
3965 needs of employers in the District.

3966 (b) After researching and analyzing existing IT occupational advisory boards in the
3967 District and the metropolitan region, the WIC shall determine the structure and membership of
3968 its IT Board. The WIC may use a third party to conduct the research and analysis and to make
3969 recommendations on the structure and membership of the IT Board.

3970 (c) No later than March 1, 2022, the WIC's Executive Director shall provide to the WIC a
3971 recommendation on an IT Board structure, membership composition, membership selection
3972 process, and board duties.

3973 (d) The WIC shall approve, deny, or amend the recommendation described in subsection
3974 (c) of this section by vote.

3975 (e) The first meeting of the WIC-approved IT Board shall occur no later than July 1,
3976 2022.

3977 Sec. 4101. IT Advisory Report.

3978 No later than September 30, 2022, the WIC shall submit to the Mayor, Council, UDC-
3979 CC, WDLL, and community training providers, an IT Advisory Report, which shall contain the
3980 following:

3981 (a) The number of District residents needed to meet hiring demands of District employers
3982 hiring for IT occupation jobs;

3983 (b) The occupational credentials less than a bachelor's degree needed for District
3984 residents to be eligible for employment in IT occupations;

3985 (c) The necessary hard and soft skills needed to succeed in IT occupations;

3986 (d) Target performance outcomes for Program training providers to achieve pertaining to
3987 recruitment, enrollment, course or degree completion, credential attainment, employment,
3988 average starting wage, and retention of employment at 6 months and one year; and

3989 (e) Recommendations for Program training providers on the following:

3990 (1) New or additional IT courses that Program training providers should offer;

3991 (2) Existing IT course offerings that Program training providers should expand;

3992 (3) IT course content adjustments that could be made to align courses with skills
3993 needed on the job in IT occupations;

3994 (4) Equipment and facilities upgrades necessary for relevant IT education and IT
3995 training to achieve the recommendations in paragraphs (1), (2), and (3) of this subsection; and

3996 (5) Any other information deemed appropriate by
3997 the IT Board.

3998 Sec. 4102. Sunset.

3999 This subtitle shall expire on September 30, 2024.

4000 **SUBTITLE K. NURSE EDUCATION ENHANCEMENT**

4001 Sec. 4111. Short title.

4002 This subtitle may be cited as the “DC Nurse Education Enhancement Program
4003 Emergency Amendment Act of 2021”.

4004 Sec. 4112. Definitions.

4005 For the purposes of this subtitle:

4006 (1) “BON” means the Board of Nursing established pursuant section 204 of the
4007 District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C.
4008 Law 6-99; D.C. Official Code § 3-1202.04).

4009 (2) “CNA” means a Certified Nursing Aide.

4010 (3) “Community training provider” means an entity that has been approved by the
4011 BON to provide training to individuals to attain certification as a CNA, HHA, or MA-C.

4012 (4) “Direct care worker” means an individual who is certified as a CNA, HHA, or
4013 MA-C.

4014 (5) “Direct care worker training grant” means a grant issued pursuant to section
4015 4117.

4016 (6) “Direct care worker training grantee” means a community training provider
4017 that has received a direct care worker training grant.

4018 (7) “Dual-enrollment” means enrollment in both a BON-approved training
4019 program and the University.

4020 (8) “Healthcare Workforce Partnership” means the entity established pursuant to
4021 section 2075 of the Healthcare Workforce Partnership Act of 2020, effective December 3, 2020
4022 (D.C. Law 23-149; D.C. Official Code § 32-1684).

4023 (9) “HHA” means Home Health Aide.

4024 (10) “LPN to AASN degree” means a Licensed Practical Nurse to Associate in
4025 Applied Science in Nursing degree.

4026 (11) “MA-C” means Medication Aide Certified.

4027 (12) “Nursing care occupation” means an occupation that requires a worker to be
4028 certified as a CNA, HHA, MA-C, LPN, or RN.

4029 (13) “Program” means the DC Nurse Education Enhancement Program
4030 established pursuant to this subtitle.

4031 (14) “Program participant” means a District resident who is enrolled in Program
4032 training and receiving Program assistance authorized pursuant to section 4113.

4033 (15) “Program training” means any of the following, collectively or
4034 independently, as determined by context:

4035 “(A) Credit-bearing courses at UDC that may be applied toward an RN to
4036 BSN degree;

4037 “(B) Credit-bearing courses at UDC-CC that may be applied toward an
4038 LPN to AASN degree;

4039 “(C) WDLL courses; or

4040 “(D) Training to obtain a certification as a CNA, HHA, or MA-C, or a
4041 CNA to HHA bridge program, through a community training provider.

4042 (16) “RN to BSN degree” means a Registered Nurse to Bachelor of Science in
4043 Nursing degree.

4044 (17) “Satisfactory academic progress” means maintaining an academic standing
4045 consistent with the requirements for program completion, as determined by the Program training
4046 provider.

4047 (18) “UDC” means the University of the District of Columbia.

4048 (19) “UDC-CC” means the University of the District of Columbia Community
4049 College.

4050 (20) “University” means, collectively, UDC, UDC-CC, and WDLL.

4051 (21) “WDLL” means the UDC-CC Division of Workforce Development and
4052 Lifelong Learning.

4053 (22) “WDLL courses” means courses offered through WDLL’s Healthcare Direct
4054 Career Pathway Nursing Assistant program.

4055 (23) “WIC” means the Workforce Investment Council, established pursuant to
4056 section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000
4057 (D.C. Law 13-150; D.C. Official Code § 32-1603).

4058 (24) “WIOA” means the Workforce Innovation and Opportunity Act, approved
4059 July 22, 2014 (128 Stat. 1425; 29 U.S.C § 3101 *et seq.*).

4060 Sec. 4113. Establishment of the Nurse Education Enhancement Program.

4061 (a) The WIC shall establish, in collaboration with the University, the University of the
4062 District of Columbia Foundation, Inc., and direct care worker training grantees, the DC Nurse
4063 Education Enhancement Program for the purpose of training District residents to obtain an
4064 occupational credential and employment in nursing care occupations. The WIC shall be
4065 responsible for providing funding for the Program consistent with the memoranda of
4066 understanding executed pursuant to section 4116 and the direct care worker training grants
4067 authorized pursuant to section 4117.

4068 (b) The Program shall provide industry-informed, BON-approved training that leads to
4069 certifications required for nursing care occupations at no cost to eligible District residents, who,
4070 under the Program, may receive the following financial assistance to pursue Program training:

4071 (1) Payment of tuition, to the extent charged;

4072 (2) Payment of academic costs, including books, supplies, and membership fees;

4073 and

4074 (3) A monthly stipend to be used toward living expenses and transportation for
4075 Program participants pursuing WDLL courses or certification as a CNA, HHA, MA-C, or a CNA
4076 to HHA bridge program, through a direct care worker training grantee.

4077 (c) Program training shall be offered at the University's campuses and satellite locations
4078 and at community training provider sites located in the District.

4079 (d) Program training shall be approved by the BON.

4080 (e) Program marketing and public education shall be provided by the University and
4081 community training providers to attract residents to the Program and for the duration of the
4082 Program.

4083 (f) The University shall review the recommendations and implement relevant sections of
4084 the Healthcare Occupations Report developed by the Healthcare Workforce Partnership pursuant
4085 to section 2075(e) of the Healthcare Workforce Partnership Act of 2020, effective December 3,
4086 2020 (D.C. Law 23-149; D.C. Official Code § 32-1684(e)), to maintain and enhance course
4087 offerings to meet the workforce needs of nursing care occupations in the District.

4088 Sec. 4114. Conditions of Program eligibility.

4089 (a) To be eligible for Program assistance while pursuing an RN to BSN degree through
4090 UDC, an individual shall:

4091 (1) Have met the enrollment requirements of UDC;

4092 (2) Be a resident of the District;

4093 (3) Have a stated interest in employment in a nursing care occupation;

4094 (4) Have not already completed a bachelor's degree at an institution of higher
4095 education;

4096 (5) Have previously obtained a credential as a CNA, HHA, or LPN; and

4097 (6) Have been employed in the District for a minimum of 2 years as a CNA,
4098 HHA, or LPN with a healthcare employer.

4099 (b) To be eligible for Program assistance while pursuing a LPN to AASN degree through
4100 UDC-CC, an individual shall:

4101 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

4102 (2) Meet the enrollment requirements of UDC-CC;

4103 (3) Have previously obtained a credential as a CNA, HHA, or MA-C; and

4104 (4) Have been employed in the District for a minimum of 2 years as a CNA,
4105 HHA, or MA-C with a healthcare employer.

4106 (c) To be eligible for Program assistance while pursuing certification as a CNA through
4107 WDLL, an individual shall:

4108 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

4109 and

4110 (2) Meet the enrollment requirements of WDLL;

4111 (d) To be eligible for Program assistance while pursuing a certification as a CNA, HHA,
4112 MA-C, or while pursuing a CNA to HHA bridge program, through a direct care worker training
4113 grantee, an individual shall:

4114 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

4115 and;

4116 (2) Meet the enrollment requirements of the community training provider.

4117 (e) The University and direct care worker training grantees shall select Program
4118 participants according to the terms of the applicable memorandum of understanding or grant
4119 agreement with the WIC.

4120 Sec. 4115. Program participation.

4121 (a) To maintain eligibility for Program assistance, an individual shall:

4122 (1) Maintain satisfactory academic progress, as determined by the University or
4123 the direct care worker training grantee;

4124 (2) Be a resident of the District throughout participation in Program training; and

4125 (3) Meet any other requirements determined by the WIC to be necessary or
4126 appropriate.

4127 (b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor
4128 to remain a District resident for 6 months for each Program training course the participant
4129 completes.

4130 (2) The WIC shall establish requirements and procedures to implement this
4131 subsection.

4132 Sec. 4116. Memoranda of Understanding.

4133 (a) No later than November 1, 2021, and by November 1 annually thereafter, the WIC
4134 shall execute Memoranda of Understanding ("MOUs") with the University and the University of
4135 the District of Columbia Foundation, Inc. ("Foundation") for the purpose of implementing the
4136 Program at the University and authorizing the intradistrict transfer of funds in accordance with
4137 the terms of this subsection.

4138 (b) The MOU with the University shall, among other things, include funding from the
4139 WIC to support the following purposes in amounts to be determined by the parties:

4140 (1) Tuition, required fees, equipment, supplies, tools, and memberships for
4141 Program participants who are full-time or part-time students at UDC and UDC-CC seeking to
4142 obtain an RN to BSN degree or an LPN to AASN degree; provided, that the BON has approved
4143 such degree paths by the date of execution of the MOU; provided further, that the parties may
4144 modify the MOU to incorporate funding for BON-approved degree paths following BON
4145 approval.

4146 (2) Required academic fees, equipment, supplies, tools, certification exam
4147 preparation fees, and memberships for Program participants who are students enrolled in WDLL
4148 courses, and the salaries and fringe benefits of faculty and staff directly engaged in the provision
4149 of such courses;

4150 (3) Reasonable costs of facilities and equipment upgrades necessary for
4151 providing Program training through UDC-CC, including WDLL;

4152 (4) Marketing and recruitment activities to attract District residents to the
4153 Program; and

4154 (5) Development of dual enrollment guidance and policy for the expansion of
4155 dual-enrollment programs.

4156 (c) The MOU with the Foundation shall, among other things, include funding from the
4157 WIC to provide Program participants enrolled in WDLL courses monthly stipends to defray
4158 living expenses in amounts to be determined by the parties, and may include amounts for the
4159 following:

4160 (1) Fees associated with occupational licensing exams;

4161 (2) Reasonable transportation costs to and from classes; and

4162 (3) Any other expenses deemed appropriate by the WIC.

4163 Sec. 4117. Establishment of direct care worker training grants.

4164 (a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000,
4165 effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than
4166 January 31, 2022, and by November 1 annually thereafter, the WIC shall issue direct care worker
4167 training grants (“grants”) to community training providers according to this section.

4168 (b) Grant recipients shall use funds received pursuant to this section to support the
4169 salaries and fringe benefits of faculty and staff engaged in training Program participants to
4170 become direct care workers and to provide Program participants the financial assistance outlined
4171 in section 4113(b).

4172 (c) Subject to availability of funds, the WIC shall award grants totaling not less than
4173 \$900,000 per year with the option of 2 additional years based on performance results from
4174 previous years.

4175 (d) To be eligible for a grant, an applicant shall:

- 4176 (1) Be located in the District;
- 4177 (2) Be a community training provider; and
- 4178 (3) Demonstrate that its training participants consistently and successfully attain
- 4179 the following benchmarks:
- 4180 (A) Completion of direct care worker training;
- 4181 (B) Direct care worker credential attainment;
- 4182 (C) Obtainment of unsubsidized employment as a direct care worker in the
- 4183 occupation of training; and
- 4184 (D) Retention of employment as a direct care worker in the occupation of
- 4185 training for 6 months or longer.
- 4186 (e) The WIC may give preference to grant applicants utilizing integrated education and
- 4187 training, as defined by 34 C.F.R. § 463.35.
- 4188 Section 4118. Program performance and reporting.
- 4189 (a) At the termination of each semester, the University shall furnish to the WIC a
- 4190 statement of:
- 4191 (1) The disaggregated number of Program participants by course who, during that
- 4192 semester, participated in each Program course;
- 4193 (2) The total number of Program training course enrollments attributable to the
- 4194 Program participants identified pursuant to paragraph (1) of this subsection;
- 4195 (3) The disaggregated number of Program participants included in the response to
- 4196 paragraph (1) of this subsection who successfully completed each Program training course and

4197 who dropped out or otherwise did not complete the Program training course in which the
4198 program participant had enrolled;

4199 (4) The disaggregated number, by occupational credential, of Program
4200 participants who successfully secured a nursing care occupation credential; and

4201 (5) The total number of Program participants who successfully secured
4202 employment in a nursing care occupation and average starting wage.

4203 (b) At the end of each fiscal year, the University shall furnish to the WIC a written
4204 accounting, for the previous year, of the monthly stipends dispersed, number of Program
4205 participants who received monthly stipends, average amount of stipend per Program participant,
4206 and the approved purposes for the monthly stipends.

4207 (c) At the middle and end of the grant award cycle, each direct care worker training
4208 grantee shall furnish to the WIC a report on Program participant outcomes pertaining to
4209 recruitment, enrollment, completion, credential attainment, employment average starting wage,
4210 and retention of employment at 6 months and one year.

4211 (d) The WIC shall:

4212 (1) Use common performance measures outlined in section 116 of WIOA (29
4213 U.S.C. § 3141), to track the performance of the Program training providers; and

4214 (2) Report on the performance of the Program as required by section 102 of the
4215 Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018
4216 (D.C. Law 22-95; D.C. Official Code § 32-1622).

4217 (3) No later than September 30, 2022 and by September 30 annually thereafter,
4218 furnish a report to the Mayor and the Council of the District of Columbia, which shall include:

4219 (A) The data received pursuant subsections (a), (b), and (c) of this section;

4220 (B) A narrative analysis on the effectiveness of the Program at increasing

4221 the number of District residents in nursing care occupations; and

4222 (C) Recommendations on the expansion or extension of the Program

4223 beyond the terms of this subtitle, including any additional budgetary needs.

4224 Sec. 4119. Program funding.

4225 The WIC shall make best efforts to use federal WIOA Title I Adult and Dislocated

4226 Worker funds to supplement funds appropriated for the purposes of implementing this subtitle.

4227 Sec. 4120. The Healthcare Workforce Partnership Act of 2020, effective December 3,

4228 2020 (D.C. Law 23-149; D.C. Official Code § 32-1681 *et seq.*), is amended as follows:

4229 (a) Section 2073(c) (D.C. Official Code § 32-1682(c)) is amended as follows:

4230 (1) Paragraph (2) is amended by striking the phrase “; and” and inserting a

4231 semicolon in its place.

4232 (2) A new paragraph (2A) is added to read as follows:

4233 “(2A) Submit to the Partnership for feedback the proposed statement of work for

4234 the direct care worker training grant outlined in section 4117 of the DC Nurse Education

4235 Enhancement Program Amendment Act of 2021, passed on 1st reading on July 20, 2021

4236 (Engrossed version of Bill 24-285); and”.

4237 (b) Section 2075(b)(3) (D.C. Official Code § 32-1684(b)(3)) is amended as follows:

4238 (1) Subparagraph (D) is amended by striking the phrase “; and” and inserting a

4239 semicolon in its place.

4240 (2) Subparagraph (E) is amended by striking the period and inserting the phrase “;
4241 and” in its place.

4242 (3) A new subparagraph (F) is added to read as follows:

4243 “(F) At least one representative from an employer of workers who are
4244 certified nursing aides, certified home health aides, or medication aide certified, including
4245 licensed home health agencies, assisted living residences, adult day health programs, nursing
4246 facilities, and long-term direct healthcare providers.”.

4247 Sec. 4121. The Nurses Training Corps Establishment Act of 1987, effective October 9,
4248 1987 (D.C. Law 7-32; D.C. Official Code § 38-1501 *et seq.*), is repealed.

4249 Sec. 4122. Sunset.

4250 Sections 4112 through 4120 shall expire on September 30, 2024.

4251 **SUBTITLE L. SCHOOL YEAR INTERNSHIP PROGRAM**

4252 Sec. 4131. Short title.

4253 This subtitle may be cited as the “School Year Internship Program Emergency Amendment
4254 Act of 2021”.

4255 Sec. 4132. Section 2a(a)(2A) of the Youth Employment Act of 1979, effective January 5,
4256 1980 (D.C. Law 3-46; D.C. Official Code § 32-242(a)(2A)), is amended as follows:

4257 (a) The lead-in language is amended by striking the word “pilot” and inserting the word
4258 “program” in its place.

4259 (b) Subparagraph (A) is amended to read as follows:

4260 “(A) A program called the School Year Internship Program (“Program”) for
4261 a minimum of 350 District high school students, each year, to provide work-based learning
4262 opportunities during the school year.”.

4263 (c) Subparagraph (C) is amended to read as follows:

4264 “(C) DOES shall notify students of their placement with an internship host
4265 by January 5, 2022, and September 15 of each subsequent year.”.

4266 (d) Subparagraph (D) is amended to read as follows:

4267 “(D) Interns shall remain matched with their internship host between the
4268 first week of October and the last day of May; provided, that for Fiscal Year 2022, internships may
4269 begin as late as the second week in January 2022.”.

4270 (e) Subparagraph (F)(ii) is amended by striking the phrase “December 1, 2020.” and
4271 inserting the phrase “December 1, 2021, and July 1 of each subsequent year.” in its place.

4272 **SUBTITLE M. JOBS FIRST DC PILOT PROGRAM ESTABLISHMENT**

4273 Sec. 4141. Short title.

4274 This subtitle may be cited as the “Jobs First DC Pilot Program Establishment Emergency
4275 Act of 2021”.

4276 Sec. 4142. Definitions.

4277 For the purposes of this subtitle:

4278 (1) “Digital literacy” means fluency in the use and security of interactive digital tools and
4279 searchable networks including the ability to use digital tools safely and effectively for learning,
4280 collaborating, and producing.

4281 (2) “DOES” means the District Department of Employment Services.

4282 (3) “Employment retention support” means activities delivered to participants after
4283 securing employment that are aimed at assisting participants in maintaining employment with the
4284 same employer.

4285 (4) “Grant” means the Program funds authorized to be issued pursuant to section 4144.

4286 (5) “Grantee” means an organization in receipt of a grant issued pursuant to section 4144.

4287 (6) “Participant” means an individual selected by a grantee, pursuant to section 4144, to
4288 participate in the Program.

4289 (7) “Program” means the Jobs First DC Pilot Program established pursuant to section
4290 4143.

4291 (8) “Supportive services” shall have the same meaning as provided in 20 CFR § 651.10

4292 (9) “WIOA” means the Workforce Innovation and Opportunity Act, approved July 22,
4293 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

4294 Sec. 4143. Establishment of the Jobs First DC Pilot Program.

4295 (a) There is established a Jobs First DC Pilot Program for the purpose of issuing grants to
4296 assist in the placement of at least 300 District residents in unsubsidized permanent employment
4297 and to fund 12 months of job retention support.

4298 (b) The Program shall provide participants the following assistance:

4299 (1) Assessment and evaluation of their job history, skills, education, housing, and
4300 mental health barriers;

4301 (2) Information and referral to support services, as defined by 20 CFR § 651.10;

4302 (3) Career services described in section 134(c)(2) of WIOA (29 U.S.C. §
4303 3174(c)(2));

- 4304 (4) Resume development;
- 4305 (5) Employment-readiness skills development;
- 4306 (6) Interview preparation;
- 4307 (7) Job search and application submission;
- 4308 (8) Job referrals as described in 20 CFR § 651.10, to unsubsidized permanent
- 4309 employment opportunities;
- 4310 (9) Job interview follow-up and feedback;
- 4311 (10) Employment orientation paperwork completion;
- 4312 (11) Professional networking coaching; and
- 4313 (12) 12 months of employment retention support.

4314 (c) The Program may provide participants the following assistance:

- 4315 (1) Digital literacy skills development;
- 4316 (2) Review of credit scores and creation of a plan to improve a participant's credit
- 4317 score; and
- 4318 (3) Review of criminal history records and creation of a plan to ameliorate the
- 4319 effects of or correct a participant's criminal record.

4320 Sec. 4144. Establishment of Jobs First DC grants.

4321 (a) Beginning no later than December 15, 2021, DOES shall award a minimum of 2

4322 grants, each not less than \$250,000 per year for a minimum of 2 years, subject to the availability

4323 of funds, to provide job placement and employment retention support for District residents.

4324 (b) To be eligible for a grant, an applicant shall:

- 4325 (1) Be located in the District;

4326 (2) Be a nonprofit organization with a 501(c)(3) status, as determined by the
4327 Internal Revenue Service;

4328 (3) Have demonstrated success providing the employment assistance described in
4329 section 4143(b) to individuals with the characteristics described in section 4145(d), as evidenced
4330 by a minimum of a 65% employment placement rate; and

4331 (4) Have demonstrated success providing employment support to individuals for
4332 up to 12 months, as evidenced by a minimum of a 70% employment retention rate.

4333 (c) DOES may give preference to applicants that have partnerships with:

4334 (1) Organizations that provide criminal and credit record review and recovery
4335 support; or

4336 (2) Financial institutions to establish individual development accounts (“IDAs”)
4337 for employed participants, in which the progressive employment retention bonuses outlined in
4338 subsection (d)(3) of this section and other savings may be deposited and matched to help
4339 participants build assets and achieve financial stability.

4340 (d) Grantees shall:

4341 (1) Select Program participants according to the criteria outlined in section 4145.

4342 (2) Provide participants the services outlined in section 4143(b); and

4343 (3) Provide progressive employment retention bonuses totaling up to \$500 for
4344 each participant who meets the following milestones:

4345 (A) At 180 days of employment, a participant shall receive \$250; and

4346 (B) At 365 days of employment, a participant shall receive \$250;

4347 (4) Receive a training outcomes bonus totaling up to \$500 for each participant
4348 who meets the following milestones:

4349 (A) For each participant that remains employed for 180 days, a grantee
4350 shall receive \$250; and

4351 (B) For each participant that remains employed for 365 days, a grantee
4352 shall receive \$250.

4353 (e) Grantees may establish and facilitate a participant alumni group for the purpose of
4354 providing participants access to education and training opportunities and to promote professional
4355 advancement.

4356 Sec. 4145. Participant conditions of eligibility.

4357 To be eligible to participate in the Program, an individual shall:

4358 (a) Be a resident of the District;

4359 (b) Be unemployed at the time of application to the Program;

4360 (c) Be able to engage in regular, full-time employment, as assessed by the
4361 grantee; and

4362 (d) Have one or more of the following barriers to employment:

4363 (1) Lack of consistent work history;

4364 (2) History of a criminal record;

4365 (3) History of substance abuse;

4366 (4) History of mental illness; or

4367 (5) Housing insecurity.

4368 Sec. 4146. Reporting.

4369 (a) Every 6 months, starting from receipt of a grant, a grantee shall furnish to DOES a
4370 report on the following outcomes from the previous 6 months:

4371 (1) The total number of participants placed in employment;

4372 (2) The average starting wage for participants;

4373 (3) The average number of days from official enrollment in the Program to
4374 employment start date;

4375 (4) The total number of participants achieving each progressive employment
4376 milestone outlined in section 4144(d)(3) and the average participant wage at each milestone;

4377 (5) The total sum of progressive employment retention bonuses issued to
4378 participants; and

4379 (6) The total sum of training outcomes bonuses issued to grantees.

4380 (b) Beginning no later than December 15, 2022, and by December 15 annually thereafter,
4381 DOES shall furnish a report to the Mayor and the Council containing the grantee performance
4382 outcomes reported pursuant to subsection (a) of this section.

4383 **SUBTITLE N. WORKPLACE RIGHTS GRANT PROGRAM**

4384 Sec. 4151. This subtitle may be cited as “Workplace Rights Grant Program Emergency
4385 Amendment Act of 2021”.

4386 Sec. 4152. Subtitle J of Title II of the Fiscal Year 2020 Budget Support Act of 2019,
4387 effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 32-171.01 *et seq.*), is
4388 amended to read as follows:

4389 **“SUBTITLE J. WORKPLACE RIGHTS GRANT PROGRAM**

4390 **“Sec. 2091. Short title.**

4391 “This subtitle may be cited as the “Workplace Rights Grant Program Act of 2021”.

4392 “Sec. 2092. Definitions.

4393 For the purposes of this subtitle, the term:

4394 “(1) “Activities” means conducting outreach to, providing worker education to, or
4395 providing legal services for eligible individuals related to employment laws.

4396 “(2) “Community-based organization” means a nonprofit organization, including
4397 a legal services provider, headquartered in the District of Columbia whose purpose OAG
4398 determines is aligned with one or more purposes of the Program.

4399 “(3) “Eligible individual” means an individual who works in the District.

4400 “(4) “Employment laws” means workplace leave laws and:

4401 “(A) The Minimum Wage Act Revision Act of 1992, effective March 25,
4402 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*);

4403 “(B) An Act To provide for the payment and collection of wages in the
4404 District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et*
4405 *seq.*);

4406 “(C) The District of Columbia Unemployment Compensation Act,
4407 approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*); and

4408 “(D) Federal laws that relate to or provide similar rights as the laws
4409 identified in subparagraphs (A) through (C) of this paragraph, including the Fair Labor Standards
4410 Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*), and the Family
4411 and Medical Leave Act of 1993, approved February 5, 1993 (107 Stat. 6; 29 U.S.C. § 2611 *et*
4412 *seq.*).

4413 “(5) “Grantee” means a community-based organization in receipt of a Program
4414 grant issued pursuant to section 2093.

4415 “(6) “Legal services” means the provision of legal advice, assistance, or
4416 representation regarding an individual's rights or responsibilities related to a particular matter or
4417 more general matters.

4418 “(7) “Legal services provider” means a nonprofit organization or clinical program
4419 headquartered in the District that provides legal services.

4420 “(8) “Low- or moderate-income eligible individual” means an individual who
4421 works in the District and who earns an hourly wage or salary equivalent to less than 3 times the
4422 District minimum wage or who has a household income that falls at or below 400% of the
4423 federal poverty guidelines issued by the United States Department of Health and Human
4424 Services.

4425 “(9) “OAG” means the Office of the Attorney General for the District of
4426 Columbia.

4427 “(10) “Program” means the Workplace Rights Grant Program established
4428 pursuant to section 2093.

4429 “(11) “Workplace leave laws” means laws that provide for eligible individuals to
4430 take leave from their employment and protect the right to do so, and include the:

4431 “(A) Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008
4432 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*);

4433 “(B) Universal Paid Leave Amendment Act of 2016, effective April 7,
4434 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*);

4435 “(C) District of Columbia Family and Medical Leave Act of 1990,
4436 effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*); and
4437 “(D) Protecting Pregnant Workers Fairness Act of 2014, effective March
4438 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*).
4439 “Sec. 2093. Establishment of Program and issuance of grants.
4440 “(a) There is established the Workplace Rights Grant Program for the purpose of
4441 authorizing OAG to provide grants to community-based organizations to conduct activities with
4442 eligible individuals related to employment laws and to inform the OAG’s work related to
4443 employment laws.
4444 “(b) OAG shall administer the Program by:
4445 “(1) Issuing Program grants to community-based organizations to provide:
4446 “(A) Outreach and worker education;
4447 “(B) Outreach and legal services; or
4448 “(C) A combination of outreach, worker education, and legal services.
4449 “(2) Awarding Program grants at least annually, which may include the
4450 continuation or renewal of multi-year grants, to at least 2 qualified community-based
4451 organizations;
4452 “(3) Adopting policies, procedures, guidelines, and requirements for the grants,
4453 including performance measures and target outcomes; and
4454 “(4) Issuing all grants pursuant to the requirements set forth in the Grant
4455 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code
4456 § 1-328.11 *et seq.*).

4457 “(c) OAG may:

4458 “(1) Require that at least 95% of the individuals served by a Program grant in a
4459 grant year be low- or moderate-income eligible individuals or reasonably believed to be low- or
4460 moderate-income eligible individuals; and

4461 “(2) Pay grants on a performance basis or a reimbursable basis.

4462 “(d) Program grants shall:

4463 “(1) Have a duration of at least one year and up to 3 years, subject to the
4464 availability of appropriations and contingent on satisfactory performance by a grantee during the
4465 grant’s first year or, if applicable, the grant’s second year; and

4466 “(2) Be for not less than \$100,000 per year per grant.

4467 Sec. 2094. Grantee eligibility requirements.

4468 “(a)(1) To be eligible for a grant authorized under this subtitle, a community-based
4469 organization shall:

4470 “(A) Demonstrate in its application that it is well qualified to engage in the
4471 types of activities which will be funded, in whole or in part, by the grant;

4472 “(B) Specify in its grant application the planned staff, schedule, format,
4473 and intended audience of the activities it plans to provide and provide a summary of the content
4474 of any worker education that will be carried out during the grant period;

4475 “(C) Have the capacity to provide free legal services if applying to be a
4476 legal services provider; and

4477 “(D) Include other information as required by OAG.

4478 “(2)(A) In addition to the criteria specified in paragraph (1) of this subsection, to
4479 be eligible for Program grant funds, a community-based organization that is not a legal services
4480 provider shall demonstrate that it possesses at least 3 years’ experience:

4481 “(i) Conducting outreach to and establishing working relationships
4482 with significant numbers of eligible individuals; and

4483 “(ii) Working on or assisting workers to secure rights under
4484 employment laws.

4485 “(B) A community-based organization that does not satisfy the criteria in
4486 subparagraph (A)(i) of this paragraph may receive a Program grant if it applies in partnership
4487 with a community-based organization that meets the requirements of both subparagraph (A)(i)
4488 and (ii) of this paragraph.

4489 “Sec. 2095. Grant uses.

4490 “(a) Grantees may conduct activities:

4491 “(1) Regarding a subset of employment laws; and

4492 “(2) With workers in a single occupational group; provided, that the grant

4493 application demonstrates that such occupational group experiences significant,

4494 disproportionately high, or persistent violations of employment laws or that the occupational

4495 group requires targeted assistance in order to access programs under employment laws.

4496 “(b) Grantees that provide worker education shall provide, to an eligible individual or

4497 group of eligible individuals, information on the rights and responsibilities of accessing benefits

4498 under employment laws, recognizing violations of and learning how to prevent or rectify

4499 violations of employment laws, or learning how to assist others to take steps to prevent or rectify
4500 violations of employment laws.

4501 “Sec. 2096. Transparency and reporting.

4502 “(a) OAG annually shall collect the following information from grantees:

4503 “(1) The number of eligible individuals served by gender, race, ethnicity, primary
4504 language, and age;

4505 “(2) The number of eligible individuals served by state of residence, and for
4506 District residents, by election ward;

4507 “(3) The occupational groups of eligible individuals served and the number of
4508 individuals served in each occupational group;

4509 “(4) A list of the activities provided, with a descriptive summary of each activity;

4510 “(5) The number of eligible individuals served in relation to each employment law
4511 or set of employment laws;

4512 “(6) Performance outcomes; and

4513 “(7) An evaluation of implementation challenges and recommendations for future
4514 improvements.

4515 “(b) OAG annually shall provide to the Council a report that includes:

4516 “(1) A list of grantees and the amount of grant funding provided to each;

4517 “(2) For each grantee, the information provided to OAG pursuant to subsection
4518 (a) of this section; and

4519 “(3) An overall evaluation of the Program, including implementation challenges
4520 and recommendations for future improvements.

4521 “(c) OAG may not require grantees to release to OAG any personally identifying
4522 information in connection with the preparation or provision of the reports described in this
4523 section.”.

4524 Sec. 4153. The Attorney General for the District of Columbia Clarification and Elected
4525 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code §
4526 1-301.81 *et seq.*), is amended as follows:

4527 (a) Section 106b(c)(1)(B) (D.C. Official Code § 1–301.86b(c)(1)(B)) is amended by
4528 striking the phrase “provided in section 108c(a)” and inserting the phrase “provided in sections
4529 108c(a) and 108d(a)” in its place.

4530 (b) A new section 108d is added to read as follows:

4531 “Sec. 108d. Authority to issue grants for workplace rights.

4532 “(a) The Attorney General may issue grants for the purposes authorized pursuant to the
4533 Workplace Rights Grant Program Amendment Act of 2021, passed on 1st reading on July 20,
4534 2021 (Engrossed version of Bill 24-285).

4535 “(b) Personnel and non-personnel costs related to administering any grants issued
4536 pursuant to the authority provided in subsection (a) of this section may be paid from funds
4537 deposited into the Litigation Support Fund established in section 106b.

4538 “(c) The Attorney General may issue rules to implement this section.”.

4539 **SUBTITLE O. UNEMPLOYMENT COMPENSATION IMPROVEMENTS**

4540 Sec. 4161. This subtitle may be cited as the “Unemployment Compensation
4541 Improvements Emergency Amendment Act of 2021”.

4542 Sec. 4162. The District of Columbia Unemployment Compensation Act, approved
4543 August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

4544 (a) Section 3(c)(2) (D.C. Official Code § 51-103(c)(2)) is amended by adding a new
4545 subparagraph (H) to read as follows:

4546 “(H)(i) The following benefits paid to an individual who became
4547 unemployed or partially unemployed as a result of the circumstances giving rise to the public
4548 health emergency shall not be charged to an employer’s experience rating:

4549 “(I) Benefits paid to an affected employee pursuant to
4550 section 101(a), (b), (d), (e), and (g) of the Coronavirus Support Temporary Amendment Act of
4551 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824) (“section 101”), or any preceding
4552 act of the Council of the District of Columbia authorizing payment of benefits on substantially
4553 similar terms as those described in section 101;

4554 “(II) Benefits paid to an affected employee after the
4555 expiration of section 101, because the employee continues to otherwise qualify for benefits; and

4556 “(III) Benefits paid under other local or federal law,
4557 including the federal Pandemic Emergency Unemployment Compensation program and extended
4558 benefits authorized under section 107(g).

4559 “(ii) For the purposes of this subparagraph, the term:

4560 (I) “Affected employee” shall have the same meaning as
4561 provided in section 101(d) of the Coronavirus Support Temporary Amendment Act of 2021,
4562 enacted June 24, 2021 (D.C. Act 24-9; 68 DCR 4824).

4563 (II) “Public health emergency” means the Coronavirus
4564 (COVID-19) public health emergency declared pursuant to Mayor’s Order 2020-046, on March
4565 11, 2020, and all subsequent extensions.”.

4566 (b) Section 10(a) (D.C. Official Code § 51-110(a)) is amended as follows:

4567 (1) Designate the existing text as paragraph (1).

4568 (2) A new paragraph (2) is added to read as follows:

4569 “(2) For the purposes of paragraph (1) of this subsection, the term “good cause”
4570 includes working in unsafe locations or under unsafe conditions where such unsafe working
4571 condition or location would cause a reasonable and prudent person in the labor market to leave
4572 the work, as determined by the Director based on the facts in each case.”

4573

4574 Sec. 4163. Requirement to produce educational videos for common questions about
4575 unemployment insurance.

4576 (a) In Fiscal Year 2022, the Mayor shall produce 2 informational videos consistent with
4577 the requirements of this subtitle related to the administration and payment of benefits under the
4578 District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat.
4579 946; D.C. Official Code § 51-101 *et seq.*) (“UI program”).

4580 (b) The first video shall explain the UI program’s rules regarding the requirement that
4581 claimants report weekly to the Department of Employment Services any earnings they receive
4582 during their benefit year, including earnings from employment and self-employment, (“benefit
4583 year earnings”), and shall specifically address:

4584 (1) What income is considered benefit year earnings for the purpose of the weekly
4585 unemployment claim;

4586 (2) When and how a claimant must report benefit year earnings;

4587 (3) Examples of how to report benefit year earnings for hourly workers and for
4588 tipped workers; and

4589 (4) Common errors claimants make when reporting benefit year earnings and how
4590 to avoid them.

4591 (c) The second video shall explain the UI program's requirement that the claimant has
4592 inquired about available work in accordance with sections 9 and 10 of the District of Columbia
4593 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code
4594 §§ 51-109, -110), and shall specifically address:

4595 (1) What the work search requirement is;

4596 (2) How a claimant can satisfy the work search requirement; and

4597 (3) Common errors claimants make when trying to comply with the work search
4598 requirement and how to avoid them.

4599 (d) Each video shall:

4600 (1) Explain its content in simple, clear, and concise language that has a high
4601 likelihood of comprehension by a general audience;

4602 (2) Provide audio in English, Spanish, Amharic, Chinese, French, and other
4603 languages commonly spoken in the District;

4604 (3) Provide closed captions in English; and

4605 (4) Be viewable online from both personal computers and mobile devices.

4606 (e) For as long as the content of each video is current and substantially accurate, as
4607 determined by the Mayor, the Mayor shall display each video or a link leading to a website
4608 where the video can be viewed:

- 4609 (1) On the UI program’s website;
- 4610 (2) On the Department of Employment Services’ website;
- 4611 (3) At American Job Centers;
- 4612 (4) Through social media posts; and
- 4613 (5) In emails to UI program claimants.

4614 (f)(1) The Mayor shall procure the informational videos required pursuant to this section
4615 through grant or contract.

4616 (2) The person selected to produce the videos shall prepare a script for each video
4617 prior to the video’s production and submit it to the Mayor for review. Within 30 days after
4618 receiving each script, the Mayor shall review and provide feedback on the script in order to:

4619 (A) Correct any misstatements related to federal or District law or
4620 procedures claimants must follow; and

4621 (B) Optimize the videos’ accessibility to claimants.

4622 Sec. 4164. Applicability.

4623 Section 4162 shall apply as of September 4, 2021.

4624 **SUBTITLE P. LEARNING LOSS FUNDS**

4625 Sec. 4171. Short title.

4626 This subtitle may be cited at the “Learning Loss Program Emergency Act of 2021”.

4627 Sec. 4172. (a) In Fiscal Years 2022, 2023, and 2024, the Office of the State
4628 Superintendent of Education (“OSSE”) shall use federal American Rescue Plan funds to
4629 establish a learning loss program to support evidence-based approaches to learning acceleration
4630 or high impact tutoring. OSSE shall allocate at least \$10,050,000 in Fiscal Year 2022,
4631 \$10,250,000 in Fiscal Year 2023, and \$7 million in Fiscal Year 2024 for the following purposes;
4632 provided, that at least 50% of the funds each year are used to award grants described in
4633 paragraph (1) of this section:

4634 (1) Award multi-year grants, on either a formula or competitive basis, to District
4635 of Columbia Public Schools (“DCPS”) schools, public charter schools, or community-based
4636 organizations to support evidence-based approaches to learning acceleration or high impact
4637 tutoring;

4638 (2) Distribute funds to District government agencies for the purposes of starting or
4639 expanding new programs that are aimed at accelerating learning or addressing learning loss;

4640 (3) Provide technical assistance, professional development, and other supports to
4641 DCPS schools, public charter schools, District government agencies, and community-based
4642 organizations to assist them in addressing learning loss by providing evidence-based approaches
4643 to learning acceleration or high-impact tutoring;

4644 (4) Conduct evaluations on the effectiveness of the learning loss program; and

4645 (5) Fund indirect and direct administrative costs associated with administering
4646 this subtitle; provided, that no more than 10% of funds each year shall be used for this purpose.

4647 (b)(1) OSSE shall require, at a minimum, that each school or organization seeking a grant
4648 pursuant to subsection (a)(1) of this section indicate, in the entity’s grant application, the specific

4649 evidence-based approaches that the school or organization intends to use to effectuate learning
4650 acceleration or high-impact tutoring.

4651 (2) As part of the grant conditions, OSSE shall require that each grantee that
4652 receives an award pursuant to subsection (a)(1) of this section:

4653 (A) Measure the impact of the evidence-based approach stated in the
4654 grantee's application on student educational development; and

4655 (B) Share the de-identified data or results regarding student educational
4656 development with OSSE on a cycle specified by OSSE; provided that, the grantee shall share
4657 annual de-identified data or results with OSSE at least 30 days prior to receiving funding for
4658 additional grant years.

4659 (c) By July 15, 2022, July 15, 2023, and July 15, 2024, OSSE shall submit to the
4660 Council, and make publicly available, a report detailing the following:

4661 (1) For awards issued pursuant to subsection (a)(1) of this section:

4662 (A) Award criteria used by OSSE to determine the grant recipients;

4663 (B) A list of the grantees and the amount of funding received by each
4664 grantee;

4665 and

4666 (C) The de-identified results on student progress submitted to OSSE by
4667 the grantees pursuant to subsection (c)(2) of this section;

4668 (2) For the activities described in subsection (a)(2) and (3) of this section:

4669 (A) A list of the District agency recipients and the amount of funding for
4670 each activity; and

4671 (B) A description of how the recipient used the funds to address student
4672 learning loss.

4673 (3) A description of any evaluation done pursuant to subsection (a)(4) of this
4674 section and the result of the evaluation; and

4675 (4) An accounting of the indirect and direct administrative costs allowable under
4676 subsection (a)(5) of this section.

4677 (e) For purposes of this section, the term:

4678 (1) “De-identified data or results” means data or results in which identifying
4679 information about a student is removed.

4680 (2) “Evidence-based approaches” means an activity, strategy, or intervention that:

4681 (A) Demonstrates a statistically significant effect on improving
4682 student outcomes or other relevant outcomes based on:

4683 (i) Strong evidence from at least one well-designed and well-
4684 implemented experimental study;

4685 (ii) Moderate evidence from at least one well-designed and well-
4686 implemented quasi-experimental study; or

4687 (iii) Promising evidence from at least one well-designed and well-
4688 implemented correlational study with statistical controls for selection bias; or

4689 (B)(i) Demonstrates a rationale, based on high-quality research findings or
4690 positive evaluation, that such activity, strategy, or intervention is likely to improve student
4691 outcomes or other relevant outcomes; and

4692 (ii) Includes ongoing efforts to examine the effects of such activity,
4693 strategy, or intervention.

4694 **SUBTITLE Q. OSSE SLDS DATA PLAN**

4695 Sec. 4181. This subtitle may be cited as the “OSSE Data Planning for the Future
4696 Emergency Amendment Act of 2021”.

4697 Sec. 4182. Section 7c of the State Education Office Establishment Act of 2000, effective
4698 September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 38-2609), is amended by adding a
4699 new subsection (f) to read as follows:

4700 “(f)(1) By March 14, 2022, the OSSE, in coordination with the Office of the Chief
4701 Technology Officer, shall develop and submit to the Council, a plan for:

4702 “(A) Creating a standardized course-coding system, such as the School
4703 Courses for the Exchange of Data (SCED) Classification System as provided in the National
4704 Forum on Education Statistics guidance, to identify, code, and track all courses offered by the
4705 District’s loLEAs. Such system shall include:

4706 “(i) Course codes and descriptions;

4707 “(ii) Course enrollment, including dual enrollment;

4708 “(iii) Final course grades; and

4709 “(iv) Credit hours;

4710 “(B) Developing and implementing an early warning system for use by the
4711 LEAs to identify individual students at risk of high school disengagement or dropping out of
4712 school, which shall use at least the following statewide data:

4713 “(i) Student test scores on prior English language arts and math
4714 statewide assessments;
4715 “(ii) Chronic absenteeism and truancy rates in the 8th grade;
4716 “(iii) Out-of-school suspension rates;
4717 “(iv) Mid-year school transfer rates; and
4718 “(v) Designation of students as special education, English language
4719 learner, or at-risk.

4720 “(C) Making improvements to the District’s EDW system that align with
4721 the National Forum of Education Statistics guidance for statewide data system capacities and the
4722 collection, maintenance of, and longitudinal linkage of standard statewide data system data
4723 elements.

4724 “(2)(A) The plan required pursuant to paragraph (1) of this subsection shall
4725 include a detailed cost analysis and implementation timeline for each component of the plan.

4726 “(B) A plan that proposes a pilot rather than full-scale implementation of
4727 all components required in paragraph (1) of this subsection shall not satisfy the requirements of
4728 subparagraph (A) of this paragraph.

4729 “(C) If OSSE proposes not to use the course coding system commonly
4730 used in Virginia and Maryland, then it needs to explain in particular detail why.”.

4731 Sec. 4183. The Early Warning and Support System Act of 2012, effective June 19, 2012
4732 (D.C. Law 19-142; D.C. Official Code § 38-751.01 *et seq.*), is repealed.

4733 **SUBTITLE R. TEACHER PREPARATION PIPELINE**

4734 Sec. 4191. Short title.

4735 This subtitle may be cited as the “Teacher Preparation Emergency Act of 2021”.

4736 Sec. 4192. Definitions.

4737 For the purposes of this subtitle:

4738 (1) “DCPS” means the District of Columbia Public Schools.

4739 (2) “District university grantees” means an accredited university or college, other
4740 than UDC, that operates in the District and has received a teacher preparation grant from OSSE.

4741 (3) “Dual enrollment student” means a student who is enrolled in:

4742 (A) A DCPS or public charter school high school; and

4743 (B) UDC or an accredited college or university, other than UDC, that
4744 operates in the District of Columbia.

4745 (3) “Local education agency” or “LEA” means the District of Columbia Public
4746 Schools system, any individual District public charter school, or any group of public charter
4747 schools operating under a single charter.

4748 (4) “OSSE” means the Office of the State Superintendent of Education.

4749 (5) “Paraprofessional” means an individual employed by an LEA to provide
4750 instructional, behavioral, or other support, under the supervision of a licensed or certified
4751 teacher, to students in or outside of the classroom. This term includes instructional aides or
4752 assistants, teacher aides, and paraeducators.

4753 (6) “Program” means the “Grow Your Own” Teacher Preparation Support
4754 Program established pursuant to this subtitle.

4755 (7) “Program participant” means a public high school dual enrollment student, a
4756 public high school graduate, or a paraprofessional employed by an LEA that is receiving

4757 financial assistance or professional support through the Program.

4758 (8) “Public high school” means a high school in the DCPS system or a District
4759 public charter high school.

4760 (9) “UDC” means the University of the District of Columbia.

4761 Sec. 4193. “Grow Your Own” Teacher Preparation Support Program establishment.

4762 (a)(1) OSSE shall establish, in collaboration with UDC, District university grantees, and
4763 the District’s LEAs, a dual pathway “Grow Your Own” Teacher Preparation Support Program
4764 for the purpose of educating, training, and providing financial support to public high school dual
4765 enrollment students, public high school graduates, and paraprofessionals to become licensed
4766 teachers at DCPS schools or certified teachers at District public charter schools.

4767 (b) Through UDC and District university grantees, the Program shall provide:

4768 (1) Education and training to District residents that will lead to:

4769 (A) The successful completion of coursework for a baccalaureate or a
4770 Master’s degree in education or teaching needed to become a teacher licensed by OSSE or a
4771 certified teacher at a District public charter school;

4772 (B) Passage of examinations required by OSSE or an LEA to become a
4773 teacher licensed by OSSE or a certified teacher at a District public charter school; and

4774 (C) Hiring by an LEA as a licensed or certified teacher.

4775 (2) Two pathways to teacher licensure or certification, which shall be:

4776 (A) The baccalaureate degree pathway, which shall be available to District
4777 residents who:

4778 (i) Enroll as or are public high school dual enrollment students that

4779 intend to continue to pursue a baccalaureate or Master’s degree in education or teaching to
4780 become a teacher licensed by OSSE or a certified teacher at a District public charter school; or

4781 (ii) Are public high school graduates who are pursuing a
4782 baccalaureate or Master’s degree in education or teaching to become a teacher licensed by OSSE
4783 or a certified teacher at a District public charter school; and

4784 (B) The paraprofessional pathway, which shall be available to District
4785 residents who are paraprofessionals currently employed by an LEA and who need to complete
4786 additional coursework or obtain a baccalaureate or Master’s degree in education or teaching to
4787 become a teacher licensed by OSSE or a certified teacher at a District public charter school; and

4788 (3) Financial assistance to Program participants for payment of:

4789 (A) Tuition and fees at UDC or a District university grantee, to the extent
4790 charged;

4791 (B) Academic costs, including books and supplies; and

4792 (C) Testing fees associated with examinations required by OSSE or an
4793 LEA to become a licensed or certified teacher.

4794 (c)(1) UDC shall select individuals to enroll or who are enrolled in UDC to participate in
4795 the Program, consistent with the eligibility criteria established pursuant to section 4196.

4796 (2) District university grantees shall select individuals to enroll or who are
4797 enrolled in their institutions to participate in the Program consistent with the eligibility criteria
4798 established pursuant to section 4196 and their grant agreements with OSSE.

4799 (3) OSSE and UDC shall coordinate to ensure that Program participants do not
4800 receive Program financial assistance from more than one post-secondary institution at the same

4801 time.

4802 Sec. 4194. The Program at UDC.

4803 (a) Beginning with School Year 2022-2023, UDC shall begin using at least \$200,000 of
4804 the subsidy it receives from the District government for the Program to pay for the tuition,
4805 required academic fees, bootcamp preparation or training academies, required examination fees,
4806 and book and supply costs for District residents it selects to participate in the Program. UDC
4807 shall select individuals to participate in both Program pathways, provide extensive mentorship to
4808 each Program participant, including continued mentorship during the first 2 years after a
4809 Program participant is hired by an LEA as a teacher, and assist Program participants in obtaining
4810 employment at an LEA if the Program participant meets all of the employment criteria set by the
4811 LEA.

4812 (b) UDC also may use the subsidy it receives from the District government to pay:

4813 (1) The salaries and fringe benefits of faculty, staff, and peer mentors directly
4814 engaged in the provision of courses necessary to obtain a baccalaureate or Master's degree in
4815 education or teaching at UDC;

4816 (2) For instructional materials used in courses necessary to obtain a baccalaureate
4817 or Master's degree in education or teaching at UDC; and

4818 (3) For marketing and recruitment activities to attract District residents to the
4819 Program at UDC.

4820 Sec. 4195. The Program at District university grantees.

4821 (a)(1) OSSE shall establish and administer a competitive grant program to provide "grow
4822 your own" teacher preparation support grants ("grants") to eligible universities or colleges

4823 located in the District for the purposes of educating, training, and providing financial support to
4824 District residents pursuing a pathway to teacher licensure or certification described in section
4825 4193(b)(2) at the university or college.

4826 (2) No later than April 30, 2022 and annually thereafter, subject to the availability
4827 of funds, OSSE shall award at least 2 grants totaling not less than \$550,000 per year for the
4828 purposes described in subsection (a) of this section. At least one grant shall be for the
4829 baccalaureate degree pathway described in section 4193(b)(2)(A), and at least one grant shall be
4830 for the paraprofessional degree pathway described in section 4193(b)(2)(B). OSSE may award a
4831 baccalaureate degree pathway grant and a paraprofessional pathway grant to the same university
4832 or college.

4833 (3) OSSE may award the grants on a multi-year basis; provided, that no grant
4834 shall be for longer than 5 years.

4835 (4) OSSE may consider the cost of attendance at a particular university or college
4836 in determining how much funding to award to each grantee.

4837 (b) To be eligible for a grant, an applicant shall:

4838 (1) Be an accredited university or college that has a physical campus in the
4839 District;

4840 (2) Offer a baccalaureate or Master's degree in education or teaching;

4841 (3) Have an education program that includes at least one year of residency or
4842 student teaching for all participants; and

4843 (4) Demonstrate that its students pursuing degrees in education or teaching
4844 consistently and successfully attain the following benchmarks:

- 4845 (A) Graduate within 5 years with a baccalaureate or Master's degree in
4846 education or teaching;
- 4847 (B) Pass the PRAXIS examination;
- 4848 (C) Obtain licensure by OSSE, if hired as a DCPS teacher;
- 4849 (D) Be hired by an LEA within one-year of graduating; and
- 4850 (E) Remain employed as a licensed or certified teacher at an LEA for at
4851 least 3 years.

4852 (c) Each District university grantee shall:

4853 (1) Use the grant to pay for Program participants' tuition, required academic fees,
4854 bootcamp preparation or training academies, required examination fees, and book and supply
4855 costs;

4856 (2) Commit to paying, on behalf of Program participants, 100% of any remaining
4857 tuition, required academic fees, required examination fees, and book and supply costs not
4858 covered by the grant;

4859 (3) Ensure the design and use of a teacher development plan for each Program
4860 participant, consistent with the requirements of subsection (d) of this section;

4861 (4) Provide extensive mentorship and academic support to Program participants
4862 enrolled in its institution, including continued mentorship during the first 2 years after a Program
4863 participant is hired by a LEA as a teacher;

4864 (5) Provide licensure examination support to all Program participants enrolled in
4865 its university or college;

4866 (6) Execute a memorandum of understanding (“MOU”) with an LEA or LEAs,
4867 consistent with the requirements of subsection (e) of this section, to facilitate participation in the
4868 Program and the hiring of Program participants;

4869 (7) Assist Program participants in obtaining employment at an LEA if the
4870 Program participant meets all of the employment criteria set by the LEA; and

4871 (8) Submit proof of each Program participant’s progress to OSSE on a cycle, and
4872 in a manner, prescribed by OSSE.

4873 (d)(1) The teacher development plan required pursuant to subsection (c)(3) of this section
4874 shall:

4875 (A) Specify how the Program participant will attain the credentials or
4876 degree necessary to meet OSSE teacher licensure requirements or the certification requirements
4877 set forth by a public charter school LEA if the Program participant anticipates teaching at a
4878 District public charter school; and

4879 (B) Identify one or more tools to be used to assess a Program participant’s
4880 performance once the Program participant is halfway through the participant’s teacher residency
4881 or student teaching.

4882 (2) If a Program participant is pursuing licensure or credentials through the
4883 paraprofessional pathway, the teacher development plan shall be developed by comparing the
4884 participant’s prior experience and coursework with the District’s teacher licensure requirements
4885 or LEA’s certification requirements.

4886 (e) The MOU between a District university grantee and LEA or LEAs required pursuant
4887 to subsection (c)(6) of this section shall:

4888 (1) Identify, indicate the commitment of, and describe the role of the District
4889 university grantee and the LEA, including specific duties of each partner, in supporting the goals
4890 of the Program; and

4891 (2) Specify the:

4892 (A) Responsibilities of each party in the recruitment, screening, selection,
4893 and oversight of Program participants;

4894 (B) Role of each party in field placement and student teaching and a
4895 description of the time frame during each pathway described in section 4193(b)(2) each begins;
4896 and

4897 (C) Role of each party in selecting, training, and supporting mentors for
4898 Program participants.

4899 (f)(1) Prior to April 30, 2022, and every 4 years thereafter, OSSE shall conduct an
4900 assessment to identify the areas of high need in the District's elementary and secondary teaching
4901 workforce, which shall include an assessment of the District's progress toward achieving
4902 diversity in its elementary and secondary public school teachers that matches the demographics
4903 of the District's corresponding student population.

4904 (2) In issuing the grants authorized pursuant to this section, OSSE may give a
4905 preference to applicants that offer a high-quality education or teaching degree program in one or
4906 more high-need categories identified pursuant to paragraph (1) of this subsection.

4907 Sec. 4196. Conditions of Program eligibility and participation.

4908 (a) To be eligible for Program participation through the baccalaureate degree pathway
4909 described in section 4193(b)(2)(A), an individual shall:

4910 (1) Meet the relevant enrollment requirements for UDC or the District university
4911 grantee in which the individual enrolls;

4912 (2) Be a resident of the District;

4913 (3)(A)(i) Become or be a dual enrollment student; or

4914 (ii) Be a graduate of a public high school; and

4915 (B) Be enrolled in UDC or a District university grantee with an intent to
4916 pursue a baccalaureate or Master's degree in education or teaching; and

4917 (4) In exchange for Program financial assistance and professional support,

4918 commit to teaching at an LEA for a minimum of 3 years after receiving a baccalaureate or

4919 Master's degree in education or teaching and earning the appropriate licensure or certification

4920 needed to teach at an LEA.

4921 (b) To be eligible for Program participation through the paraprofessional degree pathway
4922 described in section 4193(b)(2)(B), an individual shall:

4923 (1) Meet the relevant enrollment requirements for UDC or District university
4924 grantee in which the individual enrolls;

4925 (2) Be a resident of the District;

4926 (3) Be currently employed by an LEA as a paraprofessional;

4927 (4) Enroll in a UDC or District university grantee to complete coursework or with
4928 the intent to pursue a baccalaureate or Master's degree in education or teaching necessary to be a
4929 teacher licensed by OSSE or a certified teacher at a public charter school; and

4930 (5) In exchange for Program financial assistance and support, commit to teaching
4931 at an LEA for a minimum of 3 years after completing the necessary coursework or receiving a

4932 baccalaureate or Master’s degree in education or teaching and earning the appropriate licensure
4933 or certification needed to teach at an LEA.

4934 (c) To maintain eligibility for Program assistance, a Program participant shall:

4935 (1)(A) Maintain the requisite cumulative grade point average to maintain
4936 satisfactory academic progress, as determined by UDC or the District university grantee; and

4937 (B) If participating in the Program through the baccalaureate degree
4938 pathway described in section 4193(b)(2)(A), be consecutively enrolled as a full-time student in
4939 the Program at UDC or a District university grantee to pursue a baccalaureate or Master’s degree
4940 in education or teaching;

4941 (2) Remain a District resident throughout participation in the Program;

4942 (3) If pursuing teacher licensure or certification through the Paraprofessional
4943 pathway described in section 4193(b)(2)(B), remain employed by an LEA as a paraprofessional
4944 while participating in the Program; and

4945 (4) Meet any other requirement determined by UDC or OSSE to be necessary or
4946 appropriate for Program participation.

4947 **SUBTITLE S. ADULT, EARLY CHILDHOOD, AND RESIDENTIAL CHARTER**
4948 **SCHOOL STABILIZATION**

4949 Sec. 4201. Short title.

4950 This subtitle may be cited as the “Public Charter Schools Equity in Stabilization Funding
4951 Emergency Amendment Act of 2021”.

4952 Sec. 4202. The Uniform Per Student Funding Formula for Public Schools and Public
4953 Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C. Official Code §
4954 38-2901 *et seq.*) is amended by adding a new section 107c to read as follows:

4955 “Sec. 107c. Public charter school stabilization funding.

4956 “(a) Notwithstanding any other provision of law, in Fiscal Year 2022, of the funds
4957 allocated to the Non-Departmental Agency, up to \$10,208,530 shall be transferred to the Office
4958 of the State Superintendent of Education (“OSSE”) to award formula-based payments to each
4959 eligible charter school described in subsection (b) of this section.

4960 “(b) A public charter school shall be eligible to receive funds pursuant to this section if it
4961 operates:

4962 “(1) An adult public charter school, an early childhood education public charter
4963 school, or a residential public charter school; and

4964 “(2) The total annual payment the adult public charter, early childhood education
4965 public charter, or residential public charter school is projected to receive for School Year 2021-
4966 2022, based on the school’s unverified October 15, 2021 enrollment count, is less than 95% of
4967 the total annual payment the school actually received for School Year 2019-2020.

4968 “(c)(1)(A) No later than December 31, 2021, OSSE shall award each eligible school its
4969 stabilization funding amount.

4970 “(B) For purposes of calculating the stabilization funding amount owed to
4971 an adult public charter school that also operates an alternative program, all students counted as
4972 being enrolled in the alternative program shall be counted as being enrolled in the adult public
4973 charter school.

4974 “(2) Notwithstanding paragraph (1)(A) of this subsection, if the total amount of
4975 funds required to provide each eligible school its stabilization funding amount is more than
4976 \$10,208,530, OSSE shall pay to each eligible school a proportional share of available funds
4977 equal to the product of the school’s stabilization funding amount multiplied by the stabilization
4978 factor.

4979 “(d) Payments allocated pursuant to this section shall be supplemental to other funds a
4980 school may receive from the District and shall not supplant other funds to which a school or local
4981 education agency is entitled, including pursuant to this act or federal law.

4982 “(e) Any funds in excess of the funds required to satisfy the requirements of subsection
4983 (b) of this section shall be transferred , to the Office of Victim Services and Justice Grants for the
4984 Access to Justice program by December 31, 2021.

4985 “(f) For the purposes of this section, the term:

4986 “(1) “Adult public charter school” means a public charter school or a program in a
4987 public charter school that, during School Year 2021-2022, was identified as an adult education
4988 performance management framework school by the District of Columbia Public Charter School
4989 Board

4990 “(2) “Annual payment” means the sum of the quarterly payments described in
4991 section 107b, including all applicable weightings provided pursuant to sections 105, 106, and
4992 106a.

4993 “(3) “Early childhood education public charter school” means:

4994 “(A) A public charter school LEA whose prekindergarten 3 and
4995 prekindergarten 4 student enrollment comprised at least 33% of the public charter school LEA’s

4996 total enrollment during School Year 2019-2020 and whose LEA will serve only grades pre-
4997 kindergarten 3 up to third grade in School Year 2021-2022; provided, that if a public charter
4998 school LEA served more grades in School Year 2019-2020 than it serves in School Year 2021-
4999 2022, the percentage of the public charter school LEA’s prekindergarten 3 and prekindergarten 4
5000 student enrollment shall be calculated using only the grade bands that the public charter school
5001 serves in School Year 2021-2022; or

5002 “(B) A public charter school that is an adult public charter school that also
5003 serves grades prekindergarten 3 and grades prekindergarten 4.

5004 “(4) “Eligible school” means an adult public charter school, an early childhood
5005 education public charter school, or a residential public charter school that meets the criteria for
5006 funding described in subsection (b)(2) of this section.

5007 “(5) “LEA” means any individual District public charter school, or any group of
5008 public charter schools operating under a single charter.”

5009 “(6) “Residential public charter school” means:

5010 “(A) A public charter school that, during School Year 2021-2022,
5011 provides students with room and board in a residential setting, in addition to their instructional
5012 program; or

5013 “(B) A public charter school that operates a residential program that
5014 provides support services to its students, in addition to an instructional program, but is unable to
5015 provide its students with overnight room and board in a residential setting in order to comply
5016 with health guidance provided by the District’s Department of Health related to the COVID-19
5017 (SARS-CoV-2) pandemic.

5018 “(7) Stabilization funding amount” means the amount of money equal to 95% of
5019 an eligible school’s actual School Year 2019-2020 total annual payment, less the amount of the
5020 total annual payment the school is projected to receive for School Year 2021-2022 based on its
5021 unverified October 15, 2021 enrollment count.

5022 “(8) “Stabilization factor” means the quotient of \$10,208,530 divided by the sum
5023 of all eligible schools’ stabilization funding amounts.”.

5024 **SUBTITLE T. PAYMENTS FOR DELAYED UNEMPLOYMENT CLAIMS**

5025 Sec. 4211. Short title.

5026 This subtitle may be cited as the “Delayed Unemployment Compensation Payments
5027 Relief Emergency Amendment Act of 2021”.

5028 Sec. 4212. The District of Columbia Unemployment Compensation Act, approved
5029 August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-101), is amended by adding a section 7a
5030 to read as follows:

5031 “Sec. 7a. Delayed unemployment compensation payments.

5032 “(a)(1) No later than December 31, 2021, the Director shall issue a \$500 payment to each
5033 of the 10,000 claimants with the greatest number of days between the timeframes described in
5034 paragraph (2)(B)(i) and (ii) of this subsection.

5035 “(2) To be eligible for the payment authorized in paragraph (1) of this subsection:

5036 “(A) A claimant’s initial claim must have been approved by the Director
5037 for payment between March 16, 2020, and July 1, 2021;

5038 “(B)(i) For claimants receiving traditional unemployment compensation or
5039 extended benefits under this Act (section 107), or receiving Pandemic Emergency

5040 Unemployment Compensation (section 2104 of the Coronavirus Aid, Relief, and Economic
5041 Security Act, approved March 27, 2020 (134 Stat. 318; 15 U.S.C. § 9023)), there must be at least
5042 60 days between the time the claimant filed the claimant’s initial claim for benefits or claim for
5043 extension program and the issuance of the first payment to the claimant; and

5044 “(ii) For claimants receiving Pandemic Unemployment Assistance
5045 (section 2102 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,
5046 2020 (134 Stat. 313; 15 U.S.C. § 9021)), there must be at least 60 days between the time the
5047 claimant’s initial monetary determination was made and the time the monetary redetermination
5048 was made;

5049 “(C) A claimant must be a District resident based on the claimant’s
5050 address of record at the time the claimant was first deemed eligible for a first payment;

5051 “(D) A claimant must not have engaged in conduct with respect to an
5052 claim for unemployment benefits that the Director deems fraudulent; and

5053 “(E) The claimant must have provided all necessary documentation to
5054 support the claim, including weekly certifications and identity verification documents as
5055 requested by the Director and required by applicable law or regulation.

5056 “(3) The Director shall not require claimants to provide additional documentation
5057 or an application to receive the payment authorized in paragraph (1) of this subsection.

5058 “(4) If there are fewer than 10,000 claimants eligible to receive payments
5059 pursuant to paragraph (2) of this subsection, the Director may increase the size of the payments,
5060 subject to availability of funds.

5061 “(5) The Director may not withhold payments authorized pursuant to this section
5062 to compensate for overpayments the Director has made to a claimant.

5063 “(6) Should the District determine that a claimant received a payment authorized
5064 pursuant to paragraph (1) of this subsection to which the claimant was not entitled, because of
5065 fraud or ineligibility, the District may recoup the payment through any means available to it for
5066 the recovery of debts owed to the District. Any funds recovered through recoupment may be
5067 used for additional payments to claimants qualified under this subsection.

5068 “(b) For the purposes of this subsection, the term:

5069 “(1) “Benefits” means the money payments to an individual, as provided in this
5070 Act or federal law, with respect to his unemployment including any dependent’s allowance paid
5071 under the provisions of section 8; and

5072 “(2) “Claim” means either an application or claim.”.

5073 **SUBTITLE U. ELLINGTON SCHOOL PERSONNEL GRANT**

5074 Sec. 4221. Short title.

5075 This subtitle may be cited as the “Duke Ellington School of the Arts Project Grant
5076 Emergency Act of 2021”.

5077 Sec. 4222. Notwithstanding the Grant Administration Act of 2013, effective December
5078 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2022, the
5079 Office of the State Superintendent of Education shall provide a \$1,500,000 grant to Duke
5080 Ellington School of the Arts Project to support personnel costs at the Duke Ellington School of
5081 the Arts.

5082 **SUBTITLE V. DISTRICT OF COLUMBIA PUBLIC SCHOOLS INSIGHT**

5083 **SURVEY DATA**

5084 Sec. 4231. Short title.

5085 This subtitle may be cited as the “District of Columbia Public Schools INSIGHT Survey
5086 Data Emergency Act of 2021.”

5087 Sec. 4232. District of Columbia Public Schools INSIGHT survey data.

5088 (a) No later than the start of Fiscal Year 2022, the District of Columbia Public Schools
5089 (DCPS) shall release publicly the full analysis conducted by American University’s School of
5090 Education for DCPS of IMPACT, the DCPS evaluation and feedback system for school-based
5091 personnel, and the raw, aggregated quantitative data related to the INSIGHT surveys of DC
5092 educators’ perceptions of the IMPACT evaluation system.

5093 (b) DCPS shall redact any personally identifiable information from the analysis and data
5094 released pursuant to subsection (a) of this section.

5095 Sec. 4233. Applicability.

5096 This subtitle shall apply as of the effective date of the Fiscal Year 2022 Budget Support
5097 Emergency Act of 2021.

5098 **SUBTITLE W. HEALTHY SCHOOLS ACT**

5099 Sec. 4241. Short title.

5100 This subtitle may be cited as the “Healthy Schools Emergency Amendment Act of
5101 2021”.

5102 Sec. 4242. The Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209;
5103 D.C. Official Code § 38-821.01 *et seq.*), is amended as follows:

5104 (a) Section 102(f) (D.C. Official Code § 38-821.02(f)) is amended by striking the
5105 phrase “Beginning on October 1, 2020, an amount of \$5,590,000” and inserting
5106 the phrase “Beginning on October 1, 2021, an amount of \$5,690,000” in its place.

5107 (b) Section 501a (D.C. Official Code § 38-825.01a), is amended as follows:

5108 (1) Subsection (b) is amended as follows:

5109 (A) Paragraph (4) is amended to read as follows:

5110 "(4) After a public charter school provides proof of compliance to the PCSB,
5111 pursuant to paragraph (3)(B) of this subsection, the PCSB shall provide proof of compliance to
5112 DGS, in a manner to be prescribed by DGS.”.

5113 (B) Paragraph (6)(B)(i) is amended by striking the phrase "pursuant to
5114 paragraph (4) of this subsection" and inserting the phrase "to cover the cost of complying with
5115 paragraph (2) of this subsection" in its place.

5116 (2) Subsection (d) is amended by striking the phrase “, including rules by which
5117 the Department of General Services shall reimburse public charter schools for the reasonable
5118 costs incurred in complying with subsection (b)(2) of this section.” and inserting a period in its
5119 place.

5120 **SUBTITLE X. DUKE ELLINGTON SCHOOL OF THE ARTS FUNDING AND**
5121 **ORGANIZATION MODEL**

5122 Sec. 4251. Short title.

5123 This subtitle may be cited as the “Duke Ellington School of the Arts New Funding and
5124 Organization Model Emergency Act of 2021”.

5125 Sec. 4252. Definitions.

5126 For the purposes of this subtitle:

5127 (1) “DCPS” means the District of Columbia Public Schools.

5128 (2) “DESAP” means the Duke Ellington School of the Arts Project, the public and
5129 private partnership that supports the Duke Ellington School of the Arts, which includes DCPS,
5130 the Ellington Fund, the John F. Kennedy Center for the Performing Arts, and George
5131 Washington University.

5132 (3) “Ellington Fund” means the 501(c)(3) organization established in 1979 to
5133 serve as the charitable arm of the Duke Ellington School of the Arts.

5134 Sec. 4253. Proposed new funding and organization model for the Duke Ellington School
5135 of the Arts.

5136 (a) Starting no later than October 1, 2021, DCPS shall discuss with other DESAP partners
5137 and the DESAP Board of Directors a proposed new funding and organization model for the Duke
5138 Ellington School of the Arts (“DESA”).

5139 (b) The proposed new funding and organizational model shall address and resolve the
5140 following matters:

5141 (1) The conversion of DESAP faculty and staff to DCPS employee status with
5142 levels of pay for all former DESAP faculty and staff comparable to those of DCPS employees;

5143 (2) The absorption of all DESA’s human resources, staff payroll, and student
5144 support functions into the budget of DCPS;

5145 (3) The protection of, and due regard for, the dual-curriculum nature of DESA,
5146 including its arts faculty and staff;

5147 (4) The continuation of DESA’s pre-professional arts program at the same or
5148 higher level of quality as the current pre-professional arts program; and

5149 (5) The continued role of the current DESAP Board of Directors in providing
5150 guidance and support for the DESA arts program, including partnerships with third-party
5151 organizations and the Ellington Fund.

5152 (c) DCPS shall present to the Council the proposed new funding and organizational
5153 model no later than December 31, 2021.

5154 **TITLE V. HUMAN SUPPORT SERVICES**

5155 **SUBTITLE A. MEDICAID HOSPITAL OUTPATIENT PAYMENT**

5156 Sec. 5001. Short title.

5157 This subtitle may be cited as the “Medicaid Hospital Outpatient Payment Emergency
5158 Amendment Act of 2021”.

5159 Sec. 5002. Section 5066 of the Medicaid Hospital Outpatient Supplemental Payment Act
5160 of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.05), is
5161 amended by adding a new subsection (b-1) to read as follows:

5162 “(b-1) For visits and services beginning October 1, 2021, the District shall make fee-for-
5163 service outpatient rate payments to hospitals at a rate that is an aggregate of 100% of Medicaid
5164 allowable costs for the fiscal year in which payments are being made.”.

5165 **SUBTITLE B. MEDICAL ASSISTANCE AND IMMIGRANT CHILDREN’S**
5166 **PROGRAM**

5167 Sec. 5011. Short title.

5168 This subtitle may be cited as the “Medical Assistance and Immigrant Children’s Program
5169 Emergency Amendment Act of 2021”.

5170 Sec. 5012. Section 2202 of the Medical Assistance Expansion Program Act of 1999,
5171 effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 1-307.03), is amended as
5172 follows:

5173 (a) Subsection (a) is amended as follows:

5174 (1) The lead-in language is amended by striking the phrase “family income” and
5175 inserting the phrase “household income” in its place.

5176 (2) The lead-in language of paragraph (5) is amended by striking the phrase
5177 “family income” and inserting the phrase “household income” in its place.

5178 (b) Subsection (b) is amended as follows:

5179 (1) The lead-in language is amended to read as follows:

5180 “(b) The Mayor shall establish a program to provide medical assistance to undocumented
5181 children not eligible for coverage under Medicaid who reside in the District and have an annual
5182 household income up to 319% of the federal poverty level for children age 18 or younger, and up
5183 to 216% of the federal poverty level for children ages 19 and 20. In determining a household
5184 income under this subsection, the Mayor may implement an income disregard amount, based on
5185 family size, of up to 5% of the federal poverty level or such higher percentage as may be
5186 authorized by the federal government as an income disregard for the determination of eligibility
5187 for Medicaid.”.

5188 (2) Paragraph (2) is amended to read as follows:

5189 “(2) Upon the Mayor’s determination of a resident’s eligibility for the program,
5190 the Mayor shall enroll the resident in the program and assign the enrollee to a health maintenance
5191 organization with a current contract with the District to provide health care services for program
5192 enrollees.”.

5193 (3) Paragraph (3) is amended to read as follows:

5194 “(3) For a period of time of at least 30 days after the Mayor’s assignment of an
5195 enrollee under paragraph (2) of this subsection, the enrollee may choose to enroll in a different
5196 health maintenance organization with a current contract with the District to provide health care
5197 services for program enrollees.”.

5198 (c) Subsection (c) is amended to read as follows:

5199 “(c) Beginning on October 1, 2021, the Mayor may modify the standards for eligibility to
5200 enroll in a program established by subsections (a) and (b) of this section, to increase the number
5201 of District residents who would be eligible to enroll in the program, to the extent such expansion
5202 is consistent with the District’s budget and financial plan.”.

5203 **SUBTITLE C. MEDICAID RESERVE FUND**

5204 Sec. 5021. Short title.

5205 This subtitle may be cited as the “Medicaid Reserve Fund Emergency Amendment Act of
5206 2021”.

5207 Sec. 5022. The Department of Health Care Finance Establishment Act of 2007, effective
5208 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended as
5209 follows:

5210 (a) Section 8b (D.C. Official Code § 7-771.07b) is repealed.

5211 (b) Section 11a (D.C. Official Code § 7-771.10a) is repealed.

5212 **SUBTITLE D. UNJUST CONVICTIONS HEALTH CARE**

5213 Sec. 5031. Short title.

5214 This subtitle may be cited as the “Unjust Convictions Emergency Amendment Act of
5215 2021”.

5216 Sec. 5032. Section 4b(a)(3)(A) of the District of Columbia Unjust Imprisonment Act of
5217 1980, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 2-423.02(a)(3)(A)),
5218 is amended to read as follows:

5219 “(A) Physical and behavioral health care for the duration of the
5220 petitioner’s life through participation in the D.C. Healthcare Alliance or any successor
5221 comprehensive community-centered health care and medical services system established
5222 pursuant to section 7 of the Health Care Privatization Amendment Act of 2001, effective July 12,
5223 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405), or through another locally funded
5224 comprehensive health care and medical services program offered by the District;”.

5225 **SUBTITLE E. MATERNAL HEALTH RESOURCES AND ACCESS**

5226 Sec. 5041. Short title.

5227 This subtitle may be cited as the “Maternal Health Resources and Access Emergency
5228 Amendment Act of 2021”.

5229 Sec. 5042. The District of Columbia Health Occupations Revision Act of 1985, effective
5230 March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*) is amended as follows:

5231 (a) The Table of Contents is amended by adding a new section 672 to read as follows:

5232 “Sec. 672. Reimbursement for doula services.”.

5233 (b) Section 101 (D.C. Official Code § 3-1201.01) is amended as follows:

5234 (1) Existing paragraph (6C) is redesignated as (6D).

5235 (2) A new paragraph (6C) is added to read as follows:

5236 “(6C) “Doula” means an individual certified by the Board of Medicine to provide
5237 culturally competent and continuous physical, emotional, and informational support to a birthing
5238 parent during pregnancy, labor, birth, and postpartum, including:

5239 “(A) Providing support to pregnant individuals and their families,
5240 including surrogates and adoptive parents;

5241 “(B) Conducting prenatal and postpartum visits;

5242 “(C) Accompanying pregnant individuals to health care and social service
5243 appointments;

5244 “(D) Connecting individuals to medical, community-based, or government
5245 funded resources, including those addressing social determinants of health; and

5246 “(E) Providing support to individuals following either the loss of
5247 pregnancy or birth of a child for up to one year.”.

5248 (3) A new paragraph (11A) is added to read as follows:

5249 “(11A) “Postpartum” means the time after delivery when maternal physiological
5250 changes related to pregnancy return to the nonpregnant state, which may last for as long as 12
5251 months after delivery.”.

5252 (c) Section 203(a) (D.C. Official Code § 3-1202.03(a)) is amended as follows:

5253 (1) Paragraph (2) is amended by striking the phrase “the practice of medicine,”
5254 and inserting the phrase “the practice of medicine, the practice of doulas,” in its place.

5255 (2) Paragraph (8) is amended as follows:

5256 (A) Subparagraph (G) is amended by striking the phrase “; and” and
5257 inserting a semicolon in its place.

5258 (B) Subparagraph (H) is amended by striking the period and inserting the
5259 phrase “; and” in its place.

5260 (C) A new subparagraph (I) is added to read as follows:

5261 “(I) The practice of doulas.”.

5262 (d) Section 501(a)(3) (D.C. Official Code § 3-1205.01(a)(3)) is amended by striking the
5263 phrase “advanced practice registered nursing,” and inserting the phrase “advanced practice
5264 registered nursing, doula,” in its place.

5265 (e) A new section 672 is added to read as follows:

5266 “Sec. 672. Reimbursement for doula services.

5267 “(a) By October 1, 2022, health insurance coverage through Medicaid or the DC
5268 HealthCare Alliance and the Immigrant Children’s Program shall cover and reimburse eligible
5269 services provided by doulas; except, that no Medicaid payment shall be made until such time that
5270 the Centers for Medicare and Medicaid Services approves the Medicaid state plan amendment
5271 described in subsection (b) of this section.

5272 “(b)(1) By September 30, 2022, the Department of Health Care Finance (“DHCF”) shall
5273 submit for approval from the Centers for Medicare and Medicaid Services an amendment to the
5274 Medicaid state plan to authorize the Medicaid payments described in this section.

5275 “(2) While preparing the Medicaid state plan amendment application, DHCF
5276 shall:

5277 “(A) In consultation with organizations providing doula services and other
5278 relevant entities, establish processes for billing and reimbursement of doula services, including:

5279 “(i) Setting competitive reimbursement rates;

5280 “(ii) Setting a reasonable number of doula visits to be reimbursed
5281 during the course of the pregnancy and postpartum period;

5282 “(iii) Developing program support and training for doula service
5283 providers to facilitate billing; and

5284 “(iv) Assessing the viability of incentive payments to doulas whose
5285 clients attend postpartum appointments with a medical provider.

5286 “(B) In consultation with the Department of Health and other relevant
5287 entities, issue rules to determine eligibility for reimbursement by Medicaid, the DC HealthCare
5288 Alliance, and the Immigrant Children’s Program.”.

5289 Sec. 5045. DC HealthCare Alliance coverage of transportation costs for maternal health
5290 appointments.

5291 (a) By October 1, 2021, health insurance coverage through the DC HealthCare Alliance
5292 shall include transportation costs for travel to and from non-emergency prenatal and postpartum
5293 health care appointments.

5294 (b) For purposes of this section, the term “transportation costs” means expenses incurred
5295 for non-emergency medical transportation, including public transportation or a public or private
5296 vehicle-for-hire service regulated by the Department of For-Hire Vehicles, but not including the
5297 cost of travel by private vehicle or parking fees.

5298 Sec. 5044. Applicability.

5299 Section 5042(d) shall apply as of October 1, 2022.

5300 **SUBTITLE F. HOWARD UNIVERSITY HOSPITAL CENTERS OF**
5301 **EXCELLENCE**

5302 Sec. 5051. Short title.

5303 This subtitle may be cited as the “Howard University Hospital Centers of Excellence
5304 Fund Emergency Amendment Act of 2021”.

5305 Sec. 5052. Section 47-4673 of the District of Columbia Official Code is amended by
5306 adding a new subsection (j) to read as follows:

5307 “(j)(1) There is established as a special fund the Howard University Hospital Centers of
5308 Excellence Fund (“Fund”), which shall be administered by the Department of Health in
5309 accordance with paragraph (3) of this subsection.

5310 “(2) The following funds shall be deposited into the Fund:

5311 “(A) Funds appropriated in Fiscal Year 2022 or later for the purpose of
5312 providing operational and start-up support to the centers of excellence described in subsection (f)
5313 of this section; and

5314 “(B) Funds appropriated in Fiscal Year 2021 for the purposes of providing
5315 operational and start-up support to the centers of excellence described in subsection (f) of this
5316 section that remain unspent at the end of Fiscal Year 2021.

5317 “(3) Money in the Fund shall be used to provide operational and start-up support
5318 to the centers of excellence described in subsection (f) of this section. Such support may be
5319 provided through non-competitive grants or other means.

5320 “(4)(A) The money deposited into the Fund, but not expended in a fiscal year
5321 shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at
5322 the end of a fiscal year, or at any other time.

5323 “(B) Subject to authorization in an approved budget and financial plan,
5324 money in the Fund shall be continually available without regard to fiscal year limitation.”.

5325 Sec. 5053. Applicability.

5326 This subtitle shall apply as of September 30, 2021.

5327 **SUBTITLE G. SNAP REINVESTMENT FUND**

5328 Sec. 5061. Short title.

5329 This subtitle may be cited as the “SNAP Reinvestment Fund Establishment Emergency
5330 Amendment Act of 2021”.

5331 Sec. 5062. The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law
5332 18-111; D.C. Official Code § 4-261.01 *et seq.*), is amended by adding a new section 5085 to read
5333 as follows:

5334 “Sec. 5085. SNAP Reinvestment Fund.

5335 “(a) There is established as a special fund the SNAP Reinvestment Fund (“Fund”), which
5336 shall be administered by the Mayor in accordance with subsection (c) of this section.

5337 “(b) The unspent local fund dollars remaining in the operating budget of the Department
5338 of Human Services at the end of each fiscal year shall be deposited into the Fund; provided, that
5339 the amount of unspent local fund dollars deposited into the Fund at the end of a fiscal year shall
5340 not exceed the difference between the total of all amounts that remain to be invested by the
5341 Department of Human Services pursuant to active Supplemental Nutrition Assistance Program

5342 excessive payment error rate liability settlement agreements (“Settlement Agreements”) between
5343 the Department of Human Services and the United States Department of Agriculture minus the
5344 amount in the Fund at the end of the fiscal year.

5345 “(c) Money in the Fund shall be used to implement the Settlement Agreements.

5346 “(d)(1) The money deposited into the Fund but not expended during a fiscal year shall not
5347 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
5348 of a fiscal year, or at any other time.

5349 “(2) Subject to authorization in an approved budget and financial plan, any funds
5350 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

5351 Sec. 5063. Applicability.

5352 This subtitle shall apply as of September 30, 2021.

5353 **SUBTITLE H. VETERAN TRANSPORTATION PROGRAM EXPANSION**

5354 Sec. 5071. Short title.

5355 This subtitle may be cited as the “Veteran Transportation Program Expansion Emergency
5356 Amendment Act of 2021”.

5357 Sec. 5072. Section 704 of the Office of Veterans Affairs Establishment Act of 2001,
5358 effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 49-1003), is amended as
5359 follows:

5360 (a) Paragraph (24) is amended by striking the phrase “; and” and inserting a semicolon in
5361 its place.

5362 (b) Paragraph (25) is amended by striking the period and inserting the phrase “; and” in
5363 its place.

5364 (c) A new paragraph (26) is added to read as follows:

5365 “(26) Subject to the availability of funding, provide a free on-demand
5366 transportation or public transportation option to veterans who reside in a household with an
5367 annual household income of less than or equal to 80% of area median income as defined in D.C.
5368 Official Code § 47-1806.09(1)(A), which, at a minimum:

5369 “(A) Offers 15 one-way trips per month for each eligible veteran in the
5370 program;

5371 “(B) Operates 6 days a week; and

5372 “(C) Does not restrict the point of origin or destination of each trip;
5373 except, that trips must begin and end within the District.”.

5374 **SUBTITLE I. FIRST TIME MOTHERS HOME VISITING PROGRAM**

5375 Sec. 5081. Short title.

5376 This subtitle may be cited as the “Still Leverage for Our Future Emergency Amendment
5377 Act of 2021”.

5378 Sec. 5082. Section 105a(a) of the Birth-to-Three for All DC Amendment Act of 2018,
5379 effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 4-651.05a(a)), is amended
5380 by adding a new paragraph (3) to read as follows:

5381 “(3) In Fiscal Year 2022, DOH shall provide an amount not to exceed \$150,000 to
5382 the home visiting provider who was awarded the competitive grant pursuant to paragraph (1) of
5383 this subsection.”.

5384 **SUBTITLE J. STEVIE SELLOW’S DIRECT SUPPORT PROFESSIONALS**
5385 **QUALITY IMPROVEMENTS**

5386 Sec. 5091. Short title.

5387 This subtitle may be cited as the “Stevie Sellow’s Direct Support Professionals Quality
5388 Improvements Emergency Amendment Act of 2021”.

5389 Sec. 5092. Title 47 of the District of Columbia Official Code is amended as follows:

5390 (a) The table of contents is amended by striking the phrase “12D. Stevie Sellows” and
5391 inserting the phrase “12D. Stevie Sellow’s” in its place.

5392 (b) Chapter 12D is amended as follows:

5393 (1) The heading is amended by striking the phrase “Stevie Sellows” and inserting
5394 the phrase “Stevie Sellow’s” in its place.

5395 (2) Section 47-1270 is amended as follows:

5396 (A) Paragraph (1) is amended by striking the phrase “Stevie Sellows” and
5397 inserting the phrase “Stevie Sellow’s” in its place.

5398 (B) The existing paragraph (1A) is redesignated as paragraph (1B).

5399 (C) The existing paragraph (1B) is redesignated as paragraph (1C) and is
5400 amended by striking the phrase “Stevie Sellows” and inserting the phrase “Stevie Sellow’s” in its
5401 place.

5402 (D) A new paragraph (1A) is added to read as follows:

5403 “(1A) “DD waiver provider” means an entity that provides residential, in-home,
5404 day, or support services, including employment and community development services under the
5405 District’s Medicaid Home and Community-Based Services Waiver for Persons with Intellectual

5406 and Developmental Disabilities program as authorized by section 1915(c) of the Social Security
5407 Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1396n(c)).”.

5408 (3) Section 47-1271 is amended as follows:

5409 (A) Subsection (a) is amended by striking the phrase “Stevie Sellows” and
5410 inserting the phrase “Stevie Sellow’s” in its place.

5411 (B) Subsection (b) is amended as follows:

5412 (i) Paragraph (1) is amended by striking the phrase
5413 “reimbursement of ICF/IID.” and inserting the phrase “reimbursement of ICF/IID; provided that
5414 if the quality-of-care improvement is for an increase in salaries, the total payment amount, on
5415 average, for qualifying direct support professionals should be up to the greater of 117.6% of the
5416 District minimum wage pursuant to section 4 of the Minimum Wage Act Revision Act of 1992,
5417 effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003) or 117.6% of the
5418 District living wage pursuant to the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law
5419 16-118; D.C. Official Code § 2-220.01 *et seq.*)” in its place.

5420 (ii) Paragraph (2) is amended by striking the phrase “Stevie
5421 Sellows” and inserting the phrase “Stevie Sellow’s” in its place.

5422 (C) A new subsection (c-1) is added to read as follows:

5423 “(c-1) Notwithstanding subsection (b) of this section, revenues deposited in the Fund
5424 beginning in Fiscal Year 2022 may be used to support quality of care improvements for DD
5425 waiver providers.”.

5426 (3) Section 47-1272 is amended as follows:

5427 (A) Subsection (a) is amended by striking the phrase “an ICF-IDD” and
5428 inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

5429 (B) Subsection (f) is amended by striking the phrase “the ICF-IDD” and
5430 inserting the phrase “the ICF-IDD or DD waiver provider” in its place.

5431 (4) Section 47-1275 is amended as follows:

5432 (A) Subsection (a) is amended by striking the phrase “an ICF-IDD” and
5433 inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

5434 (B) Subsection (b) is amended by striking the phrase “an ICF-IDD” and
5435 inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

5436 **SUBTITLE K. EARLY CHILDHOOD EDUCATOR PAY EQUITY FUND**

5437 Sec. 5101. Short title.

5438 This subtitle may be cited as the “Early Childhood Educator Pay Equity Fund
5439 Establishment Emergency Act of 2021”.

5440 Sec. 5102. Early Childhood Educator Pay Equity Fund.

5441 (a) There is established as a special fund an Early Childhood Educator Pay Equity Fund
5442 (“Fund”), which shall be administered by the Office of the State Superintendent of Education in
5443 accordance with subsection (c) of this section.

5444 (b) The following funds shall be deposited into the Fund:

5445 (1) In Fiscal Year 2022, \$53,920,878 in local funds;

5446 (2) In Fiscal Year 2023, \$72,889,092 in local funds;

5447 (3) In Fiscal Year 2024, \$73,883,680 in local funds;

5448 (4) In Fiscal Year 2025, \$74,878,268 in local funds (“base amount”); and

5449 (5) Beginning with Fiscal Year 2026, and annually thereafter, an amount equal to
5450 the base amount increased each year by the Consumer Price Index for All Urban Consumers for
5451 the Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan Statistical Area (or such
5452 successor metropolitan statistical area that includes the District) increase for the preceding
5453 calendar year; and

5454 (6) Any additional appropriated funds.

5455 (c) The Fund shall be used to:

5456 (1) Support the implementation of an employee compensation salary scale to
5457 increase the minimum compensation for employees of early childhood development providers as
5458 passed or approved by Council; and

5459 (2) Pay agency administrative costs, including personnel costs and costs related to
5460 providing technical assistance to early childhood development providers, related to increasing
5461 the minimum compensation for employees of early childhood development providers pursuant to
5462 a salary scale passed or approved by the Council, provided, that such administrative costs shall
5463 not exceed, in any year, 10% of the annual amount deposited into the Fund.

5464 (d)(1) Money deposited into the Fund but not expended in a fiscal year shall not revert to
5465 the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal
5466 year, or at any time.

5467 (2) Subject to authorization in an approved budget and financial plan, any funds
5468 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

5469 (e) For the purposes of this section, the term “Early childhood development provider”
5470 shall have the same meaning as provided in section 101(1G) of the Pre-K Enhancement and

5471 Expansion Amendment Act of 2008, July 18, 2008 (D.C. Law 17-202; D.C. Official Code
5472 § 38-271.01(1G)).

5473 **SUBTITLE L. DC HEALTHCARE ALLIANCE**

5474 Sec. 5111. Short title.

5475 This subtitle may be cited as the “DC HealthCare Alliance Conforming Amendments and
5476 Non-Lapsing Fund Emergency Amendment Act of 2021”.

5477 Sec. 5112. The Health Care Privatization Amendment Act of 2001, effective July 12,
5478 2001 (D.C. Law 14-18; D.C. Official Code § 7-1401 *et seq.*), is amended as follows:

5479 (a) Section 7b (D.C. Official Code § 7-1407) is amended to read as follows:

5480 “Sec. 7b. DC HealthCare Alliance recertification.

5481 “(a) The Mayor shall allow enrollees for the DC HealthCare Alliance (“Alliance”)
5482 program to complete an application for recertification with the Department of Human Services:

5483 “(1) In person;

5484 “(2) Over the telephone; and

5485 “(3) Through electronic means, including through a web-based portal.

5486 “(b) Applicants for the Alliance program shall not be required to complete a face-to-face
5487 interview to establish eligibility for enrollment in the Alliance program or to recertify their
5488 enrollment in person; except, that the Mayor may require enrollees to complete one in-person
5489 certification each year in Fiscal Years 2023, 2024, and 2025.

5490 “(c) Enrollees in the Alliance before April 1, 2025, shall be required to recertify their
5491 enrollment every 6 months.

5492 “(d) Enrollees in the Alliance after March 31, 2025, shall be required to recertify their
5493 enrollment on an annual basis.”.

5494 (b) Section 7e (D.C. Official Code § 7-1410) is repealed.

5495 Sec. 5113. The Department of Health Care Finance Establishment Act of 2007, effective
5496 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended by
5497 adding a new section 8c as follows:

5498 “Sec. 8c. DC HealthCare Alliance Reform Fund.

5499 “(a) There is established as a special fund the DC HealthCare Alliance Reform Fund
5500 (“Fund”), which shall be administered by the Department in accordance with subsection (c) of
5501 this section.

5502 “(b) Local funds appropriated in Fiscal Years 2022 through 2024 for the Department
5503 which remain unspent at the close of each fiscal year shall be deposited into the Fund.

5504 “(c) Money in the Fund shall be used exclusively within the Department of Health Care
5505 Finance to fully fund reforms to the D.C. HealthCare Alliance Program, including:

5506 “(1) Permanently eliminating the requirement for a face-to-face interview as a
5507 recertification requirement for the DC HealthCare Alliance program; and

5508 “(2) Extending the period of time before recertification of enrollment from 6
5509 months to one year.

5510 “(d)(1) The money deposited into the Fund, but not expended in a fiscal year shall not
5511 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
5512 of a fiscal year, or at any other time.

5513 “(2) Subject to authorization in an approved budget and financial plan, money in
5514 the Fund shall be continually available without regard to fiscal year limitation.”.

5515 **SUBTITLE M. DEPARTMENT OF HEALTH CARE FINANCE GRANT-**
5516 **MAKING AUTHORITY**

5517 Sec. 5121. Short title.

5518 This subtitle may be cited at the “Department of Health Care Finance Grant-Making
5519 Emergency Amendment Act of 2021.”

5520 Sec. 5122. Section 8a of the Department of Health Care Finance Establishment Act of
5521 2007, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 7-771.07a), is
5522 amended by adding a new subsection (a-5) to read as follows:

5523 “(a-5) For Fiscal Year 2022, subject to the availability of funds, the Director may:

5524 “(1)(A) Award a competitive grant in an amount not to exceed \$150,000 to fund
5525 operating expenses associated with the provision of medical respite care services to individuals
5526 who are homeless; provided, that if such a grant is awarded to a Federally Qualified Health
5527 Center (“FQHC”), the amount of the grant shall not be offset against the FQHC's expenses for
5528 the purpose of determining its allowable cost in accordance with section 4511.2 of Title 29 of the
5529 District of Columbia Municipal Regulations (29 DCMR § 4511.2).

5530 “(B) At a minimum, the selected entity shall possess:

5531 “(i) The staff capacity and expertise necessary to provide medical
5532 respite care, with a particular emphasis on care for women who are homeless; and

5533 “(ii) The ability to provide case management services, including
5534 assistance in accessing permanent housing services.

5535 “(2)(A) Award competitive grants in an amount not to exceed \$200,000 to
5536 community-based initiatives focused on addressing the social determinants of health in Wards 7
5537 and 8.

5538 “(B) In establishing criteria for the award of grants pursuant to this
5539 paragraph, the Department shall prioritize community-based initiatives that utilize a cohort-based
5540 curriculum that incorporates design-thinking.

5541 “(3)(A) Award competitive grants in an amount not to exceed \$200,000 to study
5542 the barriers to telehealth services for clients of the Department of Behavioral Health and the
5543 Department of Disability Services, utilizing a design-thinking approach, and to propose a set of
5544 recommendations for addressing those barriers.

5545 “(B) In establishing criteria for the award of grants pursuant to this
5546 paragraph, the Department shall prioritize providers that have an established program dedicated
5547 to design-thinking.

5548 “(4) Award competitive grants in an amount not to exceed \$250,000 to assist
5549 FQHCs in educating their patients in Wards 7 and 8 on how to properly access telehealth
5550 services; provided, that the amount of the grant shall not be offset against the FQHC’s expenses
5551 for the purpose of determining its allowable costs in accordance with section 4511.2 of Title 29
5552 of the District of Columbia Municipal Regulations (29 DCMR § 4511.2).

5553 “(5) Award a competitive grant in an amount not to exceed \$100,000 to a District-
5554 based organization to deploy non-physician healthcare practitioners, such as social workers, to
5555 facilitate and improve care coordination for pregnant mothers receiving health benefits through
5556 Medicaid or the DC HealthCare Alliance; provided, that the Department shall select an awardee

5557 with experience providing prenatal and postpartum maternal care to Medicaid beneficiaries by
5558 way of digital health or telehealth with a focus on early detection of pregnancy-related illnesses,
5559 such as gestational hypertension or preeclampsia.”.

5560 **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

5561 **SUBTITLE A. HIGHWAY TRUST FUND REPROGRAMMINGS**

5562 Sec. 6001. Short title.

5563 This subtitle may be cited as the “Highway Trust Fund Reprogramming Emergency
5564 Amendment Act of 2021”.

5565 Sec. 6002. Section 47-363 of the District of Columbia Official Code is amended by
5566 adding a new subsection (h) to read as follows:

5567 “(h)(1) This subchapter shall not apply to a reprogramming from a master capital project
5568 in the Highway Trust Fund portion of the District’s capital improvements plan to another master
5569 capital project in the Highway Trust Fund portion of the District’s capital improvements plan,
5570 other than as provided in this subsection.

5571 “(2) At the request of the Mayor, the Chief Financial Officer of the District of
5572 Columbia (“CFO”) shall reprogram funds between master capital projects in the Highway Trust
5573 Fund portion of the District’s capital improvements plan; provided, that the reprogramming of
5574 funds is consistent with the State Transportation Improvement Plan included in the
5575 Transportation Improvement Plan prepared and approved by the Metropolitan Washington
5576 Council of Governments National Capital Region Transportation Planning Board; provided
5577 further, that the CFO determines that the funds are available for reprogramming.

5578 “(3) After funds are reprogrammed pursuant to paragraph (2) of this subsection,
5579 the director of the implementing agency for the project may obligate and expend the
5580 reprogrammed funds.”.

5581 Sec. 6003. Applicability.

5582 This subtitle shall apply as of the effective date of this act.

5583

5584 **SUBTITLE B. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**

5585 **TRANSITION**

5586 Sec. 6011. Short title.

5587 The subtitle may be cited as the “Department of Consumer and Regulatory Affairs
5588 Transition Emergency Amendment Act of 2021”.

5589 Sec. 6012. Section 301 of the Department of Buildings Establishment Act of 2020,
5590 effective April 5, 2021 (D.C. Law 23-269; D.C. Official Code § 10-563.01), is amended as
5591 follows:

5592 (a) The lead-in language of subsection (b) is amended by striking the date “October 1,
5593 2021” and inserting the date “October 1, 2022” in its place.

5594 (b) Subsection (c) is amended by striking the date “October 1, 2021” and inserting the
5595 date “October 1, 2022” in its place.

5596 **SUBTITLE C. BUSINESS RECOVERY AND SUSTAINABILITY FEE**

5597 **REDUCTIONS**

5598 Sec. 6021. Short title.

5599 This subtitle may be cited as the “Business Recovery and Sustainability Fee

5600 Reductions Emergency Amendment Act of 2021”.

5601 Sec. 6022. Business recovery and sustainability fee reductions.

5602 Title 17 of the District of Columbia Municipal Regulations is amended as follows:

5603 (a) Chapter 5 is amended as follows:

5604 (1) Section 500.2 (17 DCMR § 500.2) is amended to read as follows:

5605 “500.2 The Director shall charge a fee of seventy dollars (\$70) for each basic business
5606 license, plus a fee of twenty-five dollars (\$25) for each endorsement added to the basic business
5607 license, except for a General Business license and endorsement under 516.1(c), for which no fee
5608 shall be charged. Each basic business license and endorsement shall be valid for two (2) years
5609 from the date of issuance, unless earlier revoked or voluntarily relinquished.”.

5610 (2) Section 500.3 (17 DCMR § 500.3) is amended to read as follows:

5611 “500.3 The Director shall charge a fee of seventy dollars (\$70) for the renewal of each
5612 basic business license, plus a fee of twenty-five dollars (\$25) for each renewal endorsement
5613 added to a basic business license, except for a General Business license and endorsement under
5614 516.1(c), for which no fee shall be charged.”.

5615 (3) Section 513.1 (17 DCMR § 513.1) is amended as follows:

5616 (A) Paragraph (a) is amended by striking the figure “\$1,300” and inserting
5617 the figure “\$90” in its place.

5618 (B) Paragraph (b) is amended by striking the figure “\$1,300” and inserting
5619 the figure “\$90” in its place.

5620 (C) Paragraph (c) is amended by striking the figure “\$1,300” and inserting
5621 the figure “\$90” in its place.

5622 (4) Section 516.1(c) (17 DCMR § 516.1(c)) is amended by striking the figure
5623 “\$200” and inserting the figure “\$90” in its place.

5624 (b) Chapter 6 is amended as follows:

5625 (1) Section 602.1(a)(1) (17 DCMR § 602(a)(1)) is amended by striking the phrase
5626 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
5627 place.

5628 (2) Section 606.1(a) (17 DCMR § 606.1(a)) is amended by striking the phrase
5629 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
5630 place.

5631 (3) Section 607.1(a) (17 DCMR § 607.1(a)) is amended by striking the phrase
5632 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
5633 place.

5634 (4) Section 608.1(a) (17 DCMR § 608.1(a)) is amended by striking the phrase
5635 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
5636 place.

5637 (5) Section 611.1(a) (17 DCMR § 611.1(a)) is amended by striking the phrase
5638 “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars (\$99)” in its
5639 place.

5640 (c) Section 1607.1 (17 DCMR § 1607.1) is amended by striking the phrase “five hundred
5641 dollars (\$500)” and inserting the phrase “zero dollars (\$0)” in its place.

5642 (d) Chapter 35 is amended as follows:

5643 (1) A new section 3500.6 (17 DCMR § 3500.6) is added to read as follows:

5644 “3500.6. From October 1, 2021, through September 30, 2022, the
5645 following fees shall be charged for each class of non-health occupation license issued by the
5646 Department of Consumer and Regulatory Affairs (DCRA) in lieu of the fees listed in § 3500.2:

5647 “(a) The application fee and examination fee shall be zero dollars (\$0).

5648 “(b) The license fee and the renewal fee shall be ninety-nine
5649 dollars (\$99).”.

5650 Sec. 6023. Taxi industry recovery support.

5651 During Fiscal Year 2022, the following fees shall not be charged:

5652 (a) The Department of For-Hire Vehicles’ fee for the renewal of an annual operator ID
5653 license, imposed by section 827 of Title 31 of the District of Columbia Municipal Regulations
5654 (31 DCMR § 827), for operators of public vehicles-for-hire;

5655 (b) The Department of For-Hire Vehicles’ per vehicle registration fee, imposed by
5656 section 1104 of Title 31 of the District of Columbia Municipal Regulations (31 DCMR § 1104),
5657 for public vehicles-for-hire;

5658 (c) The Department of For-Hire Vehicles’ independent taxicab owner certificate of
5659 operating authority application fee, imposed by section 505.2 of Title 31 of the District of
5660 Columbia Municipal Regulations (31 DCMR § 505.2);

5661 (d) The Department of For-Hire Vehicles’ taxicab company, association, and fleet
5662 certificate of operating authority fee, imposed pursuant to section 501.8 of Title 31 of the District
5663 of Columbia Municipal Regulations (31 DCMR § 501.8);

5664 (e) The Department of For-Hire Vehicles’ application fee for a certificate of operating
5665 authority to operate an independent luxury vehicle business, imposed by section 1221.6(e) of
5666 Title 31 of the District of Columbia Municipal Regulations (31 DCMR § 1221.6(e));

5667 (f) The Department of Motor Vehicles’ fee for certified and uncertified abstracts of
5668 operating records, imposed by section 801.3 and 801.5 of Title 18 of the District of Columbia
5669 Municipal Regulations (18 DCMR §§ 801.3 and 801.5), for operators of public vehicles-for-hire;

5670 (g) The Department of Motor Vehicles’ motor vehicle inspection fee, imposed by section
5671 1 of An Act To provide for annual inspection of all motor vehicles in the District of Columbia,
5672 approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50–1101), and section 601.8(i) of
5673 Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 601.8(i)), for public
5674 vehicles-for-hire; and

5675 (h) The Department of Motor Vehicles’ motor vehicle registration fee, imposed by
5676 section 3 of title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937
5677 (50 Stat. 681; D.C. Official Code § 50-1501.03), for public vehicles-for-hire.

5678 Sec. 6024. Biennial corporate report fee forgiveness authority.

5679 Section 29-102.12 of the District of Columbia Official Code is amended by adding a new
5680 subsection (e) to read as follows:

5681 “(e) The Mayor may implement fee forgiveness programs by rulemaking to encourage
5682 entities to come into compliance with the entity filing requirements of this subchapter.”.

5683 **SUBTITLE D. SUSTAINABLE ENERGY TRUST FUND**

5684 Sec. 6031. Short title.

5685 This subtitle may be cited as the “Sustainable Energy Trust Fund Emergency Amendment
5686 Act of 2021”.

5687 Sec. 6032. Section 210(c)(16) of the Clean and Affordable Energy Act of 2008, effective
5688 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)(16)), is amended to read
5689 as follows:

5690 “(16) In Fiscal Years 2022, 2023, 2024, and 2025, transferring at least \$10
5691 million, but no more than \$15 million, to the Green Finance Authority to support sustainable
5692 projects and programs; provided, that funding for such transfers is included in an approved
5693 budget and financial plan; provided further, that the total amount of money transferred to the
5694 Green Finance Authority from the Sustainable Energy Trust Fund in Fiscal Years 2020 through
5695 2025 shall not exceed \$70 million; and”.

5696 Sec. 6033. Section 4(b) of the Energy Efficiency Standards Act of 2007, effective
5697 December 11, 2007 (D.C. Law 17-64; D.C. Official Code § 8-1771.03(b)), is amended as
5698 follows:

5699 (a) Paragraph (3B) is redesignated as paragraph (2D).

5700 (b) Paragraph (3C) is redesignated as paragraph (3B).

5701 (c) Paragraph (3D) is redesignated as paragraph (3C).

5702 (d) Paragraph (3E) is redesignated as paragraph (3D).

5703 (e) The newly redesignated paragraph (2D) is amended by striking the phrase
5704 “Residential ventilating fans shall have a fan motor efficacy of no less than 2.8 cubic feet” and
5705 inserting the phrase “In-line residential ventilating fans shall have a fan motor efficacy of no less
5706 than 2.8 cubic feet” in its place.

5707 **SUBTITLE E. WMATA DEDICATED FUNDING**

5708 Sec. 6041. Short title.

5709 This subtitle may be cited as the “WMATA Dedicated Funding Emergency Amendment
5710 Act of 2021”.

5711 Sec. 6042. Section 6002 of the Dedicated WMATA Funding and Tax Changes Affecting
5712 Real Property and Sales Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168;
5713 D.C. Official Code § 1-325.401), is amended as follows:

5714 (a) Subsection (b)(3) is amended to read as follows:

5715 “(3) In Fiscal Year 2021, and each successive year, \$178.5 million.”.

5716 (b) A new subsection (b-1) is added to read as follows:

5717 “(b-1) Notwithstanding subsection (b)(3) of this section, the District may reduce its
5718 dedicated funding payment to WMATA if Maryland or Virginia reduces its dedicated funding
5719 payment below the amount required in its dedicated funding agreement with WMATA;
5720 provided, that the District’s reduction shall be not be greater in proportion than the proportion by
5721 which Maryland or the proportion by which Virginia, whichever is greater, reduces its
5722 payment.”.

5723 **SUBTITLE F. URBAN AGRICULTURE FUNDING AND CLARIFICATION**

5724 Sec. 6051. Short title.

5725 This subtitle may be cited as the “Urban Agriculture Funding Emergency Amendment
5726 Act of 2021”.

5727 Sec. 6052. The Food Production and Urban Gardens Program Act of 1986, effective
5728 February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as
5729 follows:

5730 (a) Section 2(4) (D.C. Official Code § 48-401(4)) is amended as follows:

5731 (1) Strike the word “produce” and insert the word “crops” in its place.

5732 (2) Strike the phrase “purposes.” and insert the phrase “purposes. The term “urban
5733 farm” shall not include backyard or community gardens.” in its place.

5734 (b) Section 3b (D.C. Official Code § 48-402.02) is amended by striking the figure
5735 “\$150,000” and inserting the figure “\$90,000” in its place.

5736 Sec. 6053. Section 47-868(d) of the District of Columbia Official Code is amended as
5737 follows:

5738 (a) Paragraph (1) is amended by striking the phrase “shall, before the property is put to
5739 use as an urban farm,” and inserting the word “shall” in its place.

5740 (b) Paragraph (2) is amended by striking the phrase “to object to the proposed annual
5741 planting plan and request modifications to the annual planting plan” and inserting the phrase “to
5742 determine eligibility for an abatement under this section” in its place.

5743 (c) Paragraph (3) is amended by striking the phrase “retain the annual planting plan for at
5744 least 3 years” and insert the phrase “submit an annual planting plan for approval pursuant to this
5745 subsection at the beginning of each fiscal year” in its place.

5746 (d) A new paragraph (4) is inserted to read as follows:

5747 “(4) The Department may establish additional requirements for eligibility by
5748 rulemaking or by publication on its website.”.

5749 **SUBTITLE G. ZERO WASTE FUNDING AND CLARIFICATION**

5750 **AMENDMENT**

5751 Sec. 6061. Short title.

5752 This subtitle may be cited as the “Zero Waste Funding and Clarification Emergency
5753 Amendment Act of 2021”.

5754 Sec. 6062. Title I of the Sustainable Solid Waste Management Amendment Act of 2014,
5755 effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01 *et seq.*), is
5756 amended as follows:

5757 (a) Section 103a (D.C. Official Code § 8-1031.03a) is amended as follows:

5758 (1) Subsection (a) is amended as follows:

5759 (i) Paragraph (1) is amended by striking the word “food” and inserting the
5760 phrase “food to the extent practicable” in its place.

5761 (ii) Paragraph (3) is amended by striking the word “employee work area”
5762 and inserting the phrase “work area where employees are handling back-of-house commercial
5763 food waste” in its place.

5764 (2) Subsection (e)(1) is repealed.

5765 (b) Section 111(a) (D.C. Official Code § 8–1031.11(a)) is amended as follows:

5766 (1) Paragraph (1) is amended by striking the phrase “facilities.” and inserting the
5767 phrase “facilities. Beginning January 1, 2023, the minimum fee for transfer at District-owned
5768 solid waste facilities shall be \$13.38 per ton.” in its place.

5769 (2) Paragraph (2) is amended by striking the figure “\$1” and inserting the figure
5770 “\$2” in its place.

5771 (c) Section 112b (D.C. Official Code § 8-1031.12b) is amended to read as follows:

5772 “112b. On-Site Composting.

5773 “Owners of commercial and residential properties in the District may engage in

5774 composting on the property; provided, that the composting is conducted in a manner that does

5775 not:

5776 “(1) Promote the development, attraction, or harborage of vectors; or

5777 “(2) Create a public nuisance.”.

5778 (d) Section 117(b)(8) (D.C. Official Code § 8-1041.03(b)(8)) is amended to read as

5779 follows:

5780 “(8) A signed statement certifying that vendors who recycle or reuse covered

5781 electronic equipment collected under the manufacturer's waste management program have e-

5782 Stewards certification.”.

5783 (e) Section 128(2)(B) (D.C. Official Code § 8-771.01(2)(B)) is amended to read as

5784 follows:

5785 “(B) A product in which the only batteries used are supplied by a producer

5786 that:

5787 “(i) Is a member of a battery stewardship organization that has an

5788 approved battery stewardship plan pursuant to section 130(b) and is registered in accordance

5789 with section 131(b); and

5790 “(ii) Has provided written certification of that membership to both

5791 the producer of the covered battery-containing product and the battery stewardship organization

5792 of which the battery producer is a member;”.

5793 (f) Section 130(a)(5) (D.C. Official Code § 8-771.03(a)(5)) is amended to read as

5794 follows:

5795 “(5) A description of how the battery stewardship organization will arrange for
5796 components of the discarded batteries to be recycled to the maximum extent economically and
5797 technically feasible, in a manner that is environmentally sound and safe for waste management
5798 workers;”.

5799 (g) Section 132(a) (D.C. Official Code § 8-771.05(a)) is amended by striking the phrase

5800 “April 1” and inserting the phrase “June 1” in its place.

5801 Sec. 6063. Section 3(e) of the Human and Environmental Health Protection Act of 2010,

5802 effective March 31, 2011 (D.C. Law 18-336; D.C. Official Code § 8-108.02(e)), is amended as

5803 follows:

5804 (a) The existing text is designated as paragraph (1).

5805 (b) A new paragraph (2) is added to read as follows:

5806 “(2) There shall be a de minimis exemption for the sale of products containing
5807 0.1% or less by mass of penta mixtures of polybrominated diphenyl ethers due to the presence of
5808 recycled raw materials.”.

5809 Sec. 6064. Section 720.7 of Title 21 of the District of Columbia Municipal Regulations

5810 (21 DCMR § 720.7), is amended to read as follows:

5811 “720.7 The applicable fees for the disposal of commodities included in the District’s solid
5812 waste reduction and recycling program at the waste-handling facilities shall be fifty-one dollars
5813 and fifty-nine cents (\$51.59) for each ton disposed; provided, that a minimum fee of twelve

5814 dollars and eighty-nine cents (\$12.89) shall be imposed on each load weighing five hundred
5815 pounds (500 lbs.) or less.”.

5816 **SUBTITLE H. DEPARTMENT OF MOTOR VEHICLES KIOSKS FUND**

5817 Sec. 6071. Short title.

5818 This subtitle may be cited as the “Department of Motor Vehicles Kiosk Fund Emergency
5819 Amendment Act of 2021”.

5820 Sec. 6072. The Department of Motor Vehicles Establishment Act of 1998, effective
5821 March 26, 1999 (D.C. Law 12–175; D.C. Official Code § 50-901 *et seq.*), is amended by adding
5822 a new section 1825a to read as follows:

5823 “Sec. 1825a. Department of Motor Vehicles Kiosk Fund.

5824 “(a) There is established as a special fund the Department of Motor Vehicles Kiosk Fund
5825 (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this
5826 section.

5827 “(b) All convenience fees collected from the operation of the Department of Motor
5828 Vehicles’ self-service kiosks shall be deposited in the Fund.

5829 “(c) Money in the Fund shall be used to pay the costs of installing, renting, operating,
5830 maintaining, and providing supplies for the Department of Motor Vehicles’ self-service kiosks.

5831 “(d)(1) The money deposited in the Fund but not expended in a fiscal year shall not revert
5832 to the unassigned fund balance of the General Fund of the District of Columbia at the end of a
5833 fiscal year, or at any other time.

5834 “(2) Subject to authorization in an approved budget and financial plan, any funds
5835 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

5836 “(e) For the purposes of this section, the term “self-service kiosk” means a hardware
5837 device with specialized integrated software that enables users to conduct transactions related to
5838 the Department of Motor Vehicles’ services without the need for assistance from Department of
5839 Motor Vehicles staff.”.

5840 **SUBTITLE I. DC CIRCULATOR FARE**

5841 Sec. 6081. Short title.

5842 This subtitle may be cited as the “DC Circulator Emergency Amendment Act of 2021”.

5843 Sec. 6082. Section 11d(b) of the Department of Transportation Establishment Act of 2002,
5844 effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-921.34(b)), is amended to
5845 read as follows:

5846 “(b) The base fare to ride the DC Circulator shall be at least \$1; except, that the Department
5847 may provide discounts for:

5848 “(1) Seniors, veterans, students, children, and disabled persons;

5849 “(2) All riders during a public health emergency declared by the Mayor;

5850 “(3) All riders during promotional periods; provided, that promotional periods may
5851 not cumulatively total more than 2 months in a calendar year; and

5852 “(4) Transfers.”.

5853 **SUBTITLE J. LOW-INCOME WEATHERIZATION ASSISTANCE**

5854 Sec. 6091. Short title.

5855 This subtitle may be cited as the “Low-Income Weatherization Assistance Emergency
5856 Amendment Act of 2021”.

5857 Sec. 6092. Section 211(c) of the Clean and Affordable Energy Act of 2008, effective
5858 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.11(c)), is amended to read as
5859 follows:

5860 “(c)(1) Except as described in paragraph (2) of this subsection, the Energy Assistance
5861 Trust Fund shall be used solely to fund the existing low-income program, and the Mayor shall
5862 have the fund audited every 2 years to ensure that the assessment imposed pursuant to subsection
5863 (b)(1) of this section is appropriately set to fund the low-income program funded by the EATF.

5864 “(2) In Fiscal Year 2022, the Energy Assistance Trust Fund also may be used to
5865 fund weatherization assistance for low-income District residents.”.

5866 **SUBTITLE K. ATE SYSTEM REVENUE DESIGNATION**

5867 Sec. 6101. Short title.

5868 This subtitle may be cited as the “ATE System Revenue Designation Emergency
5869 Amendment Act of 2021”.

5870 Sec. 6102. The Department of Transportation Establishment Act of 2002, effective May
5871 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a
5872 new section 9q to read as follows:

5873 “Sec. 9q. ATE system revenue designation.

5874 “(a) There is established as a special fund, the Vision Zero Enhancement Omnibus
5875 Amendment Act Implementation Fund (“Fund”), which shall be administered by the Director of
5876 the District Department of Transportation (“Director”) in accordance with subsections (c) and (d)
5877 of this section.

5878 “(b) There shall be deposited in the Fund the amount by which the projected local funds
5879 revenue from fines generated from the automated traffic enforcement system, authorized by
5880 section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C.
5881 Law 11-198; D.C. Official Code § 50-2209.01), for that fiscal year exceeds \$98,757,000; and

5882 “(c)(1) Money in the Fund shall be used according to the following order of priority:

5883 “(A) To implement the Vision Zero Enhancement Omnibus Amendment
5884 Act of 2020, effective December 23, 2020 (D.C. Law 23-158; 67 DCR 13057), including to pay
5885 recurring costs;

5886 “(B) To enhance the safety and quality of pedestrian and bicycle
5887 transportation, including education, engineering, and enforcement efforts designed to calm traffic
5888 and provide safe routes.

5889 “(2) The Director is authorized to enter into intra-District transfers from the Fund
5890 and other agreements with the Department of Health, Department of Motor Vehicles,
5891 Department of Public Works, and Metropolitan Police Department as necessary to implement
5892 provisions of the Vision Zero Enhancement Omnibus Amendment Act of 2020, effective
5893 December 23, 2020 (D.C. Law 23-158; 67 DCR 13057).

5894 “(d)(1) The money deposited into the Fund shall not revert to the unassigned fund
5895 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any
5896 other time.

5897 “(2) Subject to authorization in an approved budget and financial plan, any funds
5898 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”

5899 **SUBTITLE L. ELECTRIC MOBILITY DEVICE AMENDMENT**

5900 Sec. 6111. Short title.

5901 This subtitle may be cited as the “Electric Mobility Device Emergency Amendment Act of
5902 2021”.

5903 Sec. 6112. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
5904 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

5905 (a) Section 2 (D.C. Official Code § 50-2201.02) is amended as follows:

5906 (1) Paragraph (6A)(A) is amended as follows:

5907 (A) The lead-in language is amended by striking the number “60” and
5908 inserting the number “75” in its place.

5909 (B) Sub-subparagraph (iv) is amended striking the number “48” and
5910 inserting the number “55” in its place.

5911 (2) Paragraph (13)(A)(i) is amended by striking the number “60” and inserting the
5912 number “75” in its place.

5913 (b) Section 6c(b) (D.C. Official Code § 50-2201.03c(b)) is amended by adding a new
5914 paragraph (5) to read as follows:

5915 “(5) The Director shall fine a permitted operator \$100 per device that the permitted
5916 operator represented to DDOT as an electronic mobility device and deployed and that, when
5917 inspected by DDOT, weighs greater than 75 pounds or is longer than 55 inches.”.

5918 **SUBTITLE M. GREEN BUILDING FUND SETF DISBURSEMENTS**

5919 Sec. 6121. Short title.

5920 This subtitle may be cited as the “Green Building Fund SETF Disbursement Emergency
5921 Amendment Act of 2021”.

5922 Sec. 6122. Section 8 of the Green Building Act of 2006, effective March 8, 2007 (D.C.
5923 Law 16-234; D.C. Official Code § 6-1451.07), is amended to read as follows:

5924 “Sec. 8. Green Building Fund.

5925 “(a) There is established as a special fund the Green Building Fund (“Fund”), which shall
5926 be administered by the Mayor in accordance with subsection (c) of this section. The purpose of
5927 the Fund is to streamline administrative green building processes, improve sustainability
5928 performance outcomes, build capacity of development and administrative oversight professionals
5929 in green building skills and knowledge, institutionalize innovation, overcome barriers to
5930 achieving high-performance buildings, and continuously promote the sustainability of green
5931 building practices in the District.

5932 “(b) Monies obtained pursuant to sections 6 and 9 shall be deposited into the Fund.

5933 “(c) Money in the Fund shall be used for the following:

5934 “(1) The following amounts shall be transferred to the Sustainable Energy Trust
5935 Fund (“SETF”) established by section 210 of the Clean and Affordable Energy Act of 2008,
5936 effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10):

5937 “(A) For each of Fiscal Years 2022, 2023, 2024, and 2025, a minimum of
5938 \$900,000; and

5939 “(B) For each fiscal year thereafter, 50% of monies in the Fund; and

5940 “(2) Costs for at least 3 full-time employees at DCRA, or elsewhere as assigned
5941 by the Mayor, whose primary job duties are devoted to technical assistance, plan review, and
5942 inspections and monitoring of green buildings;

5943 “(3) Additional staff and operating costs to provide training, technical assistance,
5944 plan review, inspections and monitoring of green buildings, and green codes development;

5945 “(4) Research and development of green building practices;

5946 “(5) Education, training, outreach, and other market transformation initiatives;

5947 “(6) Seed support for demonstration projects, their evaluation, and when
5948 successful, their institutionalization; and

5949 “(7) Costs incurred to make green building materials accessible to low-income
5950 residents.

5951 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
5952 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
5953 of a fiscal year, or at any other time.

5954 “(2) Subject to authorization in an approved budget and financial plan, any funds
5955 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

5956 “(e) The Mayor may receive and administer grants for the purpose of carrying out the
5957 goals of this act.”.

5958 Sec. 6123. Section 210 of the Clean and Affordable Energy Act of 2008, effective
5959 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10), is amended as follows:

5960 (a) Subsection (a)(1) is amended by striking the phrase “Fiscal Agent.” and inserting the
5961 phrase “Fiscal Agent. In addition, money transferred from the Green Building Fund, pursuant to

5962 section 8(c)(1) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234;
5963 D.C. Official Code § 6-1451.07(c)(1)), shall be deposited into the SETF; provided, that any such
5964 money shall be used solely for the purpose described in subsection (c)(18) of this section.” in its
5965 place.

5966 (b) Subsection (c) is amended as follows:

5967 (1) Paragraph (16) is amended by striking the phrase “; and” and inserting a semi-
5968 colon in its place.

5969 (2) Paragraph (17) is amended by striking the period and inserting the phrase “;
5970 and” in its place.

5971 (3) A new paragraph (18) is added to read as follows:

5972 “(18) Activities permitted under section 8(c)(2) through (7) of the Green Building
5973 Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)-
5974 (7)).”.

5975 **SUBTITLE N. LEAD PIPE REPLACEMENT ASSISTANCE PROGRAM**

5976 **SUBSIDY**

5977 Sec. 6131. Short title.

5978 This subtitle may be cited as the “Lead Pipe Replacement Assistance Program Subsidy
5979 Emergency Amendment Act of 2021”.

5980 Sec. 6132. Section 6019b(b)(1) of the Lead Service Line Priority Replacement Assistance
5981 Act of 2004, effective March 13, 2019 (D.C. Law 22-241; D.C. Official Code § 34-2159(b)(1)),
5982 is amended as follows:

5983 (a) Subparagraph (A) is amended as follows:

5984 (1) Sub-subparagraph (i) is amended by striking the phrase “80% or” and
5985 inserting the phrase “100% or” in its place.

5986 (2) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the
5987 phrase “; and” in its place.

5988 (b) Subparagraph (B) is repealed.

5989 **SUBTITLE O. LEAD SERVICE LINE PLANNING TASK FORCE**

5990 Sec. 6141. Short title.

5991 This subtitle may be cited as the “Lead Service Line Planning Task Force Establishment
5992 Emergency Act of 2021”.

5993 Sec. 6142. The Lead Service Line Priority Replacement Assistance Act of 2004, effective
5994 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 *et seq.*), is amended by
5995 adding new sections 6019d and 6019e to read as follows:

5996 “Sec. 6019d. Lead Service Line Planning Task Force establishment.

5997 “(a) There is established a Lead Service Line Planning Task Force (“Task Force”), to be
5998 administered by the Department of Energy and Environment (“DOEE”), to develop an
5999 interagency plan for the removal and replacement of all lead water service lines by 2030
6000 (“Plan”).

6001 “(b) The Task Force shall consist of 6 members as follows:

6002 “(1) The Director of DOEE, or the Director’s designee;

6003 “(2) The General Manager of the District of Columbia Water and Sewer Authority
6004 (“DC Water”); or the General manager’s designee;

6005 “(3) The Director of the District Department of Transportation, or the Director’s

6006 designee;

6007 “(4) The Director of the Department of Consumer and Regulatory Affairs, or the
6008 Director’s designee;

6009 “(5) One representative appointed by the Chairperson of the Council committee
6010 with oversight of DC Water; and

6011 “(6) One representative appointed by the Chairperson of the Council committee
6012 with oversight of DOEE.

6013 “(c)(1) Within 2 months after the effective date of the Lead Service Line Planning Task
6014 Force Establishment Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version of
6015 Bill 24-185), the Task Force shall hold its first meeting. The Task Force shall meet at least
6016 monthly.

6017 “(2) The Task Force shall dissolve after submitting the report required by
6018 subsection (d) of this section.

6019 “(d)(1) Within 10 months after the effective date of the Lead Service Line Planning Task
6020 Force Establishment Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version of
6021 Bill 24-285), the Task Force shall transmit the Plan to the Mayor, Council, and Chairperson of
6022 the DC Water Board of Directors.

6023 “(2) The Plan shall include:

6024 “(A) An account of the role of each District agency, including agencies
6025 not part of the Task Force, in the removal and replacement of all lead water service lines by
6026 2030;

6027 “(B) An account of identified barriers to the District removing and

6028 replacing all lead water services lines by 2030, and proposed solutions to reduce or eliminate
6029 those barriers;

6030 “(C) An account of opportunities for interagency coordination or
6031 cooperation to accelerate or improve the efficiency and cost-effectiveness of lead water service
6032 line replacements;

6033 “(D) An interagency spending proposal;

6034 “(E) Recommended changes or clarifications to DC Water’s Lead Service
6035 Line Replacement Plan, released on June 14, 2021;

6036 “(F) A list of potential funding sources to support lead water service line
6037 replacements; and

6038 “(G) A list of legislative, regulatory, and policy changes to complete and
6039 fund lead line replacement work by 2030 effectively and efficiently, including draft language,
6040 when appropriate.

6041 “(3)(A) The interagency spending proposal required by paragraph (2)(D) of this
6042 subsection shall include an account of estimated spending, broken down by:

6043 “(i) Fiscal year;

6044 “(ii) Spending agency;

6045 “(iii) How the funds are intended to be used; and

6046 “(iv) Whether a funding source has been identified for the
6047 expenditure.

6048 “(B) The spending proposal required by paragraph (2)(D) of this
6049 subsection also shall include:

6050 “(i) Costs for recommendations identified pursuant to paragraph
6051 (2)(B) and (C) of this subsection; and

6052 “(ii) A separate list of unfunded agency costs identified in the
6053 spending proposal, including the number of unfunded FTEs, by agency and the FTEs’
6054 anticipated responsibilities.

6055 “(4) At least 2 months before transmitting the Plan to the Council, the Task Force
6056 shall make a draft version of the Plan available to the Mayor, the Council, and the public. The
6057 Task Force shall accept public comments on the report for at least 4 weeks following the Plan
6058 being made public.

6059 “(e) Nothing in this section shall be construed to limit the authority of DC Water or
6060 DOEE to undertake lead water service line removal or replacements before the submission of the
6061 Plan.

6062 “Sec. 6019e. Reporting on lead water service line replacement spending.

6063 “(a) The District of Columbia Water and Sewer Authority (“DC Water”) and the
6064 Department of Energy and Environment (“DOEE”) shall separately provide the Council with a
6065 report on agency spending of federal and local funds on lead water service line replacements,
6066 broken down by spending of federal and local funds and by program. DC Water’s report shall
6067 also include a breakdown of spending on lead line replacements, program management costs,
6068 street restoration, water main replacements, and other costs.

6069 “(b) DC Water and DOEE shall transmit the reports required by subsection (a) of this
6070 section twice a year, on:

6071 “(1) February 1st, for the period beginning July 1st and ending December 31st of

6072 the immediately preceding year; and

6073 “(2) August 1st, for the period beginning January 1st and ending June 30th of the
6074 same year.”.

6075 **SUBTITLE P. PROTECT LOCAL WILDLIFE TAGS AND ANACOSTIA RIVER**
6076 **CLEAN UP AND PROTECTION FUND ELIGIBLE USES**

6077 Sec. 6151. Short title.

6078 This subtitle may be cited as the “Protect Local Wildlife Specialty License Plate and Anacostia
6079 River Clean Up and Protection Fund Eligible Use Emergency Amendment Act of 2021”.

6080 Sec. 6152. Title IV of the District of Columbia Revenue Act of 1937, approved August
6081 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01 *et seq.*), is amended as follows:

6082 (a) A new section 21 is added to read as follows:

6083 “Sec. 21. Issuance of Protect Local Wildlife motor vehicle identification tags.

6084 “(a) The Mayor shall design and make available for issue one or more Protect Local Wildlife
6085 vehicle identification tags to demonstrate support for the protection, rescue, and rehabilitation of native
6086 wildlife placed at risk due to the encroaching urban environment.

6087 “(b)(1) A resident ordering a Protect Local Wildlife tag shall pay a one-time application fee and
6088 a display fee each year thereafter. The application fee shall be \$25, and the display fee shall be \$20, or
6089 such other amount as may be established by the Mayor by rule.

6090 “(2) The application fee and annual display fee shall be deposited into the Anacostia
6091 River Clean Up and Protection Fund established by section 6 of the Anacostia River Clean Up and
6092 Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-
6093 102.05).”.

6094 (b) Section 3 (D.C. Official Code § 50-1501.03) is amended as follows:

6095 (1) Subsection (a)(1) is amended by adding a new subparagraph (P) to read as
6096 follows:

6097 “(P) Any person ordering a Protect Local Wildlife identification tag shall
6098 pay the fees set forth in section 2l(b)(1).”.

6099 (2) Subsection (d) is amended as follows:

6100 (A) Paragraph (12) is amended by striking the phrase “; and” and inserting
6101 a semicolon in its place.

6102 (B) Paragraph (13) is amended by striking the period and inserting the
6103 phrase “; and” in its place.

6104 (C) A new paragraph (14) to read as follows:

6105 “(14) The fees collected for the Protect Local Wildlife identification tags under
6106 section 2l shall be deposited into Anacostia River Clean Up and Protection Fund, established by
6107 section 6 of the Anacostia River Clean Up and Protection Act of 2009, effective September 23,
6108 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05).”.

6109 Sec. 6153. Section 6 of the Anacostia River Clean Up and Protection Act of 2009,
6110 effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05), is amended as
6111 follows:

6112 (a) Subsection (a) is amended as follows:

6113 (1) Strike the phrase “Plates,” and insert the phrase “Plates, all fees collected
6114 pursuant to section 2l(b)(1) of Title IV of the District of Columbia Revenue Act of 1937, passed
6115 on 1st reading on July 20, 2021 (Engrossed version of Bill 24-285),” in its place.

6116 (2) Strike the phrase “District Department of the Environment” and insert the
6117 phrase “Department of Energy and Environment (“DOEE”)” in its place.

6118 (b) Subsection (b) is amended as follows:

6119 (1) Paragraph (1A) is amended by striking the phrase “District Department of the
6120 Environment” and inserting the phrase “DOEE” in its place.

6121 (2) Paragraph (3) is amended by striking the phrase “District Department of the
6122 Environment” and inserting the phrase “DOEE” in its place.

6123 (3) New paragraphs (7A) and (7B) are added to read as follows:

6124 “(7A) Awarding an annual grant, on a competitive basis, in an amount not to
6125 exceed \$200,000, to provide wildlife rehabilitation services;

6126 “(7B) In Fiscal Year 2022, at least \$50,000 to produce a report, which, upon its
6127 completion, shall be published on DOEE’s website, analyzing the projected effects of banning
6128 the sale of beverages packaged in single-use plastic containers in the District, including effects
6129 on waterways, equity, and the local economy;”.

6130 **SUBTITLE Q. RAIL SAFETY AND SECURITY RULEMAKING**

6131 Sec. 6161. Short title.

6132 This subtitle may be cited as the “Rail Safety and Security Rulemaking Emergency
6133 Amendment Act of 2021”.

6134 Sec. 6162. Section 110(c) of the District Department of the Environment Establishment
6135 Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.10(c)), is
6136 amended as follows:

6137 (a) Paragraph (1) is amended by striking the phrase “carriers.” and inserting the phrase
6138 “carriers to cover the costs of administering and managing the expenses of the emergency
6139 response, rail safety, and rail security programs for railroad operations in the District.” in its
6140 place.

6141 (b) Paragraph (2) is amended to read as follows:

6142 “(2) In issuing rules pursuant to this subsection, the Mayor shall consider any
6143 recommendations submitted pursuant to section 203(b)(4) of the Rail Safety and Security
6144 Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-
6145 333(b)(4)).”.

6146 (c) Paragraph (3) is amended as follows:

6147 (1) Strike the phrase “the Rail Advisory Board’s” and insert the word “any” in its
6148 place.

6149 (2) Strike the phrase “provide the Rail” and insert the phrase “provide the
6150 Railroad” in its place.

6151 Sec. 6163. Section 203(b)(4) of the Rail Safety and Security Amendment Act of 2016,
6152 effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-333(b)(4)), is amended to
6153 read as follows:

6154 “(4) At least once per year, submit recommendations to the Mayor regarding rules
6155 that have been or should be adopted pursuant to pursuant to section 110(c) of the District
6156 Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C.
6157 Law 16-51; D.C. Official Code § 8-151.10(c)).”.

6158 **SUBTITLE R. DOEE AND DDOT GRANTS**

6159 Sec. 6171. Short title.

6160 This subtitle may be cited as the “Grants Emergency Act of 2021”.

6161 Sec. 6172. In Fiscal Year 2022, the Department of Energy and the Environment shall
6162 award grants, on a competitive basis, in an amount not to exceed \$50,000 for each grant and
6163 \$150,000 for all grants awarded under this section, to community-based groups working to
6164 remove trash and invasive species, maintain trails, and engage residents in the District’s
6165 parklands.

6166 Sec. 6173. In Fiscal Year 2022, the District Department of Transportation shall award:

6167 (a) A grant in an amount not to exceed \$200,000 for a local airport authority to study
6168 aircraft operations and noise at Ronald Reagan Washington National Airport, and its impact on
6169 the quality of life of residents along the Potomac River.

6170 (b)(1) A grant of not less than \$250,000 to a regional transportation system supporting
6171 efforts to establish M-495 Commuter Fast Ferry Service on the Occoquan, Potomac, and
6172 Anacostia River system.

6173 (2) A grant awarded pursuant to this subsection shall be in addition to any other
6174 grant awarded by DDOT for fast ferry service.

6175 **SUBTITLE S. RESIDENTIAL PARKING STUDY**

6176 Sec. 6181. Short title.

6177 This subtitle may be cited as the “Residential Parking Study Emergency Act of 2021”.

6178 Sec. 6182. Residential Parking Study.

6179 (a) Commencing no later than January 1, 2022, the District Department of Transportation
6180 (“DDOT”) shall conduct a study of innovative parking practices on residential streets, including
6181 residential streets near major commercial centers.

6182 (b) The study shall include an evaluation of the feasibility and cost of:

6183 (1) Reducing the size of residential parking permit (“RPP”) zones to the Advisory
6184 Neighborhood Commission boundaries; and

6185 (2) Combining RPP zones with pay-by-phone parking zones.

6186 (c) DDOT shall engage with Advisory Neighborhood Commissioners, Business
6187 Improvement Districts, and other affected stakeholders during the course of the study.

6188 (d) The study results shall be provided to the Council no later than September 30, 2022.

6189 **TITLE VII. FINANCE AND REVENUE**

6190 **SUBTITLE A. UNCLAIMED PROPERTY**

6191 Part 1. Short Title; Definitions; Rules

6192 Sec. 7001. Short title.

6193 This subtitle may be cited as the “Revised Uniform Unclaimed Property Emergency Act
6194 of 2021”.

6195 Sec. 7002. Definitions.

6196 For the purposes of this subtitle, the term:

6197 (1) “Administrator” means the authorized representative of the Mayor.

6198 (2) “Administrator’s agent” means a person with which the Administrator
6199 contracts to conduct an examination under Part 10 on behalf of the Administrator. The term

6200 includes an independent contractor of the person and each individual participating in the
6201 examination on behalf of the person or contractor.

6202 (3) “Apparent owner” means a person whose name appears on the records of a
6203 holder as the owner of property held, issued, or owing by the holder.

6204 (4) “Attorney General” means the Attorney General for the District of Columbia.

6205 (5) “Business association” means a corporation, joint stock company, investment
6206 company other than an investment company registered under the Investment Company Act of
6207 1940, approved August 22, 1940 (54 Stat. 789; 15 U.S.C. §§ 80a-1 *et seq.*), partnership,
6208 unincorporated association, joint venture, limited liability company, business trust, trust
6209 company, land bank, safe deposit company, safekeeping depository, financial organization,
6210 insurance company, federally chartered entity, utility, sole proprietorship, or other business
6211 entity, whether or not for profit.

6212 (6) “Confidential information” means records, reports, and information that are
6213 confidential under section 7083.

6214 (7) “District” means the District of Columbia.

6215 (8) “Domicile” means:

6216 (A) For a corporation, the state of its incorporation;

6217 (B) For a business association whose formation requires a filing with a
6218 state, other than a corporation, the state of its filing;

6219 (C) For a federally chartered entity or an investment company registered
6220 under the Investment Company Act of 1940, approved August 22, 1940 (54 Stat. 789; 15 U.S.C.
6221 §§ 80a-1 *et seq.*), the state of its home office; and

6222 (D) For any other holder, the state of its principal place of business.

6223 (9) “Electronic” means relating to technology having electrical, digital, magnetic,
6224 wireless, optical, electromagnetic, or similar capabilities.

6225 (10) “Electronic mail” means a communication by electronic means which is
6226 automatically retained and stored and may be readily accessed or retrieved.

6227 (11) “Financial organization” means a savings and loan association, building and
6228 loan association, savings bank, industrial bank, bank, banking organization, or credit union.

6229 (12)(A) “Game-related digital content” means digital content that exists only in an
6230 electronic game or electronic-game platform.

6231 (B) The term “game-related digital content” includes:

6232 (i) Game-play currency such as a virtual wallet, even if
6233 denominated in United States currency; and

6234 (ii) The following if for use or redemption only within the game or
6235 platform or another electronic game or electronic-game platform:

6236 (I) Points, sometimes referred to as gems, tokens, gold, and
6237 similar names; and

6238 (II) Digital codes.

6239 (C) The term “game-related digital content” does not include an item that
6240 the issuer:

6241 (i) Permits to be redeemed for use outside a game or platform for:

6242 (I) Money; or

6243 (II) Goods or services that have more than minimal value;

6244 or

6245 (ii) Otherwise monetizes for use outside a game or platform.

6246 (13)(A) “Gift card” means a stored-value card:

6247 (i) The value of which does not expire;

6248 (ii) That may be decreased in value only by redemption for

6249 merchandise, goods, or services; and

6250 (iii) That, unless required by law, may not be redeemed for or

6251 converted into money or otherwise monetized by the issuer.

6252 (B) The term “gift card” includes a prepaid commercial mobile radio

6253 service, as defined in 47 C.F.R. 20.3.

6254 (14) “Holder” means a person obligated to hold for the account of, or to deliver or

6255 pay to, the owner, property subject to this subtitle.

6256 (15) “Insurance company” means an association, corporation, or fraternal or

6257 mutual-benefit organization, whether or not for profit, engaged in the business of providing life

6258 endowments, annuities, or insurance, including accident, burial, casualty, credit-life, contract-

6259 performance, dental, disability, fidelity, fire, health, hospitalization, illness, life, malpractice,

6260 marine, mortgage, surety, wage-protection, and worker-compensation insurance.

6261 (16) “Loyalty card” means a record given without direct monetary consideration

6262 under an award, reward, benefit, loyalty, incentive, rebate, or promotional program which may

6263 be used or redeemed only to obtain goods or services or a discount on goods or services. The

6264 term does not include a record that may be redeemed for money or otherwise monetized by the
6265 issuer.

6266 (17) “Mineral” means gas, oil, coal, oil shale, other gaseous liquid or solid
6267 hydrocarbon, cement material, sand and gravel, road material, building stone, chemical raw
6268 material, gemstone, fissionable and nonfissionable ores, colloidal and other clay, steam and other
6269 geothermal resources, and any other substance defined as a mineral by law of the District other
6270 than this subtitle.

6271 (18)(A) “Mineral proceeds” means an amount payable for extraction, production,
6272 or sale of minerals, or, on the abandonment of the amount, an amount that becomes payable after
6273 abandonment.

6274 (B) The term “mineral proceeds” includes an amount payable:

6275 (i) For the acquisition and retention of a mineral lease, including a
6276 bonus, royalty, compensatory royalty, shut-in royalty, minimum royalty, and delay rental;

6277 (ii) For the extraction, production, or sale of minerals, including a
6278 net revenue interest, royalty, overriding royalty, extraction payment, and production payment;
6279 and

6280 (iii) Under an agreement or option, including a joint-operating
6281 agreement, unit agreement, pooling agreement, and farm-out agreement.

6282 (19) “Money order” means a payment order for a specified amount of money,
6283 including an express money order and a personal money order on which the remitter is the
6284 purchaser.

6285 (20) “Municipal bond” means a bond or evidence of indebtedness issued by a
6286 municipality or other political subdivision of a state.

6287 (21) “Net card value” means the original purchase price or original issued value
6288 of a stored-value card, plus amounts added to the original price or value, minus amounts used
6289 and any service charge, fee, or dormancy charge permitted by law.

6290 (22) “Non-freely transferable security” means a security that cannot be delivered
6291 to the Administrator by the Depository Trust Clearing Corporation or similar custodian of
6292 securities providing post-trade clearing and settlement services to financial markets or cannot be
6293 delivered because there is no agent to effect transfer. The term includes a worthless security.

6294 (23) “Owner” means a person that has a legal, beneficial, or equitable interest in
6295 property subject to this subtitle or the person’s legal representative when acting on behalf of the
6296 owner, including:

6297 (A) A depositor, for a deposit;

6298 (B) A beneficiary, for a trust other than a deposit in trust;

6299 (C) A creditor, claimant, or payee, for other property; and

6300 (D) The lawful bearer of a record that may be used to obtain money, a
6301 reward, or a thing of value.

6302 (24) “Payroll card” means a record that evidences a payroll-card account as
6303 defined in Regulation E, 12 C.F.R. Part 1005.

6304 (25) “Person” means an individual, estate, business or nonprofit entity, public
6305 corporation, government or governmental subdivision, agency, or instrumentality, or other legal
6306 entity.

6307 (26)(A) “Property” means tangible property described in section 7009 or a fixed
6308 and certain interest in intangible property held, issued, or owed in the course of a holder’s
6309 business or by a government, governmental subdivision, agency, or instrumentality.

6310 (B) The term “property” includes all income from or increments to the
6311 property and includes property referred to as or evidenced by:

6312 (i) Money, virtual currency, interest, or a dividend, check, draft,
6313 deposit, or payroll card;

6314 (ii) A credit balance, customer’s overpayment, stored-value card,
6315 security deposit, refund, credit memorandum, unpaid wage, unused ticket for which the issuer
6316 has an obligation to provide a refund, mineral proceeds, or unidentified remittance;

6317 (iii) A security except for:

6318 (I) A worthless security; or

6319 (II) A security that is subject to a lien, legal hold, or
6320 restriction evidenced on the records of the holder or imposed by operation of law, if the lien,
6321 legal hold, or restriction restricts the holder’s or owner’s ability to receive, transfer, sell, or
6322 otherwise negotiate the security;

6323 (iv) A bond, debenture, note, or other evidence of indebtedness;

6324 (v) Money deposited to redeem a security, make a distribution, or
6325 pay a dividend;

6326 (vi) An amount due and payable under an annuity contract or
6327 insurance policy; and

6328 (vii) An amount distributable from a trust or custodial fund
6329 established under a plan to provide health, welfare, pension, vacation, severance, retirement,
6330 death, stock purchase, profit-sharing, employee-savings, supplemental-unemployment insurance,
6331 or a similar benefit.

6332 (C) The term “property” does not include:

6333 (i) Property held in a plan described in section 529A of the Internal
6334 Revenue Code of 1986, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A);

6335 (ii) Game-related digital content; or

6336 (iii) A loyalty card.

6337 (27) “Putative holder” means a person believed by the Administrator to be a
6338 holder, until the person pays or delivers to the Administrator property subject to this subtitle or
6339 the Administrator or a court makes a final determination that the person is or is not a holder.

6340 (28) “Record” means information that is inscribed on a tangible medium or that is
6341 stored in an electronic or other medium and is retrievable in perceivable form.

6342 (29) “Security” means:

6343 (A) A security as defined in D.C. Official Code § 28:8-102(15);

6344 (B) A security entitlement as defined in D.C. Official Code § 28:8-

6345 102(17), including a customer security account held by a registered broker-dealer, to the extent
6346 the financial assets held in the security account are not:

6347 (i) Registered on the books of the issuer in the name of the person
6348 for which the broker-dealer holds the assets;

6349 (ii) Payable to the order of the person; or

6350 (iii) Specifically indorsed to the person; and
6351 (C) An equity interest in a business association not included in
6352 subparagraph (A) or (B) of this paragraph.

6353 (30) “Sign” means, with present intent to authenticate or adopt a record:
6354 (A) To execute or adopt a tangible symbol; or
6355 (B) To attach to or logically associate with the record an electronic
6356 symbol, sound, or process.

6357 (31) “State” means a state of the United States, the District of Columbia, the
6358 Commonwealth of Puerto Rico, the United States Virgin Islands, or any territory or insular
6359 possession subject to the jurisdiction of the United States.

6360 (32)(A) “Stored-value card” means a record evidencing a promise made for
6361 consideration by the seller or issuer of the record that goods, services, or money will be provided
6362 to the owner of the record to the value or amount shown in the record.

6363 (B) The term “stored-value card” includes
6364 (i) A record that contains or consists of a microprocessor chip,
6365 magnetic strip, or other means for the storage of information, which is prefunded and whose
6366 value or amount is decreased on each use and increased by payment of additional consideration;
6367 and
6368 (ii) A gift card and payroll card.

6369 (C) The term “stored-value card” does not include a loyalty card or game-
6370 related digital content.

6371 (33) “Superior Court” means the Superior Court of the District of Columbia.

6372 (34) “Utility” means a person that owns or operates for public use a plant,
6373 equipment, real property, franchise, or license for the following public services:

6374 (A) Transmission of communications or information;

6375 (B) Production, storage, transmission, sale, delivery, or furnishing of
6376 electricity, water, steam, or gas; or

6377 (C) Provision of sewage or septic services, or trash, garbage, or recycling
6378 disposal.

6379 (35) “Virtual currency” means a digital representation of value used as a medium
6380 of exchange, unit of account, or store of value, which does not have legal tender status
6381 recognized by the United States. The term “virtual currency” does not include:

6382 (A) The software or protocols governing the transfer of the digital
6383 representation of value;

6384 (B) Game-related digital content; or

6385 (C) A loyalty card or gift card.

6386 (36) “Worthless security” means a security whose cost of liquidation and delivery
6387 to the Administrator would exceed the value of the security on the date a report is due under this
6388 subtitle.

6389 Sec. 7003. Inapplicability to foreign transaction.

6390 This subtitle does not apply to property held, due, and owing in a foreign country if the
6391 transaction out of which the property arose was a foreign transaction.

6392 Sec. 7004. Rules.

6393 (a) The Mayor may, pursuant to Title I of the District of Columbia Administrative
6394 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
6395 issue rules to implement this subtitle.

6396 (b) The rules issued pursuant to section 138 of the Uniform Disposition of Unclaimed
6397 Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-138),
6398 shall remain in effect, unless inconsistent with this subtitle, until repealed or amended pursuant
6399 to this section.

6400 Part 2. Presumption of Abandonment.

6401 Sec. 7005. When property is presumed abandoned.

6402 Subject to section 7014, the following property is presumed abandoned if it is unclaimed
6403 by the apparent owner during the period specified below:

6404 (1) A traveler's check, 15 years after issuance;

6405 (2) A money order, 7 years after issuance;

6406 (3) A state or municipal bond, bearer bond, or original-issue-discount bond, 3
6407 years after the earliest of the date the bond matures or is called or the obligation to pay the
6408 principal of the bond arises;

6409 (4) A debt of a business association, 3 years after the obligation to pay arises;

6410 (5) A payroll card or demand, savings, or time deposit, including a deposit that is
6411 automatically renewable, 3 years after the maturity of the deposit, except a deposit that is
6412 automatically renewable is deemed matured on its initial date of maturity unless the apparent
6413 owner consented in a record on file with the holder to renewal at or about the time of the
6414 renewal;

6415 (6) Money or a credit owed to a customer as a result of a retail business
6416 transaction, 3 years after the obligation arose;

6417 (7) An amount owed by an insurance company on a life or endowment insurance
6418 policy or an annuity contract that has matured or terminated, 3 years after the obligation to pay
6419 arose under the terms of the policy or contract or, if a policy or contract for which an amount is
6420 owed on proof of death has not matured by proof of the death of the insured or annuitant, as
6421 follows:

6422 (A) With respect to an amount owed on a life or endowment insurance
6423 policy, 3 years after the earlier of the date:

6424 (i) The insurance company has knowledge of the death of the
6425 insured; or

6426 (ii) The insured has attained, or would have attained if living, the
6427 limiting age under the mortality table on which the reserve for the policy is based; and

6428 (B) With respect to an amount owed on an annuity contract, 3 years after
6429 the date the insurance company has knowledge of the death of the annuitant.

6430 (8) Property distributable by a business association in the course of dissolution,
6431 one year after the property becomes distributable;

6432 (9) Property held by a court, including property received as proceeds of a class
6433 action, one year after the property becomes distributable;

6434 (10) Property held by a government or governmental subdivision, agency, or
6435 instrumentality, including municipal bond interest and unredeemed principal under the

6436 administration of a paying agent or indenture trustee, one year after the property becomes
6437 distributable;

6438 (11) Wages, commissions, bonuses, or reimbursements to which an employee is
6439 entitled, or other compensation for personal services, other than amounts held in a payroll card,
6440 one year after the amount becomes payable;

6441 (12) A deposit or refund owed to a subscriber by a utility, one year after the
6442 deposit or refund becomes payable; and

6443 (13) Property not specified in this section or sections 7006 through 7012, the
6444 earlier of 3 years after the owner first has a right to demand the property and 3 years after the
6445 obligation to pay or distribute the property arises.

6446 Sec. 7006. When tax-deferred retirement account presumed abandoned.

6447 (a) Subject to section 7014, property held in a pension account or retirement account that
6448 qualifies for tax deferral under the income-tax laws of the United States is presumed abandoned
6449 if it is unclaimed by the apparent owner 3 years after the later of:

6450 (1) The following date:

6451 (A) Except as otherwise provided in subparagraph (B) of this paragraph,
6452 the date a second consecutive communication sent by the holder by first-class United States mail
6453 to the apparent owner is returned to the holder undelivered by the United States Postal Service;
6454 or

6455 (B) If the second communication is sent later than 30 days after the date
6456 the first communication is returned undelivered, the date the first communication was returned
6457 undelivered by the United States Postal Service; and

6458 (2) The earlier of the following dates:

6459 (A) The date the apparent owner becomes 70.5 years of age, if

6460 determinable by the holder; or

6461 (B) If the Internal Revenue Code of 1986, approved August 16, 1954 (68A

6462 Stat. 3; 26 U.S.C. § 1 *et seq.*) requires distribution to avoid a tax penalty, 2 years after the date

6463 the holder:

6464 (i) Receives confirmation of the death of the apparent owner in the

6465 ordinary course of its business; or

6466 (ii) Confirms the death of the apparent owner under subsection (b)

6467 of this section.

6468 (b) If a holder in the ordinary course of its business receives notice or an indication of the

6469 death of an apparent owner and subsection (a)(2) of this section applies, the holder shall attempt

6470 not later than 90 days after receipt of the notice or indication to confirm whether the apparent

6471 owner is deceased.

6472 (c) If the holder does not send communications to the apparent owner of an account

6473 described in subsection (a) of this section by first-class United States mail, the holder shall

6474 attempt to confirm the apparent owner's interest in the property by sending the apparent owner

6475 an electronic-mail communication not later than 2 years after the apparent owner's last indication

6476 of interest in the property. However, the holder promptly shall attempt to contact the apparent

6477 owner by first-class United States mail if:

6478 (1) The holder does not have information needed to send the apparent owner an
6479 electronic mail communication or the holder believes that the apparent owner's electronic mail
6480 address in the holder's records is not valid;

6481 (2) The holder receives notification that the electronic-mail communication was
6482 not received; or

6483 (3) The apparent owner does not respond to the electronic-mail communication
6484 not later than 30 days after the communication was sent.

6485 (d) If first-class United States mail sent under subsection (c) of this section is returned to
6486 the holder undelivered by the United States Postal Service, the property is presumed abandoned
6487 3 years after the later of:

6488 (1) Except as in paragraph (2) of this subsection, the date a second consecutive
6489 communication to contact the apparent owner sent by first-class United States mail is returned to
6490 the holder undelivered;

6491 (2) If the second communication is sent later than 30 days after the date the first
6492 communication is returned undelivered, the date the first communication was returned
6493 undelivered; or

6494 (3) The date established by subsection (a)(2) of this section.

6495 Sec. 7007. When other tax-deferred account presumed abandoned.

6496 Subject to section 7014 and except for property described in section 7006 and property
6497 held in a plan described in section 529A of the Internal Revenue Code of 1986, approved
6498 December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A), property held in an account or plan,
6499 including a health savings account, that qualifies for tax deferral under the income-tax laws of

6500 the United States is presumed abandoned if it is unclaimed by the apparent owner 3 years after
6501 the earlier of:

6502 (1) The date, if determinable by the holder, specified in the income-tax laws and
6503 regulations of the United States by which distribution of the property must begin to avoid a tax
6504 penalty, with no distribution having been made; or

6505 (2) 30 years after the date the account was opened.

6506 Sec. 7008. When custodial account for minor presumed abandoned.

6507 (a) Subject to section 7014, property held in an account established under D.C. Official
6508 Code §§ 21-301 to 21-324, or another state's Uniform Gifts to Minors Act or Uniform Transfers
6509 to Minors Act, is presumed abandoned if it is unclaimed by or on behalf of the minor on whose
6510 behalf the account was opened 3 years after the later of:

6511 (1) Except as otherwise provided in paragraph (2) of this subsection, the date a
6512 second consecutive communication sent by the holder by first-class United States mail to the
6513 custodian of the minor on whose behalf the account was opened is returned undelivered to the
6514 holder by the United States Postal Service;

6515 (2) If the second communication is sent later than 30 days after the date the first
6516 communication is returned undelivered, the date the first communication was returned
6517 undelivered; or

6518 (3) The date on which the custodian is required to transfer the property to the
6519 minor or the minor's estate in accordance with the Uniform Gifts to Minors Act or Uniform
6520 Transfers to Minors Act of the state in which the account was opened.

6521 (b) If the holder does not send communications to the custodian of the minor on whose
6522 behalf an account described in subsection (a) of this section was opened by first-class United
6523 States mail, the holder shall attempt to confirm the custodian's interest in the property by sending
6524 the custodian an electronic-mail communication not later than 2 years after the custodian's last
6525 indication of interest in the property. However, the holder promptly shall attempt to contact the
6526 custodian by first-class United States mail if:

6527 (1) The holder does not have information needed to send the custodian an
6528 electronic mail communication or the holder believes that the custodian's electronic-mail-mail
6529 address in the holder's records is not valid;

6530 (2) The holder receives notification that the electronic-mail communication was
6531 not received; or

6532 (3) The custodian does not respond to the electronic-mail communication not later
6533 than 30 days after the communication was sent.

6534 (c) If first-class United States mail sent under subsection (b) of this section is returned
6535 undelivered to the holder by the United States Postal Service, the property is presumed
6536 abandoned 3 years after the later of:

6537 (1) The date a second consecutive communication to contact the custodian by
6538 first-class United States mail is returned to the holder undelivered by the United States Postal
6539 Service; or

6540 (2) The date established by subsection (a)(3) of this section.

6541 (d) When the property in the account described in subsection (a) of this section is
6542 transferred to the minor on whose behalf an account was opened or to the minor's estate, the
6543 property in the account is no longer subject to this section.

6544 Sec. 7009. When contents of safe-deposit box presumed abandoned.

6545 Tangible property held in a safe-deposit box and proceeds from a sale of the property by
6546 the holder permitted by law of the District other than this subtitle are presumed abandoned if the
6547 property remains unclaimed by the apparent owner 3 years after the earlier of the:

6548 (1) Expiration of the lease or rental period for the box; or

6549 (2) Earliest date when the lessor of the box is authorized by law of the District
6550 other than this subtitle to enter the box and remove or dispose of the contents without consent or
6551 authorization of the lessee.

6552 Sec. 7010. When stored-value card presumed abandoned.

6553 (a) Subject to section 7014, the net card value of a stored-value card, other than a payroll
6554 card or a gift card, is presumed abandoned on the latest of 3 years after:

6555 (1) December 31 of the year in which the card is issued or additional funds are
6556 deposited into it;

6557 (2) The most recent indication of interest in the card by the apparent owner; or

6558 (3) A verification or review of the balance by or on behalf of the apparent owner.

6559 (b) The amount presumed abandoned in a stored-value card is the net card value at the
6560 time it is presumed abandoned.

6561 Sec. 7011. When gift card presumed abandoned.

6562 Subject to section 7014, a gift card is presumed abandoned if it is unclaimed by the
6563 apparent owner 5 years after the later of the date of purchase or its most recent use.

6564 Sec. 7012. When security presumed abandoned.

6565 (a) Subject to section 7014, a security is presumed abandoned 3 years after:

6566 (1) The date a second consecutive communication sent by the holder by first-class
6567 United States mail to the apparent owner is returned to the holder undelivered by the United
6568 States Postal Service; or

6569 (2) If the second communication is made later than 30 days after the first
6570 communication is returned, the date the first communication is returned undelivered to the holder
6571 by the United States Postal Service.

6572 (b) If the holder does not send communications to the apparent owner of a security by
6573 first-class United States mail, the holder shall attempt to confirm the apparent owner's interest in
6574 the security by sending the apparent owner an electronic-mail communication not later than 2
6575 years after the apparent owner's last indication of interest in the security. However, the holder
6576 promptly shall attempt to contact the apparent owner by first-class United States mail if:

6577 (1) The holder does not have information needed to send the apparent owner an
6578 electronic-mail communication or the holder believes that the apparent owner's electronic-mail
6579 address in the holder's records is not valid;

6580 (2) The holder receives notification that the electronic-mail communication was
6581 not received; or

6582 (3) The apparent owner does not respond to the electronic-mail communication
6583 not later 30 days after the communication was sent.

6584 (c) If first-class United States mail sent under subsection (b) of this section is returned to
6585 the holder undelivered by the United States Postal Service, the security is presumed abandoned 3
6586 years after the date the mail is returned.

6587 Sec. 7013. When related property presumed abandoned.

6588 At and after the time property is presumed abandoned under this subtitle, any other
6589 property right or interest accrued or accruing from the property and not previously presumed
6590 abandoned is also presumed abandoned.

6591 Sec. 7014. Indication of apparent owner interest in property.

6592 (a) The period after which property is presumed abandoned is measured from the later of:

6593 (1) The date the property is presumed abandoned under this part; or

6594 (2) The latest indication of interest by the apparent owner in the property.

6595 (b) Under this subtitle, an indication of an apparent owner's interest in property includes:

6596 (1) A record communicated by the apparent owner to the holder or agent of the
6597 holder concerning the property or the account in which the property is held;

6598 (2) An oral communication by the apparent owner to the holder or agent of the
6599 holder concerning the property or the account in which the property is held, if the holder or its
6600 agent contemporaneously makes and preserves a record of the fact of the apparent owner's
6601 communication;

6602 (3) Presentment of a check or other instrument of payment of a dividend, interest
6603 payment, or other distribution, or evidence of receipt of a distribution made by electronic or
6604 similar means, with respect to an account, underlying security, or interest in a business
6605 association.

6606 (4) Activity directed by an apparent owner in the account in which the property is
6607 held, including accessing the account or information concerning the account, or a direction by
6608 the apparent owner to increase, decrease, or otherwise change the amount or type of property
6609 held in the account;

6610 (5) A deposit into or withdrawal from an account at a financial organization,
6611 including an automatic deposit or withdrawal previously authorized by the apparent owner other
6612 than an automatic reinvestment of dividends or interest;

6613 (6) Subject to subsection (e) of this section, payment of a premium on an
6614 insurance policy; and

6615 (7) Any other action by the apparent owner which reasonably demonstrates to the
6616 holder that the apparent owner knows that the property exists.

6617 (c) An action by an agent or other representative of an apparent owner, other than the
6618 holder acting as the apparent owner's agent, is presumed to be an action on behalf of the
6619 apparent owner.

6620 (d) A communication with an apparent owner by a person other than the holder or the
6621 holder's representative is not an indication of interest in the property by the apparent owner
6622 unless a record of the communication evidences the apparent owner's knowledge of a right to the
6623 property.

6624 (e) If the insured dies or the insured or beneficiary of an insurance policy otherwise
6625 becomes entitled to the proceeds before depletion of the cash surrender value of the policy by
6626 operation of an automatic-premium-loan provision or other nonforfeiture provision contained in
6627 the policy, the operation does not prevent the policy from maturing or terminating.

6628 Sec. 7015. Knowledge of death of insured or annuitant.

6629 (a) In this section, “death master file” means the United States Social Security
6630 Administration Death Master File or other database or service that is at least as comprehensive as
6631 the United States Social Security Administration Death Master File for determining that an
6632 individual reportedly has died.

6633 (b) With respect to a life or endowment insurance policy or annuity contract for which an
6634 amount is owed on proof of death, but which has not matured by proof of death of the insured or
6635 annuitant, the company has knowledge of the death of an insured or annuitant when:

6636 (1) The company receives a death certificate or court order determining that the
6637 insured or annuitant has died;

6638 (2) Due diligence, performed as required under section 31 of Chapter V of the
6639 Life Insurance Act, passed on 1st reading on July 20, 2021 (Engrossed version of Bill 24-285), to
6640 maintain contact with the insured or annuitant or determine whether the insured or annuitant has
6641 died validates the death of the insured or annuitant;

6642 (3) The company conducts a comparison for any purpose between a death master
6643 file and the names of some or all of the company’s insureds or annuitants, finds a match that
6644 provides notice that the insured or annuitant has died, and validates the death;

6645 (4) The Administrator or the Administrator’s agent conducts a comparison for the
6646 purpose of finding matches during an examination conducted under Part 10 between a death
6647 master file and the names of some or all of the company’s insureds or annuitants, finds a match
6648 that provides notice that the insured or annuitant has died, and the company validates the death;

6649 or

6650 (5) The company:

6651 (A) Receives notice of the death of the insured or annuitant from an
6652 administrator, beneficiary, policy owner, relative of the insured, or trustee or from a personal
6653 representative or other legal representative of the insured's or annuitant's estate; and

6654 (B) Validates the death of the insured or annuitant.

6655 (c) The following rules apply under this section:

6656 (1) A death-master-file match under subsection (b)(3) or (4) of this section occurs
6657 if the criteria for an exact or partial match are satisfied as provided by:

6658 (A) Section 7093(d) of the Revised Uniform Unclaimed Property Act of
6659 2021, passed on 1st reading (Engrossed version of Bill 24-285); or

6660 (B) A rule or policy adopted by the Mayor under section 28 of the Life
6661 Insurance Act, effective March 14, 1985 (D.C. Law 5-160; D.C. Official Code § 31-4728), or a
6662 policy of the Commissioner of the Department of Insurance, Securities, and Banking.

6663 (2) The death-master-file match does not constitute proof of death for the purpose
6664 of submission to an insurance company of a claim by a beneficiary, annuitant, or owner of the
6665 policy or contract for an amount due under an insurance policy or annuity contract.

6666 (3) The death-master-file match or validation of the insured's or annuitant's death
6667 does not alter the requirements for a beneficiary, annuitant, or owner of the policy or contract to
6668 make a claim to receive proceeds under the terms of the policy or contract.

6669 (d) This subtitle does not affect the determination of the extent to which an insurance
6670 company before the effective date of this subtitle had knowledge of the death of an insured or
6671 annuitant or was required to conduct a death-master-file comparison to determine whether

6672 amounts owed by the company on a life or endowment insurance policy or annuity contract were
6673 presumed abandoned or unclaimed.

6674 Sec. 7016. Deposit account for proceeds of insurance policy or annuity contract.

6675 If proceeds payable under a life or endowment insurance policy or annuity contract are
6676 deposited into an account with check or draft-writing privileges for the beneficiary of the policy
6677 or contract and, under a supplementary contract not involving annuity benefits other than death
6678 benefits, the proceeds are retained by the insurance company or the financial organization where
6679 the account is held, the policy or contract includes the assets in the account.

6680 Part 3. Rules for Taking Custody of Property Presumed Abandoned

6681 Sec. 7017. Address of apparent owner to establish priority.

6682 In this part, the following rules apply:

6683 (1) The last-known address of an apparent owner is any description, code, or other
6684 indication of the location of the apparent owner which identifies the state, even if the description,
6685 code, or indication of location is not sufficient to direct the delivery of first-class United States
6686 mail to the apparent owner.

6687 (2) If the United States postal zip code associated with the apparent owner is for a
6688 post office located in the District, the District is deemed to be the state of the last-known address
6689 of the apparent owner unless other records associated with the apparent owner specifically
6690 identify the physical address of the apparent owner to be in another state.

6691 (3) If the address under paragraph (2) of this subsection is in another state, the
6692 other state is deemed to be the state of the last-known address of the apparent owner.

6693 (4) The address of the apparent owner of a life or endowment insurance policy or
6694 annuity contract or its proceeds is presumed to be the address of the insured or annuitant if a
6695 person other than the insured or annuitant is entitled to the amount owed under the policy or
6696 contract and the address of the other person is not known by the insurance company and cannot
6697 be determined under section 7018.

6698 Sec. 7018. Address of apparent owner in the District.

6699 The Administrator may take custody of property that is presumed abandoned, whether
6700 located in the District, another state, or a foreign country if:

6701 (1) The last-known address of the apparent owner in the records of the holder is in
6702 the District; or

6703 (2) The records of the holder do not reflect the identity or last-known address of
6704 the apparent owner, but the Administrator has determined that the last-known address of the
6705 apparent owner is in the District.

6706 Sec. 7019. If records show multiple addresses of apparent owner.

6707 (a) Except as otherwise provided in subsection (b) of this section, if records of a holder
6708 reflect multiple addresses for an apparent owner and the District is the state of the most recently
6709 recorded address, the District may take custody of property presumed abandoned, whether
6710 located in the District or another jurisdiction.

6711 (b) If it appears from records of the holder that the most recently recorded address of the
6712 apparent owner under subsection (a) of this section is a temporary address and the District is the
6713 jurisdiction of the next most recently recorded address that is not a temporary address, the
6714 District may take custody of the property presumed abandoned.

6715 Sec. 7020. Holder domiciled in the District.

6716 (a) Except as otherwise provided in subsection (b) of this section or section 7018 or 7019,
6717 the Administrator may take custody of property presumed abandoned, whether located in the
6718 District, another state, or a foreign country, if the holder is domiciled in the District or is the
6719 District or a governmental subdivision, agency, or instrumentality of the District; and

6720 (1) Another state or foreign country is not entitled to the property because there is
6721 no last-known address of the apparent owner or other person entitled to the property in the
6722 records of the holder; or

6723 (2) The state or foreign country of the last-known address of the apparent owner
6724 or other person entitled to the property does not provide for custodial taking of the property.

6725 (b) Property is not subject to custody of the Administrator under subsection (a) of this
6726 section if the property is specifically exempt from custodial taking under the law of the District
6727 or the state or foreign country of the last-known address of the apparent owner.

6728 (c) If a holder's state of domicile has changed since the time property was presumed
6729 abandoned, the holder's state of domicile in this section is deemed to be the state where the
6730 holder was domiciled at the time the property was presumed abandoned.

6731 Sec. 7021. Custody if transaction took place in the District.

6732 Except as otherwise provided in section 7018, 7019, or 7020, the Administrator may take
6733 custody of property presumed abandoned whether located in the District or another state if:

6734 (1) The transaction out of which the property arose took place in the District;

6735 (2) The holder is domiciled in a state that does not provide for the custodial taking
6736 of the property, except that if the property is specifically exempt from custodial taking under the

6737 law of the state of the holder's domicile, the property is not subject to the custody of the
6738 Administrator; and

6739 (3) The last-known address of the apparent owner or other person entitled to the
6740 property is unknown or in a state that does not provide for the custodial taking of the property,
6741 except that if the property is specifically exempt from custodial taking under the law of the state
6742 of the last-known address, the property is not subject to the custody of the Administrator.

6743 Sec. 7022. Traveler's check, money order, or similar instrument.

6744 The Administrator may take custody of sums payable on a traveler's check, money order,
6745 or similar instrument presumed abandoned to the extent permissible under sections 601 through
6746 603 of An Act To increase deposit insurance from \$20,000 to \$40,000, to provide full insurance
6747 for public unit deposits of \$100,000 per account, to establish a National Commission on
6748 Electronic Fund Transfers, and for other purposes, approved October 28, 1974 (88 Stat. 1525; 12
6749 U.S.C. §§ 2501-2503.

6750 Sec. 7023. Burden of proof to establish Administrator's right to custody.

6751 If the Administrator asserts a right to custody of unclaimed property, the Administrator
6752 has the burden to prove:

6753 (1) The existence and amount of the property;

6754 (2) That the property is presumed abandoned; and

6755 (3) That the property is subject to the custody of the Administrator.

6756 Part 4. Report by Holder

6757 Sec. 7024. Report required by holder.

6758 (a) A holder of property presumed abandoned and subject to the custody of the
6759 Administrator shall report in a record to the Administrator concerning the property. The
6760 Administrator may not require a holder to file a paper report.

6761 (b) A holder may contract with a third party to make the report required under subsection
6762 (a) of this section.

6763 (c) Whether or not a holder contracts with a third party under subsection (b) of this
6764 section, the holder is responsible:

6765 (1) For the complete, accurate, and timely reporting of property presumed
6766 abandoned to the Administrator; and

6767 (2) For paying or delivering to the Administrator property described in the report.
6768 Sec. 7025. Content of report.

6769 (a) The report required under section 7024 shall:

6770 (1) Be signed by or on behalf of the holder and verified as to its completeness and
6771 accuracy;

6772 (2) If filed electronically, be in a secure format approved by the Administrator
6773 which protects confidential information of the apparent owner in the same manner as required of
6774 the Administrator and the Administrator's agent under Part 14;

6775 (3) Describe the property;

6776 (4) Except for a traveler's check, money order, or similar instrument, contain the
6777 name, if known, last-known address, if known, and Social Security number or taxpayer
6778 identification number, if known or readily ascertainable, of the apparent owner of property with a
6779 value of \$50 or more;

6780 (5) For an amount held or owing under a life or endowment insurance policy or
6781 annuity contract, contain the name and last-known address of the insured, annuitant or other
6782 apparent owner of the policy or contract and of the beneficiary;

6783 (6) For property held in or removed from a safe-deposit box, indicate the location
6784 of the property, where it may be inspected by the Administrator, and any amounts owed to the
6785 holder under section 7038;

6786 (7) Contain the commencement date for determining abandonment under Part 2;

6787 (8) State that the holder has complied with the notice requirements of section
6788 7029;

6789 (9) Identify property that is a non-freely transferable security and explain why it is
6790 a non-freely transferable security; and

6791 (10) Contain other information the Administrator prescribes by rules.

6792 (b) A report under section 7024 may include personal information as defined in section
6793 7082(a) about the apparent owner or the apparent owner's property to the extent not otherwise
6794 prohibited by federal law.

6795 (c) If a holder has changed its name while holding property presumed abandoned or is a
6796 successor to another person that previously held the property for the apparent owner, the holder
6797 shall include in the report under section 7024 its former name or the name of the previous holder,
6798 if any, and the known name and address of each previous holder of the property.

6799 Sec. 7026. When report to be filed.

6800 (a) Except as otherwise provided in subsection (b) of this section and subject to
6801 subsection (c) of this section, the report under section 7024 shall be filed before November 1 of
6802 each year and cover the 12 months preceding July 1 of that year.

6803 (b) Subject to subsection (c) of this section, the report under section 7024 to be filed by
6804 an insurance company shall be filed before May 1 of each year for the immediately preceding
6805 calendar year.

6806 (c) Before the date for filing the report under section 7024, the holder of property
6807 presumed abandoned may request the Administrator to extend the time for filing. The
6808 Administrator may grant an extension. If the extension is granted, the holder may pay or make a
6809 partial payment of the amount the holder estimates ultimately will be due. The payment or
6810 partial payment terminates accrual of interest on the amount paid.

6811 Sec. 7027. Retention of records by holder.

6812 A holder required to file a report under section 7024 shall retain records for 10 years after
6813 the later of the date the report was filed or the last date a timely report was due to be filed, unless
6814 a shorter period is provided by rule of the Administrator. The holder may satisfy the requirement
6815 to retain records under this section through an agent. The records shall contain:

6816 (1) The information required to be included in the report;

6817 (2) The date, place, and nature of the circumstances that gave rise to the property
6818 right;

6819 (3) The amount or value of the property;

6820 (4) The last address of the apparent owner, if known to the holder; and

6821 (5) If the holder sells, issues, or provides to others for sale or issue in the District
6822 traveler's checks, money orders, or similar instruments, other than third-party bank checks, on
6823 which the holder is directly liable, a record of the instruments while they remain outstanding
6824 indicating the state and date of issue.

6825 Sec. 7028. Property reportable and payable or deliverable absent owner demand.

6826 Property is reportable and payable or deliverable under this subtitle even if the owner
6827 fails to make demand or present an instrument or document otherwise required to obtain
6828 payment.

6829 Part 5. Notice to Apparent Owner of Property Presumed Abandoned

6830 Sec. 7029. Notice to apparent owner by holder.

6831 (a) Subject to subsection (b) of this section, the holder of property presumed abandoned
6832 shall send to the apparent owner notice by first-class United States mail that complies with
6833 section 7030 in a format acceptable to the Administrator not more than 180 days nor less than 60
6834 days before filing the report under section 7024 if:

6835 (1) The holder has in its records an address for the apparent owner which the
6836 holder's records do not disclose to be invalid and is sufficient to direct the delivery of first-class
6837 United States mail to the apparent owner; and

6838 (2) The value of the property is \$50 or more.

6839 (b) If an apparent owner has consented to receive electronic-mail delivery from the
6840 holder, the holder shall send the notice described in subsection (a) of this section both by first-
6841 class United States mail to the apparent owner's last-known mailing address and by electronic
6842 mail, unless the holder believes that the apparent owner's electronic-mail address is invalid.

6843 Sec. 7030. Contents of notice by holder.

6844 (a) Notice under section 7029 shall contain a heading that reads substantially as follows:

6845 “Notice. The District of Columbia requires us to notify you that your property may be transferred
6846 to the custody of the District of Columbia’s Unclaimed Property Administrator if you do not
6847 contact us before (insert date that is 30 days after the date of this notice).”.

6848 (b) The notice under section 7029 shall:

6849 (1) Identify the nature and, except for property that does not have a fixed value,
6850 the value of the property that is the subject of the notice;

6851 (2) State that the property will be turned over to the Administrator;

6852 (3) State that after the property is turned over to the Administrator an apparent
6853 owner that seeks return of the property must file a claim with the Administrator;

6854 (4) State that property that is not legal tender of the United States may be sold by
6855 the Administrator; and

6856 (5) Provide instructions that the apparent owner must follow to prevent the holder
6857 from reporting and paying or delivering the property to the Administrator.

6858 Sec. 7031. Notice by Administrator.

6859 (a) The Administrator shall make a reasonable effort to give notice to an apparent owner
6860 that property of the owner that is presumed to be abandoned is held by the Administrator under
6861 this subtitle. The Administrator shall use available resources, including information services, to
6862 ascertain the mailing address of an apparent owner.

6863 (b) Subject to subsection (a) of this section, the Administrator shall:

6864 (1) Except as otherwise provided in paragraph (2) of this subsection, send written
6865 notice by first-class United States mail to each apparent owner of property valued at \$50 or more
6866 held by the Administrator, unless the Administrator determines that a mailing by first-class
6867 United States mail would not be received by the apparent owner, and, in the case of a security
6868 held in an account for which the apparent owner had consented to receiving electronic mail from
6869 the holder, send notice by electronic mail if the electronic-mail address of the apparent owner is
6870 known to the Administrator instead of by first-class United States mail; or

6871 (2) Send the notice to the apparent owner's electronic-mail address if the
6872 Administrator does not have a valid United States mail address for an apparent owner, but has an
6873 electronic-mail address that the Administrator does not know to be invalid.

6874 (c) In addition to the notice under subsection (b) of this section, the Administrator shall:

6875 (1) Publish every 6 months in at least one newspaper of general circulation in the
6876 District a notice with the following information:

6877 (A) The total value of property received by the Administrator during the
6878 preceding 6-month period, taken from the reports under section 7024;

6879 (B) The total value of claims paid by the Administrator during the
6880 preceding 6-month period;

6881 (C) The Internet web address of the unclaimed property website
6882 maintained by the Administrator;

6883 (D) A telephone number and electronic-mail address to contact the
6884 Administrator to inquire about or claim property; and

6885 (E) A statement that a person may access the Internet by a computer to
6886 search for unclaimed property and a computer may be available as a service to the public at a
6887 local public library; and

6888 (2) Maintain a website or database accessible by the public and electronically
6889 searchable, which contains the names reported to the Administrator of all apparent owners for
6890 whom property is being held by the Administrator.

6891 (d) The website or database maintained under subsection (c) of this section must include
6892 instructions for filing with the Administrator a claim to property and a printable claim form with
6893 instructions for its use.

6894 (e) In addition to giving notice under subsections (b) and (c) of this section, the
6895 Administrator may use other printed publication, telecommunication, the Internet, or other media
6896 to inform the public of the existence of unclaimed property held by the Administrator.

6897 Sec. 7032. Cooperation among District officers and agencies to locate apparent owner.

6898 Unless prohibited by law of the District other than this subtitle, on request of the
6899 Administrator, each officer, agency, board, commission, division, and department of the District
6900 and any body politic and corporate created by the District for a public purpose shall make its
6901 books and records available to the Administrator and cooperate with the Administrator to
6902 determine the current address of an apparent owner of property held by the Administrator under
6903 this subtitle.

6904 Part 6. Taking Custody of Property by Administrator

6905 Sec. 7033. Definition of good faith.

6906 In this part, payment or delivery of property is made in good faith if a holder:

6907 (1) Had a reasonable basis for believing, based on the facts then known, that the
6908 property was required or permitted to be paid or delivered to the Administrator under this
6909 subtitle; or

6910 (2) Made payment or delivery:

6911 (A) In response to a demand by the Administrator or Administrator's
6912 agent; or

6913 (B) Under a guidance or ruling issued by the Administrator which the
6914 holder reasonably believed required or permitted the property to be paid or delivered.

6915 Sec. 7034. Dormancy charge.

6916 (a) A holder may deduct a dormancy charge from property required to be paid or
6917 delivered to the Administrator if:

6918 (1) A valid contract between the holder and the apparent owner authorizes
6919 imposition of the charge for the apparent owner's failure to claim the property within a specified
6920 time; and

6921 (2) The holder regularly imposes the charge and regularly does not reverse or
6922 otherwise cancel the charge.

6923 (b) The amount of the deduction under subsection (a) of this section is limited to an
6924 amount that is not unconscionable considering all relevant factors, including the marginal
6925 transactional costs incurred by the holder in maintaining the apparent owner's property and any
6926 services received by the apparent owner. A deduction of \$10 a year for maintaining property
6927 valued at \$50 or less, or \$20 a year for maintaining property valued at more than \$50, or other
6928 amounts established by the Administrator by rule, is not unconscionable, although a higher

6929 charge, if permitted under subsection (a) of this section, may be proper considering all relevant
6930 factors.

6931 Sec. 7035. Payment or delivery of property to Administrator.

6932 (a) Except as otherwise provided in this section, on filing a report under section 7024, the
6933 holder shall pay or deliver to the Administrator the property described in the report.

6934 (b) If property in a report under section 7024 is an automatically renewable deposit and a
6935 penalty or forfeiture in the payment of interest would result from paying the deposit to the
6936 Administrator at the time of the report, the date for payment of the property to the Administrator
6937 is extended until a penalty or forfeiture no longer would result from payment, if the holder
6938 informs the Administrator of the extended date.

6939 (c) Tangible property in a safe-deposit box may not be delivered to the Administrator
6940 until 120 days after filing the report under section 7024.

6941 (d) If property reported to the Administrator under section 7024 is a security, the
6942 Administrator may:

6943 (1) Make an endorsement, instruction, or entitlement order on behalf of the
6944 apparent owner to invoke the duty of the issuer, its transfer agent, or the securities intermediary
6945 to transfer the security; or

6946 (2) Dispose of the security under section 7044.

6947 (e) If the holder of property reported to the Administrator under section 7024 is the issuer
6948 of a certificated security, the Administrator may obtain a replacement certificate in physical or
6949 book-entry form under D.C. Official Code § 28:8-405. An indemnity bond is not required.

6950 (f) The Administrator shall establish procedures for the registration, issuance, method of
6951 delivery, transfer, and maintenance of securities delivered to the Administrator by a holder.

6952 (g) An issuer, holder, and transfer agent or other person acting under this section under
6953 instructions of and on behalf of the issuer or holder is not liable to the apparent owner for, and
6954 shall be paid by the Administrator for the value of the property turned over to the Administrator
6955 by the District against, a claim arising with respect to property after the property has been
6956 delivered to the Administrator.

6957 (h) A holder is not required to deliver to the Administrator a security identified by the
6958 holder as a non-freely transferable security. If the Administrator or holder determines that a
6959 security is no longer a non-freely transferable security, the holder shall deliver the security on the
6960 next regular date prescribed for delivery of securities under this subtitle. The holder shall make a
6961 determination annually whether a security identified in a report filed under section 7024 as a
6962 non-freely transferable security is no longer a non-freely transferable security.

6963 Sec. 7036. Effect of payment or delivery of property to Administrator.

6964 (a) On payment or delivery of property to the Administrator under this subtitle, the
6965 Administrator as agent for the District assumes custody and responsibility for safekeeping the
6966 property. A holder that pays or delivers property to the Administrator in good faith and
6967 substantially complies with sections 7029 and 7030 is relieved of liability arising thereafter with
6968 respect to payment or delivery of the property to the Administrator.

6969 (b) A holder is not liable for a claim against the holder resulting from the payment or
6970 delivery of property to the Administrator made in good faith and after the holder substantially
6971 complied with sections 7029 and 7030.

6972 Sec. 7037. Recovery of property by holder from Administrator.

6973 (a) A holder that under this subtitle pays money to the Administrator may file a claim for
6974 reimbursement from the Administrator of the amount paid if the holder:

6975 (1) Paid the money in error; or

6976 (2) After paying the money to the Administrator, paid money to a person the
6977 holder reasonably believed entitled to the money.

6978 (b) If a claim for reimbursement under subsection (a) of this section is made for a
6979 payment made on a negotiable instrument, including a traveler's check, money order, or similar
6980 instrument, the holder shall submit proof that the instrument was presented and payment was
6981 made to a person the holder reasonably believed entitled to payment. The holder may claim
6982 reimbursement even if the payment was made to a person whose claim was made after expiration
6983 of a period of limitation on the owner's right to receive or recover property, whether specified by
6984 contract, statute, or court order.

6985 (c) If a holder is reimbursed by the Administrator under subsection (a)(2) of this section,
6986 the holder may also recover from the Administrator income or gain under section 7039 that
6987 would have been paid to the owner if the money had been claimed from the Administrator by the
6988 owner to the extent the income or gain was paid by the holder to the owner.

6989 (d) A holder that under this subtitle delivers property other than money to the
6990 Administrator may file a claim for return of the property from the Administrator if:

6991 (1) The holder delivered the property in error; or

6992 (2) The apparent owner has claimed the property from the holder.

6993 (e) If a claim for return of property under subsection (d) of this section is made, the
6994 holder shall include with the claim evidence sufficient to establish that the apparent owner has
6995 claimed the property from the holder or that the property was delivered by the holder to the
6996 Administrator in error.

6997 (f) The Administrator may determine that an affidavit submitted by a holder is evidence
6998 sufficient to establish that the holder is entitled to reimbursement or to recover property under
6999 this section.

7000 (g) A holder is not required to pay a fee or other charge for reimbursement or return of
7001 property under this section.

7002 (h) Not later than 90 days after a claim is filed under subsection (a) or (d) of this section,
7003 the Administrator shall allow or deny the claim and give the claimant notice of the decision in a
7004 record. If the Administrator does not take action on a claim during the 90-day period, the claim
7005 is deemed denied.

7006 (i) The claimant may bring an action in the Superior Court for review of the
7007 Administrator's decision or the deemed denial under subsection (h) of this section not later than:

7008 (1) 30 days following receipt of the notice of the Administrator's decision; or

7009 (2) 120 days following the filing of a claim under subsection (a) or (d) of this

7010 section in the case of a deemed denial under subsection (h) of this section.

7011 (j) A final decision in an action brought under subsection (i) of this section is subject to
7012 review by the District of Columbia Court of Appeals.

7013 Sec. 7038. Property removed from safe-deposit box.

7014 (a) Property removed from a safe-deposit box and delivered under this subtitle to the
7015 Administrator under this subtitle is subject to the holder's right to reimbursement for the cost of
7016 opening the box and a lien or contract providing reimbursement to the holder for unpaid rent
7017 charges for the box, provided that the holder makes a request under subsection (b) of this section.

7018 (b) The Administrator shall reimburse the holder from the proceeds remaining after
7019 deducting the expense incurred by the Administrator in selling the property, if the holder makes a
7020 request for reimbursement after property from the safe deposit box is delivered to the
7021 Administrator.

7022 Sec. 7039. Crediting income or gain to owner's account.

7023 (a) If property other than money is delivered to the Administrator, the owner is entitled to
7024 receive from the Administrator income or gain realized or accrued on the property before the
7025 property is sold. If the property is an interest-bearing demand, savings, or time deposit that
7026 continues to earn interest after delivery to the Administrator, the owner is entitled to that interest
7027 before the property is sold. Interest begins to accrue when the property is delivered to the
7028 Administrator and ends on the earlier of the expiration of 10 years after its delivery or the date on
7029 which payment is made to the owner.

7030 (b) Interest on interest-bearing property is not payable under this section for any period
7031 before the effective date of this subtitle, unless authorized by section 121 of the Uniform
7032 Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C.
7033 Official Code § 41-121).

7034 Sec. 7040. Administrator's options as to custody.

7035 (a) The Administrator may decline to take custody of property reported under section
7036 7024 if the Administrator determines that:

7037 (1) The property has a value less than the estimated expenses of notice and sale of
7038 the property; or

7039 (2) Taking custody of the property would be unlawful.

7040 (b) A holder may pay or deliver property to the Administrator before the property is
7041 presumed abandoned under this subtitle if the holder:

7042 (1) Sends the apparent owner of the property notice required by section 7029 and
7043 provides the Administrator evidence of the holder's compliance with this paragraph;

7044 (2) Includes with the payment or delivery a report regarding the property
7045 conforming to section 7025; and

7046 (3) First obtains the Administrator's consent in a record to accept payment or
7047 delivery.

7048 (c) A holder's request for the Administrator's consent under subsection (b)(3) of this
7049 section shall be in a record. If the Administrator fails to respond to the request not later than 30
7050 days after receipt of the request, the Administrator is deemed to consent to the payment or
7051 delivery of the property and the payment or delivery is considered to have been made in good
7052 faith.

7053 (d) On payment or delivery of property under subsection (b) of this section, the property
7054 is presumed abandoned.

7055 Sec. 7041. Disposition of property having no substantial value; immunity from liability.

7056 (a) If the Administrator takes custody of property delivered under this subtitle and later
7057 determines that the property has no substantial commercial value or that the cost of disposing of
7058 the property will exceed the value of the property, the Administrator may return the property to
7059 the holder or destroy or otherwise dispose of the property.

7060 (b) An action or proceeding may not be commenced against the District, an agency of the
7061 District, the Administrator, another officer, employee, or agent of the District, or a holder for or
7062 because of an act of the Administrator under this section, except for intentional misconduct or
7063 malfeasance.

7064 Sec. 7042. Periods of limitation and repose.

7065 (a) Expiration, before, on, or after the effective date of this subtitle, of a period of
7066 limitation on an owner's right to receive or recover property, whether specified by contract,
7067 statute, or court order, does not prevent the property from being presumed abandoned or affect
7068 the duty of a holder under this subtitle to file a report or pay or deliver property to the
7069 Administrator.

7070 (b) The Administrator may not commence an action or proceeding to enforce this subtitle
7071 with respect to the reporting, payment, or delivery of property more than 10 years after the
7072 holder filed a non-fraudulent report under section 7024 with the Administrator. The parties may
7073 agree in a record to extend the limitation in this subsection.

7074 (c) The Administrator may not commence an action, proceeding, or examination with
7075 respect to a duty of a holder under this subtitle more than 10 years after the duty arose.

7076 Part 7. Sale of Property by Administrator

7077 Sec. 7043. Public sale of property.

7078 (a) Subject to section 7044, not earlier than one year after receipt of property presumed
7079 abandoned, the Administrator may sell the property.

7080 (b) Before selling property under subsection (a) of this section, the Administrator shall
7081 give notice to the public of:

7082 (1) The date of the sale; and

7083 (2) A reasonable description of the property.

7084 (c) A sale under subsection (a) of this section shall be to the highest bidder:

7085 (1) At public sale at a location in the District which the Administrator determines
7086 to be the most favorable market for the property;

7087 (2) On the Internet; or

7088 (3) On another forum the Administrator determines is likely to yield the highest
7089 net proceeds of sale.

7090 (d) The Administrator may decline the highest bid at a sale under this section and reoffer
7091 the property for sale if the Administrator determines the highest bid is insufficient.

7092 (e) If a sale held under this section is to be conducted other than on the Internet, the
7093 Administrator shall publish at least one notice of the sale, at least 3 weeks but not more than 5
7094 weeks before the sale, in a newspaper of general circulation in the District of Columbia.

7095 Sec. 7044. Disposal of securities.

7096 (a) The Administrator may not sell or otherwise liquidate a security until 60 days after the
7097 Administrator receives the security and gives the apparent owner notice under section 7031 that
7098 the Administrator holds the security.

7099 (b) The Administrator may not sell a security listed on an established stock exchange for
7100 less than the price prevailing on the exchange at the time of sale. The Administrator may sell a
7101 security not listed on an established exchange by any commercially-reasonable method.

7102 Sec. 7045. Recovery of securities or value by owner.

7103 (a) If the Administrator sells a security before the expiration of 60 days after delivery of
7104 the security to the Administrator, an apparent owner that files a valid claim under this subtitle of
7105 ownership of the security before the 60-day period expires is entitled, at the option of the
7106 Administrator, to receive:

7107 (1) Replacement of the security; or

7108 (2) The market value of the security at the time the claim is filed, plus dividends,
7109 interest, and other increments on the security up to the time the claim is paid.

7110 (b) Replacement of the security or calculation of market value under subsection (a) of this
7111 section shall take into account a stock split, reverse stock split, stock dividend, or similar
7112 corporate action.

7113 (c) A person that makes a valid claim under this subtitle of ownership of a security after
7114 expiration of 60 days after delivery of the security to the Administrator is entitled to receive:

7115 (1) The security the holder delivered to the Administrator, if it is in the custody of
7116 the Administrator, plus dividends, interest, and other increments on the security up to the time
7117 the Administrator delivers the security to the person; or

7118 (2) The net proceeds of the sale of the security, plus dividends, interest, and other
7119 increments on the security up to the time the security was sold.

7120 Sec. 7046. Purchaser owns property after sale.

7121 A purchaser of property at a sale conducted by the Administrator under this subtitle takes
7122 the property free of all claims of the owner, a previous holder, or a person claiming through the
7123 owner or holder. The Administrator shall execute documents necessary to complete the transfer
7124 of ownership to the purchaser.

7125 Sec. 7047. Military medal or decoration.

7126 (a) The Administrator may not sell a medal or decoration awarded for military service in
7127 the armed forces of the United States.

7128 (b) The Administrator, with the consent of the respective organization under paragraph
7129 (1) of this subsection, agency under paragraph (2) of this subsection, or entity under paragraph
7130 (3) of this subsection, may deliver a medal or decoration described in subsection (a) of this
7131 section to be held in custody for the owner, to:

7132 (1) A military veterans organization qualified under section 501(c)(19) of the
7133 Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. §
7134 501(c)(19));

7135 (2) The agency that awarded the medal or decoration; or

7136 (3) A governmental entity.

7137 (c) On delivery under subsection (b) of this section, the Administrator is not responsible
7138 for safekeeping the medal or decoration.

7139 Part 8. Administration of Property

7140 Sec. 7048. Deposit of funds by Administrator.

7141 (a) The Administrator shall deposit all funds received under this subtitle, including
7142 proceeds from the sale of property under Part 7, into an account in the General Fund designated

7143 the Unclaimed Property Account. For each fiscal year, the Administrator shall designate an
7144 amount in the Unclaimed Property Account to be held for the payment of claims that reflects the
7145 Administrator's reasonable estimate of the value of claims that will be asserted under this subtitle
7146 during the fiscal year. Funds in the Unclaimed Property Account that exceed this designated
7147 amount may be used to pay the costs of administering the unclaimed property program
7148 established in this subtitle and to satisfy the District's cash flow needs during the fiscal year.

7149 (b) All assets, liabilities, and unexpended balances of funds in the trust fund created by
7150 section 123 of the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5,
7151 1981 (D.C. Law 3-160; D.C. Official Code § 41-123), shall be transferred to the Unclaimed
7152 Property Account established under subsection (a) of this section on the applicability date of this
7153 subtitle.

7154 Sec. 7049. Administrator to retain records of property.

7155 The Administrator shall:

7156 (1) Record and retain the name and last-known address of each person shown on a
7157 report filed under section 7024 to be the apparent owner of property delivered to the
7158 Administrator;

7159 (2) Record and retain the name and last-known address of each insured or
7160 annuitant and beneficiary shown on the report;

7161 (3) For each policy of insurance or annuity contract listed in the report of an
7162 insurance company, record and retain the policy or account number, the name of the company,
7163 and the amount due or paid; and

7164 (4) For each apparent owner listed in the report, record and retain the name of the
7165 holder that filed the report and the amount due or paid.

7166 Sec. 7050. Expenses and service charges of Administrator.

7167 Before making a deposit of funds received under this subtitle to the General Fund of the
7168 District, the Administrator may deduct:

7169 (1) Expenses of disposition of property delivered to the Administrator under this
7170 subtitle;

7171 (2) Costs of mailing and publication in connection with property delivered to the
7172 Administrator under this subtitle;

7173 (3) Reasonable service charges; and

7174 (4) Expenses incurred in examining records of or collecting property from a
7175 putative holder or holder.

7176 Sec. 7051. Administrator holds property as custodian for owner.

7177 Property received by the Administrator under this subtitle is held in custody for the
7178 benefit of the owner and is not owned by the District.

7179 Part 9. Claim to Recover Property from Administrator

7180 Sec. 7052. Claim of another state to recover property.

7181 (a) If the Administrator knows that property held by the Administrator under this subtitle
7182 is subject to a superior claim of another state, the Administrator shall:

7183 (1) Report and pay or deliver the property to the other state; or

7184 (2) Return the property to the holder so that the holder may pay or deliver the
7185 property to the other state.

7186 (b) The Administrator is not required to enter into an agreement to transfer property to
7187 the other state under subsection (a) of this section.

7188 Sec. 7053. When property subject to recovery by another state.

7189 (a) Property held under this subtitle by the Administrator is subject to the right of another
7190 state to take custody of the property if:

7191 (1) The property was paid or delivered to the Administrator because the records of
7192 the holder did not reflect a last-known address in the other state of the apparent owner and:

7193 (A) The other state establishes that the last-known address of the apparent
7194 owner or other person entitled to the property was in the other state; or

7195 (B) Under the law of the other state, the property has become subject to a
7196 claim by the other state of abandonment;

7197 (2) The records of the holder did not accurately identify the owner of the property,
7198 the last-known address of the owner was in another state, and, under the law of the other state,
7199 the property has become subject to a claim by the other state of abandonment;

7200 (3) The property was subject to the custody of the Administrator of the District
7201 under section 7021 and, under the law of the state of domicile of the holder, the property has
7202 become subject to a claim by the state of domicile of the holder of abandonment; or

7203 (4) The property:

7204 (A) Is a sum payable on a traveler's check, money order, or similar
7205 instrument that was purchased in the other state and delivered to the Administrator under section
7206 7022; and

7207 (B) Under the law of the other state, has become subject to a claim by the
7208 other state of abandonment.

7209 (b) A claim by another state to recover property under this section shall be presented in a
7210 form prescribed by the Administrator, unless the Administrator waives presentation of the form.

7211 (c) The Administrator shall decide a claim under this section not later than 90 days after it
7212 is presented. If the Administrator determines that the other state is entitled under subsection (a)
7213 of this section to custody of the property, the Administrator shall allow the claim and pay or
7214 deliver the property to the other state.

7215 (d) The Administrator may require another state, before recovering property under this
7216 section, to agree to indemnify the District and its agents, officers, and employees against any
7217 liability on a claim to the property.

7218 Sec. 7054. Claim for property by person claiming to be owner.

7219 (a) A person claiming to be the owner of property held under this subtitle by the
7220 Administrator may file a claim for the property on a form prescribed by the Administrator. The
7221 claimant shall verify the claim as to its completeness and accuracy.

7222 (b) The Administrator may waive the requirement in subsection (a) of this section and
7223 may pay or deliver property directly to a person if:

7224 (1) The person receiving the property or payment is shown to be the apparent
7225 owner included on a report filed under section 7024;

7226 (2) The Administrator reasonably believes the person is entitled to receive the
7227 property or payment; and

7228 (3) The property has a value of less than \$500.

7229 Sec. 7055. When Administrator must honor claim for property.

7230 (a) The Administrator shall pay or deliver property to a claimant under section 7054(a) if
7231 the Administrator receives evidence sufficient to establish to the satisfaction of the Administrator
7232 that the claimant is the owner of the property.

7233 (b) Not later than 90 days after a claim is filed under section 7054(a), the Administrator
7234 shall allow or deny the claim and give the claimant notice in a record of the decision.

7235 (c) If the claim is denied under subsection (b) of this section:

7236 (1) The Administrator shall inform the claimant of the reason for the denial and
7237 specify what additional evidence, if any, is required for the claim to be allowed;

7238 (2) The claimant may file an amended claim with the Administrator or commence
7239 an action under section 7057; and

7240 (3) The Administrator shall consider an amended claim filed under paragraph (2)
7241 of this subsection as an initial claim.

7242 (d) If the Administrator does not take action on a claim during the 90-day period
7243 following the filing of a claim under section 7054(a), the claim is deemed denied.

7244 Sec. 7056. Allowance of claim for property by the District.

7245 (a) Not later than 45 days after a claim is allowed under section 7055(b), the
7246 Administrator shall pay or deliver to the owner the property or pay to the owner the net proceeds
7247 of a sale of the property, together with income or gain to which the owner is entitled under
7248 section 7039. On request of the owner, the Administrator may sell or liquidate a security and
7249 pay the net proceeds to the owner, even if the security had been held by the Administrator for

7250 less than 60 days or the Administrator has not complied with the notice requirements under
7251 section 7044.

7252 (b) Property held under this subtitle by the Administrator is subject to a claim for the
7253 payment of an enforceable debt the owner owes to the District for:

7254 (1) Child-support arrearages, including any child-support collection costs and
7255 child-support arrearages that are combined with maintenance;

7256 (2) A civil or criminal fine or penalty, court costs, a surcharge, or restitution
7257 imposed by a final order of an administrative agency or a final court judgment; or

7258 (3) District taxes, penalties, and interest that have been determined to be
7259 delinquent, including delinquent debts under Delinquent Debt Recovery Act of 2012, effective
7260 September 20, 2012, (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), and collection
7261 fees owed to the Central Collection Unit under section 3800 of Title 9 of the District of
7262 Columbia Municipal Regulations (9 DCMR § 3800).

7263 (c) Before delivery or payment to an owner under subsection (a) of this section of
7264 property or payment to the owner of net proceeds of a sale of the property, the Administrator first
7265 shall apply the property or net proceeds to a debt under subsection (b) of this section the
7266 Administrator determines is owed by the owner. The Administrator shall pay the amount to the
7267 appropriate District agency and notify the owner of the payment, unless another District agency
7268 is required to notify the owner of the payment.

7269 (d) The Administrator may make periodic inquiries of District agencies in the absence of
7270 a claim filed under section 7054 to determine whether an apparent owner included in the
7271 unclaimed-property records of the District has an enforceable debt described in subsection (b) of

7272 this section. The Administrator first shall apply the property or net proceeds of a sale of property
7273 held by the Administrator to a debt under subsection (b) of this section of an apparent owner
7274 which appears in the records of the Administrator and deliver the amount to the appropriate
7275 District agency. The Administrator shall notify the apparent owner of the payment, unless
7276 another District agency is required to notify the owner of the payment.

7277 Sec. 7057. Action by person whose claim is denied.

7278 Not later than one year after filing a claim under section 7054(a), the claimant may
7279 commence an action against the Administrator in the Superior Court to establish a claim that has
7280 been denied or deemed denied under section 7054(d).

7281 Part 10. Verified Report of Property; Examination of Records

7282 Sec. 7058. Verified report of property.

7283 If a person does not file a report required by section 7024 or the Administrator believes
7284 that a person may have filed an inaccurate, incomplete, or false report, the Administrator may
7285 require the person to file a verified report in a form prescribed by the Administrator. The
7286 verified report shall:

7287 (1) State whether the person is holding property reportable under this subtitle;

7288 (2) Describe property not previously reported or about which the Administrator
7289 has inquired;

7290 (3) Specifically identify property described under paragraph (2) of this subsection
7291 about which there is a dispute about whether it is reportable under this subtitle; and

7292 (4) State the amount or value of the property.

7293 Sec. 7059. Examination of records to determine compliance.

7294 The Administrator, at reasonable times and on reasonable notice, may:

7295 (1) Examine the records of a person, including examination of appropriate records
7296 in the possession of an agent of the person under examination, if the records are reasonably
7297 necessary to determine whether the person has complied with this subtitle;

7298 (2) Apply to the Superior Court for the issuance of a subpoena requiring the
7299 person or agent of the person to make records available for examination; and

7300 (3) Request that the Attorney General bring an action seeking judicial
7301 enforcement of the subpoena.

7302 Sec. 7060. Rules for conducting examination.

7303 (a) The Administrator shall adopt rules governing procedures and standards for an
7304 examination under section 7059, including rules for use of an estimation, extrapolation, and
7305 statistical sampling in conducting an examination.

7306 (b) An examination under section 7059 shall be performed under rules adopted under
7307 subsection (a) of this section and with generally accepted examination practices and standards
7308 applicable to an unclaimed-property examination.

7309 (c) If a person subject to examination under section 7059 has filed the reports required
7310 under sections 7024 and 7058 and has retained the records required by section 7027, the
7311 following rules apply:

7312 (1) The examination shall include a review of the person's records.

7313 (2) The examination may not be based on an estimate unless the person expressly
7314 consents in a record to the use of an estimate.

7315 (3) The person conducting the examination shall consider the evidence presented
7316 in good faith by the person in preparing the findings of the examination under section 7064.

7317 Sec. 7061. Records obtained in examination.

7318 Records obtained and records, including work papers, compiled by the Administrator in
7319 the course of conducting an examination under section 7049:

7320 (1) Are subject to the confidentiality and security provisions of Part 14 and are not
7321 public records;

7322 (2) May be used by the Administrator in an action to collect property or otherwise
7323 enforce this subtitle;

7324 (3) May be used in a joint examination conducted with another state, the United
7325 States, a foreign country or subordinate unit of a foreign country, or any other governmental
7326 entity if the governmental entity conducting the examination is legally bound to maintain the
7327 confidentiality and security of information obtained from a person subject to examination in a
7328 manner substantially equivalent to Part 14;

7329 (4) Shall be disclosed, on request, to the person that administers the unclaimed
7330 property law of another state for that state's use in circumstances equivalent to circumstances
7331 described in this part, if the other state is required to maintain the confidentiality and security of
7332 information obtained in a manner substantially equivalent to Part 14;

7333 (5) Shall be produced by the Administrator under an administrative or judicial
7334 subpoena or administrative or court order; and

7335 (6) Shall be produced by the Administrator on request of the person subject to the
7336 examination in an administrative or judicial proceeding relating to the property.

7337 Sec. 7062. Evidence of unpaid debt or undischarged obligation.

7338 (a) A record of a putative holder showing an unpaid debt or undischarged obligation is
7339 prima facie evidence of the debt or obligation.

7340 (b) A putative holder may establish by a preponderance of the evidence that there is no
7341 unpaid debt or undischarged obligation for a debt or obligation described in subsection (a) of this
7342 section or that the debt or obligation was not, or no longer is, a fixed and certain obligation of the
7343 putative holder.

7344 (c) A putative holder may overcome prima facie evidence under subsection (a) of this
7345 section by establishing by a preponderance of the evidence that a check, draft, or similar
7346 instrument was:

7347 (1) Issued as an unaccepted offer in settlement of an unliquidated amount;

7348 (2) Issued but later was replaced with another instrument because the earlier
7349 instrument was lost or contained an error that was corrected;

7350 (3) Issued to a party affiliated with the issuer;

7351 (4) Paid, satisfied, or discharged;

7352 (5) Issued in error;

7353 (6) Issued without consideration;

7354 (7) Issued but there was a failure of consideration;

7355 (8) Voided not later than 90 days after issuance for a valid business reason set
7356 forth in a contemporaneous record; or

7357 (9) Issued but not delivered to the third-party payee for a sufficient reason
7358 recorded within a reasonable time after issuance.

7359 (d) In asserting a defense under this section, a putative holder may present evidence of a
7360 course of dealing between the putative holder and the apparent owner or of custom and practice.

7361 Sec. 7063. Failure of person examined to retain records.

7362 If a person subject to examination under section 7059 does not retain the records required
7363 by section 7027, the Administrator may determine the value of property due using a reasonable
7364 method of estimation based on all information available to the Administrator, including
7365 extrapolation and use of statistical sampling when appropriate and necessary, consistent with
7366 examination procedures and standards adopted under section 7060(a) and in accord with section
7367 7060(b).

7368 Sec. 7064. Report to person whose records were examined.

7369 At the conclusion of an examination under section 7059, the Administrator shall provide
7370 to the person whose records were examined a complete and unredacted examination report that
7371 specifies:

7372 (1) The work performed;

7373 (2) The property types reviewed;

7374 (3) The methodology of any estimation technique, extrapolation, or statistical
7375 sampling used in conducting the examination;

7376 (4) Each calculation showing the value of property determined to be due; and

7377 (5) The findings of the person conducting the examination.

7378 Sec. 7065. Complaint to Administrator about conduct of person conducting examination.

7379 (a) If a person subject to examination under section 7059 believes the person conducting
7380 the examination has made an unreasonable or unauthorized request or is not proceeding

7381 expeditiously to complete the examination, the person in a record may ask the Administrator to
7382 intervene and take appropriate remedial action, including countermanding the request of the
7383 person conducting the examination, imposing a time limit for completion of the examination, or
7384 reassigning the examination to another person.

7385 (b) If a person in a record requests a conference with the Administrator to present matters
7386 that are the basis of a request under subsection (a) of this section, the Administrator shall hold
7387 the conference not later than 30 days after receiving the request. The Administrator may hold
7388 the conference in person, by telephone, or by electronic means.

7389 (c) If a conference is held under subsection (b) of this section, not later than 30 days after
7390 the conference ends, the Administrator shall provide a report in a record of the conference to the
7391 person that requested the conference.

7392 Sec. 7066. Administrator's contract with another to conduct examination.

7393 (a) In this section, "related to the Administrator" means an individual who is:

7394 (1) The Administrator's spouse, partner in a civil union, domestic partner, or
7395 reciprocal beneficiary;

7396 (2) The Administrator's child, stepchild, grandchild, parent, stepparent, sibling,
7397 step-sibling, half-sibling, aunt, uncle, niece, or nephew;

7398 (3) A spouse, partner in a civil union, domestic partner, or reciprocal beneficiary
7399 of an individual under paragraph (2) of this subsection; or

7400 (4) Any individual residing in the Administrator's household.

7401 (b) The Administrator may contract with a person to conduct an examination under this
7402 part.

7403 (c) If the person with which the Administrator contracts under subsection (b) of this
7404 section is:

7405 (1) An individual, the individual may not be related to the Administrator; or

7406 (2) A business entity, the entity may not be owned in whole or in part by the
7407 Administrator or an individual related to the Administrator.

7408 (d) At least 60 days before assigning a person under contract with the Administrator
7409 under subsection (b) of this section to conduct an examination, the Administrator shall demand
7410 in a record that the person to be examined submit a report and deliver property that is previously
7411 unreported.

7412 (e) If the Administrator contracts with a person under subsection (b) of this section:

7413 (1) The contract may provide for compensation of the person based on a fixed fee,
7414 hourly fee, or contingent fee;

7415 (2) A contingent fee arrangement may not provide for a payment that exceeds 10
7416 percent of the amount or value of property paid or delivered as a result of the examination,
7417 except for contracts in force on the effective date of this subtitle; and

7418 (3) On request by a person subject to examination by a contractor, the
7419 Administrator shall deliver to the person a complete and unredacted copy of the contract and any
7420 contract between the contractor and a person employed or engaged by the contractor to conduct
7421 the examination.

7422 (f) A contract under subsection (b) of this section is subject to public disclosure without
7423 redaction under the District of Columbia Freedom of Information Act, effective March 25, 1977
7424 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

7425 Sec. 7067. Limit on future employment.

7426 The Administrator or an individual employed by the Administrator who participates in,
7427 recommends, or approves the award of a contract under section 7066(b) is subject to the Code of
7428 Conduct, or other ethical rules, applicable to employees in the Office of the Chief Financial
7429 Officer concerning post-employment conflicts of interest.

7430 Sec. 7068. Report by Administrator at request of Mayor.

7431 (a) Pursuant to a request of the Mayor, the Administrator shall compile and submit a
7432 report containing information about property presumed abandoned for the preceding fiscal year
7433 for the District: The information requested may include:

7434 (1) The total amount and value of all property paid or delivered under this subtitle
7435 to the Administrator;

7436 (2) The name of and amount paid to each contractor under section 7066 and the
7437 percentage the total compensation paid to all contractors under section 7066 bears to the total
7438 amount paid or delivered to the Administrator as a result of all examinations performed under
7439 section 7066;

7440 (3) The total amount and value of all property paid or delivered by the
7441 Administrator to persons that made claims for property held by the Administrator under this
7442 subtitle and the percentage the total payments made and value of property delivered to claimants
7443 bears to the total amounts paid and value delivered to the Administrator; and

7444 (4) The total amount of claims made by persons claiming to be owners.

7445 (b) The report under subsection (a) of this section is a public record subject to public
7446 disclosure without redaction under the District of Columbia Freedom of Information Act,
7447 effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

7448 Part 11. Determination of Liability; Putative Holder Remedies

7449 Sec. 7069. Determination of liability for unreported reportable property.

7450 If the Administrator determines from an examination conducted under section 7059 that a
7451 putative holder failed or refused to pay or deliver to the Administrator property which is
7452 reportable under this subtitle, the Administrator shall issue a determination of the putative
7453 holder's liability to pay or deliver and give notice in a record to the putative holder of the
7454 determination.

7455 Sec. 7070. Informal conference.

7456 (a) Not later than 30 days after receipt of a notice under section 7069, the putative holder
7457 may request an informal conference with the Administrator to review the determination. Except
7458 as otherwise provided in this section, the Administrator may designate an employee to act on
7459 behalf of the Administrator.

7460 (b) If a putative holder makes a timely request under subsection (a) of this section for an
7461 informal conference:

7462 (1) Not later than 20 days after the date of the request, the Administrator shall set
7463 the time and place of the conference;

7464 (2) The Administrator shall give the putative holder notice in a record of the time
7465 and place of the conference;

7466 (3) The conference may be held in person, by telephone, or by electronic means,
7467 as determined by the Administrator;

7468 (4) The request tolls the 90-day period under section 7071 until notice of a
7469 decision under paragraph (7) of this subsection has been given to the putative holder or the
7470 putative holder withdraws the request for the conference;

7471 (5) The conference may be postponed, adjourned, and reconvened as the
7472 Administrator determines appropriate;

7473 (6) The Administrator or Administrator's designee with the approval of the
7474 Administrator may modify a determination made under section 7069 or withdraw it; and

7475 (7) The Administrator shall issue a decision in a record and provide a copy of the
7476 record to the putative holder and examiner not later than 20 days after the conference ends.

7477 (c) A conference under subsection (b) of this section is not an administrative remedy and
7478 is not a contested case subject to the District of Columbia Administrative Procedure Act,
7479 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*). An oath is not
7480 required and rules of evidence do not apply in the conference.

7481 (d) At a conference under subsection (b) of this section, the putative holder shall be given
7482 an opportunity to confer informally with the Administrator and the person that examined the
7483 records of the putative holder to:

7484 (1) Discuss the determination made under section 7069; and

7485 (2) Present any issue concerning the validity of the determination.

7486 (e) If the Administrator fails to act within the period prescribed in subsection (b)(1) or (7)
7487 of this section, the failure does not affect a right of the Administrator, except that interest does

7488 not accrue on the amount for which the putative holder was determined to be liable under section
7489 7069 during the period in which the Administrator failed to act until the earlier of:

7490 (1) The date the putative holder requests a hearing under section 7071; or

7491 (2) 90 days after the putative holder received notice of the Administrator's

7492 determination under section 7069 if the putative holder did not request a hearing under section

7493 7071.

7494 (f) The Administrator may hold an informal conference with a putative holder about a

7495 determination under section 7069 without a request at any time before the putative holder

7496 requests a hearing under section 7071.

7497 (g) Interest and penalties under section 7075 continue to accrue on property not reported,

7498 paid, or delivered as required by this subtitle after the initiation, and during the pendency, of an

7499 informal conference under this section.

7500 Sec. 7071. Review of Administrator's determination.

7501 (a) Not later than 90 days after receiving notice of the Administrator's determination

7502 under section 7069, a putative holder may request a hearing on the Administrator's determination

7503 by the Office of Administrative Hearings, which shall make findings of fact and conclusions of

7504 law and render a final order in accordance with the District of Columbia Administrative

7505 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

7506 (b) A final decision in a proceeding under subsection (a) of this section is subject to

7507 judicial review by the District of Columbia Court of Appeals.

7508 Part 12. Enforcement

7509 Sec. 7072. Judicial action to enforce liability.

7510 (a) If a determination under section 7069 becomes final and is not subject to
7511 administrative or judicial review, the Administrator may request that the Attorney General bring
7512 an action in the Superior Court or in an appropriate court of another state to enforce the
7513 determination and secure payment or delivery of past due, unpaid, or undelivered property. The
7514 action must be brought not later than one year after the determination becomes final.

7515 (b) In an action under subsection (a) of this section, if no court in the District has
7516 jurisdiction over the defendant, the Attorney General may commence an action in any court
7517 having jurisdiction over the defendant.

7518 Sec. 7073. Interstate and international agreement; cooperation.

7519 (a) Subject to subsection (b) of this section, the Administrator may:

7520 (1) Exchange information with another state or foreign country relating to
7521 property presumed abandoned or relating to the possible existence of property presumed
7522 abandoned; and

7523 (2) Authorize in a record another state or foreign country or a person acting on
7524 behalf of the other state or country to examine its records of a putative holder as provided in Part
7525 10.

7526 (b) An exchange or examination under subsection (a) of this section may be done only if
7527 the state or foreign country has confidentiality and security requirements substantially equivalent
7528 to those in Part 14 or agrees in a record to be bound by the District's confidentiality and security
7529 requirements.

7530 Sec. 7074. Action involving another state or foreign country.

7531 (a) The Administrator may request that the Attorney General join another state or foreign
7532 country to examine and seek enforcement of this subtitle against a putative holder.

7533 (b) On request of another state or foreign country, the Attorney General may commence
7534 an action on behalf of the other state or country to enforce, in the District, the law of the other
7535 state or country against a putative holder subject to a claim by the other state or country, if the
7536 other state or country agrees to pay costs incurred by the Attorney General in the action.

7537 (c) The Administrator may request the official authorized to enforce the unclaimed
7538 property law of another state or foreign country to commence an action to recover property in the
7539 other state or country on behalf of the Administrator.

7540 (d) The Administrator may request that the Attorney General pursue an action on behalf
7541 of the District to recover property subject to this subtitle but delivered to the custody of another
7542 state if the Administrator believes the property is subject to the custody of the Administrator.

7543 (e) The Administrator, with the approval of the Attorney General, may retain an attorney
7544 in the District, another state, or a foreign country to commence an action to recover property on
7545 behalf of the Administrator and may agree to pay attorney's fees based in whole or in part on a
7546 fixed fee, hourly fee, or a percentage of the amount or value of property recovered in the action.

7547 (f) Expenses incurred by the District in an action under this section may be paid from
7548 property received under this subtitle or the net proceeds of the property subject to appropriations.
7549 Expenses paid to recover property may not be deducted from the amount that is subject to a
7550 claim under this subtitle by the owner.

7551 Sec. 7075. Interest and penalty for failure to act in timely manner.

7552 (a) A holder that fails to report, pay, or deliver property within the time prescribed by this
7553 subtitle shall pay to the Administrator interest at 10% per year on the property or value of the
7554 property from the date the property should have been reported, paid, or delivered to the
7555 Administrator until the date reported, paid, or delivered.

7556 (b) Except as otherwise provided in section 7076 or 7077, the Administrator may require
7557 a holder that fails to report, pay, or deliver property within the time prescribed by this subtitle to
7558 pay to the Administrator, in addition to interest included under subsection (a) of this section, a
7559 civil penalty of \$200 for each day the duty is not performed, up to a cumulative maximum
7560 amount of \$5,000.

7561 Sec. 7076. Other civil penalties.

7562 (a) If a holder enters into a contract or other arrangement for the purpose of evading an
7563 obligation under this subtitle or otherwise willfully fails to perform a duty imposed on the holder
7564 under this subtitle, the Administrator may require the holder to pay the Administrator, in addition
7565 to interest as provided in section 7075(a), a civil penalty of \$1,000 for each day the obligation is
7566 evaded or the duty is not performed, up to a cumulative maximum amount of \$25,000, plus 25
7567 percent of the amount or value of property that should have been but was not reported, paid, or
7568 delivered as a result of the evasion or failure to perform.

7569 (b) If a holder makes a fraudulent report under this subtitle, the Administrator may
7570 require the holder to pay to the Administrator, in addition to interest under section 7075(a), a
7571 civil penalty of \$1,000 for each day from the date the report was made until corrected, up to a
7572 cumulative maximum of \$25,000, plus 25 percent of the amount or value of any property that
7573 should have been reported but was not included in the report or was underreported.

7574 Sec. 7077. Waiver of interest and penalty.

7575 The Administrator:

7576 (1) May waive, in whole or in part, interest under section 7075(a) and penalties under
7577 section 7075(b) or 7076; and

7578 (2) Shall waive a penalty under section 7075(b) if the Administrator determines that the
7579 holder acted in good faith and without negligence.

7580 Sec. 7078. Right to administrative hearing; entry of civil judgment by Superior Court.

7581 (a) A holder is entitled to a hearing on the Administrator's imposition of a civil penalty or
7582 interest under section 7075 or a civil penalty under section 7076 by the Office of Administrative
7583 Hearings, which shall make findings of fact and conclusions of law and render a final order in
7584 accordance with the District of Columbia Administrative Procedure Act, approved October 21,
7585 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

7586 (b) The Administrator may cause a final order requiring a holder to pay a civil penalty,
7587 interest, or costs entered by the Office of Administrative Hearings under subsection (c) of this
7588 section as a judgment against the holder by requesting that the Attorney General file an action to
7589 enter the civil penalty, interest, or costs to as a civil judgment.

7590 Part 13. Agreement to Locate Property of Apparent Owner Held by Administrator

7591 Sec. 7079. When agreement to locate property enforceable.

7592 An agreement by an apparent owner and another person, the primary purpose of which is
7593 to locate, deliver, recover, or assist in the location, delivery, or recovery of property held by the
7594 Administrator, is enforceable only if the agreement:

7595 (1) Is in a record that clearly states the nature of the property and the services to
7596 be provided;

7597 (2) Is signed by or on behalf of the apparent owner; and

7598 (3) States the amount or value of the property reasonably expected to be
7599 recovered, computed before and after a fee or other compensation to be paid to the person has
7600 been deducted.

7601 Sec. 7080. When agreement to locate property void.

7602 (a) Subject to subsection (b) of this section, an agreement under section 7079 is void if it
7603 is entered into during the period beginning on the date the property was paid or delivered by a
7604 holder to the Administrator and ending 24 months after the payment or delivery.

7605 (b) If a provision in an agreement described in subsection (a) of this section applies to
7606 mineral proceeds for which compensation is to be paid to the other person based in whole or in
7607 part on a part of the underlying minerals or mineral proceeds not then presumed abandoned, the
7608 provision is void regardless of when the agreement was entered into.

7609 (c) An agreement under subsection (a) of this section that provides for compensation in
7610 an amount that is unconscionable is unenforceable except by the apparent owner. An apparent
7611 owner that believes the compensation the apparent owner has agreed to pay is unconscionable
7612 may file an action in the Superior Court to reduce the compensation to the maximum amount that
7613 is not unconscionable.

7614 (d) An apparent owner may assert that an agreement described in this section is void on a
7615 ground other than it provides for payment of unconscionable compensation.

7616 (e) This section does not apply to an apparent owner's agreement with an attorney to
7617 pursue a claim for recovery of specifically identified property held by the Administrator or to
7618 contest the Administrator's denial of a claim for recovery of the property.

7619 Sec.7081. Right of agent of apparent owner to recover property held by Administrator.

7620 (a) An apparent owner that contracts with another person to locate, deliver, recover, or
7621 assist in the location, delivery, or recovery of property of the apparent owner which is held by
7622 the Administrator may designate the person as the agent of the apparent owner. The designation
7623 must be in a record signed by the apparent owner.

7624 (b) The Administrator shall give the agent of the apparent owner all information
7625 concerning the property which the apparent owner is entitled to receive, including information
7626 that otherwise is confidential information under section 7083.

7627 (c) If authorized by the apparent owner, the agent of the apparent owner may bring an
7628 action against the Administrator on behalf of and in the name of the apparent owner.

7629 Part 14. Confidentiality and Security of Information

7630 Sec. 7082. Definitions; applicability.

7631 (a) In this part, "personal information" means:

7632 (1) Information that identifies or reasonably can be used to identify an individual,
7633 such as first and last name in combination with the individual's:

7634 (A) Social security number or other government-issued number or
7635 identifier;

7636 (B) Date of birth;

7637 (C) Home or physical address;

7638 (D) Electronic-mail address or other online contact information or Internet
7639 provider address;

7640 (E) Financial account number or credit or debit card number;

7641 (F) Biometric data, health or medical data, or insurance information; or

7642 (G) Passwords or other credentials that permit access to an online or other
7643 account;

7644 (2) Personally identifiable financial or insurance information, including nonpublic
7645 personal information defined by applicable federal law; and

7646 (3) Any combination of data that, if accessed, disclosed, modified, or destroyed
7647 without authorization of the owner of the data or if lost or misused, would require notice or
7648 reporting under D.C. Official Code §§ 28-3851 to 28-3864. and federal privacy and data security
7649 law, whether or not the Administrator or the Administrator's agent is subject to the law.

7650 (b) A provision of this part that applies to the Administrator or the Administrator's
7651 records applies to an Administrator's agent.

7652 Sec. 7083. Confidential information.

7653 (a) Except as otherwise provided in this subtitle, the following are confidential and
7654 exempt from public inspection or disclosure:

7655 (1) Records of the Administrator and the Administrator's agent related to the
7656 administration of this subtitle;

7657 (2) Reports and records of a holder in the possession of the Administrator or the
7658 Administrator's agent; and

7659 (3) Personal information and other information derived or otherwise obtained by
7660 or communicated to the Administrator or the Administrator's agent from an examination under
7661 this subtitle of the records of a person.

7662 (b) A record or other information that is confidential under law of the District other than
7663 this subtitle, another state, or the United States continues to be confidential when disclosed or
7664 delivered under this subtitle to the Administrator or Administrator's agent.

7665 Sec. 7084. When confidential information may be disclosed.

7666 (a) When reasonably necessary to enforce or implement this subtitle, the Administrator
7667 may disclose confidential information concerning property held by the Administrator or the
7668 Administrator's agent only to:

7669 (1) An apparent owner or the apparent owner's personal representative, attorney,
7670 other legal representative, relative, or agent designated under section 7081 to have the
7671 information;

7672 (2) The personal representative other legal representative, relative of a deceased
7673 apparent owner, agent designated under section 7081 by the deceased apparent owner, or a
7674 person entitled to inherit from the deceased apparent owner;

7675 (3) Another department or agency of the District or the United States;

7676 (4) The person that administers the unclaimed property law of another state, if the
7677 other state accords substantially reciprocal privileges to the Administrator of the District if the
7678 other state is required to maintain the confidentiality and security of information obtained in a
7679 manner substantially equivalent to Part 14; or

7680 (5) A person subject to an examination as required by section 7061(6).

7681 (b) Except as otherwise provided in section 7083(a), the Administrator shall include on
7682 the website or in the database required by section 7031(c)(2) the name of each apparent owner of
7683 property held by the Administrator. The Administrator may include in published notices, printed
7684 publications, telecommunications, the Internet, or other media and on the website or in the
7685 database additional information concerning the apparent owner's property if the Administrator
7686 believes the information will assist in identifying and returning property to the owner and does
7687 not disclose personal information except the home or physical address of an apparent owner.

7688 (c) The Administrator and the Administrator's agent may not use confidential
7689 information provided to them or in their possession except as expressly authorized by this
7690 subtitle or required by law other than this subtitle.

7691 Sec. 7085. Confidentiality agreement.

7692 A person to be examined under section 7059 may require, as a condition of disclosure of
7693 the records of the person to be examined, that each person having access to the records disclosed
7694 in the examination execute and deliver to the person to be examined a confidentiality agreement
7695 that:

7696 (1) Is in a form that is reasonably satisfactory to the Administrator; and

7697 (2) Requires the person having access to the records to comply with the provisions of this
7698 part applicable to the person.

7699 Sec. 7086. No confidential information in notice.

7700 Except as otherwise provided in sections 7029 and 7030, a holder is not required under
7701 this subtitle to include confidential information in a notice the holder is required to provide to an
7702 apparent owner under this subtitle.

7703 Sec. 7087. Security of information.

7704 (a) If a holder is required to include confidential information in a report to the
7705 Administrator, the information must be provided by a secure means.

7706 (b) If confidential information in a record is provided to and maintained by the
7707 Administrator or Administrator's agent as required by this subtitle, the Administrator or agent
7708 shall:

7709 (1) Implement administrative, technical, and physical safeguards to protect the
7710 security, confidentiality, and integrity of the information required by D.C. Official Code §§ 28-
7711 3851 to 28-3864 and federal privacy and data security law whether or not the Administrator or
7712 the Administrator's agent is subject to the law;

7713 (2) Protect against reasonably anticipated threats or hazards to the security,
7714 confidentiality, or integrity of the information; and

7715 (3) Protect against unauthorized access to or use of the information which could
7716 result in substantial harm or inconvenience to a holder or the holder's customers, including
7717 insureds, annuitants, and policy or contract owners and their beneficiaries.

7718 (c) The Administrator:

7719 (1) After notice and comment, shall adopt and implement a security plan that
7720 identifies and assesses reasonably foreseeable internal and external risks to confidential
7721 information in the Administrator's possession and seeks to mitigate the risks; and

7722 (2) Shall ensure that an Administrator's agent adopts and implements a similar
7723 plan with respect to confidential information in the agent's possession.

7724 (d) The Administrator and the Administrator's agent shall educate and train their
7725 employees regarding the plan adopted under subsection (c) of this section.

7726 (e) The Administrator and the Administrator's agent shall in a secure manner return or
7727 destroy all confidential information no longer reasonably needed under this subtitle.

7728 Sec. 7088. Security breach.

7729 (a) Except to the extent prohibited by law other than this subtitle, the Administrator or
7730 Administrator's agent shall notify a holder as soon as practicable of:

7731 (1) A suspected loss, misuse or unauthorized access, disclosure, modification, or
7732 destruction of confidential information obtained from the holder in the possession of the
7733 Administrator or an Administrator's agent; and

7734 (2) Any interference with operations in any system hosting or housing
7735 confidential information which:

7736 (A) Compromises the security, confidentiality, or integrity of the
7737 information; or

7738 (B) Creates a substantial risk of identity fraud or theft.

7739 (b) Except as necessary to inform an insurer, attorney, investigator, or others as required
7740 by law, the Administrator and an Administrator's agent may not disclose, without the express
7741 consent in a record of the holder, an event described in subsection (a) of this section to a person
7742 whose confidential information was supplied by the holder.

7743 (c) If an event described in subsection (a) of this section occurs, the Administrator and
7744 the Administrator's agent shall:

7745 (1) Take action necessary for the holder to understand and minimize the effect of
7746 the event and determine its scope; and

7747 (2) Cooperate with the holder with respect to:

7748 (A) Any notification required by law concerning a data or other security
7749 breach; and

7750 (B) A regulatory inquiry, litigation, or similar action.

7751 Sec. 7089. Indemnification for breach by agent.

7752 (a) If a claim is made or action commenced arising out of an event described in section
7753 7088(a) relating to confidential information possessed by an Administrator's agent, the
7754 Administrator's agent shall indemnify, defend, and hold harmless a holder and the holder's
7755 affiliates, officers, directors, employees, and agents as to:

7756 (1) Any claim or action and

7757 (2) A liability, obligation, loss, damage, cost, fee, penalty, fine, settlement,
7758 charge, or other expense, including reasonable attorney's fees and costs, established by the claim
7759 or action.

7760 (b) The Administrator shall require an Administrator's agent that will receive confidential
7761 information required under this subtitle to maintain adequate insurance for indemnification
7762 obligations of the Administrator's agent under subsection (a) of this section. The agent required
7763 to maintain the insurance shall provide evidence of the insurance to:

7764 (1) The Administrator not less frequently than annually; and

7765 (2) The holder on commencement of an examination and annually thereafter until
7766 all confidential information is returned or destroyed under section 7087(e).

7767 Part 15. Miscellaneous Provisions

7768 Sec. 7090. Uniformity of application and construction.

7769 In applying and construing this uniform act consideration must be given to the need to
7770 promote uniformity of the law with respect to its subject matter among states that enact it.

7771 Sec. 7091. Relation to electronic signatures in global and national commerce act.

7772 This subtitle modifies, limits, or supersedes the Electronic Signatures in Global and
7773 National Commerce Act, approved June 30, 2000 (114 Stat. 464; 15 U.S.C. § 7001 *et seq.*), but
7774 does not modify, limit, or supersede section 101(c) of that act (15 U.S.C. § 7001(c)), or authorize
7775 electronic delivery of any of the notices described in section 103(b) of that act (15 U.S.C. §
7776 7003(b)).

7777 Sec. 7092. Transitional provision.

7778 (a) An initial report filed under this subtitle for property that was not required to be
7779 reported before the effective date of this subtitle, but that is required to be reported under this
7780 subtitle, must include all items of property that would have been presumed abandoned during the
7781 10-year period preceding the effective date of this subtitle as if this subtitle had been in effect
7782 during that period.

7783 (b) This subtitle does not relieve a holder of a duty that arose before the effective date of
7784 this subtitle to report, pay, or deliver property. Subject to section 7042(b) and (c), a holder that
7785 did not comply with the law governing unclaimed property before the effective date of this
7786 subtitle is subject to applicable provisions for enforcement and penalties in effect before the
7787 effective date of this subtitle.

7788 Sec. 7093. Transfer of funds.

7789 All funds in the trust fund established under section 123 of the Uniform Disposition of
7790 Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code
7791 § 41-123), shall be transferred to the Unclaimed Property Account, established under section
7792 7048(a).

7793 Sec. 7094. Conforming amendments.

7794 (a) The Uniform Disposition of Unclaimed Property Act of 1980, effective March 5,
7795 1981 (D.C. Law 3-160; D.C. Official Code § 41-101 *et seq.*), is repealed.

7796 (b) Section 204(a) of the District of Columbia Administrative Procedure Act, effective
7797 March 29, 1977 (D.C. Law 1-96; D. C. Official Code § 2-534(a)), is amended as follows:

7798 (1) The first paragraph (17) is amended by striking the period at the end and
7799 inserting a semicolon in its place.

7800 (2) The second paragraph (17) is redesignated as paragraph (18).

7801 (3) The redesignated paragraph (18) is amended by striking the period and
7802 inserting the phrase “; and” in its place.

7803 (4) A new paragraph (19) is added to read as follows:

7804 “(19) Information exempt from disclosure under Part 14 of the Revised Uniform
7805 Unclaimed Property Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version of
7806 Bill 24-285).”.

7807 (c) Section 6 of the Office of Administrative Hearings Establishment Act of 2001,
7808 effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by
7809 adding a new subsection (b-29) to read as follows:

7810 “(b-29) This act shall apply to all adjudicated cases authorized by sections 7071 and 7073
7811 of the Revised Uniform Unclaimed Property Act of 2021, passed on 1st reading on July 20, 2021
7812 (Engrossed version of Bill 24-285).”.

7813 (d) Chapter V of the Life Insurance Act, approved June 19, 1934 (48 Stat. 1156; D.C.
7814 Official Code § 31-4701 *et seq.*), is amended by adding a new section 31 to read as follows:

7815 “Sec. 31. Duty of insurers to compare names of insureds with death master file and to
7816 locate beneficiaries.

7817 “(a) For purposes of this section:

7818 “(1) “Contract” means an annuity contract. The term “contract” does not include
7819 an annuity used to fund an employment-based retirement plan or program if:

7820 “(A) The insurer does not perform the record keeping services; or

7821 “(B) The insurer is not committed by terms of the annuity contract to pay
7822 death benefits to the beneficiaries of specific plan participants.

7823 “(2) “Death master file” means the United States Social Security Administration
7824 Death Master File or other database or service that is at least as comprehensive as the United
7825 States Social Security Administration Death Master File for determining that an individual
7826 reportedly has died.

7827 “(3) “Death master file match” means a search of the death master file that results
7828 in a match of the Social Security number or the name and date of birth of an insured, annuity
7829 owner, or retained asset account holder.

7830 “(4) “Knowledge of death” means:

7831 “(A) Receipt of an original or valid copy of a certified death certificate; or

7832 “(B) A death master file match validated by the insurer in accordance with
7833 subsection (b)(1)(A) of this section.

7834 “(5) “Policy” means any policy or certificate of life insurance that provides a
7835 death benefit. The term “policy” does not include:

7836 “(A) A policy or certificate of life insurance that provides a death benefit
7837 under an employee benefit plan:

7838 “(i) Subject to the Employee Retirement Income Security Act of
7839 1974, approved September 2, 1974 (88 Stat. 829; 29 U.S.C. § 1001 *et seq.*); or

7840 “(ii) Under any federal employee benefit program;

7841 “(B) A policy or certificate of life insurance that is used to fund a pre-need
7842 funeral contract or prearrangement;

7843 “(C) A policy or certificate of credit life or accidental death insurance; or

7844 “(D) A policy issued to a group master policyholder for which the insurer
7845 does not provide record keeping services.

7846 “(6) “Record keeping services” means those services which the insurer has agreed
7847 with a group policy or contract customer to be responsible for obtaining, maintaining, and
7848 administering in its own or its agents’ systems information about each individual insured under
7849 an insured’s group insurance contract, or a line of coverage thereunder, at least the following
7850 information:

7851 “(A) Social Security number or name and date of birth;

7852 “(B) Beneficiary designation information;

7853 “(C) Coverage eligibility;

7854 “(D) Benefit amount; and

7855 “(E) Premium payment status.

7856 “(7) “Retained asset account” means a mechanism whereby the settlement of
7857 proceeds payable under a policy or contract is accomplished by the insurer or an entity acting on
7858 behalf of the insurer depositing the proceeds into an account with check or draft writing
7859 privileges, if those proceeds are retained by the insurer or its agent, pursuant to a supplementary
7860 contract not involving annuity benefits other than death benefits.

7861 “(b)(1) An insurer shall perform a comparison of its insureds’ in-force policies, contracts,
7862 and retained asset accounts against a death master file, on at least a semi-annual basis, by using
7863 the full death master file once and thereafter using the death master file update files for future
7864 comparisons to identify potential matches of its insureds. For those potential matches identified
7865 as a result of a death master file match, the insurer shall within 90 days of a death master file
7866 match:

7867 “(A) Complete a good faith effort, which shall be documented by the
7868 insurer, to confirm the death of the insured or retained asset account holder against other
7869 available records and information;

7870 “(B) Determine whether benefits are due in accordance with the applicable
7871 policy or contract; and if benefits are due in accordance with the applicable policy or contract:

7872 “(i) Use good faith efforts, which shall be documented by the
7873 insurer, to locate the beneficiary or beneficiaries; and

7874 “(ii) Provide the appropriate claims forms or instructions to the
7875 beneficiary or beneficiaries to make a claim including the need to provide an official death
7876 certificate, if applicable under the policy or contract.

7877 “(2) With respect to group life insurance, insurers are required to confirm the
7878 possible death of an insured when the insurers maintain at least the following information of
7879 those covered under a policy or certificate:

7880 “(A) Social Security number or name and date of birth;

7881 “(B) Beneficiary designation information;

7882 “(C) Coverage eligibility;

7883 “(D) Benefit amount; and

7884 “(E) Premium payment status.

7885 “(3) Every insurer shall implement procedures to account for:

7886 “(A) Common nicknames, initials used in lieu of a first or middle name,
7887 use of a middle name, compound first and middle names, and interchanged first and middle
7888 names;

7889 “(B) Compound last names, maiden or married names, and hyphens, blank
7890 spaces or apostrophes in last names;

7891 “(C) Transposition of the “month” and “date” portions of the date of birth;

7892 and

7893 “(D) Incomplete Social Security numbers.

7894 “(4) To the extent permitted by law, the insurer may disclose minimum necessary
7895 personal information about the insured or beneficiary to a person who the insurer reasonably

7896 believes may be able to assist the insurer locate the beneficiary or a person otherwise entitled to
7897 payment of the claims proceeds.

7898 “(c) An insurer or its service provider shall not charge any beneficiary or other authorized
7899 representative for any fees or costs associated with a death master file search or verification of a
7900 death master file match conducted pursuant to this section.

7901 “(d) The benefits from a policy, contract or a retained asset account, plus any applicable
7902 accrued contractual interest shall first be payable to the designated beneficiaries or owners and in
7903 the event said beneficiaries or owners cannot be found, shall be transferred to the Unclaimed
7904 Property Administrator as unclaimed property pursuant to the Revised Uniform Unclaimed
7905 Property Act of 2021, passed on 1st reading on July 20, 2021 (Engrossed version of Bill 24-285)
7906 (“Revised Uniform Unclaimed Property Act of 2021”). Interest payable under D.C. Official
7907 Code § 28-3302 shall not be payable as unclaimed property.

7908 “(e) Pursuant to section 7014 of the Revised Uniform Unclaimed Property Act of 2021,
7909 an insurer shall notify the Unclaimed Property Administrator upon the expiration of the statutory
7910 time period for abandoned property that:

7911 “(1) A policy or contract beneficiary or retained asset account holder has not
7912 submitted a claim with the insurer; and

7913 “(2) The insurer has complied with subsection (b) of this section and has been
7914 unable, after good faith efforts documented by the insurer, to contact the retained asset account
7915 holder, beneficiary or beneficiaries

7916 “(f) Upon such notice, an insurer shall immediately submit the unclaimed policy or
7917 contract benefits or unclaimed retained asset accounts, plus any applicable accrued interest, to

7918 the Unclaimed Property Administrator pursuant section 7014 of to the Revised Uniform
7919 Unclaimed Property Act of 2021.

7920 “(g) Failure to meet any requirement of this section with such frequency as to constitute a
7921 general business practice is a violation of a law of the District under section 6. Nothing herein
7922 shall be construed to create or imply a private cause of action for a violation of this section.”.

7923 **SUBTITLE B. PAYGO CAPITAL FUNDING**

7924 Sec. 7101. Short title.

7925 This subtitle may be cited as the “Paygo Capital Funding Emergency Amendment Act of
7926 2021”.

7927 Sec. 7102. Section 47-392.02(f) of the District of Columbia Official Code is amended as
7928 follows:

7929 (a) The lead-in language is amended by striking the phrase “Local funds revenue
7930 transfer” and inserting the phrase “Transfer of local or dedicated funds” in its place.

7931 (b) Paragraph (2) is amended as follows:

7932 (1) Strike the phrase “local funds transfer” and insert the phrase “transfer of local
7933 or dedicated funds” in its place.

7934 (2) Strike the phrase “Fiscal Year 2020” and insert the phrase “Fiscal Year 2020
7935 (“minimum transfer amount”); except, that in Fiscal Year 2025, the minimum transfer amount
7936 shall be \$206 million” in its place.

7937 (c) Paragraph (3) is amended by striking the phrase “minimum local funds transfer” both
7938 times it appears and inserting the phrase “minimum transfer amount” in its place.

7939 **SUBTITLE C. TAXABLE INCOME EXCLUSIONS**

7940 Sec. 7111. Short title.

7941 This subtitle may be cited as the “Taxable Income Exclusions Emergency Amendment
7942 Act of 2021”.

7943 Sec. 7112. Section 47-1803.02(a)(2) of the District of Columbia Official Code is
7944 amended as follows:

7945 (a) New subparagraphs (GG) through (II) are added to read as follows:

7946 “(GG) Small business loans awarded and subsequently forgiven under
7947 section 7A of the Small Business Act, approved March 27, 2020 (134 Stat. 297; 15 U.S.C. §
7948 636m).

7949 “(HH) Public health emergency small business grants awarded pursuant
7950 to section 2316 of the Small and Certified Business Enterprise Development and Assistance Act
7951 of 2005, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 6913).

7952 “(II) Public health emergency grants authorized pursuant to section
7953 16(m)(1) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976
7954 (D.C. Law 1-58; D.C. Official Code § 1-309.13(m)(1)).

7955 (b) Subparagraph (JJ) is amended to read as follows:

7956 “(JJ) Cash assistance for excluded workers given pursuant to grants
7957 awarded by the Washington Convention and Sports Authority after taxable year ending
7958 December 31, 2019 and ending before January 1, 2023.”.

7959 (c) New subsections (KK) through (PP) are added to read as follows:

7960 “(KK) For tax years beginning after December 31, 2020, public health
7961 emergency response grants issued pursuant to section 5b of the District of Columbia Public
7962 Emergency Act of 1980, effective June 24, 2021 (D.C. Law 24-9; D.C. Official Code § 7-
7963 2304.02), or successor law.

7964 “(LL) For taxable years beginning after December 31, 2020,
7965 unemployment insurance benefits provided by the District or any other state, including:

7966 “(i) District-funded benefits paid pursuant to subchapter I of
7967 Chapter 1 of Title 51 of the District of Columbia Official Code or a similar program in another
7968 state, including any extension of such benefits;

7969 “(ii) Fully or partially federally funded benefits paid pursuant to
7970 temporary or permanent unemployment benefits programs, including Federal Pandemic
7971 Unemployment Compensation provided for by section 2104 of Division A of the Coronavirus
7972 Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 318; 15 U.S.C. §
7973 9023); and

7974 “(iii) Benefits paid pursuant to special programs, including
7975 Disaster Unemployment Assistance provided for by section 410 of the Disaster Relief Act of
7976 1974, approved May 22, 1974 (88 Stat. 156; 42 U.S.C. § 5177), or Pandemic Unemployment
7977 Assistance provided for by section 2102 of Division A of the Coronavirus Aid, Relief, and
7978 Economic Security Act, approved March 27, 2020 (134 Stat. 313; 15 U.S.C. § 9021) to
7979 individuals who do not qualify for regular unemployment insurance benefits.

7980 “(MM) Grants issued pursuant to section 2032(h)(1)(A) of the Deputy
7981 Mayor for Planning and Economic Development Limited Grant Making Authority Act of 2012,
7982 effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04(h)(1)(A)).”.

7983 “(NN) The following grants made by the Deputy Mayor for Planning and
7984 Economic Development:

7985 “(i) Small business rent relief grants awarded pursuant to section
7986 2032(l) of the Deputy Mayor for Planning and Economic Development Limited Grant-Making
7987 Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
7988 328.04(l));

7989 “(ii) Grants awarded to the DC Center for the LQBT Community
7990 pursuant to section 2032(m) of the Deputy Mayor for Planning and Economic Development
7991 Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168;
7992 D.C. Official Code § 1-328.04(m));

7993 “(iii) Large company grants awarded pursuant to section 2032(n)
7994 of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority
7995 Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
7996 328.04(n));

7997 “(iv) Local food access grants awarded pursuant to section 2032(o)
7998 of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority
7999 Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
8000 328.04(o));

8001 “(v) Guaranteed income pilot program grants awarded pursuant to
8002 section 2032(p) of the Deputy Mayor for Planning and Economic Development Limited Grant-
8003 Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official
8004 Code § 1-328.04(p));

8005 “(vi) Grants awarded to Community Development Financial
8006 Institutions or Minority Depository Institutions pursuant to section 2032(q) of the Deputy Mayor
8007 for Planning and Economic Development Limited Grant-Making Authority Act of 2012,
8008 effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04(q));

8009 “(vii) Equity growth impact grants awarded pursuant to section
8010 2032(r) of the Deputy Mayor for Planning and Economic Development Limited Grant-Making
8011 Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
8012 328.04(r));

8013 “(viii) Great Streets program grants awarded pursuant to section
8014 2032(a) of the Deputy Mayor for Planning and Economic Development Limited Grant-Making
8015 Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
8016 328.04(s));

8017 “(ix) Bridge Fund recovery and special events support grants
8018 awarded pursuant to section 2032(t) of the Deputy Mayor for Planning and Economic
8019 Development Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C.
8020 Law 19-168; D.C. Official Code § 1-328.04(t));

8021 “(x) Small and medium business recover and growth program
8022 grants awarded pursuant to section 2032(u) of the Deputy Mayor for Planning and Economic

8023 Development Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C.
8024 Law 19-168; D.C. Official Code § 1-328.04(u)); and

8025 “(xi) Equity impact enterprise commercial property acquisition
8026 grants awarded pursuant to section 2032(v) of the Deputy Mayor for Planning and Economic
8027 Development Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C.
8028 Law 19-168; D.C. Official Code § 1-328.04(v)).

8029 “(OO) COVID-19 hotel recovery grants awarded pursuant to section 2192
8030 of the COVID-19 Hotel Recovery Grant Program Act of 2021, passed on 1st reading July 20,
8031 2021 (Engrossed version of Bill 24-285).

8032 “(PP) Delayed unemployment compensation payments made pursuant to
8033 section 7(j) of the District of Columbia Unemployment Compensation Act, approved August 28,
8034 1935 (49 Stat. 949; D.C. Official Code § 51-107(j)).”.

8035

8036 **SUBTITLE D. DCRB EXECUTIVE LEADERSHIP**

8037 Sec. 7121. Short title.

8038 This subtitle may be cited as the “District of Columbia Retirement Board Executive
8039 Leadership Emergency Amendment Act of 2021”.

8040 Sec. 7122. Section 121 of the District of Columbia Retirement Reform Act, approved
8041 November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711), is amended as follows:

8042 (a) Subsection (c)(1) is amended as follows:

8043 (1) Strike the phrase “exceed \$10,000.” and insert the phrase “exceed:” in its
8044 place.

8045 (2) New subparagraphs (A) and (B) are added to read as follows:

8046 “(A) Beginning in Fiscal Year 2021, \$25,000 for the Chairperson of the
8047 Board; and

8048 “(B) Beginning in Fiscal Year 2021, \$15,000 for each member entitled to
8049 compensation under this paragraph other than the Chairperson.”.

8050 (b) Subsection (g)(2) is amended by adding a new subparagraph (D) to read as follows:

8051 “(D) Notwithstanding any other provision of law, the annual salary of the
8052 Executive Director shall be fixed by the Board as it considers necessary at a rate not to exceed
8053 135% of the highest step of Grade E5 of the Executive Service.”.

8054 Sec. 7123. Applicability.

8055 This subtitle shall apply as of the effective date of this act.

8056 **SUBTITLE E. TAX ABATEMENTS FOR AFFORDABLE HOUSING**

8057 Sec. 7131. Short title.

8058 This subtitle may be cited as the “Tax Abatements for Affordable Housing in High-Need
8059 Areas Emergency Amendment Act of 2021”.

8060 Sec. 7132. Section 47-859.06 of Title 47 of the District of Columbia Official Code is
8061 amended as follows:

8062 (a) Subsection (b) is amended to read as follows:

8063 “(b) The Mayor may, through a competitive process, designate real property to be eligible
8064 to receive a tax abatement under this section; provided, that the total amount of the tax
8065 abatements associated with real property designated by the Mayor pursuant to this subsection
8066 shall not exceed:

8067 “(1) \$200,000 in Fiscal Year 2024;
8068 “(2) \$4 million in Fiscal Year 2025; and
8069 “(3) \$4 million increased by 4% in Fiscal Year 2026 and further increased by 4% in each
8070 fiscal year thereafter.”.

8071 (b) Subsection (c) is amended by striking the phrase “by this section” wherever it appears
8072 and inserting the phrase “by subsection (a) of this section” in its place.

8073 (c) A new subsection (c-1) is added to read as follows:

8074 “(c-1)(1) In lieu of the abatement provided for in subsection (a) of this section, real
8075 property tax imposed by § 47-811 on real property certified as eligible pursuant to subsection (d)
8076 of this section shall be abated for the period set forth in paragraph (3) of this subsection;
8077 provided, that:

8078 “(A) The real property is located within:

8079 “(i) The Downtown Business Improvement District, as defined in §
8080 2-1215.51(b); or

8081 “(ii) The Golden Triangle Business Improvement District, as
8082 defined in § 2-1215.52(b);

8083 “(B) The real property is designated by the Mayor pursuant to paragraph
8084 (2) of this subsection;

8085 “(C) For the duration of the period set forth in paragraph (3) of this
8086 subsection, at least 20% of the housing units developed or redeveloped through a change in use
8087 that results in housing units on the real property are affordable to and rented by households

8088 earning on average 80% or less of the median family income; provided, that during such period
8089 no such household earns more than 100% of the median family income; and

8090 “(D) The following requirements are met:

8091 “(i) The developer files a covenant in the land records of the
8092 District, binding on the developer and all of its successors in interest with respect to the property,
8093 covenanting to comply with the requirements of subparagraph (C) of this paragraph;

8094 “(ii) The developer enters into an agreement with the District that
8095 requires the developer to, at a minimum, contract with certified business enterprises for at least
8096 35% of the contract dollar volume of the construction and operations of the project, in
8097 accordance with § 2-218.46;

8098 “(iii) The developer enters into a First Source Agreement for the
8099 operations of the project; and

8100 “(iv) The developer enters into an agreement with the Mayor
8101 setting forth the requirements of this paragraph and such other terms and conditions as the Mayor
8102 considers appropriate.

8103 “(2) The Mayor may, through a competitive process, designate real property
8104 eligible to receive a tax abatement under this subsection; provided, that the total amount of the
8105 tax abatements associated with real property designated by the Mayor pursuant to this subsection
8106 shall not exceed:

8107 “(A) \$125,000 in Fiscal Year 2025;

8108 “(B) \$2.5 million in Fiscal Year 2026; and

8109 “(C) \$4 million annually thereafter.

8110 “(3) The tax abatement provided for by this subsection shall begin in the tax year
8111 immediately following the tax year during which the certificate of occupancy was issued for the
8112 final housing unit counted toward satisfying the affordability requirement of paragraph (1)(C) of
8113 this subsection and shall continue until the end of the 35th tax year after the tax year during
8114 which such certificate of occupancy is issued; except, that the tax abatement provided for by this
8115 subsection shall not begin before October 1, 2024.”.

8116 (c) Subsection (d) is amended as follows:

8117 (1) Paragraph (1) is amended as follows:

8118 (A) The lead-in language is amended by striking the phrase “for the
8119 abatement provided by this section” and inserting the phrase “for an abatement provided by this
8120 section” in its place.

8121 (B) Subparagraph (B) is amended by striking the phrase “subsection
8122 (a)(3)” and inserting the phrase “subsections (a)(3) or (c-1)(1)(C)” in its place.

8123 (C) Subparagraph (C) is amended by striking the phrase “subsection (c)”
8124 and inserting the phrase “subsections (c) or (c-1)(3)” in its place.

8125 (D) Subparagraph (D) is amended by striking the phrase “subsection (a)”
8126 and inserting the phrase “subsections (a) or (c-1)(1)” in its place.

8127 (E) Subparagraph (E) is amended by striking the phrase “subsection (b)”
8128 and inserting the phrase “subsections (b) or (c-1)(2)” in its place.

8129 (2) Paragraph (2) is amended by striking the phrase “the abatement provided by
8130 this section” and inserting the phrase “an abatement provided by this section” in its place.

8131 (d) Subsection (e) is amended by striking the phrase “The tax abatement provided by”

8132 and inserting the phrase “The tax abatements provided by” in its place.

8133 (e) Subsection (f) is amended by striking the phrase “subsection (b)” and inserting the
8134 phrase “subsections (b) or (c-1)(2)” in its place.

8135 **SUBTITLE F. EVENTS DC**

8136 Sec. 7141. Short title.

8137 This subtitle may be cited as the “Events DC Grant-Making Emergency Act of
8138 2021”.

8139 Sec. 7142. National Cherry Blossom Festival Fundraising.

8140 (a) There is established a matching grant program to support the 2022 National
8141 Cherry Blossom Festival (“Program”), which shall be administered by the Washington
8142 Convention and Sports Authority (“Events DC”). Under the Program, a matching grant
8143 shall be awarded to a nonprofit organization that organizes and produces an event or
8144 events as part of the official, month-long National Cherry Blossom Festival (“Festival”)
8145 of up to \$1,000,000 for every dollar above \$750,000 that the organization has raised in
8146 corporate donations by April 30, 2022.

8147 (b) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Account,
8148 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by
8149 subsection (a) of this section.

8150 (c) A grant awarded pursuant to this section shall be in addition to any other grant
8151 awarded by Events DC in support of the Festival.

8152 Sec. 7143. The lead-in language of section 204(m) of the Washington Convention Center
8153 Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code §

8154 10-1202.04(m)), is amended by striking the phrase “Fiscal Year 2020 or Fiscal Year 2021” and
8155 inserting the phrase “Fiscal Year 2021 or Fiscal Year 2022” in its place.

8156 **SUBTITLE G. EXCLUDED WORKER PAYMENT**

8157 Sec. 7151. Short title.

8158 This subtitle may be cited as the “Excluded Worker Payment Emergency Amendment
8159 Act of 2021”.

8160 Sec. 7152. The lead-in language of section 203a(a) of the Washington Convention Center
8161 Authority Act of 1994, effective December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 10-
8162 1202.03a(a)), is amended to read as follows:

8163 “(a) The Washington Convention and Sports Authority shall issue, subject to the
8164 availability of funds, grants or contracts to nonprofit entities to use to provide cash assistance to
8165 District residents who are otherwise excluded from District and federal aid related to COVID-19.
8166 To qualify for cash assistance from grants or contracts awarded pursuant to this section, a
8167 District resident shall:”

8168 Sec. 7153. Applicability.

8169 This subtitle shall apply as of the effective date of this act.

8170 **SUBTITLE H. COUNCIL PERIOD 24 RULE 736 AND OTHER REPEALS**

8171 Sec. 7161. Short title.

8172 This subtitle may be cited as the “Council Period 24 Rule 736 and Other Repeals
8173 Emergency Amendment Act of 2021”.

8174 Sec. 7162. Section 5(b)(1) of the District of Columbia Public Emergency Act of 1980,
8175 effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(1)), is repealed.

8176 Sec. 7163. The Trash Compactor Tax Incentive Amendment Act of 2014, effective
8177 March 11, 2015 (D.C. Law 20-223; 62 DCR 227), is repealed.

8178 Sec. 7164. The Maternal Mental Health Task Force Establishment Act of 2018, effective
8179 July 17, 2018 (D.C. Law 22-139; 65 DCR 5966), is repealed.

8180 Sec. 7165. The Hearing Aid Assistance Program Act of 2018, effective July 27, 2018
8181 (D.C. Law 22-151; 65 DCR 6123), is repealed.

8182 Sec. 7166. Sections 2(a), (b)(2), (c)(1), (c)(2)(A), (c)(3), (c)(4)(B), (f), (g), (h), and (i) of
8183 the Traffic and Parking Ticket Penalty Amendment Act of 2018, effective October 30, 2018
8184 (D.C. Law 22-175; 65 DCR 9546), and amendatory section 207 of the District of Columbia
8185 Traffic Adjudication Act of 1978, effective October 30, 2018 (D.C. Law 22-175; D.C. Official
8186 Code § 50-2302.07), in section 2(e) of the Traffic and Parking Ticket Penalty Amendment Act of
8187 2018, effective October 30, 2018 (D.C. Law 22-175; 65 DCR 9546), are repealed.

8188 Sec. 7167. Section 101 of the Save Good Food Amendment Act of 2018, effective
8189 February 22, 2019 (D.C. Law 22-212; 65 DCR 12927), is repealed.

8190 Sec. 7168. The Rental Housing Smoke Free Common Area Amendment Act of 2018,
8191 effective March 22, 2019 (D.C. Law 22-260; 66 DCR 1370), is repealed.

8192 Sec. 7169. The Paperwork Reduction and Data Collection Act of 2018, effective March
8193 22, 2019 (D.C. Law 22-264; 66 DCR 1388), is repealed.

8194 Sec. 7170. The District Historical Records Advisory Board Amendment Act of 2018,
8195 effective March 28, 2019 (D.C. Law 22-271; 66 DCR 1446), is repealed.

8196 Sec. 7171. The Language Access for Education Amendment Act of 2018, effective April
8197 11, 2019 (D.C. Law 22-282; 66 DCR 1606), is repealed.

8198 Sec. 7172. The Disabled Veterans Homestead Exemption Act of 2018, effective April 11,
8199 2019 (D.C. Law 22-283; 66 DCR 1615), is repealed.

8200 Sec. 7173. The Safe Disposal of Controlled Substances Act of 2018, effective April 11,
8201 2019 (D.C. Law 22-285; 66 DCR 1621), is repealed.

8202 Sec. 7174. The D.C. Healthcare Alliance Reform Amendment Act of 2019, effective
8203 September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

8204 **SUBTITLE I. SUBJECT-TO-APPROPRIATIONS REPEALS AND**
8205 **MODIFICATIONS**

8206 Sec. 7181. Short title.

8207 This subtitle may be cited as the “Subject-to-Appropriations Repeals and Modifications
8208 Emergency Amendment Act of 2021”.

8209 Sec. 7182. Section 11 of the Childhood Lead Exposure Prevention Amendment Act of
8210 2017, effective September 23, 2017 (D.C. Law 22-21; 64 DCR 7631), is repealed.

8211 Sec. 7183. Section 10(a) of the Campaign Finance Reform Amendment Act of 2018,
8212 effective March 13, 2019 (D.C. Law 22-250; 66 DCR 985), is amended to read as follows:

8213 “(a) Sections 6(b)(4), (8), and (22), and (pp)(8) and (9) shall not apply to contracts, as
8214 defined in section 101(10C)(A)(ii) of the Board of Ethics and Government Accountability
8215 Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27,
8216 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10C)(A)(ii)), including those contracts’
8217 option periods or similar contract extensions or modifications, sought, entered into, or executed
8218 before November 9, 2022.”.

8219 Sec. 7184. Section 5 of the Public Restroom Facilities Installation and Promotion Act of
8220 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is repealed.

8221 Sec. 7185. Section 4 of the Care for LGBTQ Seniors and Seniors with HIV Amendment
8222 Act of 2020, effective December 23, 2020 (D.C. Law 23-154; 67 DCR 13244), is repealed.

8223 Sec. 7186. Section 3 of the Autonomous Vehicles Testing Program Amendment Act of
8224 2020, effective December 23, 2020 (D.C. Law 23-156; 67 DCR 13048), is repealed.

8225 Sec. 7187. Section 5 of the Dementia Training for Direct Care Workers Support
8226 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-201; 67 DCR 14750), is
8227 repealed.

8228 Sec. 7188. Section 3 of the Helping Children Impacted by Parental Incarceration
8229 Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-278; 68 DCR 1154), is
8230 repealed.

8231 Sec. 7189. Section 3 of the MLK Gateway Real Property Tax Abatement Amendment
8232 Act of 2019, effective January 10, 2020 (D.C. Law 23-46; 66 DCR 15345), is repealed.

8233 Sec. 7190. Section 4 of the Postpartum Coverage Expansion Amendment Act of 2020,
8234 effective October 20, 2020 (D.C. Law 23-132; 67 DCR 9887), is repealed.

8235 Sec. 7191. Section 3 of the Office for the Deaf, Deafblind, and Hard of Hearing
8236 Establishment Amendment Act of 2020, effective December 8, 2020 (D.C. Law 23-152; 67 DCR
8237 12254), is repealed.

8238 Sec. 7192. Section 301 of the Commission on Poverty Establishment Amendment Act of
8239 2020, effective March 16, 2021 (D.C. Law 23-184; 68 DCR 1220), is repealed.

8240 Sec. 7193. Section 5 of the Residential Housing Environmental Safety Amendment Act
8241 of 2020, effective March 16, 2021 (D.C. Law 23-188; 68 DCR 1227), is amended as follows:

8242 (a) Subsection (a) is amended by striking the phrase “This act” and inserting the phrase
8243 “Sections 2 and 3” in its place.

8244 (b) Subsection (c)(2) is amended by striking the phrase “this act” and inserting the phrase
8245 “the provisions identified in subsection (a) of this section” in its place.

8246 Sec. 7194. Section 3 of the Psychology Interjurisdictional Compact Act of 2020, effective
8247 March 16, 2021 (D.C. Law 23-190; 68 DCR 16), is repealed.

8248 Sec. 7195. Section 301 of the Addressing Dyslexia and Other Reading Difficulties
8249 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-191; 68 DCR 115), is
8250 repealed.

8251 Sec. 7196. Section 4 of the Initiative and Referendum Process Improvement Amendment
8252 Act of 2020, effective March 16, 2021 (D.C. Law 23-192; 68 DCR 1073), is repealed.

8253 Sec. 7197. Section 3 of the Electric Vehicle Readiness Amendment Act of 2020, effective
8254 March 16, 2021 (D.C. Law 23-194; 68 DCR 1100), is repealed.

8255 Sec. 7198. Section 3 of the Energy Efficiency Standards Amendment Act of 2020,
8256 effective March 16, 2021 (D.C. Law 23-195; 68 DCR 39), is amended as follows:

8257 (a) Subsection (a) is amended by striking the phrase “one year after the date described in
8258 subsection (b) of this section.” and inserting the phrase “October 1, 2022.” in its place.

8259 (b) Subsection (b) is repealed.

8260 Sec. 7199. Section 4 of the Diverse Washingtonians Commemorative Works Amendment
8261 Act of 2020, effective March 16, 2021 (D.C. Law 23-196; 68 DCR 753), is repealed.

8262 Sec. 7200. Section 301 of the Shared Fleet Devices Amendment Act of 2020, effective
8263 March 16, 2021 (D.C. Law 23-203; 67 DCR 13886), is repealed.

8264 Sec. 7201. Section 12 of the Students’ Right to Home or Hospital Instruction Act of
8265 2020, effective March 16, 2021 (D.C. Law 23-204; 67 DCR 14756), is repealed.

8266 Sec. 7202. Section 302 of the Ban on Non-Compete Agreements Amendment Act of
8267 2020, effective March 16, 2021 (D.C. Law 23-209; 68 DCR 782), is amended to read as follows:

8268 “Section 302. Applicability.

8269 “‘This act shall apply as of April 1, 2022.’”.

8270 Sec. 7203. Section 6(a) of the Zero Waste Omnibus Amendment Act of 2020, effective
8271 March 16, 2021 (D.C. Law 23-211; 68 DCR 68), is amended to read as follows:

8272 “(a) Section 2(b)(2), (d)(2), and (m)(1), amendatory section 103(e) of the Sustainable
8273 Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-
8274 154; D.C. Official Code § 8-1031.03(e)), in section 2(b)(3), and amendatory sections 112c and
8275 112e of the Sustainable Solid Waste Management Amendment Act of 2014, effective March 16,
8276 2021 (D.C. Law 23-211; D.C. Official Code §§ 8-1031.12c and 8-1031.12e), in section 2(k),
8277 shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial
8278 plan.”.

8279 Sec. 7204. Section 5 of the District of Columbia Water and Sewer Authority Omnibus
8280 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-229; 68 DCR 1112), is
8281 repealed.

8282 Sec. 7205. Section 4 of the Public Facilities Environmental Safety Amendment Act of
8283 2020, effective March 16, 2021, (D.C. Law 23-233; 68 DCR 1128), is amended to read as
8284 follows:

8285 “Sec. 4. Applicability.

8286 “(a) Section 2(b)(2) of this act shall apply upon the date of inclusion of its fiscal effect in
8287 an approved budget and financial plan.

8288 “(b) The Chief Financial Officer shall certify the date of inclusion of the fiscal effect in an
8289 approved budget and financial plan and provide notice to the Budget Director of the Council of
8290 the certification.

8291 “(c)(1) The Budget Director shall cause the notice of the certification to be published in
8292 the District of Columbia Register.

8293 “(2) The date of publication of the notice of the certification shall not affect the
8294 applicability of section 2(b)(2).”.

8295 Sec. 7206. Section 3 of the Voluntary Agreement Moratorium Amendment Act of 2020,
8296 effective March 16, 2021 (D.C. Law 23-246; 68 DCR 1232), is repealed.

8297 Sec. 7207. Section 601 of the Department of Buildings Establishment Act of 2020,
8298 effective April 5, 2021 (D.C. Law 23-269; 68 DCR 1490), is repealed.

8299 Sec. 7208. Section 301 of the Office of the Ombudsperson for Children Establishment
8300 Amendment Act of 2020, effective April 5, 2021 (D.C. Law 23-270; 68 DCR 1510), is repealed.

8301 Sec. 7209. The Omnibus Public Safety and Justice Amendment Act of 2020, effective
8302 April 27, 2021 (D.C. Law 23-274; 68 DCR 1034), is amended as follows:

8303 (a) Section 1101 is amended to read as follows:

8304 “Sec. 1101. Section 4902(a-1)(1) of the Department of Health Functions Clarification Act
8305 of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731(a-1)(1)), is
8306 amended by striking the phrase “Central Detention Facility” and inserting the phrase “Central
8307 Detention Facility, Correctional Treatment Facility, and Central Cell Block” in its place.”.

8308 (b) Section 1501 is repealed.

8309 Sec. 7210. Section 4 of the Medical Marijuana Program Patient Employment Protection
8310 Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-276; 68 DCR 48), is repealed.

8311 Sec. 7211. Section 5 of the Restore the Vote Amendment Act of 2020, effective April 27,
8312 2021 (D.C. Law 23-277; 67 DCR 13867), is repealed.

8313 Sec. 7212. Section 6 of the Bella Evangelista and Tony Hunter Panic Defense Prohibition
8314 and Hate Crimes Response Amendment Act of 2020, effective May 15, 2021 (D.C. Law 23-283;
8315 68 DCR 764), is repealed.

8316 Sec. 7213. Section 4 of the Green Food Purchasing Amendment Act of 2021, enacted on
8317 June 7, 2021 (D.C. Act 24-93; 68 DCR 6015), is amended to read as follows:

8318 “Sec. 4. Applicability.

8319 “Section 3 shall apply as of January 1, 2023.”.

8320 Sec. 7214. Section 3 of the D.C. Central Kitchen, Inc. Tax Rebate Amendment Act of
8321 2021, enacted on June 7, 2021 (D.C. Act 24-94; 68 DCR 6020), is repealed.

8322 Sec. 7215. Section 6(b)(1) of the Comprehensive Plan Amendment Act of 2021, enacted
8323 July 7, 2021 (D.C. Act 24-110; 68 DCR 6918), is amended by striking the phrase “Sections 3
8324 and 4 shall apply upon the date of inclusion of their” and inserting the phrase “Section 3 shall
8325 apply upon the date of inclusion of its” in its place.

8326 **SUBTITLE J. INCOME TAX FAIRNESS**

8327 Sec. 7221. Short title.

8328 This subtitle may be cited as the “Income Tax Fairness Emergency Amendment Act of
8329 2021”.

8330 Sec. 7222. Section 47-1806.03(a) of the District of Columbia Official Code is amended
8331 by adding a new paragraph (11) to read as follows:

8332 “(11) In the case of taxable years beginning after December 31, 2021, there is
8333 imposed on the taxable income of every resident a tax determined in accordance with the
8334 following table:

Not over \$10,000	4% of the taxable income
Over \$10,000 but not over \$40,000	\$400, plus 6% of the excess over \$10,000
Over \$40,000 but not over \$60,000	\$2,200, plus 6.5% of the excess over \$40,000
Over \$60,000 but not over \$250,000	\$3,500, plus 8.5% of the excess over \$60,000
Over \$250,000 but not over \$500,000	\$19,650, plus 9.25% of the excess over \$250,000
Over \$500,000 but not over \$1,000,000	\$42,775, plus 9.75% of the excess over \$500,000
Over \$1,000,000	\$91,525, plus 10.75% of the excess over \$1,000,000

8335 .”.

8336 **SUBTITLE K. EARNED INCOME TAX CREDIT AS BASIC INCOME**

8337 Sec. 7231. Short title.

8338 This subtitle may be cited as the “Earned Income Tax Credit as Basic Income Emergency
8339 Amendment Act of 2021”.

8340 Sec. 7232. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as
8341 follows:

8342 (a) The table of contents is amended by adding a new section designation to read as
8343 follows:

8344 “47-1806.04a. Public outreach for earned income tax credit.”.

8345 (b) Section 47-1806.04 is amended as follows:

8346 (1) Subsection (f) is amended as follows:

8347 (A) Paragraph (1) is amended by adding new subparagraphs (B-1), (B-2),
8348 and (B-3) to read as follows:

8349 “(B-1) If a return is filed for a full calendar or fiscal year beginning after
8350 December 31, 2021, an individual with a qualifying child who is allowed an earned income tax
8351 credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against
8352 the tax imposed by this chapter for the taxable year in an amount equal to 70% of the earned
8353 income tax credit allowed under section 32 of the Internal Revenue Code of 1986.

8354 “(B-2) If a return is filed for a full calendar or fiscal year beginning after
8355 December 31, 2024, an individual with a qualifying child who is allowed an earned income tax
8356 credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against
8357 the tax imposed by this chapter for the taxable year in an amount equal to 85% of the earned
8358 income tax credit allowed under section 32 of the Internal Revenue Code of 1986.

8359 “(B-3) If a return is filed for a full calendar or fiscal year beginning after

8360 December 31, 2025, an individual with a qualifying child who is allowed an earned income tax
8361 credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against
8362 the tax imposed by this chapter for the taxable year in an amount equal to 100% of the earned
8363 income tax credit allowed under section 32 of the Internal Revenue Code of 1986”.

8364 (B) Paragraph (3) is amended to read as follows:

8365 “(3)(A) The credit allowed under this subsection shall be refundable to the
8366 individual claiming the credit.

8367 “(B)(i) For the taxable year ending December 31, 2022, the amount equal
8368 to 40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of
8369 1986 shall be paid to the individual in one lump sum payment, and

8370 “(I) If the amount of the remaining refund is at least \$600,
8371 the remaining refund shall be paid in 11 equal monthly payments; or

8372 “(II) If the amount of the remaining refund is less than
8373 \$600, the remaining refund shall be paid in one lump sum payment.

8374 “(ii) For taxable years beginning after December 31, 2022:

8375 “(I) If the amount of the earned income tax credit allowed
8376 is at least \$1,200, the entire amount of the earned income tax credit allowed shall be paid to the
8377 individual in 12 equal monthly payments; or

8378 “(II) If the amount of the earned income tax credit allowed
8379 is less than \$1,200, the entire amount of the earned income tax credit allowed shall be paid to the
8380 individual in one lump sum payment.

8381 “(iii) No interest shall be allowed on any refund payments made
8382 under this subparagraph.

8383 “(iv) Notwithstanding sub-subparagraphs (i) and (ii) of this
8384 subparagraph, the entire amount of a credit to be refunded shall be immediately subject to the
8385 offset provisions of subchapter III of Chapter 44 of this title.

8386 “(v) The Chief Financial Officer shall send a notice to every
8387 individual whose refund, or any portion thereof, will be paid in monthly refund payments
8388 pursuant to sub-subparagraphs (i)(I) or (ii)(I) of this subparagraph.”.

8389 (2) Subsection (g) is amended by adding a new paragraph (3) to read as follows:

8390 “(3) Any refunds paid pursuant to this subsection shall be paid in the manner
8391 described in subsection (f)(3) of this section.”.

8392 (c) A new section 47-1806.04a is added to read as follows:

8393 “§ 47-1806.04a. Public outreach for earned income tax credit.

8394 “(a) The Mayor may, subject to available funding, issue grants to a nonprofit organization
8395 registered in the District, pursuant to Chapter 4 of Title 29, to provide outreach and education
8396 about the tax credit allowed pursuant to § 47-1806.04(f) and (g).

8397 “(b) By January 1, 2025, the Mayor shall issue a grant of \$250,000 to a research
8398 institution located in the District for the purpose of collecting data and issuing a report to the
8399 Council describing the impact on eligible households of the payments required pursuant to § 47-
8400 1806.04(f) and (g).”.

8401 **TITLE VIII. SPECIAL PURPOSE REVENUE, DEDICATED REVENUE, AND**
8402 **CAPITAL**

8403 **SUBTITLE A. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

8404 Sec. 8001. Short title.

8405 This title may be cited as the “Designated Fund Transfer Emergency Act of 2021”.

8406 Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the
8407 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year
8408 2022 the following amounts from certified funds and other revenue in the identified accounts to
8409 the unassigned fund balance of the General Fund of the District of Columbia:

Agency Code	Fund Detail	Fund Name	FY22	Frequency
EN0	632	Small Business Access to Capital Access Fund	813,313	One-time
TO0	1200	SERV US Program	48,761	One-time
UC0	1630	911 and 311 Assessments	150,000	Recurring
Total			1,012,074	

8410

8411 (b) The total amount identified in subsection (a) of this section shall be made available as
8412 set forth in the approved Fiscal Year 2022 Budget and Financial Plan.

8413 **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

8414 Sec. 9001. Applicability.

8415 Except as otherwise provided, this act shall apply as of October 1, 2021.

8416 Sec. 9002. Fiscal impact statement.

8417 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
8418 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
8419 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

8420 Sec. 9003. Effective date.

8421 This act shall take effect following approval by the Mayor (or in the event of veto by the
8422 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
8423 90 days, as provided for emergency acts of the Council of the District of Columbia in section
8424 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
8425 D.C. Official Code § 1-204.12(a)).