

  
Chairman Phil Mendelson

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A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the Ballpark Omnibus Financing and Revenue Act of 2004 to clarify the use of the Ballpark Revenue Fund and to establish the Ballpark Maintenance Fund; and to make conforming amendments.

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

act may be cited as the “Ballpark Budget and Maintenance Amendment Act of 2023”.

Sec. 2. The Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 10-1601.02) is amended as follows:

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

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

“(1) “Ballpark” shall have the meaning specified in § 47-2002.05(a)(1).

“(2) “Ballpark Revenue Bonds” shall have the same meaning as the term “bonds” in section 103(a)(2).”.

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

33 (A) Strike the phrase “identified by any provision of District of Columbia  
34 law to be paid into the fund” and insert the phrase “identified by any provision of District of  
35 Columbia law to be paid into the Ballpark Revenue Fund” in its place.

36 (B) Strike the phrase “pursuant to a lease of the ballpark” and insert the  
37 phrase “pursuant to a lease of the ballpark until the Ballpark Revenue Bonds have been  
38 defeased” in its place.

39 (C) Strike the phrase “The Mayor, or any District government agency or  
40 instrumentality that has been designated by the Mayor,” and insert the phrase “Until October 1,  
41 2023, the Mayor, or any District government agency or instrumentality that has been designated  
42 by the Mayor,” in its place.

43 (3) Subsection (c) is amended as follows:

44 (A) Paragraph (7) is amended by striking the phrase “upgrades to Robert  
45 F. Kennedy Stadium or the new ballpark after its construction has been completed;” and  
46 inserting the phrase “upgrades to Robert F. Kennedy Stadium prior to the opening of the new  
47 ballpark;” in its place.

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

49 “(7A) To directly pay the costs of the District’s obligation under the ballpark  
50 lease for maintenance, repairs, and improvements to the ballpark; except, that beginning October  
51 1, 2023 and annually each fiscal year thereafter until the Ballpark Revenue Bonds are defeased,  
52 the Ballpark Revenue Fund shall be used for this purpose only after the Washington Convention  
53 and Sports Authority has first used the Authority’s funds and excess reserves to pay these costs;

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55 (4) A new subsection (c-1) is added to read as follows:

56 “(c-1) The Ballpark Revenue Fund shall not be used to pledge and create a security  
57 interest in the funds in the Ballpark Revenue Fund, or any sub-account or sub-accounts within  
58 the Ballpark Revenue Fund, to finance any additional bonds.”.

59 (5) A new subsection (e) is added to read as follows:

60 “(e) Any Ballpark Revenue Fund balance remaining after the Ballpark Revenue Bonds  
61 have been defeased and the requirements of subsection (d) of this section have been met shall be  
62 transferred to the Ballpark Maintenance Fund, established by section 2(a) of the Ballpark Budget  
63 and Maintenance Amendment Act of 2023, as introduced on December 22, 2023 (Bill 25-xx).”.

64 (b) A new section 102a is added to read as follows:

65 “Sec. 102a. Ballpark Maintenance Fund.

66 “(a)(1) There is established as a special fund the Ballpark Maintenance Fund (“Fund”),  
67 which shall be administered by the Office Chief Financial Officer (“OCFO”) in accordance with  
68 this section.

69 “(2) The OCFO shall create a sub-account within the Fund for each revenue type  
70 to be deposited into the Fund pursuant to subsection (b) of this section and shall allocate the  
71 deposits to the appropriate sub-account.

72 “(3) The OCFO shall advance funds to the Washington Convention and Sports  
73 Authority (“Authority”) after the Authority has submitted documentation of planned  
74 encumbrances and expenditures consistent with the purposes provided in subsection (c) of this  
75 section.

76 “(b) Beginning when the requirements of section 102(e) of the Ballpark Omnibus  
77 Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official  
78 Code § 10-1601.02(e)), have been met, revenue from the following sources shall be deposited in  
79 the Fund:

80 “(1) All receipts from the ballpark sales taxes collected pursuant to § 47-2002.05;

81 “(2) Any rent paid pursuant to a lease of the ballpark; and

82 “(3) Any balance remaining in the Ballpark Revenue Fund, established by section  
83 102.

84 “(c)(1) Money in the Fund shall be used for the District’s obligations under the ballpark  
85 lease for the maintenance, repair, and improvement of the ballpark;

86 “(2) Money in the fund may be used for capital maintenance and upgrades to the  
87 Nationals Academy if requested by the Nationals Academy and approved by the Authority.

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

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

93 “(e) By March 1 of each year, the Authority shall submit a report to the Mayor and to the  
94 Council that details expenditures from the Fund for the prior fiscal year and planned spending  
95 from the Fund in the current and next four years.

96 “(f) For the purposes of this section, the term “Ballpark Revenue Bonds” shall have the  
97 same meaning as the term “bonds” in section 103(a)(2) of the Ballpark Omnibus Financing and

98 Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-  
99 1601.03(a)(2)).”.

100 Sec. 3. Conforming amendment.

101 Section 47-2002.05 of the District of Columbia Official Code is amended as follows:

102 (a) Subsection (a) is amended by adding new paragraphs (1A) and (1B) to read as  
103 follows:

104 “(1A) “Ballpark Maintenance Fund” means the fund established by § 10-102a.

105 “(1B) “Ballpark Revenue Bonds” shall have the same meaning as the term  
106 “bonds” in § 10-1601.03(a)(2).

107 (b) Subsection (d) is amended by striking the phrase “shall be deposited into one or more  
108 accounts within the Ballpark Revenue Fund” and inserting the phrase “shall be deposited into  
109 one or more accounts within the Ballpark Revenue Fund until the requirements of section 102(e)  
110 of the Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law  
111 15-320; D.C. Official Code § 10-1601.02(e)), have been met, at which time the following  
112 revenues shall be deposited within the Ballpark Maintenance Fund” in its place.

113 Sec. 4. Fiscal impact statement.

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

117 Sec. 5. Effective date.

118           This act shall take effect following approval by the Mayor (or in the event of veto by the  
119 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
120 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
121 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
122 Columbia Register.