



Councilmember Christina Henderson



Councilmember Brooke Pinto

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish incentives to transform the Central Business District into a place to live, work, and play, to provide childcare incentives to support a return to in-person work in the Central Business District, to support innovative and effective strategies to promote public safety in commercial corridors across the District, and to promote the equitable and resilient recovery of the entire District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Rediscover Equitable Central Occupancy Vitality and Encourage Resilient Yield (RECOVERY) Amendment Act of 2023”.

Sec. 2. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-860.03(b) is amended to read as follows:

“(b) The amount of tax abatements the Mayor may approve or certify under section 47- 860.02 and restore upon subsection (a)(2) of this section shall be capped at the following amounts, subject to availability of funding:

“(1) For Fiscal years 2024, 2025, 2026, 2027 and 2028 \$5 million per year; and

“(2) For each succeeding fiscal year after Fiscal Year 2028, an amount equal to 104% of the prior year’s cap.”

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

“(c) Any property which receives a tax abatement from the Mayor under D.C. Code

33 section 47-860.02 *et seq.* during the period under subsection (b)(1) above shall be then
34 exempted, either in whole or in part based on a determination by the Mayor, from real property
35 taxation per D.C. Code section 47-811 for a period of twenty (20) years starting in Fiscal Year
36 2029.

37 “(d) Any property which meets the eligible requirements of D.C. Code section 47-860.02
38 *et seq.* and subsection (c) above and builds 10% of the units to be family sized shall be exempt
39 from taxes imposed by sections 47-903 and 42-1103.

40 Sec. 3. Section 2032 of the Deputy Mayor for Planning and Economic Development
41 Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law
42 19-168; D.C. Official Code § 1-328.04), is amended as follows:

43 (a) Subsection (k)(3) is amended to read as follows:

44 “(3) To the Golden Triangle BID in the amount of \$4 million annually for Fiscal
45 years 2024, 2025, 2026, 2027 and 2028 for the growth and improvement of the innovation
46 district.”

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

48 “(dd)(1)(A) There is established as a nonlapsing fund the Safe Commercial Corridors
49 Fund (“Fund”), which shall be used solely for the purposes set forth in sub-subsection (2) of this
50 section, and administered by the Deputy Mayor for Planning and Economic Development.

51 (B) All funds deposited into the Fund shall not revert to the unrestricted fund
52 balance of the General Fund of the District at the end of a fiscal year, or at any other time, but
53 shall be continually available for the uses and purposes set forth in sub-subsection (2) of this
54 section without regard to the fiscal year limitation, subject to authorization by Congress.

55 (C) Any funds that are transferred through intra-District funding and are not
56 expended in any fiscal year shall revert to the Fund and be available for use in the subsequent
57 fiscal year.

58 (D) The Fund shall be distributed to eligible organizations, as qualified pursuant
59 to this sub-subsection, solely for the purpose of making the area served by the organization
60 ("commercial district") and the surrounding area safer for residents, workers, and visitors
61 through the creation or augmentation of a Safe Commercial Corridors Program, as described in
62 sub-subsection (2) of this subsection.

63 (E) Eligible organizations:

64 (i) Serve the District's residents, workers, business owners, property
65 owners, and visitors of commercial corridors in the District;

66 (ii) Engage in the maintenance of public and commercial spaces in the
67 District of Columbia;

68 (iii) Shall provide a "Clean Hands" certificate to verify it is in good
69 financial standing with the Government of the District of Columbia; and

70 (iv) Shall submit a Safe Commercial Corridors Program Plan to DMPED
71 as described in sub-subsection 4 of this subsection.

72 (2)(A) A Safe Commercial Corridors Program shall promote public safety and
73 health within the commercial district and surrounding area through various activities, as outlined
74 by the grant recipient and approved by DMPED.

75 (B) Activities may include relationship-building with residents, workers,
76 businesses, and regular visitors; connecting residents, workers, visitors, and businesses with
77 resources through District government agencies and direct service providers; providing safe

78 passage for individuals who request accompaniment walking to transit or their vehicle; assisting
79 business owners with improvements to their security and safety systems and protocols;
80 responding to substance use disorders and implementing harm reduction strategies;
81 implementing de-escalation techniques; deterring crime; liaising with residents, workers,
82 businesses, visitors, District public safety and health agencies, direct service providers in the
83 community, and others as appropriate; providing culturally competent services and
84 programming; and implementing other innovative strategies to promote public safety.

85 (C) Organizations receiving funds pursuant to this subsection are
86 encouraged to coordinate with other organizations receiving funds pursuant to this subsection to
87 share results and lessons learned from implementation of the Safe Commercial Corridors
88 Program and other public safety efforts implemented by the organization.

89 (3) A grant awarded pursuant to paragraph (1) of this subsection may be used to
90 pay for the costs of:

91 (A) Salary and fringe benefits for staff; and

92 (B) Equipment, training, training materials, uniforms, first aid and other
93 medical materials and equipment; and

94 (C) Other materials and equipment for purposes of implementing the Safe
95 Commercial Corridors Program;

96 (4) An organization seeking a grant under paragraph (1) of this subsection shall
97 submit to the Deputy Mayor an application, in a form proscribed to the Deputy Mayor. The
98 application shall include:

99 (A) A description of the public safety and health problems faced in the
100 commercial district and surrounding area;

101 (B) A description of how the applicant proposes to spend the grant funds

102 to address the public safety and health problems identified in the application and to promote
103 improvements in public safety and health in the commercial district and surrounding area; and

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

105 (5) An organization receiving a grant pursuant to this sub-section shall submit a
106 report by the end of each fiscal year in which funds are received evaluating the success of its
107 Safe Commercial Corridors Program, including a detailed description of the program activities,
108 any training or support provided to program staff, a summary of the number and types of
109 interactions between program staff and residents, visitors, businesses, and other individuals, and
110 any other data or information as required by DMPED.

111 Sec. 4. Rediscover Equitable Central Occupancy Vitality and Encourage Resilient Yield
112 (RECOVERY).

113 Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

114 (a) The table of contents is amended by adding a new section designated to read as
115 follows:

116 “47-1099.14 Rediscover Equitable Central Occupancy Vitality and Encourage Resilient
117 Yield (RECOVERY).”

118 (b) A new section 47-1099.14 is added to read as follows:

119 “(a) Real property tax imposed by section 47-811 shall be abated and real property shall
120 be exempt from tax imposed by sections 47-903 and 42-1103; provided that:

121 “(1) The real property is designated and certified as eligible to receive a tax
122 abatement and a tax exemption by the Deputy Mayor pursuant to subsection (d) of this section;

123 “(2) The real property is located within:

124 “(A) The Downtown Business Improvement District, as defined in section
125 2-1215.51(b); or

126 “(B) The Golden Triangle Business Improvement District, as defined in
127 section 2-1215.52(b);

128 “(3) With respect to real property abated from tax imposed by section 47-811, for
129 the duration of the period set forth in subsection (b)(2)(A) of this section and with respect to real
130 property exempted from tax imposed by sections 47-903 and 42-1103, at the applicable time,
131 there is a change in use resulting in the development or redevelopment, of:

132 “(A) One or more establishments in the hotel sector, provided, that any
133 establishment shall enter into a project labor agreement;

134 “(B) One or more establishments in the retail sector, provided, that any
135 establishment shall enter into an agreement with the Deputy Mayor requiring such economic
136 inclusion requirements for the operations of the establishment that the Deputy Mayor may
137 require;

138 “(C) One or more establishments in the restaurant sector; or

139 “(D) One or more establishments in the sports, entertainment, education,
140 and culture sector, provided, that the establishments shall occupy at least 50% of the gross floor
141 area of the development.

142 “(b) In addition to the requirements of subsection (a) of this section, real property tax
143 imposed by section 47-811 shall:

144 “(1) Be abated if the developer:

145 “(A) Files a covenant in the land records of the District, binding
146 the developer and all of its successors in interest with respect to the property, covenanting to
147 comply with the applicable requirements of subsection (a)(3) of this section;

148 “(B) Enters into an agreement with the District that requires the
149 developer to, at a minimum, contract with certified business enterprises for at least 35% of the

150 contract dollar volume of the construction and operations of the project, in accordance with
151 section 2-218.46;

152 “(C) Enters into a First Source Agreement for the operations of
153 the project;

154 “(D) Enters into an agreement with the Deputy Mayor requiring
155 such economic inclusion requirements for the construction and operations of the project as the
156 Deputy Mayor may require; and

157 “(E) The developer enters into an agreement with the Deputy
158 Mayor setting forth the requirements of this subsection and such other terms and conditions as
159 the Deputy Mayor considers appropriate.

160 “(2)(A) Begin in the tax year immediately following the tax year during which the
161 certificate of occupancy was issued for the use counting toward satisfying the requirements of
162 subsection (a)(3) of this section and shall continue until the 30th tax year after the tax year during
163 which such certificate was issued.

164 “(B) Be in the amount of 100% of the real property’s tax liability during
165 each property tax year in which the tax abatement is in effect; provided, that for a real property
166 that is eligible only under subsection (a)(3)(B), (a)(3)(C), or (a)(3)(D) of this section, the amount
167 shall be the pro rata share of the gross floor area occupied by the eligible use.

168 “(C) Tax abatements provided by sections (a)(3)(A)-(D) above shall be
169 eligible for the funds provided in D.C. Code section 47-850.03(b).

170 “(c) The Deputy Mayor:

171 “(1) May through a competitive process, designate real property to be eligible to
172 receive a tax abatement and a tax exemption under this section.

173 “(2) Shall certify to the Office of Tax and Revenue the eligibility of a real

174 property for an abatement provided by this section. The certification shall include:

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

177 “(B) A statement that the conditions of subsection (a) of this section have
178 been satisfied;

179 “(C) The date of the certificate of occupancy was issued for the use
180 counting toward satisfying the requirements of subsection (a)(3) of this section;

181 “(D) For real property tax imposed by section 47-811:

182 “(i) The date the tax abatement begins and ends under subsection
183 (b)(2)(A); and

184 “(ii) The amount of abatement allocated to the property pursuant to
185 subsection (b) of this section; and

186 “(E) Any other information that the Deputy Mayor considers necessary or
187 appropriate.

188 “(3)(A) If at any time the Deputy Mayor determines that the real property has
189 become ineligible for the abatement provided by this section, the Deputy Mayor shall notify the
190 Office of Tax and Revenue and shall specify the date that the property became ineligible.

191 “(B) The entire property shall be ineligible for the abatement on the first
192 day of the tax year following the date when the ineligibility occurred.

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

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

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

199 “(1) “CBE Act” means the Small and Certified Business Enterprise Development
200 and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code §
201 2-218.01 *et seq.*).

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

204 “(3) “Deputy Mayor” means the Deputy Mayor for Planning and Economic
205 Development.

206 “(4) “Developer” means the owner of the use developed or redeveloped on real
207 property eligible for a tax abatement under this section.

208 “(5) “Family sized” means a rental unit with 3 or more bedrooms.

209 “(6) “First Source Act” means the First Source Employment Agreement Act of
210 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).

211 “(7) “First Source Agreement” means an agreement with the District governing
212 certain obligations of the Developer pursuant to section 4 of the First Source Act (D.C. Official
213 Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation
214 and employment.

215 “(8) “Hotel” has the meaning set forth in Section 199.1 of Title 14 of the DCMR.

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

219 “(10) “Restaurant” means full-service restaurants, including limited-service
220 restaurants, fast food restaurants, and food service providers such as cafes, delicatessens, coffee
221 shops, supermarkets, grocery stores, and cafeterias.

222 “(11) “Retail” means an establishment that is engaged in direct onsite sales of
223 general merchandise goods to consumers.

224 “(12) “Sports, entertainment, education, and culture sector” means an
225 establishment that is open to the public for entertainment, leisure, education, or cultural
226 purposes, including bars, entertainment venues, nightlife establishments, theatres, sports,
227 recreation, public, private, or charter schools serving the pre-kindergarten through 12th grade,
228 colleges, universities, and post-graduate schools, entertainment venues, art galleries, and cultural
229 institutions.”.

230 Sec. 5. Rediscover Equitable Central Occupancy Vitality and Encourage Resilient Yield
231 (RECOVERY) Retail Grant Program.

232 (a) The Deputy Mayor for Planning and Economic Development Limited Grant-Making
233 Authority Act of 2012 is amended by adding a section (ee) to read as follows:

234 “(a)(1) Notwithstanding the Grant Administration Act of 2013, effective December 2013
235 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Mayor, in the sole discretion of the
236 Mayor, may issue a two-year grant program to an eligible business in accordance with this
237 section and regulations issued pursuant to this section; provided that:

238 “(A) The eligible business is located in:

239 “(i) The Downtown Business Improvement District, as defined in section
240 2-1215.51(b); or

241 “(ii) The Golden Triangle Business Improvement District, as defined in
242 section 2-1215.52(b);

243 “(B) The eligible business demonstrates, to the satisfaction of the Mayor, that it is
244 opening or expanding in a retail or commercial space that has been vacant at least 6 months prior
245 to applying;

246 “(c) The eligible business submits a grant application in the form and with the
247 information required by the Mayor; and

248 “(D) A grant is equivalent to the sales and use tax paid by the eligible business
249 annually, provided, that at least 20% of the total grant funds disbursed are set aside for one or
250 more eligible businesses that is:

251 “(i) Also, or is eligible to be, a resident-owned business and a small
252 business enterprise as those terms are defined, respectively, in section 2302(15) and (16); and

253 “(ii)(I) At least 51% owned by a woman or a majority of women; or

254 “(II) Is, or eligible to be, a disadvantaged business enterprise, as
255 that term is defined in section 2302(5).

256 “(2) An eligible business awarded a grant pursuant to this section may use the
257 grant funds for activities and costs related to sustaining and growing the business, such as staff
258 costs, capital improvements, marketing, inventory and supplies, and utilities; provided, that no
259 amount of the grant shall be used for executive salaries or bonuses.

260 “(b)(1) The Mayor may award a two year grant to a lessor of property that leases to an
261 eligible business location if it is for a child care center, urgent care center, or supermarket;
262 provided, that the lessor shall only qualify after demonstrating to the Mayor, in a form acceptable
263 to the Mayor, rental income limited to the property leased to the eligible business and that the
264 lessor has abated rent payments or otherwise provided a benefit, including a tenant improvement
265 allowance, to the eligible business in an amount equal in value to at least twice the amount of the
266 grant.

267 “(2)(A) If, during the 18 months following receipt of an award pursuant to this
268 subsection, a lessor who receives an award pursuant to this subsection terminates a lease
269 agreement with an eligible business, the lessor shall notify the Mayor of the termination of the

270 lease agreement.

271 “(B) The lessor shall provide evidence that the termination was with the
272 consent of the eligible business, in a form determined by the Mayor.

273 “(c) The Mayor may award one or more grants to a third-party grant-managing entity for
274 the purpose of administering the program pursuant to this section and making subgrants on
275 behalf of the Mayor in accordance with the requirements of this section or regulations issued
276 pursuant to this section.

277 “(d) The Mayor, pursuant to section 105 of the District of Columbia Administrative
278 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code 2-505), may issue
279 regulations to implement the provisions of this section.

280 “(c)(1) The Mayor and any third-party entity chosen pursuant to subsection (c) of this
281 section, shall maintain a list of all grants awarded pursuant to this section, identifying for each
282 award the grant recipient, the date of the award, intended use of the award, and the award
283 amount.

284 “(2) The list shall be published in the D.C. Register every six-months.

285 “(f) For purposes of this section, the term “eligible business” means a business enterprise
286 eligible for certification under section 2331.”

287 Sec. 6. Employer Provided Child Care Tax Credit.

288 “(a) For purposes of this section:

289 “(1) “Eligible child” or “eligible children” shall have the same meaning as section 47-
290 1806.15(a)(3).

291 “(2) Child care center” means an establishment licensed pursuant to section 7-2034 that
292 provides care and other services, supervision, and guidance to eligible children on a regular

293 basis, regardless of its designated name. “Child care center” does not include a public or private
294 elementary or secondary school engaged in legally required educational and related functions or
295 a pre-kindergarten education program licensed pursuant to the Pre-k Act of 2008.

296 “(3) “Child care investment” means the amount paid or incurred by a business on:

297 (i) Planning, site preparation, construction, renovation or acquisition of facilities in a
298 qualifying area for the purpose of establishing a child care center, to be used primarily by the
299 children of employees who are employed by the business within a qualifying area; or

300 (ii) Subsidies to employees who are employed by the business in a qualifying area for
301 child care to be provided at a child care center within a qualifying area.

302 “(4) “Qualifying area” means located within the Downtown Business Improvement
303 District, as defined in section 2-1215.51(b) or within the Golden Triangle Business Improvement
304 District, as defined in section 2-1215.52(b).

305 “(b) There shall be allowed a credit for any business against the tax imposed under
306 sections 47-1807.01 et seq. in an amount spent by such business, as a child care investment,
307 equal to ten percent of such amount paid or incurred by the business during such income year.

308 “(c) The amount of credit allowed to any business under this section shall not exceed the
309 amount of tax due from such business under sections 47-1807.01 et seq. and 47-1808.01 et seq.,
310 with respect to such income year.

311 “(d) Any tax credit not used in the income year during which the investment was made
312 may be carried forward for the five immediately succeeding income years until the full credit has
313 been allowed.”

314 Sec. 7. Fiscal Impact Statement.

315 The Council adopts the fiscal impact statement in the committee report as the fiscal
316 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
317 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

318 Sec. 8. Effective Date.

319 This act shall take effect following approval by the Mayor (or in the event of veto by the
320 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
321 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
322 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and the publication in the District
323 of Columbia Register.

33 section 47-860.02 *et seq.* during the period under subsection (b)(1) above shall be then
34 exempted, either in whole or in part based on a determination by the Mayor, from real property
35 taxation per D.C. Code section 47-811 for a period of twenty (20) years starting in Fiscal Year
36 2029.

37 “(d) Any property which meets the eligible requirements of D.C. Code section 47-860.02
38 *et seq.* and subsection (c) above and builds 10% of the units to be family sized shall be exempt
39 from taxes imposed by sections 47-903 and 42-1103.

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45 years 2024, 2025, 2026, 2027 and 2028 for the growth and improvement of the innovation
46 district.”

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48 “(dd)(1)(A) There is established as a nonlapsing fund the Safe Commercial Corridors
49 Fund (“Fund”), which shall be used solely for the purposes set forth in sub-subsection (2) of this
50 section, and administered by the Deputy Mayor for Planning and Economic Development.

51 (B) All funds deposited into the Fund shall not revert to the unrestricted fund
52 balance of the General Fund of the District at the end of a fiscal year, or at any other time, but
53 shall be continually available for the uses and purposes set forth in sub-subsection (2) of this
54 section without regard to the fiscal year limitation, subject to authorization by Congress.

55 (C) Any funds that are transferred through intra-District funding and are not
56 expended in any fiscal year shall revert to the Fund and be available for use in the subsequent
57 fiscal year.

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59 to this sub-subsection, solely for the purpose of making the area served by the organization
60 ("commercial district") and the surrounding area safer for residents, workers, and visitors
61 through the creation or augmentation of a Safe Commercial Corridors Program, as described in
62 sub-subsection (2) of this subsection.

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65 owners, and visitors of commercial corridors in the District;

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67 District of Columbia;

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69 financial standing with the Government of the District of Columbia; and

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71 as described in sub-subsection 4 of this subsection.

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73 health within the commercial district and surrounding area through various activities, as outlined
74 by the grant recipient and approved by DMPED.

75 (B) Activities may include relationship-building with residents, workers,
76 businesses, and regular visitors; connecting residents, workers, visitors, and businesses with
77 resources through District government agencies and direct service providers; providing safe

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82 businesses, visitors, District public safety and health agencies, direct service providers in the
83 community, and others as appropriate; providing culturally competent services and
84 programming; and implementing other innovative strategies to promote public safety.

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86 encouraged to coordinate with other organizations receiving funds pursuant to this subsection to
87 share results and lessons learned from implementation of the Safe Commercial Corridors
88 Program and other public safety efforts implemented by the organization.

89 (3) A grant awarded pursuant to paragraph (1) of this subsection may be used to
90 pay for the costs of:

91 (A) Salary and fringe benefits for staff; and

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93 medical materials and equipment; and

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95 Commercial Corridors Program;

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100 commercial district and surrounding area;

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103 improvements in public safety and health in the commercial district and surrounding area; and

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106 report by the end of each fiscal year in which funds are received evaluating the success of its
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127 section 2-1215.52(b);

128 “(3) With respect to real property abated from tax imposed by section 47-811, for
129 the duration of the period set forth in subsection (b)(2)(A) of this section and with respect to real
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141 area of the development.

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161 certificate of occupancy was issued for the use counting toward satisfying the requirements of
162 subsection (a)(3) of this section and shall continue until the 30th tax year after the tax year during
163 which such certificate was issued.

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165 each property tax year in which the tax abatement is in effect; provided, that for a real property
166 that is eligible only under subsection (a)(3)(B), (a)(3)(C), or (a)(3)(D) of this section, the amount
167 shall be the pro rata share of the gross floor area occupied by the eligible use.

168 “(C) Tax abatements provided by sections (a)(3)(A)-(D) above shall be
169 eligible for the funds provided in D.C. Code section 47-850.03(b).

170 “(c) The Deputy Mayor:

171 “(1) May through a competitive process, designate real property to be eligible to
172 receive a tax abatement and a tax exemption under this section.

173 “(2) Shall certify to the Office of Tax and Revenue the eligibility of a real

174 property for an abatement provided by this section. The certification shall include:

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

177 “(B) A statement that the conditions of subsection (a) of this section have
178 been satisfied;

179 “(C) The date of the certificate of occupancy was issued for the use
180 counting toward satisfying the requirements of subsection (a)(3) of this section;

181 “(D) For real property tax imposed by section 47-811:

182 “(i) The date the tax abatement begins and ends under subsection
183 (b)(2)(A); and

184 “(ii) The amount of abatement allocated to the property pursuant to
185 subsection (b) of this section; and

186 “(E) Any other information that the Deputy Mayor considers necessary or
187 appropriate.

188 “(3)(A) If at any time the Deputy Mayor determines that the real property has
189 become ineligible for the abatement provided by this section, the Deputy Mayor shall notify the
190 Office of Tax and Revenue and shall specify the date that the property became ineligible.

191 “(B) The entire property shall be ineligible for the abatement on the first
192 day of the tax year following the date when the ineligibility occurred.

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

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

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

199 “(1) “CBE Act” means the Small and Certified Business Enterprise Development
200 and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code §
201 2-218.01 *et seq.*).

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

204 “(3) “Deputy Mayor” means the Deputy Mayor for Planning and Economic
205 Development.

206 “(4) “Developer” means the owner of the use developed or redeveloped on real
207 property eligible for a tax abatement under this section.

208 “(5) “Family sized” means a rental unit with 3 or more bedrooms.

209 “(6) “First Source Act” means the First Source Employment Agreement Act of
210 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).

211 “(7) “First Source Agreement” means an agreement with the District governing
212 certain obligations of the Developer pursuant to section 4 of the First Source Act (D.C. Official
213 Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation
214 and employment.

215 “(8) “Hotel” has the meaning set forth in Section 199.1 of Title 14 of the DCMR.

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

219 “(10) “Restaurant” means full-service restaurants, including limited-service
220 restaurants, fast food restaurants, and food service providers such as cafes, delicatessens, coffee
221 shops, supermarkets, grocery stores, and cafeterias.

222 “(11) “Retail” means an establishment that is engaged in direct onsite sales of
223 general merchandise goods to consumers.

224 “(12) “Sports, entertainment, education, and culture sector” means an
225 establishment that is open to the public for entertainment, leisure, education, or cultural
226 purposes, including bars, entertainment venues, nightlife establishments, theatres, sports,
227 recreation, public, private, or charter schools serving the pre-kindergarten through 12th grade,
228 colleges, universities, and post-graduate schools, entertainment venues, art galleries, and cultural
229 institutions.”.

230 Sec. 5. Rediscover Equitable Central Occupancy Vitality and Encourage Resilient Yield
231 (RECOVERY) Retail Grant Program.

232 (a) The Deputy Mayor for Planning and Economic Development Limited Grant-Making
233 Authority Act of 2012 is amended by adding a section (ee) to read as follows:

234 “(a)(1) Notwithstanding the Grant Administration Act of 2013, effective December 2013
235 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Mayor, in the sole discretion of the
236 Mayor, may issue a two-year grant program to an eligible business in accordance with this
237 section and regulations issued pursuant to this section; provided that:

238 “(A) The eligible business is located in:

239 “(i) The Downtown Business Improvement District, as defined in section
240 2-1215.51(b); or

241 “(ii) The Golden Triangle Business Improvement District, as defined in
242 section 2-1215.52(b);

243 “(B) The eligible business demonstrates, to the satisfaction of the Mayor, that it is
244 opening or expanding in a retail or commercial space that has been vacant at least 6 months prior
245 to applying;

246 “(c) The eligible business submits a grant application in the form and with the
247 information required by the Mayor; and

248 “(D) A grant is equivalent to the sales and use tax paid by the eligible business
249 annually, provided, that at least 20% of the total grant funds disbursed are set aside for one or
250 more eligible businesses that is:

251 “(i) Also, or is eligible to be, a resident-owned business and a small
252 business enterprise as those terms are defined, respectively, in section 2302(15) and (16); and

253 “(ii)(I) At least 51% owned by a woman or a majority of women; or

254 “(II) Is, or eligible to be, a disadvantaged business enterprise, as
255 that term is defined in section 2302(5).

256 “(2) An eligible business awarded a grant pursuant to this section may use the
257 grant funds for activities and costs related to sustaining and growing the business, such as staff
258 costs, capital improvements, marketing, inventory and supplies, and utilities; provided, that no
259 amount of the grant shall be used for executive salaries or bonuses.

260 “(b)(1) The Mayor may award a two year grant to a lessor of property that leases to an
261 eligible business location if it is for a child care center, urgent care center, or supermarket;
262 provided, that the lessor shall only qualify after demonstrating to the Mayor, in a form acceptable
263 to the Mayor, rental income limited to the property leased to the eligible business and that the
264 lessor has abated rent payments or otherwise provided a benefit, including a tenant improvement
265 allowance, to the eligible business in an amount equal in value to at least twice the amount of the
266 grant.

267 “(2)(A) If, during the 18 months following receipt of an award pursuant to this
268 subsection, a lessor who receives an award pursuant to this subsection terminates a lease
269 agreement with an eligible business, the lessor shall notify the Mayor of the termination of the

270 lease agreement.

271 “(B) The lessor shall provide evidence that the termination was with the
272 consent of the eligible business, in a form determined by the Mayor.

273 “(c) The Mayor may award one or more grants to a third-party grant-managing entity for
274 the purpose of administering the program pursuant to this section and making subgrants on
275 behalf of the Mayor in accordance with the requirements of this section or regulations issued
276 pursuant to this section.

277 “(d) The Mayor, pursuant to section 105 of the District of Columbia Administrative
278 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code 2-505), may issue
279 regulations to implement the provisions of this section.

280 “(c)(1) The Mayor and any third-party entity chosen pursuant to subsection (c) of this
281 section, shall maintain a list of all grants awarded pursuant to this section, identifying for each
282 award the grant recipient, the date of the award, intended use of the award, and the award
283 amount.

284 “(2) The list shall be published in the D.C. Register every six-months.

285 “(f) For purposes of this section, the term “eligible business” means a business enterprise
286 eligible for certification under section 2331.”

287 Sec. 6. Employer Provided Child Care Tax Credit.

288 “(a) For purposes of this section:

289 “(1) “Eligible child” or “eligible children” shall have the same meaning as section 47-
290 1806.15(a)(3).

291 “(2) Child care center” means an establishment licensed pursuant to section 7-2034 that
292 provides care and other services, supervision, and guidance to eligible children on a regular

293 basis, regardless of its designated name. “Child care center” does not include a public or private
294 elementary or secondary school engaged in legally required educational and related functions or
295 a pre-kindergarten education program licensed pursuant to the Pre-k Act of 2008.

296 “(3) “Child care investment” means the amount paid or incurred by a business on:

297 (i) Planning, site preparation, construction, renovation or acquisition of facilities in a
298 qualifying area for the purpose of establishing a child care center, to be used primarily by the
299 children of employees who are employed by the business within a qualifying area; or

300 (ii) Subsidies to employees who are employed by the business in a qualifying area for
301 child care to be provided at a child care center within a qualifying area.

302 “(4) “Qualifying area” means located within the Downtown Business Improvement
303 District, as defined in section 2-1215.51(b) or within the Golden Triangle Business Improvement
304 District, as defined in section 2-1215.52(b).

305 “(b) There shall be allowed a credit for any business against the tax imposed under
306 sections 47-1807.01 et seq. in an amount spent by such business, as a child care investment,
307 equal to ten percent of such amount paid or incurred by the business during such income year.

308 “(c) The amount of credit allowed to any business under this section shall not exceed the
309 amount of tax due from such business under sections 47-1807.01 et seq. and 47-1808.01 et seq.,
310 with respect to such income year.

311 “(d) Any tax credit not used in the income year during which the investment was made
312 may be carried forward for the five immediately succeeding income years until the full credit has
313 been allowed.”

314 Sec. 7. Fiscal Impact Statement.

315 The Council adopts the fiscal impact statement in the committee report as the fiscal
316 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
317 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

318 Sec. 8. Effective Date.

319 This act shall take effect following approval by the Mayor (or in the event of veto by the
320 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
321 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
322 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and the publication in the District
323 of Columbia Register.