



MURIEL BOWSER  
MAYOR

April 3, 2024

The Honorable Phil Mendelson, Chairman  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Dear Chairman Mendelson:

On behalf of the residents of Washington, DC, I am pleased to submit to the Council of the District of Columbia my tenth balanced budget, the Fiscal Year 2025 (FY 2025) Proposed Budget and Financial Plan, *A Fair Shot: Strategic Investments and Shared Sacrifice*.<sup>1</sup>

The FY 2025 Budget and financial plan is made up of \$21 billion in operating funds and \$11.8 billion in capital improvement funds. It addresses a confluence of post-COVID economic factors: slower revenue growth; the end of federal stimulus funding; significantly higher operating costs, including an additional \$200 million in WMATA funding; and the impacts of the remote work environment. Of course, our budget is unique because we are required to have a balanced financial plan across both the current fiscal year, FY 2024, and the upcoming four years of the financial plan, FY 2025–FY 2028. The result of these factors is a widening gap across the financial plan that requires us to make prudent investments now to change the trajectory of our out-year revenue estimates. Still, we were able to balance this budget without increasing commercial or residential property taxes or income taxes.

While we approach these decisions soberly and with financial prudence, the state of the District is strong: we continue to have a Aaa bond rating; DC is the number one city in the country for tech careers and among the top cities for women-owned business openings; we are leading the country in office-to-housing conversions; tourism is rebounding; our public school enrollment is up two years in a row; crime is trending down; and unlike many of our peer cities, DC's population is growing.

This budget makes significant investments in our people and our economy and focuses on the three pillars of long-term growth: public schools, public safety, and Downtown. In building the FY 2025 *Fair Shot* Budget, we were guided by our values: protecting core city services and preserving programs that protect the health and safety of our community; prioritizing programs with a track record of success and that focus on equity; and investing in the pillars of long-term growth so that we can change the trajectory of our out-year revenue estimates:

### **Public Safety**

Last summer, we put in place several key public safety interventions, and as a result, we are seeing trends move in the right direction: overall crime in our city is down 13%, violent crime is down 18%, and homicides are down 34%. The FY 2025 *Fair Shot* Budget builds on that momentum by fully funding MPD's requested hiring level and sustaining key investments started with federal funds, such as Safe Passage, victim services, and violence interrupters, and adds new investments to strengthen our public safety ecosystem. This budget:

- Fully funds MPD’s requested hiring level to achieve a net gain in police officers for the first time in five years. The budget adds \$9 million to fund 40 new Community Safety Officers and hire civilians to free up about 50 police officers for critical crime-fighting tasks.
- Adds \$7 million to the Department of Human Services to significantly increase truancy interventions for 500 youth in the Parent and Adolescent Support (PASS) program and 180 youth referred through the Alternatives to the Court Experience (ACE) program.
- Adds \$1 million to hire more 911 call takers and dispatchers at the Office of Unified Communications.
- Adds \$4.6 million to fund key provisions of the Secure DC legislation, including pretrial detention for violent criminals, private security camera incentives for businesses, and Safe Commercial Corridor grants.

**Education**

The FY 2025 Budget continues our historic investments in public education. Since 2015, we have grown our public education budget from \$1.4 billion to \$2.7 billion. In those nine years, we implemented two historic collective bargaining agreements for our educators and continued to build on our reputation as the fastest improving urban school district in the country. The FY 2025 Budget continues those historic investments:

- A \$341 million increase in funding for our public schools will raise the uniform per student funding formula (UPSFF) by over 12%. We are also doubling down on our investments in equity by increasing the weight for at-risk students, adults, and alternative learners.
- During the pandemic, we launched a high impact tutoring program that will help more than 10,000 students accelerate their learning. The FY 2025 Budget invests \$4.8 million to continue this evidence-based program.
- Adds \$5 million to sustain our advanced technical education center that includes advanced internships, career ready internships, and a dual language program expansion. In addition, a new \$17 million investment will allow us to expand our existing center to include a new health care clinic to provide services to the community and training for our students.
- A \$600,000 investment to add a second advanced technical center at the Whitman-Walker Max Robinson Center on the St. Elizabeths East campus which will provide even more high school students with college credits and workforce training for high-wage, high-demand careers.
- Continues to improve our school facilities with \$2.2 billion for full school modernizations, \$255 million to support small capital repairs like HVAC and roof replacements, and \$42 million to improve school safety through enhanced lighting, fencing, and access control.

**Downtown**

Investments in our Downtown are investments that directly benefit all eight wards. This is a critical time for our city’s economic future as we work to attract, retain, and grow our business community. The FY 2025 *Fair Shot* Budget builds on what’s working and uses the roadmaps we have in our Comeback Plan, in the Downtown Action Plan, and our Public Realm Plan to make intentional investments to drive inclusive economic growth.

The FY 2025 Budget continues to invest in strategies that are working, such as the District’s Vitality Fund and office-to-residential conversions, and also includes:

- \$520 million for the Gallery Place Revitalization Fund to support sports arena renovations, streetscape improvements, public space activations, and expanded green space.

- \$64 million to build a new Federal City Shelter annex to provide permanent supportive housing and congregate dwelling units at the site of the existing Community for Creative Non-Violence shelter.
- \$26 million to implement the Business and Entrepreneurship Support to Thrive (BEST) Act to streamline business licensing and reduce costs for our entrepreneurs.
- \$13 million to temporarily freeze property taxes for conversions of office buildings into new uses downtown.
- \$5.25 million to support World Pride in 2025.
- \$5 million to create a new Downtown Arts Hub, a flexible, multi-use space for theater, dance, music, and visual arts organizations.
- \$3 million to make it easier for organizations to host festivals and special events, and to attract arts fairs and go-go music festivals downtown.

### **Core Services**

The FY 2025 *Fair Shot* Budget sustains critical health and human service initiatives including: \$19 million for Career MAP to help 500 DC families avoid losing public assistance as their careers advance and incomes rise; \$7 million to continue 24/7 operations at six homeless shelters; \$4.8 million to maintain a community response team at the Department of Behavioral Health to respond to 911 calls that do not need a police response; and \$600,000 to provide workforce development services for transgender and gender non-conforming residents experiencing homelessness or housing instability.

The FY 2025 Budget makes new investments to support vulnerable families, improve parks and recreation centers, increase access to housing and homeownership, and advance entrepreneurship:

- \$23 million for renovations to the Naylor Road, V Street, Emery, and Madison shelters, as well as various small-scale improvements at other homeless shelters in the system.
- \$20 million to the Emergency Rental Assistance Program (ERAP), supporting District residents who are facing housing emergencies and evictions.
- \$13 million for operating costs for two new non-congregate homeless shelter facilities in the West End and Downtown.
- \$129 million to modernize and construct recreation and community centers.
- \$87 million to modernize and renovate public libraries.
- \$12 million for a state-of-good repair blitz at playgrounds, athletic fields, basketball courts, and tennis courts across DPR recreation centers.
- \$101 million to rehabilitate and modernize public housing units managed by the DC Housing Authority.
- \$32 million to help first-time homebuyers with down payment and closing cost assistance.
- \$1.5 million to expand the DC Business Portal, which streamlines various licensing processes for District businesses.
- \$3 million to continue the District's curbside composting program, providing at-home organic waste pickup for 9,000 households.
- \$3 million to support the operating and maintenance costs of Capital Bikeshare's continued growth, including more stations, e-bikes, and traditional bikes.
- \$750,000 to help restaurants comply with forthcoming streetery design regulations by providing free consulting services and construction materials.
- \$22.5 million to build a new city-owned animal shelter.

### **Shared Sacrifices**

To ensure we are able to invest in our comeback and remain fiscally prudent, we need to jointly contribute to filling gaps, across the government and across the community, to move forward, together.

The District government closed half our FY 2025 Budget gap:

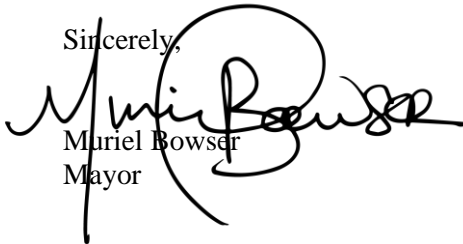
- We eliminated 407 positions, rightsized spending, and focused on moving forward with programs we know are working.
- We cut duplicative or lower-performing programs that were not helping us achieve the outcomes our residents expect. We also resisted starting new programs that would only add to our longer-term financial pressures.
- And we looked across government for savings by eliminating electronic devices and phone lines no longer in use, rebalancing our capital portfolio, maximizing federal reimbursements, and consolidating licenses and software purchases.

To close the remainder of the gap, we identified new revenues that will be shared across the community:

- Businesses will help through an adjustment to the paid family leave tax back to FY 2021 levels to support our safety net.
- Consumers will help through a modest sales tax increase beginning in FY 2026 to support increased Metro costs.
- And visitors will help through a small 911 fee on hotel room stays to support increased public safety hiring.

I don't take revenue increases lightly. If we make the right investments and put the right interventions in place today, I am hopeful we can reverse these policies in the out years. I am optimistic about our future, and I hope you are too. Our Comeback Plan is working, we have big opportunities ahead of us, and there is no city in the world like Washington, DC.

Sincerely,



Muriel Bowser  
Mayor


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<sup>i</sup> Included in this submission are the Fiscal Year 2025 Local Budget Act of 2024, the Fiscal Year 2025 Federal Portion Budget Request Act of 2024, and the Fiscal Year 2025 Budget Support Act of 2024. In addition, I am submitting the following accompanying measures: the Fiscal Year 2024 Revised Local Budget Emergency Act of 2024, the Fiscal Year 2024 Revised Local Budget Temporary Act of 2024, and the Fiscal Year 2024 Revised Local Budget Emergency Declaration Resolution of 2024.

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**1350 Pennsylvania Avenue, N.W. Washington,**  
**D.C. 20004**

**MEMORANDUM**

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To: Members of the Council   
From: Nyasha Smith, Secretary to the Council  
Date: April 9, 2024  
Subject: Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on April 3, 2024. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Fiscal Year 2025 Budget Support Act of 2024", B25-784

INTRODUCED BY: Chairman Mendelson at the request of the Mayor

The Chairman is referring this legislation to the Committee of the Whole with comments from standing committees on specific subtitles as indicated below:

**COMMITTEE LEGEND**

BED BUSINESS AND ECONOMIC DEVELOPMENT  
COW COMMITTEE OF THE WHOLE  
EAL EXECUTIVE ADMINISTRATION AND LABOR  
FFS FACILITIES AND FAMILY SERVICES  
H HEALTH  
HHE HOSPITAL AND HEALTH EQUITY  
HS HOUSING  
JPS JUDICIARY AND PUBLIC SAFETY  
PWO PUBLIC WORKS AND OPERATIONS  
RLYA RECREATION, LIBRARIES AND YOUTH AFFAIRS  
TE TRANSPORTATION AND THE ENVIRONMENT

**TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

**SUBTITLE A. OFFICE OF THE INSPECTOR GENERAL LAW ENFORCEMENT**

**AUTHORITY.....EAL, JPS**

**SUBTITLE B. PUBLIC SECTOR WORKERS' COMPENSATION ACROSS-THE-BOARD**

**INCREASE STANDARD.....EAL**

**SUBTITLE C. MEDICAL CAPTIVE CLAIMS RESERVE.....PWO**

**SUBTITLE D. DEFINITION OF HIGHLY COMPENSATED EMPLOYEE.....EAL**

**TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

**SUBTITLE A. DIRECT CASH ASSISTANCE PROGRAM.....BED, H**

**SUBTITLE B. VITALITY FUND AMENDMENT.....BED**

**SUBTITLE C. LOCAL RENT SUPPLEMENT PROGRAM ACCOUNTS.....HS**

**SUBTITLE D. ROBERT F. KENNEDY STADIUM EXPENDITURES.....BED**

**SUBTITLE E. EMERGENCY RENTAL ASSISTANCE PROGRAM REPORTS.....HS**

**SUBTITLE F. DOWNTOWN ACTIVATION PROGRAM.....BED, HS**

**SUBTITLE G. RETAIL RECOVERY GRANT PROGRAM.....BED**

**SUBTITLE H. HOUSING SUBSIDY CONTRACT EXTENSIONS.....HS, PWO**

**SUBTITLE I. CREATIVE AND OPEN SPACE MODERNIZATION TAX REBATE PROGRAM.....BED**

**SUBTITLE J. WORLDPRIDE GRANTS.....COW**

**SUBTITLE K. ENTERTAINMENT DISTRICTS.....BED, COW**

**TITLE III. PUBLIC SAFETY AND JUSTICE**

**SUBTITLE A. 911-311 SYSTEM HOTEL OCCUPANT FEE.....JPS**

**SUBTITLE B. CRIMINAL CODE REFORM COMMISSION.....JPS**

**TITLE IV. PUBLIC EDUCATION SYSTEMS**

**SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA.....COW**

**SUBTITLE B. HEALTHY SCHOOLS FUND.....COW, H**

**SUBTITLE C. IMPACTPLUS BONUS PAYMENTS.....COW**

**SUBTITLE D. DISTRICT OF COLUMBIA PUBLIC SCHOOLS BUDGET.....COW**

**SUBTITLE E. LIBRARY LOCATION AUTHORITY.....RYLA**

**SUBTITLE F. GROW YOUR OWN PROGRAM.....COW**

**SUBTITLE G. FLEXIBLE SCHEDULING PILOT .....COW**

**SUBTITLE H. UNIVERSAL PAID LEAVE ADMINISTRATION.....EAL**

**SUBTITLE I. EARLY CHILDHOOD EDUCATOR FUND.....COW**

**SUBTITLE J. POVERTY COMMISSION ADMINISTRATIVE SUPPORT.....FFS, EAL**

**SUBTITLE K. CHARTER SCHOOL FACILITY ALLOWANCE.....COW**

**TITLE V. HUMAN SUPPORT SERVICES**

**SUBTITLE A. DIRECT CARE PROFESSIONAL PAYMENT RATES.....H**

**SUBTITLE B. CERTIFICATES OF NEED.....H**

**SUBTITLE C. MEDICAID INPATIENT FUND AND DIRECTED PAYMENTS.....H**

**SUBTITLE D. MEDICAID OUTPATIENT FUND AND DIRECTED PAYMENTS.....H**

**SUBTITLE E. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL PAYMENT AND HOSPITAL INPATIENT RATE SUPPLEMENT ADJUSTMENTS.....H**

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**SUBTITLE G. RAPID RE-HOUSING.....HS**

**SUBTITLE H. HEALTHY DC FUND.....H**

**SUBTITLE I. NOT-FOR-PROFIT HOSPITAL CORPORATION SUBSIDY.....H**

**SUBTITLE J. CAREER MOBILITY ACTION PLAN PROGRAM.....HS**

**SUBTITLE K. FLEXIBLE RENT SUBSIDY PROGRAM.....HS**

**SUBTITLE L. UNIVERSAL PAID LEAVE PROGRAM.....EAL, COW**

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**TITLE VI. OPERATIONS AND INFRASTRUCTURE**

**SUBTITLE A. UNCLAIMED DEPOSITS FOR EXCAVATION WORK IN THE PUBLIC RIGHT OF WAY.....BED, TE**

**SUBTITLE B. RENEWABLE ENERGY PORTFOLIO STANDARD COMPLIANCE PAYMENTS.....BED, TE**

**SUBTITLE C. VISION ZERO PEDESTRIAN AND BICYCLE SAFETY FUND.....TE, PWO**

**SUBTITLE D. WATER POLLUTION CONTROL THIRD-PARTY REVIEW.....TE**

**SUBTITLE E. GREENER GOVERNMENT BUILDINGS.....TE, FFS**

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**SUBTITLE P. SUSTAINABLE ENERGY TRUST FUND UTILIZATION.....TE**

**SUBTITLE Q. LATE BUSINESS LICENSE RENEWAL PENALTY WAIVERS.....PWO**

**SUBTITLE R. STREATERY PROGRAM GRANTS.....TE**

**TITLE VII. FINANCE AND REVENUE**

**SUBTITLE A. COMBINED REPORTING.....BED**

**SUBTITLE B. EXCESS CENTRAL COLLECTION UNIT REVENUE.....BED, COW**

**SUBTITLE C. DEPOSIT OF DEED RECORDATION AND TRANSFER TAXES.....HS, BED**

**SUBTITLE D. EARNED INCOME TAX CREDIT MATCH LEVEL.....BED**

**SUBTITLE E. BABY BONDS.....BED**

**SUBTITLE F. SALES AND USE TAX.....BED, COW**

**SUBTITLE G. EXCESS DEBT SERVICE APPROPRIATIONS.....COW**

**SUBTITLE H. CAPITAL ARTS BUDGETING.....COW**

**SUBTITLE I. HOWARD UNIVERSITY HOSPITAL AND REDEVELOPMENT.....BED**

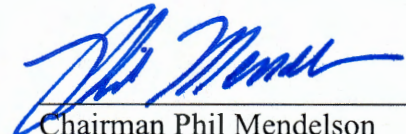
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**SUBTITLE K. EXCESS BALLPARK FEE REVENUE.....COW**  
**SUBTITLE L. RIGHT-OF-WAY FEE, GAS TAX, AND GAS DEPOSITS.....TE, BED**  
**SUBTITLE M. NON-LAPSING ACCOUNT REPEALS.....COW**  
**SUBTITLE N. NON-LAPSING FUND TRANSFERS.....COW**  
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**SUBTITLE P. REINSTATEMENT OF SUBJECT-TO-APPROPRIATION PROVISIONS.....COW**

Attachment

cc: General Counsel  
Budget Director  
Legislative Services





Chairman Phil Mendelson  
at the request of the Mayor

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AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To enact and amend provisions of law necessary to support the Fiscal Year 2025 budget.

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108        **TITLE VIII. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE ..... 106**

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

110 act may be cited as the “Fiscal Year 2025 Budget Support Act of 2024”.

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

112            **SUBTITLE A. OFFICE OF THE INSPECTOR GENERAL LAW**

113        **ENFORCEMENT AUTHORITY**

114            Sec. 1001. Short title.

115            This subtitle may be cited as the “Office of the Inspector General Law Enforcement

116 Authority Amendment Act of 2024”.

117            Sec. 1002. Section 23-501(2) of the District of Columbia Official code is amended by:

118            (a) Striking the phrase “or the Fire Marshal” and inserting the phrase “the Fire Marshal”

119 in its place; and

120            (b) Striking the phrase “by the Fire Chief.” and inserting the phrase “by the Fire Chief;

121 and employees of the Office of the Inspector General charged with conducting an investigation

122 of an alleged felony violation.” in its place.

123           **SUBTITLE B. PUBLIC SECTOR WORKERS’ COMPENSATION ACROSS-THE-**  
124 **BOARD INCREASE STANDARD**

125           Sec. 1011. Short title.

126           This subtitle may be cited as the “Public Sector Workers’ Compensation Across-the-  
127 Board Increase Clarification Amendment Act of 2024”.

128           Sec. 1012. Section 2341(b) of the District of Columbia Government Comprehensive  
129 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
130 623.41(b)), is amended by striking the phrase “a claimant’s service or specific pay schedule.”  
131 and inserting the phrase “the Career Service salary schedule.” in its place.

132           **SUBTITLE C. MEDICAL CAPTIVE CLAIMS RESERVE**

133           Sec. 1021. Short title.

134           This subtitle may be cited as the “Captive Insurance Agency Amendment Act of 2024”.

135           Sec. 1022. Section 11(c) of the Captive Insurance Agency Establishment Act of 2008,  
136 effective July 18, 2008 (D.C. Law 17-196; D.C. Official Code § 1-307.90(c)), is amended by  
137 striking the phrase “Captive Trust Fund.” and inserting the phrase “Medical Captive Insurance  
138 Claims Reserve Fund.” in its place.

139           **SUBTITLE D. DEFINITION OF HIGHLY COMPENSATED EMPLOYEE**

140           Sec. 1031. Short title.

141           This subtitle may be cited as the “Highly Compensated Employee Definition Amendment  
142 Act of 2024”.

143           Sec. 1032. Section 103(c)(2) of the Jobs for D.C. Residents Amendment Act of 2007,  
144 effective May 23, 2019 (D.C. Law 22-315; D.C. Official Code § 1-515.03(c)(2)), is amended by  
145 striking the phrase “in the same fiscal year” and inserting the phrase “in the same fiscal year or

146 the percentage increase in the Consumer Price Index for All Urban Consumers for the  
147 Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan Statistical Area (or such  
148 successor metropolitan statistical area that includes the District), whichever is greater; provided,  
149 that if the Mayor did not raise the threshold salary in a prior fiscal year during which an increase  
150 was authorized by this paragraph, the Mayor may add the increase from the prior fiscal year to  
151 the amount by which the Mayor raises the threshold under this paragraph in a subsequent fiscal  
152 year” in its place.

## 153 **TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

### 154 **SUBTITLE A. DIRECT CASH ASSISTANCE PROGRAM**

155 Sec. 2001. Short title.

156 This subtitle may be cited as the “Direct Cash Assistance Program Amendment Act of  
157 2024”.

158 Sec. 2002. Section 2032(p) of the Deputy Mayor for Planning and Economic  
159 Development Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C.  
160 Law 19-168; D.C. Official Code § 1-328.04(p)) is amended as follows:

161 (a) Paragraph (1) is amended to read as follows:

162 “(1) Notwithstanding the Grant Administration Act of 2013, effective December  
163 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor shall have  
164 grant-making authority for the purpose of providing funds to support District-based direct cash  
165 assistance programs or pilot programs that provide unrestricted cash assistance directly to  
166 individuals or households and that are administered by a nonprofit organization or  
167 organizations.”.

168 (b) Paragraph (2) is amended by striking the phrase “By September 30, 2024,” and  
169 inserting the phrase “Within 30 days after the end of each year for which a grant is awarded  
170 pursuant to paragraph (1) of this subsection,” in its place.

171 (c) Paragraph (3) is amended by striking the phrase “By November 1, 2024,” and  
172 inserting the phrase “Within 90 days after the end of each year for which a grant is awarded  
173 pursuant to paragraph (1) of this subsection,” in its place.

174 **SUBTITLE B. VITALITY FUND AMENDMENT**

175 Sec. 2011. Short title.

176 This subtitle may be cited as the “Vitality Fund Amendment Act of 2024”.

177 Sec. 2012. Section 2032(n) of the Deputy Mayor for Planning and Economic  
178 Development Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C.  
179 Law 19-168; D.C. Official Code 1-328.04(n)), is amended as follows:

180 (a) Paragraph (2)(A) is repealed.

181 (b) Paragraph (3) is amended as follows:

182 (1) Subparagraph (A) is amended to read as follows:

183 “(A) Demonstrate that the retention or attraction of their business will  
184 have a significant positive economic impact on the District, which may be evidenced by the  
185 following factors:

186 “(i) New jobs;

187 “(ii) Retained jobs;

188 “(iii) Total employment;

189 “(iv) Average annual wages;

190 “(v) Term of occupancy;



191 “(vi) Net new square feet occupied;  
192 “(vii) Total square feet occupied;  
193 “(viii) Dollar amount of capital investment;  
194 “(ix) Tax revenue;  
195 “(x) Return on investment;  
196 “(xi) Contribution of the company’s presence in the District to the  
197 growth of the company’s industry in the District; and  
198 “(xii) Other outcomes identified by the Deputy Mayor that  
199 quantify the economic impact of the business’s project on the District.”.

200 (2) Subparagraphs (B) and (C) are repealed.

201 (3) Subparagraph (G)(ii) is amended to read as follows:

202 “(ii) Spend at least 5% of its total annual contracting with businesses  
203 eligible for certification as local business enterprises, pursuant to section 2331 of the Small and  
204 Certified Business Enterprise Development and Assistance Act of 2005, effective October 20,  
205 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31).”.

206 (c) A new paragraph (4) is added to read as follows:

207 “(4)(A) There is established as a special fund the Vitality Fund (“Fund”), which  
208 shall be administered by the Deputy Mayor in accordance with subparagraph (C) of this  
209 paragraph.

210 “(B) All money appropriated for the award of grants authorized under this  
211 subsection shall be deposited into the Fund.

212 “(C) Money in the Fund shall be used to pay for grants awarded under this  
213 subsection.

214 “(D)(i) The money deposited into the Fund but not expended in a fiscal  
215 year shall not revert to the unassigned fund balance of the General Fund of the District of  
216 Columbia at the end of a fiscal year, or at any other time.

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

## 220 **SUBTITLE C. LOCAL RENT SUPPLEMENT PROGRAM ACCOUNTS**

221 Sec. 2021. Short title.

222 This subtitle may be cited as the “Local Rent Supplement Program Accounts Amendment  
223 Act of 2024”.

224 Sec. 2022. The District of Columbia Housing Authority Act of 1999, effective May 9,  
225 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

226 (a) Section 2(7B) (D.C. Official Code § 6-201(7B)) is repealed.

227 (b) Section 3 (D.C. Official Code § 6-202) is amended as follows:

228 (1) Subsection (c-1) is amended as follows:

229 (A) Paragraphs (1), (2), (3), (4), and (5) are repealed.

230 (B) Paragraph (6) is amended as follows:

231 (i) Subparagraph (A-i) is amended by striking the phrase “prior  
232 year as a result of R&M Fund investments” and inserting the phrase “prior year” in its place.

233 (ii) Subparagraph (B) is amended by striking the phrase “The  
234 Authority’s planned use of money in the R&M Fund for the succeeding fiscal year, identifying”  
235 and inserting the phrase “Identification of” in its place.

236 (2) Subsection (d) is amended by striking the phrase “At the end of each fiscal  
237 year, except as provided in subsection (c-1)(2)(C) of this section,” and inserting the phrase “At  
238 the end of each fiscal year,” in its place.

239 (c) Section 26a (D.C. Official Code § 6-226) is amended as follows:

240 (1) Subsection (a) is amended by striking the phrase “The Authority shall” and  
241 inserting the phrase “Except as otherwise provided in this act, the Authority shall” in its place.

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

243 (A) Paragraph (1) is amended by striking the phrase “sponsor-based  
244 voucher assistance and capital-based assistance” and inserting the phrase “sponsor-based  
245 voucher assistance” in its place.

246 (B) Paragraph (4) is amended by striking the phrase “including funds  
247 appropriated to the Department of Human Services as described in section 26a-1(c)(5), to the  
248 extent that such funds are transferred to the Housing Authority Rent Supplement Program Fund  
249 pursuant to section 26a-1(c)(4)” and inserting the phrase “including funds transferred by the  
250 Department of Human Services to the District of Columbia Housing Authority for the purposes  
251 of provided tenant-based voucher assistance” in its place.

252 (d) Section 26a-1 (D.C. Official Code § 6-226.01) is repealed.

253 (e) Section 26b (D.C. Official Code § 6-227) is amended as follows:

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

255 (A) Paragraph (3) is repealed

256 (B) Paragraph (4)(B) is amended by striking the phrase “and shall include  
257 the transfer by the Department of Housing and Community Development of funds to the Housing  
258 Authority Rent Supplement Program Fund established by Section 26a-1(a)” and inserting the

259 phrase “and shall include any relevant terms and conditions regarding any transfer by the  
260 Department of Housing and Community Development of funds to the District of Columbia  
261 Housing Authority for the purposes of paying for costs of the Long-Term Subsidy Contract” in  
262 its place.

263 (2) Subsection (d) is amended by striking the phrase “given funding resources  
264 available in the Housing Authority Rent Supplement Program Fund” and inserting the phrase  
265 “given funding resources available” in its place.

266 (f) Section 26d (D.C. Official Code § 6-229) is repealed.

267 (g) Section 26d-1 (D.C. Official Code § 6-229.01) is amended as follows:

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

269 (A) The lead-in language is amended by striking the phrase “the Housing  
270 Authority Rent Supplement Program Fund” and inserting the phrase “local revenues of the  
271 District allocated to the Housing Authority through the Housing Authority Payment Account or a  
272 successor account (the “account”)” in its place

273 (B) Paragraphs (1) through (6) are amended by striking the phrase “the  
274 fund” wherever it appears and inserting the phrase “the account” in its place.

275 (2) Subsection (d) is repealed.

276 (h) Section 26d-2(b) (D.C. Official Code § 6-229.02(b)) is amended as follows:

277 (1) The lead-in language is amended by striking the phrase “following  
278 information with respect to the Rent Supplement Program Project-Based Allocation Fund” and  
279 inserting the phrase “following information” in its place.

280 (2) Paragraph (1) is repealed.

281 (3) Paragraph (2) is amended by striking the phrase “The amount of money in the  
282 fund” and inserting the phrase “The amount of money” in its place.

283 (4) Paragraph (3) is amended by striking the phrase “The amount of money in the  
284 fund” and inserting the phrase “The amount of money” in its place.

285 (5) Paragraph (5) is amended by striking the phrase “expended from the fund  
286 during the reporting period on administrative costs” and inserting the phrase “expended by the  
287 Department of Housing and Community Development during the reporting period on  
288 administrative costs related to the Project-Based Rent Supplement Program” in its place.

289 (i) Section 26d-3(b) (D.C. Official Code § 6-229.03(b)) is amended as follows:

290 (1) The lead-in language is amended by striking the phrase “following  
291 information with respect to the Rent Supplement Program Project-Based Allocation Fund” and  
292 inserting the phrase “following information” in its place.

293 (2) Paragraph (1) is repealed.

294 (3) Paragraph (2) is amended by striking the phrase “The amount of money in the  
295 fund” and inserting the phrase “The amount of money” in its place.

296 (4) Paragraph (3) is repealed.

297 (5) Paragraph (5) is amended by striking the phrase “expended from the fund  
298 during the reporting period on administrative costs” and inserting the phrase “expended by the  
299 Department of Human Services during the reporting period on administrative costs related to the  
300 Tenant-Based Rent Supplement Program” in its place.

301 (j) Section 26f (D.C. Official Code § 6-231) is repealed.

302 Sec. 2023. Section 401(a)(2)(C) of the Rental Housing Act of 1985, effective July 17,  
303 1985 (D.C. Law 6-10; D.C. Official Code § 42-3504.01(a)(2)(C)), is amended to read as follows:

304                               “(C) The remainder shall be deposited into the unrestricted balance of the  
305 General Fund of the District of Columbia.”.

306                               **SUBTITLE D. ROBERT F. KENNEDY STADIUM EXPENDITURES**

307                               Sec. 2031. Short title.

308                               This subtitle may be cited as the “Robert F. Kennedy Stadium Expenditure Amendment  
309 Act of 2024”.

310                               Sec. 2032. Section 204(m) of the Washington Convention Center Authority Act of 1994,  
311 effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.04(m)), is  
312 amended to read as follows:

313                               “(m) The Authority may, with the approval of the Mayor, expend funds and carry out  
314 other actions to effectuate the transfer of administrative jurisdiction of the Robert F. Kennedy  
315 Memorial Stadium campus from the federal government to the District and to plan for and  
316 implement redevelopment of the campus.”.

317                               Sec. 2033. Applicability.

318                               This subtitle shall apply as of July 1, 2024.

319                               **SUBTITLE E. EMERGENCY RENTAL ASSISTANCE PROGRAM REPORTS**

320                               Sec. 2041. Short title.

321                               This subtitle may be cited as the “Emergency Rental Assistance Program Reports Sunset  
322 Amendment Act of 2024”.

323                               Sec. 2042. Section 8f(c-1) of the Homeless Services Reform Act of 2005, effective  
324 March 10, 2023 (D.C. Law 24-287; D.C. Official Code § 4-753.08(c-1)), is repealed.

325                               **SUBTITLE F. DOWNTOWN ACTIVATION PROGRAM**

326                               Sec. 2051. Short title.

327 This subtitle may be cited as the “Downtown Activation Program Amendment Act of  
328 2024”.

329 Sec. 2052. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as  
330 follows:

331 (a) The table of contents is amended by adding new section designations to read as  
332 follows:

333 “47-870. Downtown activation projects— temporary tax freeze.

334 “47-870.01. Downtown activation projects— temporary tax freeze – rules.”.

335 (b) New sections 47-861 and 47-861.01 are added to read as follows:

336 “§ 47-870. Downtown activation projects—temporary tax freeze.

337 “(a) The amount of the real property tax imposed by this chapter on a property in the  
338 downtown area shall not be increased for a period of 15 real property tax years starting in the real  
339 property tax year after the base year, as defined in subsection (c) of this section, if:

340 “(1) The property is undergoing or planning to undergo a repositioning, as  
341 determined by the Mayor;

342 “(2) The property meets any other eligibility requirements established by the  
343 Mayor by rules or through a selection process established by the Mayor pursuant to subsection

344 (b) of this section;

345 “(3) The property is selected by the Mayor through a selection process; and

346 “(4) The property is certified by the Mayor to receive the temporary tax freeze  
347 provided by this section.

348 “(b) The Mayor may establish a selection process pursuant to which properties shall  
349 apply to be certified to receive the temporary tax freeze under this section. The characteristics of

350 the selection process shall be determined by the Mayor and may include competitive scoring,  
351 time-limited application periods, selection priority based on the date on which a complete  
352 application is received, a limitation to only certain types of repositionings, a limitation to a  
353 specific portion of the downtown area, a limitation on the number of projects that may be  
354 certified, a limitation based on the expected dollar amount of the tax freezes associated with the  
355 properties selected for certification, and such other factor as the Mayor deems appropriate.

356 “(c) The base year for the purposes of subsection (a) of this section shall be the real  
357 property tax year in which the tax incentive is certified by the Mayor.

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

359 “(1) “Eligible area” shall have the same meaning as set forth in § 47-  
360 860.01(2)(A).

361 “(2) “Repositioning” means a construction, reconstruction, alteration, or  
362 renovation to a property with a minimum of 50,000 square feet that results in the conversion of  
363 the property from a primarily office use to a use that is not residential or in an upgrade in the  
364 class of the office space to class A from a class below class A.

365 “(3) “Residential” shall have the same meaning as set forth in 11-B DCMR §  
366 200.2(aa).

367 “(d)(1) The dollar amount of temporary tax freezes the Mayor may certify for a real  
368 property tax year pursuant to this section shall be capped at the following amounts:

369 “(A) For real property tax years 2025 and 2026, \$0;

370 “(B) For real property tax year 2027, \$6 million;

371 “(C) For real property tax year 2028, \$7 million;

372 “(D) For real property tax year 2029, \$8 million; and



373 “(E) For real property tax year 2030, \$20 million;

374 “(F) For real property tax year 2031 and each subsequent real property tax  
375 year, 104% of the prior year’s cap.

376 “(2) For the purposes of this section, the dollar amount of the temporary tax  
377 freeze that the Mayor has certified for a property in a real property tax year shall be the estimated  
378 amount by which the real property tax imposed on the property would have increased between  
379 the base year and the relevant real property tax year absent the temporary tax freeze provided by  
380 this section.”.

381 “§ 47-870.01. Downtown activation projects— temporary tax freeze — rules.

382 “The Mayor may, pursuant to Subchapter I of Chapter 5 of Title 2, issue rules to  
383 implement § 47-870.”.

384 **SUBTITLE G. RETAIL RECOVERY GRANT PROGRAM**

385 Sec. 2061. Short title.

386 This subtitle may be cited as the “Retail Recovery Grantmaking Authority Amendment  
387 Act of 2024”.

388 Sec. 2062. Section 2032(hh) of the Deputy Mayor for Planning and Economic  
389 Development Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C.  
390 Law 19-168; D.C. Official Code § 1-328.04(hh)), is amended as follows:

391 (a) Paragraph (1) is amended to read as follows:

392 “(1) The Deputy Mayor may establish a Retail Recovery Grant Program to  
393 provide economic support to eligible businesses located in in the Downtown BID, as defined in  
394 section 201(b) of the Business Improvement Districts Act of 1996, effective March 17, 2005  
395 (D.C. Law 15-257; D.C. Official Code § 2-1215.51(b)), in the Golden Triangle BID, as defined

396 in section 202(b) of the Business Improvement Districts Act of 1996, effective March 17, 2005  
397 (D.C. Law 15-257; D.C. Official Code § 2-1215.52(b)), another business improvement district,  
398 or any other business district or retail corridor designated by the Deputy Mayor.”.

399 (b) Paragraph (2) is amended by striking the phrase “a retail or commercial space that has  
400 been vacant for at least 6 months prior to the date” and inserting the phrase “a retail or  
401 commercial space that is vacant as of the date” in its place.

#### 402 **SUBTITLE H. HOUSING SUBSIDY CONTRACT EXTENSIONS**

403 Sec. 2071. Short title.

404 This subtitle may be cited as the “Housing Subsidy Contracts Extensions Amendment  
405 Act of 2024”.

406 Sec. 2072. Section 413 of the Procurement Practices Reform Act of 2010, effective April  
407 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.13), is amended as follows:

408 (a) Paragraph (16) is amended by striking the semicolon at the end and inserting the  
409 phrase “; and” in its place.

410 (b) Paragraph (17) is amended by striking the phrase “; and” inserting a period in its  
411 place.

412 (c) Paragraph (18) is repealed.

413 Sec. 2073. Section 26b of the District of Columbia Housing Authority Act of 1999,  
414 effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-227), is amended to read as  
415 follows:

416 (a) Subsection (b-1)(4)(A) is amended by striking the phrase “for the initial term” and  
417 inserting the phrase “for the initial term or extension” in its place.

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

419                   “(2) An existing Long-Term Subsidy Contract using funds awarded under this  
420 section and approved by the Council pursuant to section 451 of the District of Columbia Home  
421 Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), may be  
422 awarded funds for an extension of the contract, without the need for competition, if the proposed  
423 contractor is the same as the contractor for the existing Long-Term Subsidy Contract or is the  
424 existing contractor’s successor-in-interest for the affordable housing units created or maintained  
425 under the existing Long-Term Subsidy Contract.”.

426                   **SUBTITLE I. CREATIVE AND OPEN SPACE MODERNIZATION TAX**  
427 **REBATE PROGRAM**

428                   Sec. 2081. Short title.

429                   This subtitle may be cited as the “Creative and Open Space Modernization Tax Rebate  
430 Program Amendment Act of 2024”.

431                   Sec. 2082. Section 47-4665 of the District of Columbia Official Code is amended as  
432 follows:

433                   (a) Paragraph (e)(2) is amended by striking the phrase “If the Mayor determines that the  
434 occupant has proposed to furnish a public benefit and that the tenant is otherwise eligible, the  
435 Mayor shall certify the tenant’s eligibility to receive a rebate pursuant to this section. The  
436 certification shall be made before the date of occupancy commencement or within 45 days after  
437 the eligibility certification application is received, whichever is later in time.” and inserting the  
438 phrase “If the Mayor determines that the occupant has proposed to furnish a public benefit and  
439 that the tenant is otherwise eligible, the Mayor may certify the tenant’s eligibility to receive a  
440 rebate pursuant to this section.” in its place.

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

442           “(e-1) This section does not establish a right to receive a tax rebate under this section, and  
443 the Mayor may decline to accept or review applications for certification at any period of time.”.

444           **SUBTITLE J. WORLDPRIDE GRANTS**

445           Sec. 2091. Short title.

446           This subtitle may be cited as the “WorldPride Grants Act of 2024”.

447           Sec. 2092. WorldPride grants.

448           Notwithstanding the provisions of the Grant Administration Act of 2013, effective  
449 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Mayor may  
450 issue grants in Fiscal Year 2025 in support of WorldPride 2025.

451           **SUBTITLE K. ENTERTAINMENT DISTRICTS**

452           Sec. 2101 Short title.

453           This subtitle may be cited as the “Entertainment Districts Establishment Authority Act of  
454 2024”.

455           Sec. 2102. Entertainment districts.

456           (a) The Mayor may establish entertainment districts comprised of the areas including and  
457 surrounding arenas and other sports facilities, theaters and other performance spaces, and other  
458 entertainment venues in the District.

459           (b) Within entertainment districts established pursuant to subsection (a) of this section,  
460 the Mayor may, notwithstanding the provision of any other law, establish policies, procedures,  
461 protocols, and rules for the purpose of facilitating the hosting of large events, enhancing public  
462 safety, regulating the use of public space, supporting local businesses, and enhancing the  
463 experience of residents of and individuals visiting the entertainment district.

464           Sec. 2103. Rules.

465 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
466 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules  
467 to implement the provisions of this subtitle.

468 **TITLE III. PUBLIC SAFETY AND JUSTICE**

469 **SUBTITLE A. 911-311 SYSTEMS HOTEL OCCUPANT FEE**

470 Sec. 3001. Short title.

471 This subtitle may be cited as the “Emergency and Non-Emergency Number Telephone  
472 Calling Systems Hospitality Tax Amendment Act of 2024”.

473 Sec. 3002. The Emergency and Non-Emergency Telephone Calling Systems Fund Act of  
474 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1801 *et seq.*), is  
475 amended as follows:

476 (a) Section 602 (D.C. Official Code § 34-1801) is amended by adding a new paragraph  
477 (3A) to read as follows:

478 “(3A) “Hotel” means a hotel, inn, tourist camp, tourist cabin, or any other place in  
479 which rooms, lodgings, or accommodations are regularly furnished to transients.”.

480 (b) Section 604 (D.C. Official Code § 34-1803) is amended as follows:

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

482 “(a-1) Beginning October 1, 2025, there is imposed upon all hotels a tax of \$0.80 per  
483 room or suite rental, per night. The amount of the tax shall be adjusted annually by increasing  
484 the prior year’s tax by the annual increase in the Consumer Price Index for All Urban Consumers  
485 for the Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan Statistical Area (or  
486 such successor metropolitan statistical area that includes the District) for the preceding calendar

487 year, and then rounding to the nearest penny. The adjusted amount of the tax shall take effect on  
488 October 1 of each year.”

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

490 “(b) On a quarterly basis, each local exchange carrier shall submit to the Mayor the tax  
491 imposed under subsection (a) of this section and each hotel shall submit to the Mayor the tax  
492 imposed under subsection (a-1) of this section.”.

493 (3) Subsection (c) is amended by striking the word “tax” and inserting the word  
494 “taxes” in its place.

495 (4) Subsection (d) is amended by striking the word “carrier” and inserting the  
496 phrase “carrier and hotel” in its place.

497 **SUBTITLE B. CRIMINAL CODE REFORM COMMISSION**

498 Sec. 3011. Short title.

499 This subtitle may be cited as the “Sunset of the Criminal Code Reform Commission  
500 Amendment Act of 2024”.

501 Sec. 3012. The Criminal Code Reform Commission Establishment Act of 2016, effective  
502 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-151 *et seq.*), is amended as follows:

503 (a) Section 3122(c)(1) (D.C. Official Code § 3-151(c)(1)) is amended by striking the  
504 phrase “for a term of 3 years” and inserting the phrase “for a term of 3 years or until the  
505 Commission is dissolved pursuant to section 3127a, whichever comes first” in its place.

506 (b) Section 3125 (D.C. Official Code § 3-154) is amended by striking the phrase  
507 “annually thereafter” and inserting the phrase “annually thereafter until the Commission is  
508 dissolved pursuant to section 3127a” in its place.

509 (c) A new section 3127a is added to read as follows:

510 “Sec. 3127a. Sunset.

511 “This act shall expire on July 1, 2024, and the Commission shall thereupon be  
512 dissolved.”.

513 Sec. 3013. Applicability.

514 This subtitle shall apply as of the effective date of the Fiscal Year 2024 Revised Local  
515 Budget Emergency Act of 2024.

516 **TITLE IV. PUBLIC EDUCATION SYSTEM**

517 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA**

518 Sec. 4001. Short title.

519 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools  
520 Increases Amendment Act of 2024”.

521 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public  
522 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §  
523 38-2901 *et seq.*), is amended as follows:

524 (a) Section 103(b)(1) (D.C. Official Code § 38-2902(b)(1)) is amended to read as  
525 follows:

526 “(1) Funding allocated to a DCPS school to provide the school with not less than  
527 95% of its prior year allocation of Formula funds;”.

528 (b) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase  
529 “\$13,046 per student for Fiscal Year 2024” and inserting the phrase “\$14,668 per student for  
530 Fiscal Year 2025” in its place.

531 (c) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array  
532 and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2025
“Pre-Kindergarten 3	1.34	\$19,655
“Pre-Kindergarten 4	1.30	\$19,068
“Kindergarten	1.30	\$19,068
“Grades 1-5	1.00	\$14,668
“Grades 6-8	1.08	\$15,841
“Grades 9-12	1.22	\$17,895
“Alternative program	1.58	\$23,175
“Special education school	1.17	\$17,162
“Adult	1.00	\$14,668

533 ”.

534 (c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

535 “(c) The supplemental allocations shall be calculated by applying weightings to the  
536 foundation level as follows:

537 “Special education add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Allocation in FY 2025
“Level 1: Special Education	Eight hours or less per school week of specialized services	0.97	\$14,228



“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$17,602
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$28,896
“Level 4: Special Education	More than 24 hours per school week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$51,191
“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	\$1,452
“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	\$1,305
“Residential	District of Columbia Public Schools school or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$24,496

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“General education add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2025
“Elementary ELL	Additional funding for English language learners in grades PK3-5	0.50	\$7,334
“Secondary ELL	Additional funding for English language learners in grades 6-12, alternative students, adult students, and students in special education schools	0.75	\$11,001
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level in high school	0.30	\$4,400
“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	\$880
“At-risk > 40% Concentration Supplement	Weighting provided in addition to at-risk weight for the percentage of at-risk students above 40% enrolled in a school where at least 40% of the student population is at-risk	0.07	\$1,027

“At-risk > 70% Concentration Supplement	Weighting provided in addition to at-risk weight for the percentage of at-risk students above 70% where at least 70% of the student population is at-risk	0.07	\$1,027
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“Residential add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Allocation in FY 2025
“Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a District of Columbia Public Schools school or public charter school that provides students with room and board in a residential setting	0.37	\$5,427
“Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a District of Columbia Public Schools school or public charter school that provides students with room and board in a residential setting	1.34	\$19,655
“Level 3: Special	Additional funding to support the after-hours level 3 special education needs of students	2.89	\$42,391

Education - Residential	living in a District of Columbia Public Schools school or public charter school that provides students with room and board in a residential setting		
“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 District of Columbia Public Schools school or public charter school that provides students with room and board in a residential setting	2.89	\$42,391
“LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a District of Columbia Public Schools school or public charter school that provides students with room and board in a residential setting	0.668	\$9,798

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“Special education add-ons for students with extended school year (“ESY”) indicated in

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their individualized education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Allocation in FY 2025
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“Special Education Level 1 ESY	Additional funding to support the summer school or program need for special education Level 1 students who require ESY services in their IEPs	0.063	\$924
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for special education Level 2 students who require ESY services in their IEPs	0.227	\$3,330
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for special education Level 3 students who require ESY services in their IEPs	0.491	\$7,202
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for special education Level 4 students who require ESY services in their IEPs	0.491	\$7,202

545 ”.

546

547 (d) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase “Fiscal

548 Year 2024” and inserting the phrase “Fiscal Year 2029” in its place.

549 **SUBTITLE B. HEALTHY SCHOOLS FUND**

550 Sec. 4011. Short title.

551 This subtitle may be cited as the “Healthy Schools Fund Amendment Act of 2024”.

552           Sec. 4012. Section 102 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C.  
553 Law 18-209; D.C. Official Code 38-821.02), is amended as follows:

554           (a) The section heading is amended to read as follows:

555           “Sec. 102. Healthy school meal subsidies and healthy school grants.”

556           (b) Subsections (a) and (b) are repealed.

557           (c) Subsection (c) is amended as follows:

558                   (1) The lead-in text is amended by striking the phrase “The funds in the Fund  
559 shall be used as follows:”

560                   (2) Paragraph (7) is amended by striking the phrase “shall make grants available,  
561 subject to the availability of funds in the Fund,” and inserting the phrase “may issue grants,” in  
562 its place.

563                   (3) Paragraph (8) is repealed.

564                   (4) Paragraph (9) is amended by striking the phrase “shall make grants available,  
565 subject to the availability of funds in the Fund,” and inserting the phrase “may issue grants,” in  
566 its place.

567           (d) Subsections (f) and (g) are repealed.

568           **SUBTITLE C. IMPACTPLUS BONUS PAYMENTS**

569           Sec. 4021. Short title.

570           This subtitle may be cited as the “ImpactPlus Bonus Payments Act of 2024”.

571           Sec. 4022. Section 103(b-1) of the Uniform Per Student Funding Formula for Public  
572 Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207;  
573 D.C. Official Code § 38-2902(b-1)), is repealed.

574           **SUBTITLE D. DISTRICT OF COLUMBIA PUBLIC SCHOOLS BUDGET**

575           Sec. 4031. Short title.

576           This subtitle may be cited as the “District of Columbia Public Schools Budgeting  
577 Amendment Act of 2024”.

578           Sec. 4032. The Schools First in Budgeting Amendment Act of 2022, effective March 10,  
579 2023 (D.C. Law 24-300; D.C. Official Code 38-2851.01 *et seq.*) is amended as follows:

580           (a) Section 103 (D.C. Official Code § 38-2851.02) is amended as follows:

581                   (1) Subsections (a) and (b) are repealed.

582                   (2) Subsection (c) is amended as follows:

583                           (A) The lead-in language is amended by striking the phrase “The DCPS  
584 annual budget submission shall also include” and inserting the phrase “The Mayor shall submit  
585 each year, on the date that the Mayor submits to the Council the Mayor’s annual budget for the  
586 District of Columbia government, a report that shows all funding for DCPS by revenue source  
587 for programs, activity, and service levels, and by revenue source for comptroller source group by  
588 program and activity and includes” in its place.

589                           (B) Paragraph (4) is amended by striking the semicolon at the end and  
590 inserting the phrase “; and” in its place.

591                           (C) Paragraph (5)(D) is amended by striking the phrase “; and” and  
592 inserting a period in its place.

593                           (D) Paragraph (6) is repealed.

594                   (3) Subsection (d) is repealed.

595                   (4) Paragraph (e) is amended as follows:

596 (A) The lead-in language is amended by striking the phrase “The Mayor’s  
597 annual submission of the District’s budget and financial plan to the Council shall include as an  
598 attachment” and inserting the phrase “The Mayor shall submit each year, on the date that the  
599 Mayor submits to the Council the Mayor’s annual budget for the District of Columbia  
600 government,” in its place.

601 (B) Paragraph (1) is amended by striking the phrase “; and” and inserting a  
602 period in its place.

603 (C) Paragraph (2) is repealed.

604 (5) Subsections (f), (g), and (g-1) are repealed.

605 (b) Section 104 (D.C. Official Code § 38-2851.03) is repealed.

606 (c) Section 105(a) (D.C. Official Code § 38-2851.04(a)) is amended by striking the  
607 phrase “that school’s principal” and inserting the phrase “that school’s principal, subject to the  
608 authority of the Chancellor and the Mayor”.

609 (d) Section 106 (D.C. Official Code § 38-2851.05) is repealed.

#### 610 **SUBTITLE E. LIBRARY LOCATION AUTHORITY**

611 Sec. 4041. Short title.

612 This subtitle may be cited as the “Library Location Authority Amendment Act of 2024”.

613 Sec. 4042. The Ward 4 Libraries Act of 2023, effective September 6, 2023 (D.C. Law 25-  
614 50; 70 DCR 10407), is repealed.

#### 615 **SUBTITLE F. GROW YOUR OWN PROGRAM**

616 Sec. 4051. Short title.

617 This subtitle may be cited as the “Grow Your Own Program Amendment Act of 2024”.



618 Sec. 4052. Section 4195(a) of the Teacher Preparation Act of 2021, effective November  
619 13, 2021 (D.C. Law 24-45; D.C. Official Code § 38-2254(a)), is amended as follows:

620 (a) Paragraph (1) is amended by striking the phrase “OSSE shall” and inserting the phrase  
621 “OSSE may” in its place.

622 (b) Paragraph (2) is amended by:

623 (1) Striking the phrase “No later than April 30, 2022, and annually thereafter,  
624 subject to the availability of funds, OSSE shall award at least 2 grants totaling not less than  
625 \$550,000 per year” and inserting the phrase “OSSE may award grants” in its place; and

626 (2) Striking the phrase “At least one” and inserting the phrase “If more than one  
627 grant is issued in a fiscal year, at least one” in its place.

628 **SUBTITLE G. FLEXIBLE SCHEDULING PILOT**

629 Sec. 4061. Short title.

630 This subtitle may be cited as the “Flexible Schedule Pilot Program Amendment Act of  
631 2024”.

632 Sec. 4062. Section 7k(a) of the State Education Office Establishment Act of 2000,  
633 effective September 6, 2023 (D.C. Law 25-50; D.C. Official Code § 38-2617(a)), is amended by  
634 striking the phrase “In School Years 2023-2024 and 2024-2025” and inserting the phrase “In  
635 School Year 2023-2024” in its place.

636 Sec. 4063. Applicability.

637 This subtitle shall apply as of July 1, 2024.

638 **SUBTITLE H. UNIVERSAL PAID LEAVE ADMINISTRATION**

639 Sec. 4071. Short title.

640 This subtitle may be cited as the “Universal Paid Leave Implementation Fund  
641 Amendment Act of 2024”.

642 Sec. 4072. Section 1152(b)(2)(A) of the Universal Paid Leave Implementation Fund Act  
643 of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01(b)(2)(A)),  
644 is amended to read as follows:

645 “(A) For the purposes described in section 1153(c)(1), no more than the  
646 following amounts:

647 “(i) In Fiscal Year 2024, no more than the greater of 15% of the  
648 money estimated to be deposited in the Fund or \$24.05 million;

649 “(ii) In Fiscal Year 2025, no more than the greater of 15% of the  
650 money estimated to be deposited in the Fund or \$26.96 million;

651 “(iii) In Fiscal Year 2026, no more than the greater of 15% of the  
652 money estimated to be deposited in the Fund or \$27.47 million;

653 “(iv) In Fiscal Year 2027, no more than the greater of 15% of the  
654 money estimated to be deposited in the Fund or \$27.98 million;

655 “(v) In Fiscal Year 2028 no more than the greater of 15% of the  
656 money estimated to be deposited in the Fund or \$28.53 million; and

657 “(vi) In Fiscal Year 2029 and each subsequent fiscal year, no more  
658 than 15% of the money estimated to be deposited in the Fund;”.

659 Sec. 4073. Applicability.

660 This subtitle shall apply as of July 1, 2024.

661 **SUBTITLE I. EARLY CHILDHOOD EDUCATOR FUND**

662 Sec. 4081. Short title.

663 This subtitle may be cited as the “Early Childhood Educator Pay Equity Amendment Act  
664 of 2024”.

665 Sec. 4082. The Early Childhood Educator Pay Equity Fund Establishment Act of 2021,  
666 effective November 13, 2021 (D.C. Law 24-45; D.C. Official Code § 1-325.431; 68 DCR  
667 10163), is repealed.

668 Sec. 4083. Section 11b of the Day Care Policy Act of 1979, effective October 30, 2018  
669 (D.C. Law 22-179; D.C. Official Code § 4-410.02), is repealed.

670 **SUBTITLE J. POVERTY COMMISSION ADMINISTRATIVE SUPPORT**

671 Sec. 4091. Short title.

672 This subtitle may be cited as the “Commission on Poverty Administrative Support  
673 Amendment Act of 2024”.

674 Sec. 4092. Section 105 of the Commission on Poverty Establishment Amendment Act of  
675 2020, effective March 16, 2021 (D.C. Law 23-184; D.C. Official Code 3-641.05), is amended to  
676 read as follows:

677 “Sec. 105. Administrative and technical support.

678 “The Department of Employment Services, and such other agencies as may be designated  
679 by the Mayor, shall provide administrative and technical support to the Commission.”.

680 **SUBTITLE K. CHARTER SCHOOL FACILITY ALLOWANCE**

681 Sec. 4101. Short title.

682 This subtitle may be cited as the “Charter School Facility Allowance Amendment Act of  
683 2024”.

684           Sec. 4102. Section 109 of the Uniform Per Student Funding Formula for Public Schools  
685 and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C.  
686 Official Code § 38-2908), is amended as follows:

687           (a) Subsection (b-2) is amended as follows:

688                   (1) New paragraphs (2F) and (2G) are added to read as follows:

689                   “(2F) For Fiscal Year 2024, the per pupil facility allowance for Public Charter  
690 Schools shall be \$3,622 per pupil for non-residential facilities and \$9,781 per pupil for  
691 residential facilities.

692                   “(2G) For Fiscal Year 2025 and each subsequent fiscal year, the per pupil facility  
693 allowance for Public Charter Schools shall be \$3,734 per pupil for non-residential facilities and  
694 \$10,083 per pupil for residential facilities.”.

695                   (2) Paragraph (3) is amended by striking the phrase “and (2D)” and inserting the  
696 phrase “(2D), (2E), and (2F)” in its place.

697           (b) Subsection (b-3) is repealed.

698           Sec. 4103. Applicability.

699           This subtitle shall apply as of July 1, 2024.

700   **TITLE V. HUMAN SUPPORT SERVICES**

701           **SUBTITLE A. DIRECT CARE PROFESSIONAL PAYMENT RATES**

702           Sec. 5001. Short title.

703           This subtitle may be cited as the “Direct Support Professional Payment Rate Amendment  
704 Act of 2024”.

705           Sec. 5002. Section 3(a) (D.C. Official Code § 4-2002(a)) of the Direct Support  
706 Professional Payment Rate Act of 2020, effective April 16, 2020 (D.C. Law 23-77; D.C. Official

707 Code § 4-2002(a)), is amended by striking the phrase “By Fiscal Year 2025” and inserting the  
708 phrase “By Fiscal Year 2026” in its place.

709 **SUBTITLE B. CERTIFICATES OF NEED**

710 Sec. 5011. Short title.

711 This subtitle may be cited as the “Health Services Planning Program Amendment Act of  
712 2024”.

713 Sec. 5012. The Health Services Planning Program Re-establishment Act of 1996,  
714 effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-401 *et seq.*), is amended as  
715 follows:

716 (a) Section 8(b) (D.C. Official Code § 44-407(b)), is amended as follows:

717 (1) Paragraph (19) is amended by striking the phrase “; and” and inserting a  
718 semicolon in its place.

719 (2) Paragraph (20) is amended by striking the period at the end and inserting the  
720 phrase “; and” in its place.

721 (3) A new paragraph (21) is added to read as follows:

722 “(21)(A) An ambulatory care center or clinic that employs or contracts with 10 or  
723 fewer staff on a full-time or part-time basis; provided, that:

724 “(i) The ambulatory care center or clinic is registered with the  
725 State Health Planning and Development Agency pursuant to section 16a; and

726 “(ii) The ambulatory care center or clinic shall no longer be  
727 exempt from certificate of need review if it employs or contracts with more than 10 staff on a  
728 full-time or part-time basis.”.

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

730 “Sec. 16a. Registration of certain ambulatory care centers or clinics.

731 “(a) A person proposing to offer or develop in the District a new ambulatory care center  
732 or clinic that is exempt from certificate of need review pursuant to section 8(b)(21), or to  
733 obligate a capital expenditure to obtain an ambulatory care center or clinic to be located in the  
734 District that is exempt from a certificate of need pursuant to section 8(b)(21) shall, prior to  
735 proceeding with that offering, development, or obligation, obtain a registration from SHPDA for  
736 the ambulatory care center or clinic or expenditure.

737 “(b) An ambulatory care center or clinic that is exempt from a certificate of need pursuant  
738 to section 8(b)(21) shall not be offered, developed, or obligated within the District unless the  
739 ambulatory care center or clinic holds a valid registration issued by SHPDA.

740 “(c) SHPDA shall establish a process for the registration of an ambulatory care center or  
741 clinic under this section.”.

742 (b) Section 21 (D.C. Official Code § 44-420), is amended by adding a new subsection (a-  
743 1), to read as follows:

744 “(a-1) The SHPDA may collect an application fee from a person that applies for a  
745 registration for an ambulatory care center or clinic that is subject to registration pursuant to  
746 section 16a.”.

747 **SUBTITLE C. MEDICAID INPATIENT FUND AND DIRECTED PAYMENTS**

748 Sec. 5021. Short title.

749 This subtitle may be cited as the “Medicaid Inpatient Hospital Directed Payment Act of  
750 2024”.

751 Sec. 5022. Definitions.

752 For the purposes of this subtitle, the term:

753 (1) “Department” means the Department of Health Care Finance.

754 (2) “District retention” means an amount equal to 12% of the fees collected under  
755 section 5024(a)(1), plus the salary and fringe benefits for one full-time equivalent staff position  
756 at the Department.

757 (3) “Hospital” shall have the same meaning as provided in section 2(a)(1) of the  
758 Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of  
759 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(9)); except,  
760 that the term “hospital” shall not include a specialty hospital, as defined by the State Plan, a  
761 hospital that is reimbursed under a specialty hospital reimbursement methodology under the  
762 State Plan, or a hospital operated by the federal government.

763 (4) “Hospital system” means a group of hospitals licensed separately, but  
764 operated, owned, or maintained by a common entity.

765 (5) “Medicaid” means the medical assistance programs authorized by title XIX of  
766 the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), and by  
767 section 1 of An Act To enable the District of Columbia to receive Federal financial assistance  
768 under title XIX of the Social Security Act for a medical assistance program, and for other  
769 purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and  
770 administered by the Department.

771 (6)(A) Except as provided in subparagraph (B) of this paragraph, “inpatient net  
772 patient revenue” means, with respect to a hospital, the result of the following calculation:

773 (i) The quotient of the number appearing in Column 1 of Line 28  
774 on Worksheet G-2 of the hospital’s most recently available filed Hospital and Hospital Health

775 Care Complex Cost Report (Form CMS-2552-10) divided by the number appearing in Column 3  
776 of Line 28 on Worksheet G-2 of that report; multiplied by  
777 (ii) The number appearing in Column 1 of Line 3 of Worksheet G-  
778 3 of that report.

779 (B) For a hospital that has not yet filed its first Hospital and Hospital  
780 Health Care Complex Cost Report (Form CMS-2552-10), the term “inpatient net patient  
781 revenue” shall mean a dollar value determined by the Department, based on projected utilization  
782 volume and projected utilization migration from other area hospitals, that approximates the  
783 hospital’s expected inpatient net patient revenue as defined by subparagraph (A) of this section.

784 (7) “State directed payment” means a Medicaid managed care delivery system  
785 and provider payment initiative authorized under 42 CFR 438.6(c).

786 (8) “State Plan” means the District’s Medicaid State Plan.

787 Sec. 5023. Inpatient Hospital Directed Payment Provider Fee Fund.

788 (a) There is established as a special fund the Inpatient Hospital Directed Payment  
789 Provider Fee Fund (“Inpatient Directed Payment Fund”), which shall be administered by the  
790 Department in accordance with subsections (c) and (d) of this section.

791 (b) Revenue from the following sources shall be deposited in the Inpatient Directed

792 Payment Fund:

793 (1) Fees collected under this subtitle; and

794 (2) Interest and penalties collected under this subtitle.

795 (c) Money in the Inpatient Directed Payment Fund shall be used only for the following  
796 purposes:



797 (1) Making separate payments to Medicaid managed care organizations to fund  
798 Medicaid inpatient hospital directed payments to hospitals as required under section 5026;  
799 (2) Providing refunds to hospitals pursuant to section 5025; and  
800 (3) Through the District retention:  
801 (A) Paying the salary and fringe benefits of one full-time equivalent staff  
802 position at the Department;  
803 (B) Funding the local match for Medicaid fee-for-service hospital  
804 reimbursements; and  
805 (C) Making a transfer to the General Fund in an amount not to exceed  
806 12% of the fees collected pursuant to section 5024(a)(1).  
807 (d) Other than the District retention, money in the Inpatient Directed Payment Fund may  
808 not be used to replace money appropriated to the Medicaid program.  
809 (e)(1) Except as otherwise provided in subsection (c)(3)(B) of this section, the money  
810 deposited into the Inpatient Directed Payment Fund shall not revert to the unrestricted fund  
811 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
812 other time.  
813 (2) Subject to authorization in an approved budget and financial plan, any funds  
814 appropriated in the Inpatient Hospital Directed Payment Fund shall be continually available  
815 without regard to fiscal year limitation.  
816 Sec. 5024. Inpatient hospital directed payment provider fee.  
817 (a) Beginning October 1, 2024, and subject to section 5025, the District may charge each  
818 hospital a fee based on its inpatient net patient revenue. The fee shall be charged at a uniform

819 rate among all hospitals. The rate of the fee shall be established by the Department and shall be  
820 equal to the rate necessary to generate an amount equal to:

821 (1) The non-federal share of the quarterly inpatient hospital directed payment,  
822 consistent with the applicable State Directed Payment preprint approved by the Centers for  
823 Medicare and Medicaid Services; and

824 (2) The District retention.

825 (b) If the Department calculates the fee under subsection (a) based in part on the inpatient  
826 net patient revenue of a hospital that has not yet filed its first Hospital and Hospital Health Care  
827 Complex Cost Report (Form CMS-2552-10) (a “new hospital”), as provided in section  
828 5022(5)(B), the Department shall, after the hospital files its first Hospital and Hospital Health  
829 Care Complex Cost Report (Form CMS-2552-10):

830 (1) Adjust the fee retroactively based on the inpatient net patient revenue of the  
831 new hospital calculated pursuant to section 5022(5)(A);

832 (2) Bill the new hospital for any amount dues based on the adjusted fee and the  
833 inpatient net patient revenue of the hospital calculated pursuant to section 5022(5)(A); and

834 (3) Retroactively adjust the fees charged to all other hospitals as needed to  
835 account for any change in the new hospital’s fee obligations.

836 (c)(1) Except as provided in paragraph (2) of this subsection, the following hospitals shall  
837 be exempt from the fee imposed under subsection (a) of this subsection:

838 (A) A psychiatric hospital that is an agency or a unit of the District  
839 government;

840 (B) Howard University Hospital.

841 (2) If an exemption provided to a hospital by paragraph (1) of this subsection is  
842 adjudged to be unlawful or otherwise invalid, or is not approved for a provider tax waiver from  
843 the Centers for Medicare and Medicaid Services (if such waiver is determined to be necessary),  
844 the hospital shall be subject to the fee imposed under subsection (a).

845 Sec. 5025. Applicability of fees.

846 (a) The fee imposed by section 5024 shall be effective as of October 1, 2024, or the  
847 effective date established by the Centers for Medicare and Medicaid Services in its approval of  
848 the Medicaid State Directed Payment preprint authorizing the Medicaid payments described in  
849 this subtitle, whichever is later.

850 (b) The fee imposed by section 5024 shall cease to be imposed, and any moneys  
851 remaining in the Inpatient Directed Payment Fund shall be refunded to hospitals in proportion to  
852 the amounts paid by them, if the payments to hospitals required under section 5026 are not  
853 eligible for federal matching funds under section 1903(w) of the Social Security Act, approved  
854 July 30, 1965 (70 Stat. 349; 42 U.S.C. §1396b(w)) (“Social Security Act”).

855 (c) The fee imposed by section 5024 shall not take effect or, if already in effect, shall  
856 cease to be imposed if the fee is determined to be an impermissible tax under section  
857 1903(w)(3)(B) of the Social Security Act (42 U.S.C. §1396b(w)(3)(B)) by the Centers for  
858 Medicare and Medicaid Services.

859 (d) If the fee imposed by section 5024 does not take effect or ceases to be imposed,  
860 moneys in the Fund derived from the fee shall be disbursed in accordance with section 5026 to  
861 the extent federal matching funds are available. If federal matching funds are not available due to  
862 a determination by the Centers for Medicare and Medicaid Services that the fee is impermissible,  
863 any remaining moneys shall be refunded to hospitals in proportion to the amounts paid by them.

864 Sec. 5026. Medicaid inpatient hospital directed payments.

865 (a) For services beginning October 1, 2024, the Department shall require Medicaid  
866 managed care organizations to make inpatient directed payments to hospitals consistent with the  
867 applicable State Directed Payment preprint approved by the Centers for Medicare and Medicaid  
868 Services.

869 (b) No payments shall be made under this section until such time that the Centers for  
870 Medicare and Medicaid Services approves the Medicaid State Directed Payment preprint  
871 authorizing the Medicaid payments described in this section.

872 Sec. 5027. Quarterly notice and collection.

873 (a) The fee imposed under section 5024 shall be calculated on a quarterly basis and shall  
874 be due and payable by the 15th day after the last month of each quarter; provided, that the fee  
875 shall not be due and payable until:

876 (1) The District issues written notice that the payment methodologies for  
877 payments to hospitals required under section 5026 have been approved by the federal Centers for  
878 Medicare and Medicaid Services; and

879 (2) The District issues written notice to the hospital informing the hospital of its  
880 fee rate, inpatient net patient revenue subject to the fee, and the fee amount owed on a quarterly  
881 basis, including, in the initial written notice from the District to the hospital, all fee amounts  
882 owed beginning with the period commencing on October 1, 2024.

883 (b) Notwithstanding subsection (a) of this section, a hospital system or person who  
884 operates or maintains a hospital shall, upon notice by the Department, pay the fee computed  
885 under section 5024 and subsection (a) of this section in installments on the due date stated in the  
886 notice and on the regular installment due dates occurring after the due dates of the initial notice.

887 (c)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle,  
888 the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof,  
889 which shall be added to the unpaid balance.

890 (2) The Chief Financial Officer may arrange a payment plan for the amount of the  
891 fee and interest in arrears.

892 Sec. 5028. Multi-hospital systems, closure, merger, and new hospitals.

893 (a) If a hospital system owns, operates, or maintains more than one hospital licensed by  
894 the Department of Health, the hospital system shall pay the fee for each hospital separately.

895 (b)(1) Notwithstanding any other provision in this subtitle, if a hospital system or person  
896 ceases to own, operate, or maintain a hospital that is subject to a fee under section 5024, as  
897 evidenced by the transfer or surrender of the hospital license, the fee for the fiscal year of the  
898 District in which the cessation occurs shall be adjusted by multiplying the fee computed under  
899 section 5024 by a fraction, the numerator of which is the number of days in the year during  
900 which the hospital system or person conducted, operated, or maintained the hospital, and the  
901 denominator of which is 365.

902 (2) Within 15 days after ceasing to own, operate, or maintain a hospital, the  
903 hospital system or person shall pay the fee for the year as so adjusted, to the extent not  
904 previously paid.

905 Sec. 5029. Rules.

906 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
907 approved October 21, 1968 (82 Stat.1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to  
908 implement the provisions of this subtitle.

909 Sec. 5030. Sunset.

910 This subtitle shall expire on September 30, 2029.

911 **SUBTITLE D. MEDICAID OUTPATIENT FUND AND DIRECTED PAYMENTS**

912 Sec. 5031. Short title.

913 This subtitle may be cited as the “Medicaid Outpatient Hospital Directed Payment Act of  
914 2024”.

915 Sec. 5032. Definitions.

916 For the purposes of this subtitle, the term:

917 (1) “Department” means the Department of Health Care Finance.

918 (2) “District retention” means an amount equal to 12% of the fees collected  
919 pursuant to section 5034(a)(1), plus the salary and fringe benefits for one full-time equivalent  
920 staff position at the Department.

921 (3) “Hospital” shall have the same meaning as provided in section 2(a)(1) of the  
922 Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of  
923 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(9)); except  
924 that the term “hospital” shall not include a hospital operated by the federal government.

925 (4) “Hospital system” means a group of hospitals licensed separately, but  
926 operated, owned, or maintained by a common entity.

927 (5) “Medicaid” means the medical assistance programs authorized by title XIX of  
928 the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), and by  
929 section 1 of An Act To enable the District of Columbia to receive Federal financial assistance  
930 under title XIX of the Social Security Act for a medical assistance program, and for other  
931 purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and  
932 administered by the Department.

933 (6)(A) Except as provided in subparagraph (B) of this paragraph, “outpatient  
934 gross patient revenue” means the amount that is reported in column 2 of line 28 of Worksheet G-  
935 2 of the hospital’s most recently available Hospital and Hospital Health Care Complex Cost  
936 Report (Form CMS 2552-10).

937 (B) For a hospital that has not yet filed its first Hospital and Hospital  
938 Health Care Complex Cost Report (Form CMS-2552-10), the term “outpatient net patient  
939 revenue” shall mean a dollar value determined by the Department, based on projected utilization  
940 volume and projected utilization migration from other area hospitals, that approximates the  
941 hospital’s expected inpatient net patient revenue as defined by subparagraph (A) of this section.

942 (7) “State directed payment” means a Medicaid managed care delivery system  
943 and provider payment initiative authorized under 42 CFR 438.6(c).

944 Sec. 5033. Outpatient Hospital Directed Payment Provider Fee Fund.

945 (a) There is established as a special fund the Outpatient Hospital Directed Payment  
946 Provider Fee Fund (“Outpatient Directed Payment Fund”), which shall be administered by the  
947 Department in accordance with subsections (c) and (d) of this section.

948 (b) Revenue from the following sources shall be deposited in the Outpatient Directed  
949 Payment Fund:

950 (1) Fees collected under this subtitle; and

951 (2) Interest and penalties collected under this subtitle.

952 (c) Money in the Outpatient Directed Payment Fund shall be used only for the following  
953 purposes:

954 (1) Making separate payments to Medicaid managed care organizations to fund  
955 Medicaid outpatient hospital directed payments to hospitals as required under section 5036;

956 (2) Providing refunds to hospitals pursuant to section 5035; and  
957 (3) Through the District retention:  
958 (A) Paying the salary and fringe benefits of one full-time equivalent staff  
959 position at the Department;  
960 (B) Funding the local match for Medicaid fee-for-service hospital  
961 reimbursements; and  
962 (C) Making a transfer to the General Fund in an amount not to exceed  
963 12% of the fees collected pursuant to section 5034(a)(1).  
964 (d) Other than the District retention, money in the Outpatient Directed Payment Fund  
965 may not be used to replace money appropriated to the Medicaid program.  
966 (e)(1) Except as otherwise provided in subsection (c)(3)(B) of this section, the money  
967 deposited into the Outpatient Directed Payment Fund shall not revert to the unrestricted fund  
968 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
969 other time.  
970 (2) Subject to authorization in an approved budget and financial plan, any funds  
971 appropriated in the Outpatient Hospital Directed Payment Fund shall be continually available  
972 without regard to fiscal year limitation.  
973 Sec. 5034. Outpatient hospital directed payment provider fee.  
974 (a) Beginning October 1, 2024, and subject to section 5035, the District may charge each  
975 hospital a fee based on its outpatient gross patient revenue. The fee shall be charged at a uniform  
976 rate among all hospitals. The rate of the fee shall be established by the Department and shall be  
977 equal to the rate necessary to generate an amount equal to:



978 (1) The non-federal share of the quarterly outpatient hospital directed payment,  
979 consistent with the applicable State Directed Payment preprint approved by the Centers for  
980 Medicare and Medicaid Services; and

981 (2) The District retention.

982 (b) If the Department calculates the fee under subsection (a) based in part on the  
983 outpatient gross patient revenue of a hospital that has not yet filed its first Hospital and Hospital  
984 Health Care Complex Cost Report (Form CMS-2552-10) (a “new hospital”), as provided in  
985 section 5032(5)(B), the Department shall, after the hospital files its first Hospital and Hospital  
986 Health Care Complex Cost Report (Form CMS-2552-10):

987 (1) Adjust the fee retroactively based on the outpatient gross patient revenue of  
988 the new hospital calculated pursuant to section 5022(5)(A);

989 (2) Bill the new hospital for any amount dues based on the adjusted fee and the  
990 inpatient net patient revenue of the hospital calculated pursuant to section 5032(5)(A); and

991 (3) Retroactively adjust the fees charged to all other hospitals as needed to  
992 account for any change in the new hospital’s fee obligations.

993 (c)(1) Except as provided in paragraph (2) of this subsection, the following hospitals shall  
994 be exempt from the fee imposed under subsection (a) of this subsection:

995 (A) A psychiatric hospital that is an agency or a unit of the District  
996 government;

997 (B) Howard University Hospital.

998 (2) If an exemption provided to a hospital by paragraph (1) of this subsection is  
999 adjudged to be unlawful or otherwise invalid, or is not approved for a provider tax waiver from

1000 the Centers for Medicare and Medicaid Services (if such waiver is determined to be necessary),  
1001 the hospital shall be subject to the fee imposed under subsection (a).

1002           Sec. 5035. Applicability of fees.

1003           (a) The fee imposed by section 5034 shall be effective as of October 1, 2024, or the  
1004 effective date established by the Centers for Medicare and Medicaid Services in its approval of  
1005 the Medicaid State Directed Payment preprint authorizing the Medicaid payments described in  
1006 this subtitle, whichever is later.

1007           (b) The fee imposed by section 5034 shall cease to be imposed, and any moneys  
1008 remaining in the Outpatient Directed Payment Fund shall be refunded to hospitals in proportion  
1009 to the amounts paid by them, if the payments to hospitals required under section 5036 are not  
1010 eligible for federal matching funds under section 1903(w) of the Social Security Act, approved  
1011 July 30, 1965 (70 Stat. 349; 42 U.S.C. §1396b(w)) (“Social Security Act”).

1012           (c) The fee imposed by section 5034 shall not take effect or, if already in effect, shall  
1013 cease to be imposed if the fee is determined to be an impermissible tax under section  
1014 1903(w)(3)(B) of the Social Security Act (42 U.S.C. §1396b(w)(3)(B)) by the Centers for  
1015 Medicare and Medicaid Services.

1016           (d) If the fee imposed by section 5034 does not take effect or ceases to be imposed,  
1017 moneys in the Fund derived from the fee shall be disbursed in accordance with section 5036 to  
1018 the extent federal matching funds are available. If federal matching funds are not available due to  
1019 a determination by the Centers for Medicare and Medicaid Services that the fee is impermissible,  
1020 any remaining moneys shall be refunded to hospitals in proportion to the amounts paid by them.

1021           Sec. 5036. Medicaid outpatient hospital directed payments.

1022 (a) For visits and services beginning October 1, 2024, the Department shall require  
1023 Medicaid managed care organizations to make outpatient directed payments to hospitals  
1024 consistent with the applicable State Directed Payment preprint approved by the Centers for  
1025 Medicare and Medicaid Services.

1026 (b) No payments shall be made under this section until such time that the Centers for  
1027 Medicare and Medicaid Services approves the Medicaid State Directed Payment preprint  
1028 authorizing the Medicaid payments described in this section.

1029 Sec. 5037. Quarterly notice and collection.

1030 (a) The fee imposed under section 5024 shall be calculated on a quarterly basis, and shall  
1031 be due and payable by the 15th day after the last month of each quarter; provided, that the fee  
1032 shall not be due and payable until:

1033 (1) The District issues written notice that the payment methodologies for  
1034 payments to hospitals required under section 5036 have been approved by the federal Centers for  
1035 Medicare and Medicaid Services; and

1036 (2) The District issues written notice to the hospital informing the hospital of its  
1037 fee rate, outpatient gross patient revenue subject to the fee, and the fee amount owed on a  
1038 quarterly basis, including, in the initial written notice from the District to the hospital, all fee  
1039 amounts owed beginning with the period commencing on October 1, 2024.

1040 (b) Notwithstanding subsection (a) of this section, a hospital system or person who  
1041 operates or maintains a hospital shall, upon notice by the Department, pay the fee computed  
1042 under section 5034 and subsection (a) of this section in installments on the due date stated in the  
1043 notice and on the regular installment due dates occurring after the due dates of the initial notice.

1044 (c)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle,  
1045 the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof,  
1046 which shall be added to the unpaid balance.

1047 (2) The Chief Financial Officer may arrange a payment plan for the amount of the  
1048 fee and interest in arrears.

1049 Sec. 5038. Multi-hospital systems, closure, merger, and new hospitals.

1050 (a) If a hospital system owns, operates, or maintains more than one hospital licensed by  
1051 the Department of Health, the hospital system shall pay the fee for each hospital separately.

1052 (b)(1) Notwithstanding any other provision in this subtitle, if a hospital system or person  
1053 ceases to own, operate, or maintain a hospital that is subject to a fee under section 5034, as  
1054 evidenced by the transfer or surrender of the hospital license, the fee for the fiscal year of the  
1055 District in which the cessation occurs shall be adjusted by multiplying the fee computed under  
1056 section 5034 by a fraction, the numerator of which is the number of days in the year during  
1057 which the hospital system or person conducted, operated, or maintained the hospital, and the  
1058 denominator of which is 365.

1059 (2) Within 15 days after ceasing to own, operate, or maintain a hospital, the  
1060 hospital system or person shall pay the fee for the year as so adjusted, to the extent not  
1061 previously paid.

1062 Sec. 5039. Rules.

1063 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
1064 approved October 21, 1968 (82 Stat.1204; D.C. Official Code §2-501 et seq.), may issue rules to  
1065 implement the provisions of this subtitle.

1066 Sec. 5040. Sunset.

1067 This subtitle shall expire on September 30, 2029.

1068 **SUBTITLE E. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL**  
1069 **PAYMENT AND HOSPITAL INPATIENT RATE SUPPLEMENT ADJUSTMENTS**

1070 Sec. 5041. Short title.

1071 This subtitle may be cited as the “Medicaid Hospital Outpatient Supplemental Payment  
1072 and Hospital Inpatient Rate Supplement Adjustments Amendment Act of 2024”.

1073 Sec. 5042. The Medicaid Hospital Outpatient Supplemental Payment Act of 2017,  
1074 effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.01 *et seq.*), is  
1075 amended as follows:

1076 (a) Section 5062(5) (D.C. Official Code § 44-664.01(5)) is amended to read as follows:

1077 “(5)(A) Except as provided in subparagraph (B) of this paragraph, “outpatient  
1078 gross patient revenue” means the amount that is reported in column 2 of line 28 of Worksheet G-  
1079 2 of the hospital’s most recently available Hospital and Hospital Health Care Complex Cost  
1080 Report (Form CMS 2552-10).

1081 “(B) For a hospital that has not yet filed its first Hospital and Hospital  
1082 Health Care Complex Cost Report (Form CMS-2552-10), the term “outpatient net patient  
1083 revenue” shall mean a dollar value determined by the Department, based on projected utilization  
1084 volume and projected utilization migration from other area hospitals, that approximates the  
1085 hospital’s expected inpatient net patient revenue as defined by subparagraph (A) of this  
1086 paragraph.”.

1087 (b) Section 5064 (D.C. Official Code § 44-664.03) is amended as follows:

1088 (1) Subsection (b) is amended to read as follows:

1089 “(b)(1) Except as provided in paragraph (2) of this subsection, the following hospitals

1090 shall be exempt from the fee imposed under subsection (a) of this subsection:

1091                   “(A) A psychiatric hospital that is an agency or a unit of the District  
1092 government; and

1093                   “(B) Howard University Hospital.

1094                   “(2) If an exemption provided to a hospital by paragraph (1) of this subsection is  
1095 adjudged to be unlawful or otherwise invalid, or is not approved for a provider tax waiver from  
1096 the Centers for Medicare and Medicaid Services (if such waiver is determined to be necessary),  
1097 the hospital shall be subject to the fee imposed under subsection (a) of this section.”.

1098                   Sec. 5043. The Medicaid Hospital Inpatient Rate Supplement Act of 2017, effective  
1099 December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.11 *et seq.*), is amended as  
1100 follows:

1101                   (a) Section 5082(4) (D.C. Official Code § 44-664.11(4)) is amended to read as follows:

1102                   “(4)(A) Except as provided in subparagraph (B) of this paragraph, “inpatient net  
1103 patient revenue” means, with respect to a hospital, the result of the following calculation:

1104                                   “(i) The quotient of the number appearing in Column 1 of Line 28  
1105 on Worksheet G-2 of the hospital’s most recently available filed Hospital and Hospital Health  
1106 Care Complex Cost Report (Form CMS-2552-10) divided by the number appearing in Column 3  
1107 of Line 28 on Worksheet G-2 of that report; multiplied by

1108                                   “(ii) The number appearing in Column 1 of Line 3 of Worksheet  
1109 G-3 of that report.

1110                   “(B) For a hospital that has not yet filed its first Hospital and Hospital  
1111 Health Care Complex Cost Report (Form CMS-2552-10), the term “inpatient net patient  
1112 revenue” shall mean a dollar value determined by the Department, based on projected utilization

1113 volume and projected utilization migration from other area hospitals, that approximates the  
1114 hospital’s expected outpatient net patient revenue as defined by subparagraph (A) of this  
1115 paragraph.”.

1116 (b) Section 5084 (D.C. Official Code § 44-664.13) is amended as follows:

1117 (1) Subsection (b) is amended to read as follows:

1118 “(b)(1) Except as provided in paragraph (2) of this subsection, the following hospitals  
1119 shall be exempt from the fee imposed under subsection (a) of this subsection:

1120 “(A) A psychiatric hospital that is an agency or a unit of the District  
1121 government; and

1122 “(B) Howard University Hospital.

1123 “(2) If an exemption provided to a hospital by paragraph (1) of this subsection is  
1124 adjudged to be unlawful or otherwise invalid, or is not approved for a provider tax waiver from  
1125 the Centers for Medicare and Medicaid Services (if such waiver is determined to be necessary),  
1126 the hospital shall be subject to the fee imposed under subsection (a) of this section.”.

1127 (2) Subsection (c) is repealed.

1128 **SUBTITLE F. DUPLICATIVE OMBUDSPERSON FOR CHILDREN OFFICE**

1129 Sec. 5051. Short title.

1130 This subtitle may be cited as the “Repeal of the Duplicative Ombudsperson for Children  
1131 Office Amendment Act of 2024”.

1132 Sec. 5052. Title I of the Office of the Ombudsperson for Children Establishment  
1133 Amendment Act of 2020, effective April 5, 2021 (D.C. Law 23-270; D.C. Official Code §§ 4-  
1134 671.01–4-671.12), is repealed.

1135           Sec. 5053. The Prevention of Child Abuse and Neglect Act of 1977, effective September  
1136 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

1137           (a) Section 203(a) (D.C. Official Code § 4-1302.03(a)) is amended as follows:

1138                   (1) Paragraph (9) is amended by striking the semicolon at the end and inserting  
1139 the phrase “; and” in its place.

1140                   (2) Paragraph (10) is amended by striking the phrase “; and” and inserting a  
1141 period in its place.

1142                   (3) Paragraph (11) is repealed.

1143           (b) Section 306(a) (D.C. Official Code § 4-1303.06(a)) is amended as follows:

1144                   (1) Paragraph (5) is amended by striking the semicolon at the end and inserting  
1145 the phrase “; or” in its place.

1146                   (2) Paragraph (6) is amended by striking the phrase “; or” and inserting a period  
1147 in its place.

1148                   (3) Paragraph (7) is repealed.

1149           (c) Section 311 (D.C. Official Code § 4-1303.11) is repealed.

1150           Sec. 5054. Section 4604 of the Child Fatality Review Committee Establishment Act of  
1151 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.04), is amended  
1152 as follows:

1153           (a) Subsection (c-1) is repealed.

1154           (b) Subsection (d) is amended by striking the phrase “the Council in the case of the  
1155 Office of the Ombudsperson for Children, or of the federal or judicial body designating their  
1156 availability for appointment.” and inserting the phrase “or of the federal or judicial body  
1157 designating their availability for appointment.” in its place.



1158           Sec. 5055. Section 4 of the Students in the Care of D.C. Coordinating Committee Act of  
1159 2018, effective April 11, 2019 (D.C. Law 22-303; D.C. Official Code § 2-1599.03), is amended  
1160 as follows:

1161           (a) Subsection (a) is amended by striking the phrase “shall consist of 26 voting members”  
1162 and inserting the phrase “shall consist of 25 voting members” in its place.

1163           (b) Subsection (a)(1) is amended as follows:

1164                   (1) Sub-paragraph (O) is amended by striking the semicolon at the end and  
1165 inserting the phrase “; and” in its place.

1166                   (2) Sub-paragraph (P) is amended by striking the phrase “; and” and inserting a  
1167 period in its place.

1168                   (3) Sub-paragraph (Q) is repealed.

1169           Sec. 5056. Section 1816a of the Office of the Chief Technology Officer Establishment  
1170 Act of 1998, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 1-1406), is  
1171 amended by striking the phrase “Council of the District of Columbia, the Office of the District of  
1172 Columbia Auditor, the Office of the Ombudsperson for Children, or the Office of the Attorney  
1173 General;” and inserting the phrase “Council of the District of Columbia, the Office of the District  
1174 of Columbia Auditor, or the Office of the Attorney General;” in its place.

1175           Sec. 5057. Section 2c of the Council of the District of Columbia Independence Act of  
1176 1982, effective March 11, 2010 (D.C. Law 18-119; D.C. Official Code § 1-301.44c), is amended  
1177 as follows:

1178           (a) The section heading is amended to read as follows:

1179                   “Sec. 2c. Disclosure of information to the Council; District of Columbia Auditor;  
1180 conditions on disclosure.”.

1181 (b) Subsection (a) is amended as follows:

1182 (1) Paragraph (4) is amended by striking the semicolon at the end and inserting  
1183 the phrase “; or” in its place.

1184 (2) Paragraph (5) is amended by striking the phrase “; or” and inserting a period  
1185 in its place.

1186 (3) Paragraph (6) is repealed.

1187 Sec. 5058. Section 406(b)(29) of the District of Columbia Government Comprehensive  
1188 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
1189 604.06(b)(29)), is repealed.

1190 Sec. 5059. Section 204(a-1)(2) of the District of Columbia Administrative Procedure Act,  
1191 effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a-1)(2)), is amended as  
1192 follows:

1193 (a) Subparagraph (D) is amended by striking the semicolon at the end and inserting the  
1194 phrase “; or” in its place;

1195 (b) Subparagraph (E) is amended by striking the phrase “; or” and inserting a period in its  
1196 place.

1197 (c) Subparagraph (F) is repealed.

## 1198 **SUBTITLE G. RAPID RE-HOUSING**

1199 Sec. 5061. Short title.

1200 This subtitle may be cited as the “Rapid Re-Housing Program Amendment Act of 2024”.

1201 Sec. 5062. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C.  
1202 Law 16-35; D.C. Official Code § 4-751.01 et seq.), is amended as follows:

1203 (a) Section 7(b)(4)(B) (D.C. Official Code § 4-753.01(b)(4)(B)) is amended to read as  
1204 follows:

1205 “(B) Rapid Re-Housing programs for the purpose of providing housing  
1206 relocation and stabilization services and time-limited rental assistance to help a homeless  
1207 individual or family move as quickly as possible into permanent housing and achieve stability in  
1208 permanent housing.”.

1209 (b) Section 9(a)(18) (D.C. Official Code § 4-754.11(a)(18)) is amended to read as  
1210 follows:

1211 “(18) Continuation of shelter or housing services provided within the Continuum  
1212 of Care without change, other than a transfer pursuant to section 20, an emergency transfer,  
1213 suspension, or termination pursuant to section 24, or a program exit from a Rapid Re-Housing  
1214 due to a statutory or regulatory time limit on the duration of services provided by the Rapid Re-  
1215 Housing program, pending the outcome of any fair hearing requested within 15 calendar days of  
1216 receipt of written notice of a suspension, termination, or program exit;”.

1217 (c) Section 22b (D.C. Official Code § 4-754.36b) is amended as follows:

1218 (1) Subsection (a)(1) is amended to read as follows:

1219 “(1) The housing program is provided on a time-limited basis, and the client’s  
1220 time period for receiving services has run out; or”.

1221 (2) Subsection (c) is amended as follows:

1222 (A) The existing text is designated as paragraph (1).

1223 (B) A new paragraph (2) is added to read as follows:

1224                   “(2) Paragraph (1) of this subsection shall not apply to a program exit from a  
1225 Rapid Re-Housing program if the program exit is due to the client reaching a statutory or  
1226 regulatory time limit on the duration of services provided by the Rapid Re-Housing program.”

1227                   (d) Section 26(d) (D.C. Official Code § 4-754.41(d) is amended by striking the phrase  
1228 “pursuant to section 24” and inserting the phrase “pursuant to section 24 or in the case of a  
1229 program exit from a Rapid Re-Housing program due to a statutory or regulatory time limit on the  
1230 duration of services provided by the Family Re-Housing and Stabilization Program.”.

1231                   (e) Section 27(d) (D.C. Official Code § 4-754.42(d)) is amended by adding a new  
1232 paragraph (3) to read as follows:

1233                   “(3) Notwithstanding paragraphs (1) and (2) of this subsection, the administrative  
1234 review may be conducted on the papers and without an in-person review if the purpose of the  
1235 administrative review is to ascertain the validity of a decision to exit a client from a Rapid Re-  
1236 Housing program because the client’s time period for receiving services has run out due to a  
1237 statutory or regulatory time limit on the duration of services provided by the Rapid Re-Housing  
1238 program .”.

1239                   Sec. 5063. Applicability.

1240                   This subtitle shall apply as of the effective date of the Fiscal Year 2024 Revised Local  
1241 Budget Emergency Act of 2024.

1242                   **SUBTITLE H. HEALTHY DC FUND**

1243                   Sec. 5071. Short title.

1244                   This subtitle may be cited as the “Healthy DC Fund Amendment Act of 2024”.

1245           Sec. 5072. Section 15b of the Hospital and Medical Services Corporation Regulatory Act  
1246 of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02), is  
1247 amended by adding a new subsection (d) to read as follows:

1248           “(d) Notwithstanding subsection (a) of this section, in each of fiscal years 2025, 2026,  
1249 2027, and 2028, \$5,567,566 shall be transferred from the Fund to the General Fund of the  
1250 District.”.

1251           **SUBTITLE I. NOT-FOR-PROFIT HOSPITAL CORPORATION SUBSIDY**

1252           Sec. 5081. Short title.

1253           This subtitle may be cited as the “Not-For-Profit Hospital Corporation Subsidy  
1254 Amendment Act of 2024”.

1255           Sec. 5082. The Not-for-Profit Hospital Corporation Establishment Amendment Act of  
1256 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.01 *et seq.*), is  
1257 amended as follows:

1258           (a) Section 5115(l)(1) (D.C. Official Code § 44-951.04(l)(1)) is amended as follows:

1259                   (1) Subparagraph (B) is amended by striking the phrase “; or” and inserting a  
1260 semicolon in its place.

1261                   (2) Subparagraph (C) is amended to read as follows:

1262                           “(C) At any time during Fiscal Year 2021 through Fiscal Year 2024, a  
1263 District annual operating subsidy of more than \$15 million per fiscal year is required; or”.

1264                   (3) A new subparagraph (D) is added to read as follows:

1265                           “(D) At any time after September 30, 2024, a District annual operating  
1266 subsidy of more than \$26 million per fiscal year is required.”

1267 (b) Section 5120(b)(1) (D.C. Official Code § 44-951.09(b)(1)) is amended by striking the  
1268 phrase “and no greater than \$22 million per year thereafter,” and inserting the phrase “no greater  
1269 than \$22 million per year in Fiscal Years 2022 through 2024, and no greater than \$26 million per  
1270 year thereafter,” in its place.

1271 **SUBTITLE J. CAREER MOBILITY ACTION PLAN PROGRAM**

1272 Sec. 5091. Short title.

1273 This subtitle may be cited as the “Career Mobility Action Plan Program Amendment Act  
1274 of 2024”.

1275 Sec. 5092. Section 202(a) of the Emergency Rental Assistance Reform and Career  
1276 Mobility Action Plan Program Establishment Amendment Act of 2022, effective March 10, 2023  
1277 (D.C. Law 24-287; D.C. Official Code § 4-281.02(a)), is amended by striking the phrase “The  
1278 Department shall” and inserting the phrase “The Department may” in its place.

1279 **SUBTITLE K. FLEXIBLE RENT SUBSIDY PROGRAM**

1280 Sec. 5101. Short title.

1281 This subtitle may be cited as the “Flexible Rent Subsidy Pilot Program Amendment Act  
1282 of 2024”.

1283 Sec. 5102. Section 31c(e) of the Homeless Services Reform Act of 2005, effective  
1284 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 4-756.05(e)), is amended by striking  
1285 the phrase “September 30, 2026.” and inserting the phrase “September 30, 2026, and the  
1286 Department may restrict new individuals and families from entering the program before that  
1287 date.” in its place.

1288 **SUBTITLE L. UNIVERSAL PAID LEAVE PROGRAM**

1289 Sec. 5111. Short title.

1290 This subtitle may be cited as the “Universal Paid Leave Program Amendment Act of  
1291 2024”.

1292 Sec. 5112. The Universal Paid Leave Amendment Act of 2016, effective April 7, 2017  
1293 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*), is amended as follows:

1294 (a) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

1295 (1) Subsections (a) and (b) are amended to read as follows:

1296 “(a) A covered employer shall pay to the District an amount equal to 0.62% of the wages  
1297 of each of its covered employees, in a manner prescribed by the Mayor.

1298 “(b) A covered employer who is a self-employed individual who has opted-in to the paid-  
1299 leave program established pursuant to this subchapter shall pay to the District an amount equal to  
1300 0.62% of his or her annual self-employment income, in a manner prescribed by the Mayor.”.

1301 (2) A new subsection (b-1) is added to read as follows:

1302 “(b-1) Payments received by the District pursuant to subsections (a) and (b) of this  
1303 section shall be deposited as provided in section 1152(e)(1) of the Universal Paid Leave  
1304 Implementation Fund Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official  
1305 Code § 32-551.01(e)(1)).”

1306 (b) Section 104a (D.C. Official Code § 32-541.04a) is amended as follows:

1307 (1) Subsection (b)(2) and (3) are repealed.

1308 (2) Subsection (c)(2) is repealed.

1309 Sec. 5113. Section 1152(e)(1) of the Universal Paid Leave Implementation Fund Act of  
1310 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01(e)(1)), is  
1311 amended by striking the phrase “section 103 of the Act” and inserting the phrase “section 103 of  
1312 the Act, except that any amounts collected in excess of the amounts that would be collected

1313 pursuant to the contribution rate projected by the Chief Financial Officer pursuant to section  
1314 104a(b)(1)(E) of the Universal Paid Leave Amendment Act of 2016, effective November 13,  
1315 2021 (D.C. Law 24-45; D.C. Official Code § 32-541.04a(b)(1)(E)), shall instead be deposited  
1316 into the General Fund of the District of Columbia;” in its place.

1317           Sec. 5114. Applicability.

1318           This subtitle shall apply as of July 1, 2024.

1319           **SUBTITLE M. BIRTHING HOSPITAL CHILDCARE GRANTS**

1320           Sec. 5121. Short title.

1321           This subtitle may be cited as the “Birthing Hospital Grants Amendment Act of 2024”.

1322           Sec. 5122. Section 4907a of the Department of Health Functions Clarification Act of  
1323 2001, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 7-736.01), is amended  
1324 by adding a new subsection (m) to read as follows:

1325           “(m) The Director of the Department of Health and each such other agency as may be  
1326 designated by the Mayor shall have the authority to issue grants to address the childcare needs of  
1327 pregnant and birthing parents who are obtaining necessary treatment at the District’s birthing  
1328 hospitals.”

1329           **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

1330           **SUBTITLE A. UNCLAIMED DEPOSITS FOR EXCAVATION WORK IN THE**  
1331 **PUBLIC RIGHT OF WAY**

1332           Sec. 6001. Short title.

1333           This subtitle may be cited as the “Unclaimed Deposits for Excavation Work Amendment  
1334 Act of 2024”.



1335           Sec. 6002. The Revised Uniform Unclaimed Property Act of 2021, effective November  
1336 13, 2021 (D.C. Law 24-45, D.C. Official Code § 41-151 *et seq.*) is amended by adding a new  
1337 section 7093a to read as follows:

1338           “Sec. 7093a. Unclaimed deposits for excavation work in public space.

1339           “(a) This act shall not apply to an unclaimed deposit for excavation work in public space.

1340           “(b) The Mayor may establish, by rule, the standards and procedures for determining  
1341 whether and when such a deposit will be considered abandoned, and for determining the custody  
1342 and ownership of such a deposit.”.

1343           Sec. 6003. Section 3405.9 of Title 24 of the District of Columbia Municipal Regulations  
1344 is amended to read as follows:

1345           “3405.9           Unclaimed Deposits.

1346           “(a) If a Permittee or its assigns does not claim a deposit under subsection 3405.5 within  
1347 thirty (30) days after the expiration of the two (2)-year period referenced in subsection 3405.5,  
1348 the Director shall notify the Permittee or its assign at the Permittee’s or assign’s last known  
1349 address of record of the unclaimed deposit. If the Permittee or assign has not claimed the deposit  
1350 within one (1) year after the expiration of the two (2)-year period referenced in subsection  
1351 3405.5, the unclaimed deposit shall be deemed forfeited.

1352           “(b) In addition to providing the notices required by paragraph (a), the Director shall  
1353 maintain a website or database accessible by the public and electronically searchable, that  
1354 contains the name of each Permittee or assign for whom a deposit is being held by the Director.”.

1355           **SUBTITLE B. RENEWABLE ENERGY PORTFOLIO STANDARD**

1356           **COMPLIANCE PAYMENTS**

1357           Sec. 6011. Short title.

1358 This subtitle may be cited as the “Renewable Energy Portfolio Standard Amendment Act  
1359 of 2024”.

1360 Sec. 6012. The Renewable Energy Portfolio Standard Act of 2004, effective April 12,  
1361 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431 *et seq.*), is amended as follows:

1362 (a) Section 6(c-1) (D.C. Official Code § 34-1434(c-1)) is amended by striking the phrase  
1363 between “October 1 and November 1” and inserting the phrase “between June 1 and July 1” in  
1364 its place.

1365 (b) Section 8(g) (D.C. Official Code § 34-1436(g)) is amended by

1366 (1) Striking the phrase “through a cost recovery surcharge authorized in section  
1367 7(c)” and inserting the phrase “through a cost recovery surcharge authorized in section 7(c) or  
1368 any other means” in its place; and

1369 (2) Striking the phrase “any surcharge owed” and inserting the phrase “any  
1370 surcharge or compliance fee owed or paid” in its place.

1371 Sec. 6013. Applicability.

1372 Subsection 6012(a) shall apply as of January 1, 2025.

1373 **SUBTITLE C. VISION ZERO PEDESTRIAN AND BICYCLE SAFETY FUND**

1374 Sec. 6021. Short title.

1375 This subtitle may be cited as the “Vision Zero Pedestrian and Bicycle Safety Fund  
1376 Establishment Amendment Act of 2024”.

1377 Sec. 6022. Section 9(a) of the Department of Transportation Establishment Act of 2002,  
1378 effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 50-921.20(a)), is amended by  
1379 striking the phrase “the Director of DDOT” and inserting the phrase “the Deputy Mayor for  
1380 Operations and Infrastructure” in its place.

1381           **SUBTITLE D. WATER POLLUTION CONTROL THIRD-PARTY REVIEW**

1382           Sec. 6031. Short title.

1383           This subtitle may be cited as the “Water Pollution Control Third-Party Review  
1384 Amendment Act of 2024”.

1385           Sec. 6032. The Water Pollution Control Act of 1984, effective March 16, 1985 (D.C.  
1386 Law 5-188, D.C. Official Code § 8-103.01 *et seq.*), is amended by adding a new section 7a to  
1387 read as follows:

1388           “Sec. 7a. Third-party reviews and inspections.

1389           “(a) The Mayor may certify and allow qualified third parties to review permit  
1390 applications, including assessments, studies, plans, and proposals, and to certify their compliance  
1391 with this act.

1392           “(b) The Mayor may certify and allow qualified third parties to perform inspections of  
1393 work performed subject to a permit issued pursuant to this act and may accept reports of  
1394 inspection from such qualified third parties.

1395           “(c) Rules issued by the Mayor pursuant to section 21 to implement this section may  
1396 include rules to:

1397           “(1) Establish minimum qualification requirements for third parties, standards for  
1398 the selection of third parties, and other matters related to the administration and oversight of third  
1399 parties; and

1400           “(2) Ensure that a third party does not have a conflict of interest that could  
1401 potentially affect the objectivity or reliability of their reviews or inspections.

1402           “(d) The following limitations shall apply to third-party reviews and inspections  
1403 performed pursuant to this section:

1404                   “(1) An individual or entity that has served in any capacity as a third-party permit  
1405 application reviewer for a project, shall not be eligible to serve as a third-party inspector for any  
1406 component of the project. This prohibition shall also apply to affiliates of the individual or entity  
1407 that performed the third-party permit application review.

1408                   “(2) An individual or entity that has or will perform any work on a project shall  
1409 not be eligible to serve as a third-party application reviewer for the project or as a third-party  
1410 inspector for any component of the project. This prohibition shall also apply to affiliates of the  
1411 person or entity that has performed the work.

1412                   “(3) A third party reviewer or inspector for a project shall not be controlled by the  
1413 owner of the project, or any person or entity with an ownership interest in the project, and shall  
1414 not have served as an advisor or consultant to the project.

1415                   “(4) A third party reviewer or inspector for a project shall not have any  
1416 contractual relationship with the permittee, the project owner, general contractor, construction  
1417 manager, a subcontractor, or other person who has performed work on the project or permit  
1418 application.

1419                   “(5) A third party reviewer or inspector for a project shall not enter into a contract  
1420 for services if the individual determines that there may be a conflict with the standards set forth  
1421 in this section and shall disclose any potential conflicts of interest that may arise at any time  
1422 between the third party and the project or parties connected to the project.

1423                   “(e) The Mayor shall resolve disputes on conflict matters and the decision of the Mayor  
1424 shall be final.

1425 “(f) A certification to serve as a third-party reviewer or inspector may be revoked by the  
1426 Mayor for failure to comply with a requirement of this section or a rule implementing this  
1427 section.

1428 “(g) This section shall not be construed to cancel or set aside any provision of this act, or  
1429 to relieve any person of any obligation or liability otherwise existing under law.

1430 “(h) The Mayor may establish an online platform that may, at the Mayor’s discretion,  
1431 serve as the exclusive mechanism by which an individual or entity may hire a third-party  
1432 reviewer or inspector to perform a review or inspection authorized by this section. The Mayor  
1433 may charge a fee for the use of the online platform by an individual or entity and by a third-party  
1434 reviewer or inspector, which shall not exceed 5% of the total cost of the third-party review or  
1435 inspection plus the cost of any credit card processing fees, automated clearing house processing  
1436 fees, or other processing fees.”.

1437 **SUBTITLE E. GREENER GOVERNMENT BUILDINGS**

1438 Sec. 6041. Short title.

1439 This subtitle may be cited as the “Greener Government Buildings Amendment Act of  
1440 2024”.

1441 Sec. 6042. The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234;  
1442 D.C. Official Code § 6-1451.01 *et seq.*), is amended as follows:

1443 (a) Section 2 (D.C. Official Code § 6-1451.01) is amended as follows:

1444 (1) A new paragraph (15A) is added to read as follows:

1445 “(15A) “Full modernization” means a reconstruction or rehabilitation of a  
1446 building that includes the complete replacement of all mechanical, electrical, and plumbing

1447 systems of the building and a complete retrofit or replacement of the building envelope,  
1448 including the roof and windows.”

1449 (2) Paragraph (33) is amended to read as follows:

1450 “(33) “New construction” means the construction of a new building that is  
1451 separate and detached from an existing building.”

1452 (b) Section 3(a) (D.C. Official Code § 6-1451.02(a)) is amended as follows:

1453 (1) Paragraph (2)(D) is amended to read as follows:

1454 “(D) Build to net zero energy compliance, if the project is new  
1455 construction or a full modernization; except, that this paragraph shall not apply to a project for  
1456 which a building permit is issued before January 1, 2026.”.

1457 (2) Paragraph (3) is amended as follows:

1458 (A) Subparagraph (A) is amended by striking the semicolon and inserting  
1459 the phrase “; and” in its place.

1460 (B) Subparagraph (B) is amended by striking the phrase “; and” and  
1461 inserting a period in its place.

1462 (C) Subparagraph (C) is repealed.

1463 (3) Paragraph (6) is amended by striking the phrase “An applicant for new  
1464 construction or substantial improvement of a mixed-use space shall maintain net zero energy  
1465 compliance” and insert the phrase “An applicant for new construction or full modernization of a  
1466 mixed-use space shall build to net zero energy compliance, if the project is new construction or a  
1467 full modernization,” in its place.

1468 (4) Paragraph (7) is amended by striking the period at the end and inserting the  
1469 phrase “; provided, that a project shall not be considered non-compliant with a net-zero-energy

1470 standard solely because the standard authorizes or requires the use or acquisition of off-site  
1471 renewable energy in the District, Maryland, or Virginia and the site instead uses or acquires off-  
1472 site renewable energy through a power purchase agreement from a renewable energy generation  
1473 facility located outside of the District, Maryland, or Virginia, but within the PJM interconnection  
1474 region.”.

1475 (c) Section 10(d) (D.C. Official Code § 6-1451.09(d)), is amended as follows:

1476 (1) Paragraph (3) is amended by striking the phrase “; and” and inserting a  
1477 semicolon in its place.

1478 (2) Paragraph (4) is amended by striking the period at the end and inserting the  
1479 phrase “; and” in its place.

1480 (3) A new paragraph (5) is added to read as follows:

1481 “(5) Whether cause exists for an exemption requested by a District agency under  
1482 section 11, if such advice is requested by the Mayor. If the Mayor requests such advice, the  
1483 GBAC shall meet within 14 days to consider the requested exemption and provide its advice.”.

1484 (d) Section 11 (D.C. Official Code § 6-1451.10), is amended by adding new subsections  
1485 (a-1) and (a-2) to read as follows:

1486 “(a-1) A District government project shall be deemed to have satisfied the requirements  
1487 for an exemption under subsection (a)(1) of this section if it is not technically feasible to build  
1488 the project to net-zero energy compliance due to:

1489 “(A) Programmatic requirements of the building;

1490 “(B) Space constraints of the property site or a condition of the existing  
1491 building, if any, or building site, such as a slate roof, shade from other buildings, or shade from  
1492 trees; or

1493 “(C) Incompatibility with:  
1494 “(i) Recommendations or requirements of the Board of Zoning  
1495 Adjustment, Commission on Fine Arts, Historic Preservation Review Board, National Capital  
1496 Planning Commission, Office of Zoning, Old Georgetown Board, Zoning Commission, or other  
1497 District or federal agency or advisory board;  
1498 “(ii) Requirements of the District electric distribution company; or  
1499 “(iii) Requirements of other District or federal statutes or  
1500 regulations or of the building code.”

1501 Sec. 6043. Section 109e(a) of the District Department of the Environment Establishment  
1502 Act of 2005, effective September 21, 2022 (D.C. Law 24-176; D.C. Official Code § 8-  
1503 151.09e(a)), is amended as follows:

1504 (a) The existing text is designated as paragraph (1).

1505 (b) Paragraph (1) is amended by:

1506 (1) Striking the word “appliances” and inserting the word “systems” in its place;

1507 and

1508 (2) Striking the word “appliance” and inserting the word “system” in its place.

1509 (c) A new paragraph (2) is added to read as follows:

1510 “(2) This subsection does not apply to the replacement of components or units of  
1511 existing space- or water-heating systems that rely on the combustion of natural gas, oil, or other  
1512 fossil fuels at the site of the system.”.

1513 **SUBTITLE F. DISTRICT DEPARTMENT OF TRANSPORTATION PROJECTS**

1514 Sec. 6051. Short title.



1515 This subtitle may be cited as the “District Department of Transportation Projects  
1516 Amendment Act of 2024”.

1517 Sec. 6052. (a) Section 9m(b) and (c) of the Department of Transportation Establishment  
1518 Act of 2002, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 50-921.21(b)  
1519 and (c)), are repealed.

1520 (b) Section 47-362(i) of the District of Columbia Official Code is repealed.

1521 (c) This section shall apply as of July 1, 2024.

1522 Sec. 6053. (a) The K Street Transitway Planning Act of 2023, effective September 6,  
1523 2023 (D.C. Law 25-50; 70 DCR 10366), is repealed.

1524 (b) This section shall apply as of July 1, 2024.

1525 Sec. 6054. (a) The Foundry Branch Trolley Trestle Plan Act of 2023, effective September  
1526 6, 2023 (D.C. Law 25-50; 70 DCR 10366), is repealed.

1527 (b) This section shall apply as of July 1, 2024.

1528 Sec. 6055. (a) Section 2a of the Performance Parking Pilot Zone Act of 2008, effective  
1529 November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531.01), is repealed.

1530 (b) Section 3(h)(1) of the District of Columbia Motor Vehicle Parking Facility Act of  
1531 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2603(8)(A)), is  
1532 amended by striking the phrase “the DC Circulator Fund, in accordance with section 11c of the  
1533 Department of Transportation Establishment Act of 2002, effective March 6, 2007 (D.C. Law  
1534 16-225; D.C. Official Code § 50-921.33), and the Performance Parking Program Fund, in  
1535 accordance with Section 2a of the Performance Parking Pilot Zone Act of 2008, effective  
1536 September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 50-2531.01)” and inserting the  
1537 phrase “and the DC Circulator Fund, in accordance with section 11c of the Department of

1538 Transportation Establishment Act of 2002, effective March 6, 2007 (D.C. Law 16-225; D.C.  
1539 Official Code § 50-921.33)” in its place.

1540 **SUBTITLE G. CLEAN CURBS PILOT PROGRAM**

1541 Sec. 6061. Short title.

1542 This subtitle may be cited as the “Clean Curbs Pilot Program Amendment Act of 2024”.

1543 Sec. 6062. The Clean Curbs Pilot Program Act of 2023, effective September 6, 2023

1544 (D.C. Law 25-50; D.C. Official Code § 8-1090), is repealed.

1545 Sec. 6063. Applicability.

1546 This subtitle shall apply as of the effective date of the Fiscal Year 2024 Revised Local  
1547 Budget Emergency Act of 2024.

1548 **SUBTITLE H. MOTOR VEHICLE EXCISE TAX**

1549 Sec. 6071. Short title.

1550 This subtitle may be cited as the “Motor Vehicle Excise Tax Amendment Act of 2024”.

1551 Sec. 6072. Section 6(j) of the District of Columbia Traffic Act, 1925, approved March 3,  
1552 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(j)), is amended as follows:

1553 (a) Paragraphs (1) and (1A) are repealed.

1554 (b) New paragraphs (1B), (1C), (1D), (1E), and (1F) are added to read as follows:

1555 “(1B) In addition to the fees and charges levied under other provisions of this act,  
1556 there is levied and imposed an excise tax on the issuance of every original certificate of title for a  
1557 motor vehicle or trailer in the District of Columbia and every subsequent certificate of title  
1558 issued in the District of Columbia in the case of a sale, resale, or gift, or other transfer, except as  
1559 otherwise provided in paragraph (3) of this subsection.

1560                   “(1C) The Mayor shall establish by rule the rate of the excise tax; provided, that  
1561 the rate shall be based on vehicle fuel efficiency and vehicle weight, and shall provide that  
1562 vehicles with lower fuel efficiencies shall pay a higher excise tax rate than vehicles of a higher  
1563 fuel efficiency and vehicles of a greater vehicular weight shall pay a higher excise tax rate than  
1564 vehicles of a lower vehicular weight; provided, that the excise tax rates promulgated by the  
1565 Director of the Department of Motor Vehicles and in effect on September 30, 2023, as adjusted  
1566 by section 6073 of the Fiscal Year 2025 Budget Support Act of 2024, shall continue to apply  
1567 until such rates are modified pursuant to this paragraph.

1568                   “(1D) Notwithstanding paragraph (1C) of this subsection:

1569                                 “(A) The excise tax rate applied to trailers shall be as follows:

1570   “(i) 6% for trailers weighing 3,499 pounds or less;

1571   “(ii) 7% for trailers weighing more than 3,499 pounds, but less  
1572 than 5,000 pounds; and

1573   “(iii) 8% for trailers weighing 5,000 pounds or more.

1574                                 “(B) The excise tax rate applied to vehicles owned by individuals who  
1575 demonstrate that they claimed and received the District Earned Income Tax Credit for the tax  
1576 period closest in time (for which a return could be due) to the date the vehicle excise tax is  
1577 levied, shall be the lesser of:

1578   “(i) The rate established pursuant to paragraph (1C) of this section;

1579 and

1580   “(ii) The following rates:

1581   “(I) 6% for vehicles weighing 3,499 pounds or less;

1582 “(II) 7% for vehicles weighing more than 3,499 pounds, but  
1583 less than 5,000 pounds; and

1584 “(III) 8% for vehicles weighing 5,000 pounds or more.

1585 “(1E) The Office of Tax and Revenue shall confirm whether the District Earned  
1586 Income Tax Credit claimed pursuant to paragraph (1D)(B) of this subsection was claimed and  
1587 received based upon submission of a completed tax information authorization waiver form by the  
1588 individual.

1589 “(1F) The Department of Motor Vehicles shall publish and maintain publicly  
1590 available information to help residents understand the vehicle excise tax rates, and how they  
1591 might affect the cost of obtaining a title in the District.

1592 (c) Paragraph (3) is amended as follows:

1593 (1) Subparagraph (J) is repealed.

1594 (2) Subparagraph (P) is amended by striking the phrase “; and” and inserting a  
1595 semicolon in its place.

1596 (3) Paragraph (Q) is amended by striking the period at the end and inserting the  
1597 phrase “; and” in its place.

1598 (4) A new paragraph (R) is added to read as follows:

1599 “(R) A bona fide gift of a vehicle already titled in the District given  
1600 between spouses, parent and child, or domestic partners, as that term is defined in section 2(3) of  
1601 the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C.  
1602 Official Code § 32-701(3)).”.

1603 Sec. 6073. The tabular array set forth in subsection 401.19 of Chapter 4 of Title 18 of the  
1604 District of Columbia Municipal Regulations is amended to read as follows:

<b>Unladen vehicle weight</b>	<b>20 mpg or less</b>	<b>21–25 mpg</b>	<b>26–30 mpg</b>	<b>31–39 mpg</b>	<b>40 mpg or more</b>	<b>Electric vehicle</b>
3,499 lbs. or less	8.1%	4.4%	3.1%	2.2%	1.5%	1.0%
3,500–4,999 lbs.	9.1%	5.4%	4.1%	3.2%	2.5%	2.0%
5,000 lbs. or more	10.1%	6.4%	5.1%	4.2%	3.5%	3.0%

1605 ”.

1606 **SUBTITLE I. AUTOMATED TRAFFIC ENFORCEMENT REVENUE**

1607 Sec. 6081. Short title.

1608 This subtitle may be cited as the “Automated Traffic Enforcement Revenue Amendment  
1609 Act of 2024”.

1610 Sec. 6082. (a) Section 9q of the Department of Transportation Establishment Act of 2002,  
1611 effective November 13, 2021 (D.C. Law 24-45; D.C. Official Code § 50-921.25), is repealed.

1612 (b) Any money in the Vision Zero Enhancement Omnibus Amendment Act  
1613 Implementation Fund, established by section 9q of the Department of Transportation  
1614 Establishment Act of 2002, effective November 13, 2021 (D.C. Law 24-45; D.C. Official Code §  
1615 50-921.25), shall, on the date of applicability of this subtitle, be transferred to the unrestricted  
1616 fund balance of the General Fund of the District of Columbia.

1617 Sec. 6083. Section 905(b) of the Fiscal Year 1997 Budget Support Act of 1996, effective  
1618 December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 50-2209.05(b)), is repealed.

1619 Sec. 6084. Applicability.

1620 This subtitle shall apply as of the effective date of the Fiscal Year 2024 Revised Local  
1621 Budget Emergency Act of 2024.

1622           **SUBTITLE J. UNFUNDED BUS ACCOUNTS**

1623           Sec. 6091. Short title.

1624           This subtitle may be cited as the “Unfunded Bus Accounts Amendment Act of 2024”.

1625           Sec. 6092. Sections 11z, 11aa, and 11bb of the Department of Transportation

1626 Establishment Act of 2002, effective March 2, 2023 (D.C. Law 24-335; D.C. Official Code §§

1627 50-921.87–50-921.89), are repealed.

1628           **SUBTITLE K. ILLEGAL VENDING ENFORCEMENT**

1629           Sec. 6101. Short title.

1630           This subtitle may be cited as the “Illegal Vending Enforcement Amendment Act of

1631 2024”.

1632           Sec. 6102. The Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law

1633 18-71; D.C. Official Code § 37-131.1 et seq.), is amended as follows:

1634           (a) Section 2 (D.C. Official Code § 37-131.01) is amended as follows:

1635                   (1) Paragraph (1) is redesignated as paragraph (1C).

1636                   (2) New paragraphs (1), (1A), and (1B) are added to read as follows:

1637                           “(1) “Food truck” means a mobile unit or vehicle equipped to store, cook, prepare,  
1638 serve, or sell food.

1639                           “(1A) “Food truck operator” means a person that operates a food truck.

1640                           “(1B) “Food truck owner” means the owner of record of a food truck.

1641           (b) Section 9 (D.C. Official Code § 37-131.08) is amended by adding a new subsection

1642 (d-1) to read as follows:

1643 “(d-1)(1) In addition to the other penalties that may be imposed under this act, the Mayor  
1644 may seize, tow, and impound a food truck if the food truck operator or an agent or employee of  
1645 the food truck owner or food truck operator:

1646 “(A) Is vending from the food truck without a valid basic business license,  
1647 vending site permit or authorization, or other license, permit, or authorization required under  
1648 section 3(a) or other law or regulation for the food truck or the food truck operator;

1649 “(B) Has altered, falsified, or misrepresented a basic business license,  
1650 vending site permit or authorization, or other license, permit, or authorization required under  
1651 section 3(a) or other law or regulation for the food truck or food truck operator;

1652 “(C) Fails to provide a basic business license, vending site permit or  
1653 authorization, or other license, permit, or authorization required under section 3(a) or other law  
1654 or regulation for the food truck or food truck operator upon demand by an enforcement officer;  
1655 or

1656 “(D) Parks the food truck illegally in public space.

1657 “(2) If towing services are not immediately available, the Mayor may immobilize  
1658 the vehicle until such time as towing services are available.

1659 “(3)(A) If the Mayor impounds a food truck under this subsection, the Mayor  
1660 shall provide a written notice of infraction and impoundment to:

1661 “(i) The food truck owner;

1662 “(ii) The food truck operator, if the food truck operator is different  
1663 than the food truck owner; and

1664 “(iii) Any lienholders of record of the food truck.

1665 “(B) The notice of infraction and impoundment shall:

1666                                   “(i) Include the vehicle identification number;  
1667                                   “(ii) State the infraction or violation giving rise to the  
1668 impoundment;  
1669                                   “(ii) State the amount of any fines or fees imposed or to be  
1670 imposed;  
1671                                   “(iv) Describe the procedures for reclaiming the food truck and the  
1672 applicable reclamation period for doing so;  
1673                                   “(v) State that the food truck will be sold, or otherwise disposed of,  
1674 if it is not reclaimed by the expiration of the reclamation period; and  
1675                                   “(vi) Describe the food truck owner’s appeal rights.”.

1676                                   “(4)(A) The notice to the food truck operator shall be provided by hand delivery  
1677 at the time of the impoundment.

1678                                   “(B) The notice to the food truck owner, if different than the food truck  
1679 operator, shall be provided by hand delivery at the time of impoundment if the food truck owner  
1680 is present. If the food truck owner is not present, the notice shall be mailed by first class mail, no  
1681 later than 5 days after the vehicle is impounded, to the last known address of the food truck  
1682 owner, as that information is indicated in the records of the Department of Motor Vehicles or in  
1683 the records of the appropriate agency of the jurisdiction where the vehicle is registered.

1684                                   “(C) A notice to a lienholder of record shall be provided by first class mail  
1685 to the last known address of the lienholder as that information is indicated in the records of the  
1686 Department of Motor Vehicles or in the records of the appropriate agency of the jurisdiction  
1687 where the vehicle is registered.



1688                   “(5) A food truck owner, or a person duly authorized by a food truck owner, may  
1689 secure the release of an impounded food truck at any time (subject to administrative availability)  
1690 by paying the impoundment fee, towing fee, booting fee, if applicable, and all applicable storage  
1691 costs for the impounded food truck.

1692                   “(6) A food truck owner shall be entitled to a refund of the impoundment fee,  
1693 towing fee, booting fee, if applicable, and 2 days storage costs only if the violations or  
1694 infractions giving rise to the impoundment are dismissed or overturned and such dismissal or  
1695 overturning is neither subject to appeal nor under appeal by the District.

1696                   “(7) A food truck impounded under this section may be disposed of pursuant to  
1697 section 10 of the Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles  
1698 Reform Act of 2003, effective October 28, 2003 (D.C. Law 15-35; D.C. Official Code § 50-  
1699 2421.10), after the reclamation period set forth in this subsection has elapsed.

1700                   “(8) The Mayor may contract with, or otherwise engage, a private entity to  
1701 immobilize, tow, impound, store, and release food trucks pursuant to this section and to perform  
1702 ancillary services.

1703                   “(9) For the purposes of this subsection, the term “enforcement officer” shall have  
1704 the meaning set forth in subsection (d) of this section.

1705                   “(10) The Mayor, pursuant to Title I of the District of Columbia Administrative  
1706 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),  
1707 may issue rules to implement this subsection.”.

1708                   **SUBTITLE L. SECURITIES AND BANKING REGULATORY FUND**

1709                   **TRANSFER ADJUSTMENT**

1710                   Sec. 6111. Short title.

1711 This subtitle may be cited as the “Securities and Banking Regulatory Trust Fund  
1712 Amendment Act of 2024”.

1713 Sec. 6112. Section 8(b-2)(3)(B) of the Department of Insurance and Securities Regulation  
1714 Establishment Act of 1996, effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-  
1715 107(b-2)(3)(B)), is amended by striking the phrase “amount of \$11.63 million.” and inserting the  
1716 phrase “amount of \$12.63 million” in its place.

1717 **SUBTITLE M. SCHOOL TRAFFIC SAFETY ACTION PLANS**

1718 Sec. 6121. Short title.

1719 This subtitle may be cited as the “School Traffic Safety Action Plans Amendment Act of  
1720 2024”.

1721 Sec. 6122. Section 2e(a) of the School Proximity Traffic Calming Act of 2000, effective  
1722 March 10, 2023 (D.C. Law 24-285; D.C. Code § 38-3106(a)), is amended by striking the phrase  
1723 “Beginning June 1, 2024, DDOT shall produce an Action Plan for at least 25 schools per school  
1724 year, with schools prioritized” and inserting the phrase “DDOT shall produce Action Plans for  
1725 schools, prioritized” in its place.

1726 **SUBTITLE N. PARKING AND TRANSIT BENEFITS**

1727 Sec. 6131. Short title.

1728 This subtitle may be cited as the “Parking and Transit Benefits Amendment Act of 2024”.

1729 Sec. 6132. Section 302a of the Sustainable DC Omnibus Amendment Act of 2014,  
1730 effective June 24, 2020 (D.C. Law 23-113; D.C. Code § 32-152.01), is amended as follows:

1731 (a) Subsection (c) is amended as follows:

1732 (1) Paragraph (2) is repealed.

1733 (2) Paragraph (3) is amended to read as follows:

1734 “(3) A covered employer may provide an employee who accepts a Clean-air  
1735 Transportation Fringe Benefit a cash payment in lieu of the portion, if any, of the Clean-air  
1736 Transportation Fringe Benefit that the employee estimates he or she will not use each month to  
1737 travel between his or her residence and place of employment.”.

1738 **SUBTITLE O. BUILDING ENERGY PERFORMANCE STANDARDS**

1739 Sec. 6141. Short title.

1740 This subtitle may be cited as the “Building Energy Performance Standards Task Force  
1741 Recommendations Amendment Act of 2024”.

1742 Sec. 6142. Section 301 of the CleanEnergy DC Omnibus Amendment Act of 2018,  
1743 effective March 22, 2019 (D.C. Law 22-257; D.C. Official Code § 8-1772.21), is amended as  
1744 follows:

1745 (a) Subsection (c) is amended as follows:

1746 (1) The existing text is designated as paragraph (1).

1747 (2) A new paragraph (2) is added to read as follows:

1748 “(2) Notwithstanding paragraph (1) of this subsection, District-owned buildings  
1749 shall have 8 years from the date the performance standards are established for the first  
1750 compliance cycle to meet either:

1751 “(A) The building energy performance requirements established by DOEE  
1752 for that cycle; or

1753 “(B) An alternative compliance pathway approved by DOEE.”.

1754 (b) Subsection (e) is amended to read as follows:

1755 “(e) DOEE shall establish criteria for:

1756 “(1) Qualifying buildings to delay compliance with the building energy  
1757 performance requirements for a compliance cycle for up to 3 years if the owner demonstrates, to  
1758 the satisfaction of DOEE, change of ownership, vacancy, major renovation, pending demolition,  
1759 or other acceptable circumstances determined by DOEE by rule;

1760 “(2) Qualifying affordable housing buildings to delay compliance with the  
1761 building energy performance requirements for more than 3 years if the owner demonstrates, to  
1762 the satisfaction of DOEE, change of ownership, vacancy, major renovation, pending demolition,  
1763 or other acceptable circumstances as determined by DOEE by rule.

1764 “(3) Qualifying buildings, including qualifying affordable housing buildings, to  
1765 be exempt from compliance with the building energy performance standards of a compliance  
1766 cycle if the owner demonstrates, to the satisfaction of DOEE, financial distress, building  
1767 occupancy below the threshold for Energy Star certification for either of the 2 years before a  
1768 compliance cycle begins, or other acceptable circumstances determined by DOEE by rule.”.

1769 (c) Subsection (g) is amended to read as follows:

1770 “(g)(1) A building that fails to comply with the building energy performance  
1771 requirements by the end of a 5-year compliance period shall pay a non-compliance payment,  
1772 which shall be established by DOEE. A building owner may require a tenant to pay, or require  
1773 the tenant to reimburse the building owner for payment of, a non-compliance payment, if the  
1774 failure to comply was due to unusual or extreme energy use of the tenant and the lease or another  
1775 agreement between the building owner and tenant authorizes the building owner to require the  
1776 tenant to pay, or to require the tenant to reimburse the building owner for payment of, the non-  
1777 compliance payment. Payments and penalties collected pursuant to this subsection shall be  
1778 deposited into the Sustainable Energy Trust Fund.

1779                   “(2) For the purposes of this subsection, the term “unusual or extreme energy use”  
1780 means energy use due to a tenant’s:  
1781                   “(A) Regular operations outside of normal business hours;  
1782                   “(B) Inability to reduce energy use or shut down items during non-  
1783 business hours, or the impracticability of doing so;  
1784                   “(C) Need to operate 24 hours a day; or  
1785                   “(D) Operation of an unusually large amount of machinery or equipment  
1786 as part of its primary business.”.

1787                   Sec. 6143. Section 4(c)(2)(F) of the Green Building Act of 2006, effective March 8,  
1788 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.03(c)(2)(F)), is amended to read as  
1789 follows:

1790                   “(F)(i) Except as approved by DOEE under sub-subparagraph (ii) of this  
1791 subparagraph, every 3 years the owner, or the owner’s designee, shall perform a third-party  
1792 verification of its building’s benchmark and Energy Star statements in accordance with  
1793 requirements specified by DOEE:

1794                   “(ii) If an owner owns more than 5 buildings subject to the third-  
1795 party verification requirement of this subsection, DOEE may allow the owner to perform third-  
1796 party verifications for only a percentage or sample of the owner’s buildings, allow the third-party  
1797 verifications to be performed on a rolling basis over a 3-year or shorter period, or both.”.

1798                   **SUBTITLE P. SUSTAINABLE ENERGY TRUST FUND UTILIZATION**

1799                   Sec. 6151. Short title.

1800                   This subtitle may be cited as the “Sustainable Energy Trust Fund Utilization Amendment  
1801 Act of 2024”.

1802           Sec. 6152. Section 210(c) of the Clean and Affordable Energy Act of 2008, effective  
1803   October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)), is amended as follows:

1804           (a) Paragraph (16) is amended by striking the phrase “transferring at least \$10 million,  
1805   but no more than \$15 million” and inserting the phrase “transferring no more than \$15 million”  
1806   in its place.

1807           (b) Paragraph (23) is amended by striking the phrase “; and” and inserting a semicolon in  
1808   its place.

1809           (c) Paragraph (24) is amended by striking the period at the end and inserting the phrase “;  
1810   and” in its place.

1811           (d) A new paragraph (25) is added to read as follows:

1812                   “(25) The purchase of renewable energy credits and the payment of alternative  
1813   compliance payments by the District government under the Renewable Energy Portfolio  
1814   Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431  
1815   *et seq.*), the purchase of wind or solar energy from the PJM interconnection region by the District  
1816   government through a power purchase agreement, and the purchase of other energy for the  
1817   District government.”.

1818           Sec. 6153. Applicability.

1819           This subtitle shall apply as of the effective date of the Fiscal Year 2024 Revised Local  
1820   Budget Emergency Act of 2024.

1821           **SUBTITLE Q. LATE BUSINESS LICENSE RENEWAL PENALTY WAIVERS**

1822           Sec. 6161. Short title.

1823           This subtitle may be cited as the “Late Business License Renewal Penalty Fee Waiver  
1824   Amendment Act of 2024”.

1825           Sec. 6162. Section 47-2851.10 of the District of Columbia Official Code is amended by  
1826 adding a new subsection (c-1) to read as follows:

1827           “(c-1) The Director may, for good cause shown by a licensee, waive the penalty amounts  
1828 provided for in subsection (b) of this section and may waive any other fee, fine, or penalty that  
1829 the Department would otherwise be required by law to impose due to the licensee’s late renewal  
1830 of its license.”.

1831           **SUBTITLE R. STREATERY PROGRAM GRANTS**

1832           Sec. 6171. Short title.

1833           This subtitle may be cited as the “Streatery Program Grants Amendment Act of 2024”.

1834           Sec. 6172. Section 3(c)(1) of the Department of Transportation Establishment Act of  
1835 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(c)(1)), is  
1836 amended by striking the phrase “including safety objectives.” and inserting the phrase “including  
1837 safety objectives, and to support streateries and the streatery program.” in its place.

1838           **TITLE VII. FINANCE AND REVENUE**

1839           **SUBTITLE A. COMBINED REPORTING**

1840           Sec. 7001. Short title.

1841           This subtitle may be cited as the “Combined Reporting Amendment Act of 2024”.

1842           Sec. 7002. Transition from the Joyce method of apportionment to the Finnigan method of  
1843 apportionment.

1844           For tax years beginning after December 31, 2025, a combined group of entities will be  
1845 treated as one taxpayer for purposes of sourcing unitary receipts, as required under chapter 18 of  
1846 title 47 of the District of Columbia Official Code, and the apportionment factor attributes in the  
1847 numerator, as required under chapter 18 of title 47 of the District of Columbia Official Code, will

1848 be derived from all the members of the combined group, regardless of whether a member has  
1849 nexus with the District of Columbia.

1850 **SUBTITLE B. EXCESS CENTRAL COLLECTION UNIT REVENUE**

1851 Sec. 7011. Short title.

1852 This subtitle may be cited as the “Excess Central Collection Unit Revenue Amendment  
1853 Act of 2024”.

1854 Sec. 7012. Section 1045(d) of the Delinquent Debt Recovery Act of 2012, effective  
1855 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-350.04(d)), is amended to read as  
1856 follows:

1857 “(d) After all operational and administrative expenses of the Central Collection Unit have  
1858 been paid, as certified by the Chief Financial Officer in the year-end close, the remaining cash  
1859 balance in the Fund shall be transferred to the unrestricted fund balance of the General Fund of  
1860 the District of Columbia.”.

1861 Sec. 7013. Section 6a(b) of the Commission on the Arts and Humanities Act, effective  
1862 January 29, 1998 (D.C. Law 12-42; D.C. Official Code § 39-205.01(b)), is amended as follows:

1863 (a) Paragraph (2) is amended by striking the semicolon at the end and inserting the phrase  
1864 “; and” in its place.

1865 (b) Paragraph (3) is repealed.

1866 **SUBTITLE C. DEPOSIT OF DEED RECORDATION AND TRANSFER TAXES**

1867 Sec. 7021. Short title.

1868 This subtitle may be cited as the “Deposit of Deed Recordation and Transfer Taxes Act  
1869 of 2024”.



1870           Sec. 7022. Section 322 of the District of Columbia Real Estate Deed Recordation Tax  
1871 Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101 *et seq.*), is amended as  
1872 follows:

1873           (a) The lead-in text of subsection (b) is amended by striking the phrase “Fiscal Years  
1874 2024, 2025, 2026, and 2027” and inserting the phrase “Fiscal Year 2024 and each fiscal year  
1875 thereafter” in its place.

1876           (b) Subsection (c) is repealed.

1877           Sec. 7023. Section 47-919 of the District of Columbia Official Code is amended as  
1878 follows:

1879           (a) The lead-in text of subsection (b) is amended by striking the phrase “Fiscal Years  
1880 2024, 2025, 2026, and 2027” and inserting the phrase “Fiscal Year 2024 and each fiscal year  
1881 thereafter” in its place.

1882           (b) Subsection (c) is repealed.

1883           **SUBTITLE D. EARNED INCOME TAX CREDIT MATCH LEVEL**

1884           Sec. 7031. Short title.

1885           This subtitle may be cited as the “Earned Income Tax Credit Amendment Act of 2024”.

1886           Sec. 7032. Subparagraphs (B-2) and (B-3) of section 47-1806.04(f)(1) of the District of  
1887 Columbia Official Code are repealed.

1888           **SUBTITLE E. BABY BONDS**

1889           Sec. 7041. Short title.

1890           This subtitle may be cited as the “Baby Bonds Amendment Act of 2024”.

1891           Sec. 7042. The Child Wealth Building Act of 2021, effective February 18, 2022 (D.C.  
1892 Law 24-53; D.C. Official Code § 4-681.01 *et seq.*), is amended as follows:

1893 (a) Section 2(2)(A) (D.C. Official Code § 4-681.01(2)(A)) is amended by striking the  
1894 phrase “300% of the federal poverty guidelines” and inserting the phrase “100% of the federal  
1895 poverty guidelines” in its place.

1896 (b) Section 4 (D.C. Official Code § 4-681.03) is amended as follows:

1897 (1) Subsection (c) is amended as follows:

1898 (A) Paragraph (2) is amended to read as follows:

1899 “(2) By October 1 of each subsequent year, \$500 shall be designated in the Fund  
1900 for each eligible child enrolled in the CTF Program.”.

1901 (B) Paragraph (3) is repealed.

1902 Sec. 7043. Applicability.

1903 This subtitle shall apply as of the effective date of the Child Wealth Building Act of  
1904 2021, effective February 18, 2022 (D.C. Law 24-53; D.C. Official Code § 4-681.01 *et seq.*).

1905 **SUBTITLE F. SALES AND USE TAX**

1906 Sec. 7051. Short title.

1907 This subtitle may be cited as the “Sales and Use Tax Amendment Act of 2024”.

1908 Sec. 7052. Title 47 of the District of Columbia Official Code is amended as follows:

1909 (a) Section 47-2002 is amended as follows:

1910 (1) The lead-in text of subsection (a) is amended by striking the phrase “The rate  
1911 of such tax shall be 6.00% of the gross receipts from sales of or charges for such tangible  
1912 personal property and services, except that:” and inserting the phrase “The rate of such tax on the  
1913 gross receipts from sales of or charges for such tangible personal property and services shall be  
1914 6.00% before October 1, 2025, 6.5% beginning on October 1, 2025, and 7.0% beginning on  
1915 October 1, 2026, and continuing thereafter, except that:” in its place.

1916 (2) Subsection (b) is repealed.

1917 (3) Subsection (d) is amended as follows:

1918 (A) Paragraph (2) is amended to read as follows:

1919 “(2) For fiscal years beginning after September 30, 2023, there shall be dedicated  
1920 to the Arts and Humanities Fund, from the sales tax revenue collected at the rate provided by the  
1921 lead-in language of subsection (a) of this section, the following amounts:

1922 “(A) In Fiscal Year 2024 and 2025, the lesser of:

1923 “(i) 5% of the sales tax revenue collected at the rate provided by  
1924 the lead-in language of subsection (a) of this section that is not dedicated to legislatively  
1925 proposed or existing tax increment financing districts or pledged to the benefit of holders of  
1926 District bonds or notes existing on or before October 30, 2018; or

1927 “(ii) An amount equal to 102% of the amount dedicated to the Arts  
1928 and Humanities Fund in the prior fiscal year pursuant to this subsection.

1929 “(B) In Fiscal Year 2026, the lesser of:

1930 “(i) 4.615% of the sales tax revenue collected at the rate provided  
1931 by the lead-in language of subsection (a) of this section that is not dedicated to legislatively  
1932 proposed or existing tax increment financing districts or pledged to the benefit of holders of  
1933 District bonds or notes existing on or before October 30, 2018; or

1934 “(ii) An amount equal to 102% of the amount dedicated to the Arts  
1935 and Humanities Fund in the prior fiscal year pursuant to this subsection; and

1936 “(C) In Fiscal Year 2027 and each subsequent fiscal year, the lesser of:

1937 “(i) 4.286% of the sales tax revenue collected at the rate provided  
1938 by the lead-in language of subsection (a) of this section that is not dedicated to legislatively

1939 proposed or existing tax increment financing districts or pledged to the benefit of holders of  
1940 District bonds or notes existing on or before October 30, 2018; or  
1941 “(ii) An amount equal to 102% of the amount dedicated to the Arts  
1942 and Humanities Fund in the prior fiscal year pursuant to this subsection.”.

1943 (B) Paragraph (3) is repealed.

1944 (b) Section 47-2202 is amended as follows:

1945 (1) The lead-in text of subsection (a) is amended by striking the phrase “The rate  
1946 of tax imposed by this section shall be 6.00% of the sales price of such tangible personal  
1947 property and services, except that:” and inserting the phrase “The rate of tax imposed by this  
1948 section on the sales price of such tangible personal property and services shall be 6.00% before  
1949 October 1, 2025, 6.5% beginning on October 1, 2025, and 7.0% beginning on October 1, 2026,  
1950 and continuing thereafter, except that:” in its place.

1951 (3) Subsection (b) is amended as follows:

1952 (A) Paragraph (2) is amended to read as follows:

1953 “(2) For fiscal years beginning after September 30, 2023, there shall be dedicated  
1954 to the Arts and Humanities Fund, from the sales tax revenue collected at the rate provided by the  
1955 lead-in language of subsection (a) of this section, the following amounts:

1956 “(A) In Fiscal Year 2024 and 2025, the lesser of:

1957 “(i) 5% of the sales tax revenue collected at the rate provided by  
1958 the lead-in language of subsection (a) of this section that is not dedicated to legislatively  
1959 proposed or existing tax increment financing districts or pledged to the benefit of holders of  
1960 District bonds or notes existing on or before October 30, 2018; or

1961 “(ii) An amount equal to 102% of the amount dedicated to the Arts  
1962 and Humanities Fund in the prior fiscal year pursuant to this subsection.

1963 “(B) In Fiscal Year 2026, the lesser of:

1964 “(i) 4.615% of the sales tax revenue collected at the rate provided  
1965 by the lead-in language of subsection (a) of this section that is not dedicated to legislatively  
1966 proposed or existing tax increment financing districts or pledged to the benefit of holders of  
1967 District bonds or notes existing on or before October 30, 2018; or

1968 “(ii) An amount equal to 102% of the amount dedicated to the Arts  
1969 and Humanities Fund in the prior fiscal year pursuant to this subsection; and

1970 “(C) In Fiscal Year 2027 and each subsequent fiscal year, the lesser of:

1971 “(i) 4.286% of the sales tax revenue collected at the rate provided  
1972 by the lead-in language of subsection (a) of this section that is not dedicated to legislatively  
1973 proposed or existing tax increment financing districts or pledged to the benefit of holders of  
1974 District bonds or notes existing on or before October 30, 2018; or

1975 “(ii) An amount equal to 102% of the amount dedicated to the Arts  
1976 and Humanities Fund in the prior fiscal year pursuant to this subsection.”.

1977 (B) Paragraph (3) is repealed.

1978 **SUBTITLE G. EXCESS DEBT SERVICE APPROPRIATIONS**

1979 Sec. 7061. Short title.

1980 This subtitle may be cited as the “Excess Debt Service Appropriations Amendment Act  
1981 of 2024”.

1982 Sec. 7062. Section 47-362(f) of the District of Columbia Official Code is repealed.

1983           **SUBTITLE H. CAPITAL ARTS BUDGETING**

1984           Sec. 7071. Short title.

1985           This subtitle may be cited as the “Capital Arts Budgeting Amendment Act of 2024”.

1986           Sec. 7072. Section 6(c) of the Commission on the Arts and Humanities Act, effective  
1987 October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-205(c)), is amended to read as  
1988 follows:

1989           “(c) The Commission shall prepare and submit to the Mayor, at such time as may be  
1990 directed by the Mayor, a requested budget for the next fiscal year.”.

1991           **SUBTITLE I. HOWARD UNIVERSITY HOSPITAL AND REDEVELOPMENT**

1992           Sec. 7081. Short title.

1993           This subtitle may be cited as the “Howard University Hospital and Redevelopment  
1994 Support Amendment Act of 2024”.

1995           Sec. 7082. Section 47-4673(f) of the District of Columbia Official Code is amended as  
1996 follows:

1997           (a) Paragraph 1 is amended by striking the phrase “start-up support for 6 years” and  
1998 inserting the phrase “start-up support” in its place.

1999           (b) Paragraph (1A) is repealed.

2000           **SUBTITLE J. PAYGO CAPITAL**

2001           Sec. 7091. Short title.

2002           This subtitle may be cited as the “Paygo Capital Amendment Act of 2024”.

2003           Sec. 7092. Section 47-392.02(f) of the District of Columbia Official Code is amended to  
2004 read as follows:

2005           “(f) *Inclusion of operating funds in the capital improvements program.* —

2006                   “(1) Each year’s approved budget and financial plan shall include operating funds  
2007 in the capital improvements program at one of the following minimum levels:

2008                   “(A) In each fiscal year included in the capital improvements plan, at least  
2009 the amount reported for additions to total accumulated depreciation of capital assets (not  
2010 including additions due to right-to-use assets) in the most recent annual comprehensive financial  
2011 report for the District;

2012                   “(B) Cumulatively in all fiscal years included in the capital improvements  
2013 plan, at least 6 times the amount reported for additions to total accumulated depreciation of  
2014 capital assets (not including additions due to right-to-use assets) in the most recent annual  
2015 comprehensive financial report for the District; or

2016                   “(C) For the Fiscal Year 2025 budget and financial plan only, at least:

2017                   “(i) Five times the amount reported for additions to total  
2018 accumulated depreciation of capital assets (not including additions due to right-to-use assets) in  
2019 the most recent annual comprehensive financial report for the District of Columbia; plus

2020                   “(ii) \$206 million.

2021                   “(2) For the purposes of this subsection, the term operating funds means local  
2022 funds, dedicated funds, special purpose revenue (other) funds, or enterprise funds, or federal  
2023 funds received by the District government pursuant to the Infrastructure Investment and Jobs  
2024 Act, approved November 15, 2021 (Pub. L. No. 117-58; 135 Stat. 429).”.

2025                   **SUBTITLE K. EXCESS BALLPARK FEE REVENUE**

2026                   Sec. 7101. Short title.

2027                   This subtitle may be cited as the “Excess Ballpark Fee Revenue Amendment Act of  
2028 2024”.

2029           Sec. 7102. Section 102(d) of the Ballpark Omnibus Financing and Revenue Act of 2004,  
2030 effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.02(d)), is amended by  
2031 striking the phrase “the first \$22 million of any excess that accrues during Fiscal Year 2024, and  
2032 the first \$20 million of any excess that accrues during each of Fiscal Years 2025, 2026, and 2027  
2033 shall be deposited in the unrestricted fund balance of the General Fund during the fiscal year in  
2034 which it accrues.” and inserting the phrase “the first \$32.37 million of any excess that accrues  
2035 during Fiscal Year 2024, the first \$31.47 million of any excess that accrues during Fiscal Year  
2036 2025, the first \$32.92 million of any excess that accrues during Fiscal Year 2026, and the first  
2037 \$34.06 million of any excess that accrues during Fiscal Year 2027, and the first \$35.19 million of  
2038 any excess that accrues during Fiscal Year 2028 shall be deposited in the unrestricted fund  
2039 balance of the General Fund during the fiscal year in which it accrues.” in its place.

2040           Sec. 7103. Applicability.

2041           This subtitle shall apply as of the effective date of the Fiscal Year 2024 Revised Local  
2042 Budget Emergency Act of 2024.

2043           **SUBTITLE L. RIGHT-OF-WAY FEE, GAS TAX, AND GAS DEPOSITS**

2044           Sec. 7111. Short title.

2045           This subtitle may be cited as the “Right-of-Way Fee, Gas Tax, and Gas Surcharge  
2046 Amendment Act of 2024”.

2047           Sec. 7112. Section 102a of the Highway Trust Fund Establishment Act of 1996, effective  
2048 October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 9-111.01a), is amended as follows:

2049           (a) Subsection (a) is amended to read as follows:

2050           “(a) The Chief Financial Officer shall deposit revenue derived from the public rights-of-  
2051 way user fees, charges, and penalties collected pursuant to Title VI of the Fiscal Year 1997



2052 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-  
2053 1141.01 *et seq.*) (“1997 Act”), and regulations issued pursuant to the 1997 Act in Chapter 33 of  
2054 Title 24 of the District of Columbia Municipal Regulations as follows:

2055           “(1) First, the amount, if any, necessary to supplement the revenue from the motor  
2056 vehicle fuel tax and motor vehicle fuel surcharge imposed by D.C. Official Code § 47-2301 to  
2057 satisfy local match requirements to obtain federal aid funds shall be deposited into the District of  
2058 Columbia Highway Trust Fund, established by section 102;

2059           “(2) Second, any remaining revenue shall be transferred to the capital  
2060 improvement program, to be used to fund the renovation, repair, and maintenance of local  
2061 transportation infrastructure, or deposited into the General Fund of the District of Columbia.”.

2062           (c) Subsections (b) and (c) are repealed.

2063           Sec. 7113. Section 47-2301 of the District of Columbia Official Code is amended as  
2064 follows:

2065           (a) Subsection (a-1)(1) is amended by striking the phrase “tax and a local transportation  
2066 surcharge (“surcharge”)” and inserting the phrase “tax and surcharge” in its place.

2067           (b) Subsection (c) is repealed.

2068           (c) New subsections (d) and (e) are added to read as follows:

2069           “(d) The Chief Financial Officer of the District of Columbia (“CFO”) shall transfer  
2070 annually to the District of Columbia Highway Trust Fund the proceeds of the taxes imposed by  
2071 subsections (a) and (a-1) of this section to the extent necessary to satisfy local match  
2072 requirements to obtain federal aid funds, and the remainder of the proceeds of the taxes, if any,  
2073 shall be transferred to the Capital Improvements Program and used to fund the renovation, repair,  
2074 and maintenance of local transportation infrastructure.

2075 “(e) The CFO shall transfer annually to the District of Columbia Highway Trust Fund the  
2076 proceeds of the surcharge imposed under subsection (a-1) of this section to the extent necessary  
2077 to satisfy, after the transfer pursuant to subsection (d) of this section, local match requirements to  
2078 obtain federal aid funds, and the remainder of the proceeds of the surcharge, if any, shall be  
2079 transferred to the Capital Improvements Program and used to fund the renovation, repair, and  
2080 maintenance of local transportation infrastructure.”.

2081 **SUBTITLE M. NON-LAPSING ACCOUNT REPEALS**

2082 Sec. 7121. This subtitle may be cited as the “Non-Lapsing Account Repeals Amendment  
2083 Act of 2024”.

2084 Sec. 7122. Section 11b(k) of the Historic Landmark and Historic District Protection Act  
2085 of 1978, effective March 2, 2007 (D.C. Law 16-189; D.C. Official Code § 6-1110.02(k)), is  
2086 repealed.

2087 Sec. 7123. (a) Section 206 of the Department of Education Establish Act of 2007,  
2088 effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code 38-195), is repealed.

2089 (b) Section 4122(g) of the My School DC EdFest Sponsorship and Advertising Act of  
2090 2015, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code 38-196.01(g)), is  
2091 repealed.

2092 Sec. 7124. Section 207 of the Attendance Accountability Amendment Act of 2013,  
2093 effective August 29, 2018 (D.C. Law 22-157; D.C. Official Code 38-236.07), is repealed.

2094 Sec. 7125. (a) Section 113a of the District Department of the Environment Establishment  
2095 Act of 2005, effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 8-151.13a), is  
2096 amended as follows:

2097 (1) Subsections (a), (b), (c), and (d) are repealed.

2098 (2) Subsection (e) is amended as follows:

2099 (A) Paragraph (1) is repealed.

2100 (B) Paragraph (6) is amended to read as follows:

2101 “(6) Efforts made by DOEE to publicize the availability of financial assistance  
2102 programs established pursuant to section 216b of the Water and Sewer Authority Establishment  
2103 and Department of Public Works Reorganization Act of 1996, effective October 30, 2018 (D.C.  
2104 Law 22-168; D.C. Official Code § 34-2202.16b), including a description of the total amount of  
2105 expenditures by DOEE on such efforts.

2106 (b) Section 216b(d)(2)(B) of the Water and Sewer Authority Establishment and  
2107 Department of Public Works Reorganization Act of 1996, effective October 30, 2018 (D.C. Law  
2108 22-168; D.C. Official Code § 34-2202.16b(d)(2)(B)), is amended to read as follows:

2109 “(B) Efforts made by the Authority to publicize the availability of  
2110 financial assistance, including a description of the total amount of expenditures by the Authority  
2111 on such efforts.”.

2112 Sec. 7126. The Lead Service Line Priority Replacement Assistance Act of 2004, effective  
2113 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 *et seq.*), is amended as  
2114 follows:

2115 (a) Section 6012 (D.C. Official Code § 34-2151) is amended as follows:

2116 (1) The section heading is amended by striking the phrase “Assistance Fund” and  
2117 inserting the word “Assistance” in its place.

2118 (2) Subsection (a) is repealed.

2119 (3) Subsection (b) is amended by striking the phrase “The purpose of the Fund  
2120 shall be to” and inserting the phrase “WASA may” in its place.

2121 (b) Section 6013 (D.C. Official Code § 34-2152) is repealed.

2122 (c) Section 6014(a) (D.C. Official Code §§ 34-2153(a)) is amended by striking the phrase  
2123 “grant from the Fund” and inserting the word “grant” in its place.

2124 Sec. 7127. (a) Sections 2, 3, and 4 of the H Street, N.E., Retail Priority Area Incentive  
2125 Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code §§ 1-325.171, 1-  
2126 325.172, and 1-325.173), are repealed.

2127 (b) Section 47-4665(c)(2) of the District of Columbia Official Code is repealed.

2128 Sec. 7128. (a) Section 9b of the Legalization of Marijuana for Medical Treatment  
2129 Initiative of 1999, effective September 21, 2022 (D.C. Law 24-167; D.C. Code § 7-1671.08b), is  
2130 repealed.

2131 (1) Section 9b (D.C. Code § 7-1671.08b) is repealed.

2132 (2) Section 9c (D.C. Code § 7-1671.08c) is amended as follows:

2133 (A) Subsection (b)(1) is amended by striking the phrase “loans from  
2134 monies in the Medical Cannabis Social Equity Fund established in section 9b to assist” and  
2135 inserting the phrase “loans to assist” in its place.

2136 (B) Subsection (d)(2) is repealed.

2137 (b) Section 8 of the Medical Cannabis Amendment Act of 2022, effective March 22,  
2138 2023 (D.C. Law 24-332; D.C. Official Code § 7-1675.01(d)(2)) is amended by striking the phrase  
2139 “shall be deposited into the Medical Cannabis Social Equity Fund established pursuant to § 7-  
2140 1671.08b” and inserting the phrase “shall be deposited into the General Fund” in its place.

2141 (c) Section 47-2002(a)(7)(B) of the District of Columbia Official Code is amended by  
2142 striking the phrase “; except, that all revenue above the amount certified in the approved Fiscal  
2143 Year 2023 budget for Fiscal Year 2023 shall be deposited in the Medical Cannabis Social Equity

2144 Fund established by section 9b of the Medical Cannabis Social Equity Fund Establishment  
 2145 Amendment Act of 2022, passed on 2nd reading on June 7, 2022 (Enrolled version of Bill 24-  
 2146 714).” and inserting a period in its place.

2147 **SUBTITLE N. NON-LAPSING FUND TRANSFERS**

2148 Sec. 7131. Short title.

2149 This title may be cited as the “Non-Lapsing Fund Transfers Act of 2024”.

2150 Sec. 7132. (a) Notwithstanding any provision of law limiting the use of funds in the  
 2151 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year  
 2152 2024 the following amounts from certified fund balances and other revenue in the identified  
 2153 accounts to the unassigned fund balance of the General Fund of the District of Columbia:

Agency Code	Fund Number	Fund Name	Amount
AM0	1060206	Eastern Market Enterprise Fund	(\$27,870)
AM0	1011014	West End Library/Firehouse Maintenance	(\$911,844)
AT0	1060052	Recorder of Deeds Surcharge	(\$957,834)
BD0	1010107	Targeted Homeowner Grant Program	(\$67,223)
BG0	1010094	Disability Compensation Fund	(\$4,920,605)
BX0	1060004	Arts and Humanities Enterprise Fund	(\$2,529,845)
BX0	1011002	Dedicated Taxes	(\$4,558,566)
CB0	1060035	Child Support TANF/AFDC Collections	(\$1,894,662)
CB0	1060051	Child Support Interest Income	(\$2,428)
CE0	1010105	Library Collections Account	(\$2,754,755)
CE0	1060302	Revenue-Generating Activities	(\$449,024)
CF0	1060104	DC Jobs Trust Fund	(\$908,187)
CF0	1060103	Wage Theft	(\$194,856)
CF0	1060416	Apprenticeship Fees	(\$39,029)
CI0	1010095	Designated Fund Balance	(\$1)
CI0	1060009	Special Purpose Revenue Fund	(\$430,872)
CQ0	1060261	Rental Unit Fee Fund	(\$302,678)
CR0	1060283	Corporate Recordation Fund	(\$3,136,955)
CR0	1060267	Occupational and Professional Licensing Special Account	(\$1,298,839)
CR0	1060265	Real Estate Guarantee and Education Fund	(\$764,760)
CR0	1060277	DC Combat Sports Commission Fund	(\$412,351)

CR0	1060272	Basic Business License Fund	(\$229,500)
CR0	1060284	Vending Regulation Fund	(\$125,392)
CR0	1060266	Real Estate Appraisal Fee	(\$37,488)
DH0	1060129	Operating Utility Assessment	(\$847,584)
DJ0	1060127	Advocate For Consumers	(\$44,008)
DX0	1010201	Technical Support and Assistance Fund	(\$353,520)
EB0	1060131	Economic Development Special Account	(\$1,001,307)
EB0	1011017	Walter Reed Redevelopment	(\$66,539)
EB0	1011016	St Elizabeth East Campus Redevelopment	(\$855,560)
EN0	1010108	Ward 7 and Ward 8 Entrepreneur Grant Fund	(\$5,520)
EN0	1060303	Streetscape Loan Relief Fund	(\$11,225)
FB0	1060016	FEMS Reform Fund	(\$2,000,000)
FL0	1060006	Corrections Trustee Reimbursement	(\$410,826)
FO0	1010043	Private Security Camera Incentive Fund	(\$354,539)
FO0	1010042	Community-Based Violence Reduction Fund	(\$300,000)
FX0	1060419	Medical Examiner Pathology and Toxicology	(\$244,760)
GA0	1060147	DCPS School Facility Fund	(\$1,140,372)
GB0	1060324	Administrative Fees	(\$1,000,000)
GD0	1010106	Special Education Enhancement Fund	(\$5,800,000)
GD0	1010110	Common Lottery Board Fund	(\$225,082)
GD0	1010112	School Safety and Positive Climate	(\$6,384)
GD0	1060102	Student Residency Verification Fund	(\$182,416)
GD0	1060107	Child Development Facilities Fund	(\$99,611)
GD0	1011008	Healthy Schools	(\$1,072,560)
GL0	1060106	State Athletic Acts Program and Office Fund	(\$147,696)
HA0	1060026	Enterprise Fund Account	(\$1,103,211)
HC0	1010001	General Purpose Local Fund	(\$3,783,461)
HC0	1010096	Health Professional Recruitment Fund	(\$457,097)
HC0	1010189	Howard University Hospital Centers of Excellence	(\$398,222)
HC0	1060151	Board of Medicine	(\$4,658,202)
HC0	1060050	SHPDA Fees	(\$1,162,624)
HC0	1060133	Pharmacy Protection	(\$448,527)
HC0	1060186	DOH Regulatory Enforcement Fund	(\$20,307)
HC0	1060171	ICF/MR Fees and Fines	(\$7,338)
HC0	1060166	SHPDA Admission Fee	(\$4,155)
HT0	1060386	Individual Insurance Market Affordability and Stability	(\$6,804,203)
HT0	1060128	Medicaid Collections-Third Party Liability	(\$2,824,833)
HT0	1060132	Bill of Rights (Grievances and Appeals)	(\$1,065,715)
HT0	1060137	Medicaid Recovery Audit Contractor	(\$1,401)
HT0	1011010	Hospital Assessment Tax	(\$137,629)

HT0	1011009	Stevie Sellows	(\$1,431,003)
HT0	1011011	DC Provider Fee	(\$6,306,930)
HT0	1011003	Nursing Homes Quality of Care Fund	(\$6,872,308)
HT0	1011007	Healthy DC Fund	(\$9,473,628)
HY0	1010001	General Purpose Local Fund	(\$1,455,600)
JA0	1060039	SSSI Payback	(\$188,089)
JZ0	1060421	US Marshall Detention Services Agreement	(\$192,317)
KA0	1060428	Vision Zero Enhance Omnibus Amendment Act	(\$4,346,555)
KA0	1060281	DC Circulator Fund NPS Mall Route	(\$596,249)
KA0	1060280	WMATA Projects	(\$334,084)
KA0	1060340	Vision Zero Pedestrian and Bicycle Safety	(\$203,307)
KE0	1060019	Parking Meter WMATA	(\$8,125,164)
KE0	1011002	Dedicated Taxes	(\$7,160,848)
KG0	1010161	CRIAC Relief Fund	(\$312,107)
KG0	1010181	Lead Service Line Replacement Fund	(\$94,175)
KG0	1060174	Renewable Energy Development Fund	(\$6,605,692)
KG0	1060184	Anacostia River Clean Up Fund	(\$1,862,803)
KG0	1060330	Energy Assistance Trust Fund	(\$1,252,216)
KG0	1060366	Pesticide Product Registration	(\$428,387)
KG0	1060154	Storm Water Fees	(\$174,061)
KG0	1060159	Product Stewardship Fund	(\$110,604)
KG0	1060058	Underground Storage Tank Fines and Fees	(\$101,457)
KG0	1060332	Special Energy Assessment Fund	(\$99,940)
KG0	1060314	DC Municipal Aggregation Program	(\$62,272)
KG0	1060181	Lead Service Line Replacement Fund	(\$58,487)
KG0	1060318	Benchmarking Enforcement Fund	(\$56,595)
KT0	1060288	Solid Waste Disposal Fee Fund	(\$1,622,607)
KT0	1060286	Solid Waste Diversion Fund	(\$255,160)
KT0	1060268	Super Can Program	(\$11,246)
KV0	1060310	Motor Vehicle Inspection Station	(\$5,016)
LQ0	1060374	ABC Import and Class License Fees	(\$346,000)
LQ0	1011002	Dedicated Taxes	(\$637,750)
PA0	1060422	Gas Surcharge Revenue Paygo	(\$125,562)
RJ0	1060146	Subrogation Fund	(\$666,956)
RJ0	1060196	Captive Insurance Fund	(\$134,455)
RM0	1060123	Agreement with Independent Agencies	(\$2,550,643)
RM0	1011012	Gambling Addiction Treatment and Research	(\$172,460)
SR0	1060242	Insurance Assessment	(\$845,823)
SR0	1060240	HMO Assessment	(\$13,331)
SR0	1060254	Foreclosure Mediation Fund	(\$4,000)
TC0	1060381	Public Vehicles for Hire Consumer Service	(\$193,065)

VA0	1060007	Office of Veterans Affairs Fund	(\$7,000)
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2154  
2155 (c) The amounts identified in subsection (a) of this section shall be made available as set  
2156 forth in the approved Fiscal Year 2025 Budget and Financial Plan.

2157 Sec. 7133. Applicability.

2158 This subtitle shall apply as of July 1, 2024.

2159 **SUBTITLE O. SUBJECT-TO-APPROPRIATION REPEALS**

2160 Sec. 7141. Section 9 of the Business and Entrepreneurship Support to Thrive Amendment  
2161 Act of 2022, effective March 22, 2023 (D.C. Law 24-333; 70 DCR 1524), is amended to read as  
2162 follows:

2163 “Sec. 9. Applicability.

2164 “This act shall apply as of October 1, 2025.”

2165 Sec. 7142. Section 45(a)(1) of the Secure DC Omnibus Amendment Act of 2024, signed  
2166 by the Mayor on March 11, 2024 (D.C. Act 25-411; 71 DCR 2732), is amended by striking the  
2167 phrase “Sections 2, 5, 9, 14, 16, 28(b) and (c), 30(f), (g), (h), and (k), 32, 33, amendatory  
2168 section 7 in section 37, 40, 41, and 44” and inserting the phrase “Sections 2(a) and the second  
2169 subsection designated (b), 5, 9, 14, 28(b), 32, 33, amendatory section 7 in section 37, 40, 41, and  
2170 44” in its place.

2171 **SUBTITLE P. REINSTATEMENT OF SUBJECT-TO-APPROPRIATION**

2172 **PROVISIONS**

2173 Sec. 7151. Sec. Section 3 of the Green Building Act of 2006, effective March 8, 2007  
2174 (D.C. Law 16-234; D.C. Official Code § 6-1451.02), is amended by adding a new subsection (d)  
2175 to read as follows:



2176 “(d)(1) Subsection (a)(2)(D) of this section shall not apply to District-owned or District  
2177 instrumentality-owned projects (“District government projects”) that receive their building  
2178 permits on or after January 1, 2026, until the date of inclusion in an approved budget and  
2179 financial plan of the fiscal effect of applying subsections (a)(2)(D) of this section to such District  
2180 government projects.

2181 “(2) The Chief Financial Officer shall certify the date of the inclusion of such  
2182 fiscal effect in an approved budget and financial plan and provide notice to the Budget Director  
2183 of the Council of the certification.

2184 “(3)(A) The Budget Director shall cause the notice of the certification to be  
2185 published in the District of Columbia Register.

2186 “(B) The date of publication of the notice of the certification shall not  
2187 affect the applicability of subsections (a)(2)(D) of this section to District government projects  
2188 that receive their building permits on or after January 1, 2026.”.

2189 Sec. 7152. Section 301 of the CleanEnergy DC Omnibus Amendment Act of 2018,  
2190 effective March 22, 2019 (D.C. Law 22-257; D.C. Official Code § 8-1772.21), is amended by  
2191 adding a new subsection (*l*) to read as follows:

2192 “(*l*) Notwithstanding subsection (a)(1) of this section, this section shall not apply to  
2193 District-owned or District instrumentality-owned buildings (“District buildings”) until the date of  
2194 inclusion in an approved budget and financial plan of the fiscal effect of applying this section to  
2195 those District buildings.

2196 “(2) The Chief Financial Officer shall certify the date of the inclusion of the fiscal  
2197 effect in an approved budget and financial plan and provide notice to the Budget Director of the  
2198 Council of the certification.

2199                   “(3)(A) The Budget Director shall cause the notice of the certification to be  
2200 published in the District of Columbia Register.

2201                   “(B) The date of publication of the notice of the certification shall not  
2202 affect the applicability of this section to District buildings.”.

2203 **TITLE VIII. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

2204                   Sec. 8001. Applicability.

2205                   Except as otherwise provided, this act shall apply as of October 1, 2024.

2206                   Sec. 8002. Fiscal impact statement.

2207                   The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal  
2208 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
2209 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

2210                   Sec. 8003. Effective date.

2211                   This act shall take effect following approval by the Mayor (or in the event of veto by the  
2212 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
2213 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
2214 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
2215 Columbia Register.

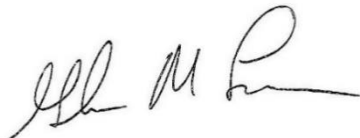
Government of the District of Columbia  
Office of the Chief Financial Officer



**Glen Lee**  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Glen Lee  
Chief Financial Officer 

**DATE:** April 3, 2024

**SUBJECT:** Fiscal Impact Statement – “Fiscal Year 2025 Budget Support Act of 2024”

**REFERENCE:** Draft bill as provided to the Office of Revenue Analysis on April 2, 2024

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**Conclusion**

Funds are sufficient in the proposed fiscal year 2025 through fiscal year 2028 budget and financial plan to implement the Fiscal Year 2025 Budget Support Act of 2024.

The District’s proposed fiscal year 2025 budget includes \$11.4 billion in Local fund spending supported by \$11.4 billion of Local resources, with an operating margin of \$0.5 million. The estimated expenditures for the proposed General Fund budget, which includes dedicated taxes and special purpose fund revenue in addition to Local funds, are \$13.0 billion.

The proposed budget and financial plan accounts for the expenditure and revenue implications of the bill.

*The bill, the “Fiscal Year 2025 Budget Support Act of 2024,” is the legislative vehicle for adopting statutory changes needed to implement the District’s proposed budget and financial plan for the fiscal years 2025 through 2028. The following pages summarize the purpose and the impact of each subtitle.*

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## **TITLE I – GOVERNMENT DIRECTION**

### **Subtitle (I)(A) – Office of the Inspector General Law Enforcement Authority Amendment Act of 2024**

#### **Background**

The subtitle includes employees in the Office of the Inspector General (OIG) who investigate alleged felonies in the definition of "law enforcement officers."<sup>1</sup> OIG personnel working on felony investigations will have the rights and responsibilities of District law enforcement officers.

#### **Financial Plan Impact**

The subtitle does not have an impact on the budget and financial plan. Relevant OIG personnel will require training, and OIG plans to provide the training within its existing training budget.

### **Subtitle (I)(B) – Public Sector Workers’ Compensation Across-the-Board Increase Clarification Amendment Act of 2024**

#### **Background**

Whenever an across-the-board salary increase is awarded to District employees, the Mayor must also increase public sector workers’ compensation payments (for disability or death) by the same percentage amount. Current law<sup>2</sup> defines “across-the-board” as pay applicable to a “claimant’s service of specific pay schedule”. The subtitle clarifies that “across-the-board” is applicable to the Career Service salary schedule only.

#### **Financial Plan Impact**

The subtitle does not have an impact on the budget and financial plan, as it conforms the code to current practice.

### **Subtitle (I)(C) – Captive Insurance Agency Amendment Act of 2024**

#### **Background**

The Medical Captive Agency provides medical malpractice insurance to not-for-profit health centers, real and personal property insurance for District assets, and liability insurance to minimize the risk of loss to the District.<sup>3</sup> The medical malpractice gap insurance provided to health centers is limited by the amount in the Captive Trust Fund. The subtitle would change that liability limit to the amount available in the Medical Captive Insurance Claims Reserve Fund (instead of the Captive Trust Fund).

#### **Financial Plan Impact**

The subtitle does not have an impact on the financial plan. This is a technical change so that liabilities and assets are both recorded to the Medical Captive Insurance Reserve Fund.

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<sup>1</sup> D.C. Official Code § 23-501(2).

<sup>2</sup> D.C. Official Code § 1-623.41(b).

<sup>3</sup> D.C. Official Code § 1-307.91a.

**Subtitle (I)(D) – Highly Compensated Employee Definition Amendment Act of 2024**

**Background**

Under current law, the salary threshold that defines a “highly compensated appointee”<sup>4</sup> in the District cannot be increased at a higher rate than compensation for non-union employees in the same fiscal year. The salary threshold determines which employees are subject to residency requirements.

The subtitle authorizes the Mayor to increase the threshold by the rate of inflation if it is greater than the rate increase in non-union compensation. The subtitle also authorizes the Mayor to further increase the threshold by amounts not adjusted by this formula in prior years going back to 2019.

**Financial Plan Impact**

The subtitle does not have an impact on the budget and financial plan. The subtitle does not affect salaries of employees, only how the threshold for defining a highly compensated employee is calculated.

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<sup>4</sup> D.C. Official Code § 1-515.03(c)(2).



## **TITLE II – ECONOMIC DEVELOPMENT AND REGULATION**

### **Subtitle (II)(A) – Direct Cash Assistance Program Amendment Act of 2024**

#### **Background**

The Direct Cash Assistance program provides cash payments to new and expectant mothers in certain areas of the District to support economic mobility and maternal health. The District launched the program with the Strong Families, Strong Futures DC pilot in 2022.<sup>5</sup> The subtitle expands the Office of the Deputy Mayor for Planning and Economic Development’s (DMPED’s) grantmaking authority for this program and modifies the reporting dates for the organization receiving the grant (from September 30, 2024 to 30 days after the end of the fiscal year) and DMPED’s final report (from November 1, 2024 to 90 days after the end of the fiscal year).

#### **Financial Plan Impact**

The fiscal year 2025 budget includes one-time funding of \$1 million for Strong Families, Strong Futures DC.

### **Subtitle (II)(B) – The Vitality Fund Amendment Act of 2024**

#### **Background**

The Office of the Deputy Mayor for Planning and Economic Development (DMPED) has grant-making authority<sup>6</sup> under the Vitality Fund to attract and retain businesses in the District. The subtitle modifies the criteria for the Vitality Fund to prioritize retaining or attracting businesses that will have a significant positive economic impact on the District as measured by new or retained jobs, employment, average wages, tax revenue, or other measures of economic activity as determined by DMPED. The subtitle also creates a nonlapsing special fund for the Vitality Fund.

#### **Financial Plan Impact**

The fiscal year 2025 budget includes a one-time enhancement of \$5 million for the Vitality Fund. Unexpended funds will be available in future fiscal years, subject to authorization in an approved budget and financial plan.

### **Subtitle (II)(C) – Local Rent Supplement Program Accounts Amendment Act of 2024**

#### **Background**

The subtitle eliminates three funds established within the District of Columbia Housing Authority (DCHA): the DCHA Rehabilitation and Maintenance Fund;<sup>7</sup> the Housing Authority Rent Supplement Fund;<sup>8</sup> and the Rent Supplement Program Project Based Allocation Fund.<sup>9</sup>

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<sup>5</sup> [Mayor Bowser Announces \\$1.5 Million Direct Cash Assistance Program to Support New and Expectant Moms | mayormb \(dc.gov\)](https://www.mayor.gov/news/2022/05/11/mayor-bowser-announces-1.5-million-direct-cash-assistance-program-to-support-new-and-expectant-moms)

<sup>6</sup> D.C. Official Code §1-328.04(n).

<sup>7</sup> D.C. Official Code § 6-202(c-1).

<sup>8</sup> D.C. Official Code § 6-226.01.

<sup>9</sup> D.C. Official Code § 6-227.

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The only active fund is the non-lapsing Rehabilitation and Maintenance Fund, which is intended for use for maintenance, repair, and rehabilitation projects to increase the availability of public housing units for residents listed on the DCHA wait list.

**Financial Plan Impact**

The subtitle has no impact on the budget and financial plan. Eliminating these special non-lapsing funds does not affect the subsidy provided to the District of Columbia Housing Authority by the District.

**Subtitle (II)(D) – Robert F. Kennedy Stadium Expenditure Amendment Act of 2024**

**Background**

This subtitle permits the Convention and Sports Authority (Events DC) to spend funds on transferring the Robert F. Kennedy memorial stadium campus to District control and preparing the property for redevelopment. The subtitle has an effective date of July 1, 2024.

**Financial Plan Impact**

This subtitle has no impact on the budget and financial plan. The subtitle allows, but does not require, Events DC to make expenditures, and Events DC would need to include any such expenditures in its budget.

**Subtitle (II)(E) – Emergency Rental Assistance Program Reports Sunset Amendment Act of 2024**

**Background**

The Department of Human Services is required to transmit a report to the Council monthly, beginning October 2023, on the status of the Emergency Rental Assistance Program.<sup>10</sup> The subtitle eliminates that requirement effective March 10, 2023.

**Financial Plan Impact**

The subtitle has no impact on the budget and financial plan.

**Subtitle (II)(F) – Downtown Activation Program Amendment Act of 2024**

**Background**

The subtitle establishes a program to provide a real property tax credit for buildings that are converting from primarily commercial office space to other commercial or non-residential use (including hotels, restaurants, or retail).<sup>11</sup> The credit could also be awarded to properties improving their office space to Class A.

Eligible properties are those located downtown that are planning to undergo a repositioning. Repositioning, as defined in the subtitle, is the construction, reconstruction, alteration, or renovation

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<sup>10</sup> D.C. Official Code § 4-753.08(c-1).

<sup>11</sup> The Housing in Downtown program (D.C. Official Code § 47-860.01 et. seq.) provides a tax incentive for buildings converting from primarily commercial use to primarily residential use.

of a property with at least 50,000 square feet that results in the conversion of the property from primarily office use to primarily non-office use.

The Mayor may establish a process for selecting the properties eligible for the tax credits. Upon award, the properties’ real property tax due will be frozen, with the taxes owed on the property held at the same amount for 15 years. The subtitle defines the base year (for the purpose of the freeze) as the year of award.

During the 15-year period when the tax credit is in effect, any improvements on the property (such as a new building) or a change in building use would not be incorporated into the taxable assessed value.<sup>12</sup> At year 16, the tax credit would expire, and the taxable assessed value would reset to the actual assessed value.

**Financial Plan Impact**

The Office of the Deputy Mayor for Planning and Economic Development (DMPED) will need to issue requirements for the program and conduct a selection process, so the first year that properties are expected to claim the credit is fiscal year 2027. The value of the total tax credits across all properties awarded by the Mayor is subject to a cap each year. That amount is \$6 million in 2027, \$7 million in 2028, \$8 million in 2029, and \$20 million in 2030. The program cap grows by 4 percent each year thereafter.

<b>Subtitle (II)(F) - Downtown Activation Program Amendment Act of 2024 Reduction in Real Property Taxes (\$ thousands)</b>					
	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>FY2028</b>	<b>Total</b>
Reduction in Real Property Tax Revenue	\$0	\$0	\$6,000	\$7,000	\$13,000

**Subtitle (II)(G) - Retail Recovery Grantmaking Authority Amendment Act of 2024**

**Background**

The Retail Recovery Grant Program<sup>13</sup> provides support to qualifying businesses that open in vacant retail locations. Funds can be used for a range of investments and operating costs. The subtitle modifies the criteria for Retail Recovery Grants to include any businesses that submit a grant application to open in a vacant storefront (versus only locations that had been vacant for six months or more) and to include additional areas as designated by the Deputy Mayor for Planning and Economic Development.

<sup>12</sup> The actual assessed value for each property will grow as it does under current law, incorporating market growth, changes in use, new construction, property improvements, or changes in the property’s underlying financial position.

<sup>13</sup> As established and funded in the Fiscal Year 2024 Budget Support Act of 2023, effective September 6, 2023 (D.C. Law 25-50; 70 DCR 012679).

### **Financial Plan Impact**

The fiscal year 2025 budget includes one-time funding of \$2.5 million for the Retail Recovery Grant Program.

### **Subtitle (II)(H) - Housing Subsidy Contracts Extensions Amendment Act of 2024**

#### **Background**

A recently enacted law<sup>14</sup> exempted the renewal of project-based, long-term subsidy contracts with housing providers from the competitive bidding process and extended the maximum length allowed for an initial subsidy contract from 15 to 20 years.<sup>15</sup>

The subtitle makes technical changes to the law, removing references to the Procurement Practices Reform Act of 2010<sup>16</sup> (“PPRA”), as these long-term contracts are grants and not subject to the PPRA.

#### **Financial Plan Impact**

The subtitle has no impact on the budget and financial plan.

### **Subtitle (II)(I) - Creative and Open Space Modernization Tax Rebate Program Amendment Act of 2024**

#### **Background**

Since 2017, companies operating in the District in certain industries may apply for and be awarded tax rebates for Creative and Open Space Modernization<sup>17</sup> investments, such as property improvements, purchase of heavy equipment to be used on-site, or other enhancements. The Office of the Deputy Mayor for Planning and Economic Development (DMPED) administers this program through a competitive award process. Qualifying investments must provide a tangible public benefit to the District, meet the criteria of a Qualified High Technology Company, and be in certain eligible sectors.

The subtitle modifies the eligibility criteria to remove a requirement that DMPED certify the company’s eligibility within a certain timeframe. The subtitle also clarifies that the language establishing qualifications for companies does not confer an entitlement to the tax rebate.

#### **Financial Plan Impact**

The budget and financial plan does not include funding for Creative and Open Space Modernization tax rebates. The subtitle results in the following savings:

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<sup>14</sup> Housing Subsidy Contract Stabilization Amendment Act of 2023, projected law date May 14, 2024 (D.C. Act 25-408; 71 DCR 2305).

<sup>15</sup> For more information see the law’s fiscal impact statement dated December 15, 2023 ([http://app.cfo.dc.gov/services/fiscal\\_impact/pdf/spring09/FIS%20Bill%2025-282%20Housing%20Subsidy%20Contract%20Stabilization.pdf](http://app.cfo.dc.gov/services/fiscal_impact/pdf/spring09/FIS%20Bill%2025-282%20Housing%20Subsidy%20Contract%20Stabilization.pdf)).

<sup>16</sup> Effective April 8, 2011 (D.C. Law 18-371; 58 DCR 1185)..

<sup>17</sup> Creative and Open Space Modernization Amendment Act of 2015, effective October 22, 2015 (D.C. Law 21-36; Official Code § 47-4665).

<b>Subtitle (II)(I) - Creative and Open Space Modernization Tax Rebate Program Amendment Act of 2024</b>					
<b>Total Savings (\$ thousands)</b>					
	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>FY2028</b>	<b>Total</b>
Reduction in Local funds	\$124	\$126	\$128	\$130	\$509
Reduction in SPR funding	\$475	\$475	\$475	\$475	\$1,900
<b>Total savings</b>	<b>\$599</b>	<b>\$601</b>	<b>\$603</b>	<b>\$605</b>	<b>\$2,409</b>

**Subtitle (II)(I) - WorldPride Grants Act of 2024**

**Background**

Washington, DC will host WorldPride 2025 from May 23 through June 8, 2025. The subtitle gives the Mayor the authority to provide grants to support the WorldPride event.

**Financial Plan Impact**

The fiscal year 2025 budget includes one-time grant funding in the nondepartmental budget agency under two categories: \$5,000,000 funding for WorldPride overall, and \$250,000 for a WorldPride Black LGBTQIA+ history program.

**Subtitle (II)(K) - Entertainment Districts Establishment Authority Act of 2024**

**Background**

The subtitle gives the Mayor the authority to establish temporary entertainment districts around arenas, sports facilities, or other large event spaces in the District. The Mayor could establish rules and processes designed to improve resident and visitor experience, ensure public safety, and maintain public spaces during a public event (such as a concert, sporting event or festival).

**Financial Plan Impact**

The subtitle has no impact on the budget and financial plan.

**TITLE III – PUBLIC SAFETY**

**Subtitle (III)(A) – Sunset of the Criminal Code Reform Commission Amendment Act of 2024**

**Background**

The Criminal Code Reform Commission (CCRC) was established as an advisory agency in 2016<sup>18</sup> to provide the Council and Mayor with a comprehensive assessment of the District’s criminal code, including recommendations, if necessary. The CCRC developed recommendations for the District’s criminal statutes and transmitted them to the Council and Mayor in 2021.

This subtitle would disband the CCRC effective July 1, 2024.

**Financial Plan Impact**

The fiscal year 2024 Supplemental<sup>19</sup> includes a rescission of funds for fiscal year 2024. The proposed budget and financial plan does not include any spending for CCRC. The Fiscal Year 2024 Budget Support Act of 2023<sup>20</sup> included recurring funding for the commission, including five staff.

<b>Subtitle (III) (A) - Sunset of the Criminal Code Reform Commission Amendment Act of 2024</b>						
<b>Total Savings (\$ thousands)</b>						
	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Reduction in spending	\$190	\$906	\$924	\$942	\$961	\$3,923

**Subtitle (III)(B) – Emergency and Non-Emergency Number Telephone Calling Systems Hospitality Tax Amendment Act of 2024**

**Background**

Starting in October 2025 (FY2026), the subtitle imposes an 80 cent-per-night fee for occupied hotel rooms. The revenue would be deposited in the Emergency and Non-Emergency Number Telephone Calling Systems Fund.

**Financial Plan Impact**

The subtitle will increase special purpose revenue in the Emergency and Non-Emergency Number Telephone Calling Systems Fund by \$7.5 million starting in fiscal year 2026 and a total of \$22.703 million over the financial plan.

<sup>18</sup> The Criminal Code Reform Commission Establishment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-151 et seq.).

<sup>19</sup> Fiscal Year 2024 Revised Local Budget Emergency Act of 2024.

<sup>20</sup> Effective September 6, 2023 (D.C. Law 25-50; 70 DCR 012679).

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<b>Subtitle (III) (B) - Emergency and Non-Emergency Number Telephone Calling Systems Hospitality Tax Amendment Act of 2024 (\$ thousands)</b>					
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Increase in special purpose revenue	\$0	\$7,543	\$7,595	\$7,565	\$22,703

**TITLE IV – PUBLIC EDUCATION SYSTEMS**

**Subtitle (IV)(A) – Funding for Public Schools and Public Charter Schools Increase Amendment Act of 2024**

**Background**

The subtitle sets<sup>21</sup> the base level funding for the Uniform Per Student Funding Formula (UPSFF) at \$14,668. This is a 12.4 percent increase over fiscal year 2024. The base level funding is multiplied by the weighting for each grade level or add-on service to determine the per-student funding at that level or for those services.

The subtitle also delays until fiscal year 2029 the requirement that services provided by District of Columbia government agencies to public schools be provided on an equitable basis to the District of Columbia Public Schools (DCPS) and public charter schools (“DC PCS”).

The following tables show the base-level funding at each grade level and the various add-ons:

Weightings applied to counts of students enrolled at specific grade levels		
Grade Level	Weighting	Per Student Allocation in FY 2025
Pre-Kindergarten 3	1.34	\$19,655
Pre-Kindergarten 4	1.30	\$19,068
Kindergarten	1.30	\$19,068
Grades 1-5	1.00	\$14,668
Grades 6-8	1.08	\$15,841
Grades 9-12	1.22	\$17,895
Alternative program	1.58	\$23,175
Special education school	1.17	\$17,162
Adult	1.00	\$14,668

Special Education Add-ons			
Level/ Program	Definition	Weighting	Per Student Supplemental Funds
Level 1: Special Education	Eight hours or less per week of specialized services.	0.97	\$14,228
Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services.	1.20	\$17,602
Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services.	1.97	\$28,896

<sup>21</sup> By amending The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 et seq.).



Level 4: Special Education	More than 24 hours per week which may include instruction in a self-contained (dedicated) special education school other than residential placement.	3.49	\$51,191
Special Education Compliance Funding	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.099	\$1,452
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	\$1,305
Residential	DCPS or DC PCS that provides students with room and board in a residential setting, in addition to their instructional program.	1.67	\$24,496

General Education Add-ons including English Language Learners (ELL)			
Level / Program	Definition	Weighting	Per Student Supplemental Funds
Elementary ELL	Additional funding for English Language Learners in grades PK3-5.	0.50	\$7,334
Secondary ELL	Additional funding for English Language Learners in grades 6-12, alternative students, adult students, and students in special education schools.	0.75	\$11,001
At-Risk	Additional funding for students in foster care, who are homeless, on Temporary Assistance for Needy Families or Supplemental Nutrition Assistance Program, or behind grade level.	0.24	\$4,400
At-risk High School Over-age Supplement	Additional funding beyond the existing at-risk weight for students who are behind grade level in high school.	0.06	\$880
At-risk > 40 percent Concentration Supplement	Weighting provided in addition to at-risk weight for the percentage of at-risk students above 40 percent enrolled in a school where at least 40 percent of the student population is at-risk.	0.07	\$1,027
At-risk > 70 percent Concentration Supplement	Weighting provided in addition to at-risk weight for the percentage of at-risk students above 70 percent where at least 70 percent of the student population is at-risk.	0.07	\$1,027

Residential Add-ons			
Level/ Program	Definition	Weighting	Per Student Supplemental Funds
Level 1: Special Education - Residential	Additional funding to support the after-hours Level 1 special education needs of students living in a DCPS or DC PCS facility that provides students with room and board in a residential setting.	0.37	\$5,427
Level 2: Special Education - Residential	Additional funding to support the after-hours Level 2 special education needs of students living in a DCPS or DC PCS facility that provides students with room and board in a residential setting.	1.34	\$19,655
Level 3: Special Education - Residential	Additional funding to support the after-hours Level 3 special education needs of students living in a DCPS or DC PCS facility that provides students with room and board in a residential setting.	2.89	\$42,391
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 DCPS or DC PCS facility that provides students with room and board in a residential setting.	2.89	\$42,391
LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a DC PS or DC PCS facility that provides students with room and board in a residential setting.	0.668	\$9,798

Special Education Add-ons for Students with Extended School Year (ESY) Indicated in Their Individualized Education Programs (IEPs)			
Level/ Program	Definition	Weighting	Per Student Supplemental Funds
Special Education Level 1 ESY	Additional funding supports the summer school/program needs for students requiring extended school year services in their IEPs.	0.063	\$924
Special Education Level 2 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.227	\$3,330

Special Education Level 3 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.491	\$7,202
Special Education Level 4 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.491	\$7,202

**Financial Plan Impact**

The 12.4 percent UPSFF base level increase will result in additional formula-driven Local fund expenditures. The proposed fiscal year 2025 budget includes approximately \$2.49 billion for instructional budgets as a result of the UPSFF: \$1.32 billion for DCPS and \$1.17 billion for DC PCS.

DCPS will also receive Local funding outside of the UPSFF, including stabilization funding, early stages funding, and IMPACT Bonuses. These additions bring the collective DCPS funding to \$1.36 billion in fiscal year 2025. DC PCS will also receive \$182.64 million for facility allowances in fiscal year 2025, bringing the collective DC PCS formula-driven Local fund budget to \$1.35 billion.

The subtitle also increases the formula weight for Alternative programming, from 1.52 to 1.58, and for Adult students, from 0.91 to 1.00. These weight increases result in an additional \$1.49 million for DCPS<sup>22</sup> and \$7.24 million for DC PCS.<sup>23</sup>

**Subtitle (IV)(B) – Healthy Schools Fund Amendment Act of 2024**

**Background**

The Healthy Schools Fund (Fund) is a non-lapsing fund that receives a sales tax dedication of \$5.69 million each fiscal year. The Fund is used to support various programs that promote health, wellness, and nutrition in schools. The subtitle eliminates<sup>24</sup> the Fund and the dedication of sales tax and instead uses one-time Local funds to support Healthy Schools programs.

**Financial Plan Impact**

The fiscal year 2025 budget includes \$5.69 million in one-time Local funding that will be used to support programs that the Healthy Schools Fund currently supports. Dedicated sales tax is no longer a funding source for these programs. Local funds revenue is increased by \$5.69 million annually and a total of \$22.76 million over the four-year financial plan.

<sup>22</sup> DCPS is projected to enroll 997 Alternative Students and 462 Adult Students in fiscal year 2025.

<sup>23</sup> DC PCS is projected to enroll 1,041 Alternative Students and 4,793 Adult Students in fiscal year 2025.

<sup>24</sup> By amending Section 102 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.02).

**Subtitle (IV)(C) - IMPACTplus Bonus Payments Act of 2024**

**Background**

The subtitle repeals<sup>25</sup> the requirement that the cost of IMPACT Bonus payments must be paid from operating budget appropriations as calculated in the Uniform Per Student Funding Formula (UPSFF).

**Financial Plan Impact**

IMPACT Bonus payments are budgeted outside of the UPSFF at an amount equal to \$26 million in fiscal year 2025.

**Subtitle (IV)(D) - District of Columbia Public Schools Budgeting Amendment Act of 2024**

**Background**

The subtitle repeals<sup>26</sup> The Schools First in Budgeting Amendment Act of 2022 (Act) and revives language that the Act repealed. The Act requires District of Columbia Public Schools (DCPS) to develop individual school budgets that adjusts year-to-year school-level funding using a specific “Schools First” formula.

**Financial Plan Impact**

The subtitle does not result in savings and it does not have a cost, however it changes how funds are distributed to individual DCPS schools. The fiscal year DCPS budget uses the proposed Uniform Per Student Funding Formula level, enrollment projections, targeted supports, and stability funding to arrive at individual school budget levels for the upcoming school year rather than the Schools First formula.

**Subtitle (IV)(E) - Library Location Authority Amendment Act of 2024**

**Background**

The subtitle repeals<sup>27</sup> a requirement that the District of Columbia Public Library (DCPL) keep the Juanita E. Thornton-Shepard Park Library branch open. It also repeals the authority of the Mayor or a subordinate agency to acquire land for a new Ward 4 library and use funds provided for a Ward 4 library for that purpose.

**Financial Plan Impact**

The Fiscal Year 2024 Revised Local Budget Emergency Act of 2024 reflects a rescission of \$5 million in capital budget funding that could have been spent to acquire land for a new library. The subtitle has no other impact on the budget and financial plan.

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<sup>25</sup> Section 103(b-1) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2902(b-1)).

<sup>26</sup> By amending The Schools First in Budgeting Amendment Act of 2022, effective March 10, 2023 (D.C. Law 24-300; D.C. Official Code § 38-2851.01 et seq.).

<sup>27</sup> By amending The Ward 4 Libraries Act of 2023, effective September 6, 2023 (D.C. Law 25-50; 70 DCR 012679).

### **Subtitle (IV)(F) - Grow Your Own Program Amendment Act of 2024**

#### **Background**

The subtitle makes permissive<sup>28</sup> the requirement that the Office of the State Superintendent of Education (OSSE) establish and administer a competitive grant program to provide Grow Your Own teacher preparation support grants to eligible universities or colleges located in the District for the purposes of educating, training, and providing financial support to District residents pursuing a pathway to teacher licensure or certification. The subtitle also makes permissive the requirement that OSSE provide two grants totaling not less than \$550,000 per year towards the Grow Your Own program.

#### **Financial Plan Impact**

The subtitle results in \$550,000 of local savings in fiscal year 2025 by making the Grow Your Own program a permissive grant.

### **Subtitle (IV)(G) - Flexible Schedule Pilot Program Amendment Act of 2024**

#### **Background**

The subtitle limits<sup>29</sup> a Flexible Schedule Pilot Program at the Office of the State Superintendent of Education (OSSE) to one year instead of two. The pilot program will conclude at the end of school year 2023-2024. The Flexible Scheduling Pilot Program issues competitive grants to local education agencies (LEAs) to implement flexible schedules, such as varying the instructional calendar and format. OSSE is required to issue a report that analyzes the pilot program's impact.

#### **Financial Plan Impact**

Limiting the pilot program to one year results in \$1.05 million savings of Local funds in fiscal year 2025 and \$312,000 in savings in fiscal year 2026. OSSE will still issue a report on the results of the Flexible Schedule Pilot Program using current staff members.

### **Subtitle (IV)(H) - Universal Paid Leave Implementation Fund Amendment Act of 2024**

#### **Background**

Under current law, no more than 15 percent of money estimated to be deposited in the Universal Paid Leave Fund<sup>30</sup> (“Fund”) may be transferred to the Universal Paid Leave Administration Fund<sup>31</sup> for administration of the Universal Paid Leave Program by the Department of Employment Services (DOES).

The subtitle sets the maximum that may be transferred for this purpose to the greater of 15 percent of money estimated to be deposited in the Fund in a given fiscal year or a set dollar amount that the

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<sup>28</sup> By amending Section 4195 of the Teacher Preparation Act of 2021, effective November 13, 2021 (D.C. Law 24-45; D.C. Official Code § 38-2254).

<sup>29</sup> By amending Section 7k(a) of the State Education Office Establishment Act of 2000, effective September 6, 2023 (D.C. Law 25-50; D.C. Official Code § 38-2617(a)).

<sup>30</sup> D.C. Official Code § 32-551.01.

<sup>31</sup> D.C. Official Code § 32-551.02.

subtitle lists for fiscal years 2024 through fiscal year 2028. The subtitle sets maximum dollar amounts at \$24.05 million in fiscal year 2024, \$26.96 million in fiscal year 2025, \$27.47 million in fiscal year 2026, \$27.98 million in fiscal year 2027, and \$28.53 million in fiscal year 2028. Beginning in fiscal year 2029, the maximum that may be transferred reverts to 15 percent of the money estimated to be deposited in the Fund.

The subtitle does not change the maximum that may be transferred to the Office of Human Rights (OHR) and the Office of Administrative Hearings (OAH) for their roles in administering the program. Those maximums remain at 0.75 percent of money estimated to be deposited in the Fund for OHR and 0.5 percent for OAH.

The subtitle will apply as of July 1, 2024.

**Financial Plan Impact**

The subtitle increases the maximum amount of funds that may be transferred from the Universal Paid Leave Fund to the Department of Employment Services by approximately \$19 million over the four-year financial plan. The Mayor’s proposed fiscal year 2025 budget and financial plan also includes a transfer of \$70.85 million from the Fund for other purposes. After accounting for expected benefits to paid out of the fund and transfers from the Fund included in the proposed budget and financial plan for General Fund purposes, the Universal Paid Leave Fund has sufficient funds to accommodate the subtitle’s increased amounts for DOES’s use for administration of the Program.

**Subtitle (IV)(I) - Early Childhood Educator Pay Equity Fund Amendment Act of 2024**

**Background**

The subtitle eliminates<sup>32,33</sup> the Early Childhood Educator Pay Equity Fund (ECE Pay Equity Fund) and the child development facility payroll formula payments. The ECE Pay Equity Fund distributes funding to child development facilities through a payroll funding formula that pays eligible teachers and assistant teachers a salary established in the D.C. Code.

**Financial Plan Impact**

The fiscal year 2025 budget includes Local fund savings of \$70.50 million in fiscal year 2025 and \$290.15 million over the financial plan due to eliminating the ECE Pay Equity Fund and child development facility payroll formula payments.

<b>Subtitle (IV)(I) - Early Childhood Educator Pay Equity Fund Amendment Act of 2024</b>					
<b>Total Savings (\$ thousands)</b>					
	FY 2025	FY 2026	FY 2027	FY 2028	Total
ECE Pay Equity Fund Repeal Savings	\$70,503	\$71,842	\$73,207	\$74,598	\$290,151

Table Notes: Assumes 1.9 percent cost growth.

<sup>32</sup> By repealing The Early Childhood Educator Pay Equity Fund Establishment Act of 2021, effective November 13, 2021 (D.C. Law 24-45; D.C. Official Code § 1-325.431).

<sup>33</sup> By repealing Section 11b of the Day Care Policy Act of 1979, effective October 30, 2018 (D.C. Law 22-179; D.C. Official Code § 4-410.02).

**Subtitle (IV)(J) - Commission on Poverty Amendment Act of 2024**

**Background**

Under current law<sup>34</sup>, the Commission on Poverty (the Commission) must have at least three paid staff persons, including an Executive Director.

The subtitle eliminates this requirement and authorizes the Department of Employment Services and other agencies, as may be designated by the Mayor, to provide administrative and technical support to the Commission.

**Financial Plan Impact**

By removing staffing requirements, the subtitle permits the Commission's budget to be redirected to other purposes.

<b>Subtitle (IV)(J) - Commission on Poverty Amendment Act of 2024</b>					
<b>Total Savings (\$ thousands)</b>					
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Budget savings, Department of Employment Services	\$525	\$534	\$545	\$555	\$2,159

**Subtitle (IV)(K) - Charter School Facility Allowance Amendment Act of 2024**

**Background**

The subtitle repeals the required annual 3.1 percent per pupil facility allowance increase for Public Charter Schools. The subtitle amends the D.C. Code to reflect the current fiscal year 2024 per pupil facility allowance of \$3,622 per pupil for non-residential facilities and \$9,780 per pupil for residential facilities. The subtitle sets the fiscal year 2025 per pupil facility allowance at \$3,734 per pupil for non-residential facilities and \$10,083 per pupil for residential facilities. The subtitle is effective July 1, 2024.

**Financial Plan Impact**

The fiscal year 2025 budget includes \$178.56 million for the Public Charter School non-residential facility allowances and \$4.08 million for residential facility allowances. Repealing the 3.1 percent annual increase in current law saves \$11.66 million over the financial plan.

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<sup>34</sup> D.C. Official Code § 3-641.05.

## **TITLE V – HUMAN SUPPORT SERVICES**

### **Subtitle (V)(A) - Direct Support Professional Payment Rate Amendment Act of 2024**

#### **Background**

Starting in fiscal year 2025, the Department of Disability Services and the Department of Health Care Finance (DHCF) must provide base payments to direct care service providers<sup>35</sup> to account for a provider wage equal to 117.6 percent of the minimum wage or 117.6 percent of the living wage, whichever is greater. The subtitle delays<sup>36</sup> incorporating the cost of these pay increases into Medicaid fee-for-service base payment rates until fiscal year 2026. Instead, the DHCF fiscal year 2025 budget uses unspent Medicaid Home and Community-Based Services (HCBS) Enhancement Fund balance to provide supplemental payments to direct service providers for wage increases. The supplemental payment will be equal to the amount needed to fund direct service provider wage increases for the entire 2025 calendar year. The HCBS Enhancement Fund was also used in fiscal year 2024 to provide supplemental payments to direct service providers to pay for the cost of increasing wages for the entire 2024 calendar year.

The HCBS Enhancement Fund was established to collect unspent Local funds from fiscal years 2021 and 2022 equivalent to the amount of federal funds attributable to the increase in the Federal Medical Assistance Percentage (FMAP) authorized by section 9817 of the American Rescue Plan Act of 2021 (ARPA). Section 9817 of the ARPA provided states with a temporary ten percentage point increase to the FMAP for certain Medicaid HCBS from April 1, 2021 through March 31, 2022. The Centers for Medicare and Medicaid Services (CMS) requires that the District use the savings that resulted from this temporary FMAP increase to implement activities that enhance, expand, or strengthen Medicaid HCBS. DHCF must spend all HCBS Enhancement Funds by March 31, 2025.

#### **Financial Plan Impact**

The fiscal year 2025 budget includes \$20.19 million of local HCBS Enhancement Fund money and \$47.10 million of federal Medicaid funding<sup>37</sup> to pay for wage increases for HCBS professionals. DHCF will make a one-time supplemental payment to fund the wage increase for all of calendar year 2025. Delaying the inclusion of HCBS provider pay increases into fee-for-service base reimbursement rate and instead using a one-time supplemental payment using HCBS Enhancement Funds will result in local savings of \$15.14 million in fiscal year 2025 and \$5.14 million in fiscal year 2026. Savings in fiscal year 2026 occur because three months of calendar year 2025 fall within fiscal year 2026. All HCBS Enhancement Fund money must be spent prior to March 31, 2025.

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<sup>35</sup> Direct care services are home and community-based, rehabilitative, and Intermediate Care Facilities for individuals with intellectual disabilities, services authorized under the District of Columbia Medicaid State Plan, including the District's Medicaid Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities program, the District's Medicaid Home and Community-Based Services Waiver for Individual and Family Supports, and the District's Medicaid Home- and Community-Based Services Waiver for the Elderly and Persons with Physical Disabilities.

<sup>36</sup> By amending Section 3(a) of the Direct Support Professional Payment Rate Act of 2020, effective April 16, 2020 (D.C. Law 23-77; D.C. Official Code § 4-2002(a)).

<sup>37</sup> The Federal Medical Assistance Percentage (FMAP) for the fee-for-service population is 70 percent.



<b>Subtitle (V)(A) - Direct Support Professional Payment Rate Amendment Act of 2024</b>					
<b>Total Local Savings (\$ thousands)</b>					
	FY 2025	FY 2026	FY 2027	FY 2028	Total
Local Savings	\$15,139	\$5,142	\$0	\$0	\$20,281

**Subtitle (V)(B) - Health Services Planning Program Amendment Act of 2024**

**Background**

The subtitle exempts ambulatory care centers or clinics that employ or contract with less than ten staff on a full-time basis from applying for a Certificate of Need (CON) from the State Health Planning and Development Agency (SHPDA). All persons currently proposing to offer or develop a new institutional health service or to obligate a capital expenditure to obtain a medical or health asset must obtain a CON from SHPDA that demonstrates a public need for the new health service, facility, or expenditure. Under the subtitle, small ambulatory care centers or clinics must obtain a registration from SHPDA instead of applying for a CON. SHPDA will require an application fee for registration of these ambulatory care centers and clinics.

**Financial Plan Impact**

The subtitle is revenue neutral since SHPDA plans to charge small ambulatory care centers and clinics a registration fee instead of a CON application fee. All fees collected by SHPDA are deposited into the non-lapsing State Health Planning and Development Fund and are used to pay all salaries and all other expenses necessary to carry out the duties of the agency.

**Subtitle (V)(C) - Medicaid Inpatient Hospital Directed Payment Act of 2024**

**Background**

The subtitle allows the District to charge each hospital a fee based on inpatient net patient revenue<sup>38</sup> beginning October 1, 2024 or the effective date established by the Centers for Medicare and Medicaid Services (CMS) in its approval of the Medicaid State Direct Payment preprint. The fee must be charged at a uniform rate among all hospitals. The rate of the fee must equal the rate necessary to generate an amount equal to:

- The non-federal share of the quarterly inpatient hospital directed payment consistent with the applicable State Directed Payment preprint approved by CMS; and
- The District retention.<sup>39</sup>

The Department of Health Care Finance (DHCF) must retroactively adjust fees for all hospitals to account for a new hospital once the new hospital files its first Hospital and Hospital Health Care Complex Cost Report.<sup>40</sup> The subtitle exempts St. Elizabeths Hospital and Howard University Hospital

<sup>38</sup> Inpatient net patient revenue is equal to the quotient of the number appearing in Column 1 of Line 28 on Worksheet G-2 of the hospital’s most recently available filed Hospital and Hospital Health Care Complex Cost Report (Form CMS-2552-10) divided by the number appearing in Column 3 of Line 28 on Worksheet G-2 of that report; multiplied by the number appearing in Column 1 of Line 3 of Worksheet G-3 of that report.

<sup>39</sup> An amount equal to 12 percent of the fees collected pursuant to Section 5034(a), plus the salary and fringe benefits for one full-time equivalent staff position at the Department of Health Care Finance.

<sup>40</sup> See: <https://www.cms.gov/data-research/statistics-trends-and-reports/cost-reports/hospital-2552-2010-form>

from paying the inpatient net patient revenue fee. Any hospital that fails to pay the total amount of the inpatient net patient revenue fee on a quarterly basis will be charged a 1.5 percent interest rate per month on its unpaid balance. If a hospital system owns, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system must pay the fee for each separate hospital. The Mayor may issue rules to implement the subtitle. The subtitle is set to expire on September 30, 2029.

All inpatient net patient revenue fees, interest, and penalties owed will be deposited into a newly established, non-lapsing Inpatient Hospital Directed Payment Provider Fee Fund to be administered by DHCF. The revenue collected from fees must be used to:

- Make separate payments to Medicaid Managed Care Organizations (MCOs);
- Provide refunds to hospitals; and
- Through the District retention:
  - Pay the salary and fringe benefits of one full-time staff position,
  - Fund the local match for Medicaid fee-for-service (FFS) hospital reimbursements, and
  - Make a transfer to the General Fund in an amount not to exceed twelve percent of the fees collected.

The subtitle requires all Medicaid MCOs to make inpatient directed payments to hospitals beginning October 1, 2024, that are consistent with the applicable State Directed Payment preprint approved by CMS.

**Financial Plan Impact**

The subtitle will generate an additional \$81.16 million in dedicated tax revenue in fiscal year 2025 and \$324.66 million in dedicated tax revenue over the financial plan. After using a portion of this revenue to fund the local portion of the salary and fringe cost of one full-time employee at a cost of \$70,000 and reserving \$8.69 million to fund the local match for Medicaid fee-for-service hospital reimbursements, \$72.41 million is available in fiscal year 2025 to make local separate payments to Medicaid MCOs. Because 12 percent of the revenue will be used for Medicaid fee-for-service Local funding, the budget, and financial plan do not include any transfer of revenue from the fund to Local funds.

<b>Subtitle (V)(C) - Medicaid Inpatient Hospital Directed Payment Act of 2024</b>						
<b>Total Dedicated Tax Revenue and Uses (\$ thousands)</b>						
		FY 2025	FY 2026	FY 2027	FY 2028	Total
<b>Total Dedicated Tax Revenue<sup>(a)</sup></b>		<b>\$81,164</b>	<b>\$81,164</b>	<b>\$81,164</b>	<b>\$81,164</b>	<b>\$324,655</b>
Uses	MCO Local Separate Payment	\$72,406	\$72,406	\$72,406	\$72,406	\$289,622
	Salary and Fringe <sup>(a)</sup>	\$70	\$71	\$72	\$74	\$286
	Medicaid FFS Local Funding <sup>(b)</sup>	\$8,689	\$8,687	\$8,686	\$8,685	\$34,747

Table Notes:

- (a) Assumes salary one Grade 13, Step 1, Reimbursement Specialist, and a fringe rate of 21.9 percent. DHCF pays 55 percent of salary and fringe costs with Local funding, and the remaining portion is paid for through the District’s FMAP. Assumes 1.9 percent cost growth.
- (b) Assumes a twelve percent District retention.

The local separate payments are eligible to receive federal matching funds at a rate equal to the District’s weighted average Federal Management Assistance Percentage (FMAP).<sup>41</sup> This will result in additional federal Medicaid funding in the amount of \$237.96 million in fiscal year 2025 and \$976.37 million over the financial plan. In total, MCOs will receive an additional \$310.36 million in fiscal year 2025 and \$1.24 billion over the financial plan to provide directed payments to hospitals for inpatient services.

<b>Subtitle (V)(C) - Medicaid Inpatient Hospital Directed Payment Act of 2024</b>					
<b>Total MCO Separate Payments (\$ thousands)</b>					
	FY 2025	FY 2026	FY 2027	FY 2028	Total
MCO Local Separate Payment	\$72,406	\$72,406	\$72,406	\$72,406	\$289,622
Federal FMAP <sup>(a)</sup>	\$237,955	\$237,955	\$237,955	\$237,955	\$951,820
<b>Total Separate Payments</b>	<b>\$310,360</b>	<b>\$310,360</b>	<b>\$310,360</b>	<b>\$310,360</b>	<b>\$1,241,442</b>

Table Notes:

(a) Assumes 76.7 percent weighted average Federal Medical Assistance Percentage.

**Subtitle (V)(D) - Medicaid Outpatient Hospital Directed Payment Act of 2024**

**Background**

The subtitle allows the District to charge each hospital a fee based on outpatient gross patient revenue<sup>42</sup> beginning October 1, 2024. The fee must be charged at a uniform rate among all hospitals. The rate of the fee must equal the rate necessary to generate an amount equal to:

- The non-federal share of the quarterly outpatient hospital directed payment consistent with the applicable State Directed Payment preprint approved by the Centers for Medicare and Medicaid Services (CMS); and
- The District retention.<sup>43</sup>

The Department of Health Care Finance (DHCF) must retroactively adjust fees for all hospitals to account for a new hospital once the new hospital files its first Hospital and Hospital Health Care Complex Cost Report.<sup>44</sup> The subtitle exempts St. Elizabeths Hospital and Howard University Hospital from paying outpatient gross patient revenue fee. Any hospital that fails to pay the total amount of the outpatient gross patient revenue fee on a quarterly basis will be charged a 1.5 percent interest rate per month on its unpaid balance. If a hospital system owns, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system must pay the fee for each

<sup>41</sup> The weighted average FMAP for the MCO inpatient services 76.7 percent.

<sup>42</sup> Outpatient gross patient revenue is the amount that is reported in column 2 of line 28 of Worksheet G-2 of the hospital’s most recently available Hospital and Hospital Health Care Complex Cost Report (Form CMS 2552-10). For a hospital that has not yet filed its first Hospital and Hospital Health Care Complex Cost Report (Form CMS-2552-10), outpatient net patient revenue is the dollar value determined by the Department of Health Care Finance based on projected utilization volume and projected utilization migration from other area hospitals.

<sup>43</sup> An amount equal to 12 percent of the fees collected pursuant to Section 5034(a), plus the salary and fringe benefits for one full-time equivalent staff position at the Department of Health Care Finance.

<sup>44</sup> See: <https://www.cms.gov/data-research/statistics-trends-and-reports/cost-reports/hospital-2552-2010-form>

separate hospital. The Mayor may issue rules to implement the subtitle. The subtitle is set to expire on September 30, 2029.

All outpatient gross patient revenue fees, interest, and penalties owed will be deposited into a newly established, non-lapsing Outpatient Hospital Directed Payment Provider Fee Fund to be administered by DHCF. The revenue collected from fees must be used to:

- Make separate payments to Medicaid Managed Care Organizations (MCOs);
- Provide refunds to hospitals; and
- Through the District retention:
  - Pay the salary and fringe benefits of one full-time staff position,
  - Fund the local match for Medicaid fee-for-service (FFS) hospital reimbursements, and
  - Make a transfer to the General Fund in an amount not to exceed twelve percent of the fees collected.

The subtitle requires all Medicaid MCOs to make outpatient directed payments to hospitals beginning October 1, 2024, that are consistent with the applicable State Directed Payment preprint approved by CMS.

**Financial Plan Impact**

The subtitle will generate an additional \$46.40 million in dedicated tax revenue in fiscal year 2025 and \$185.59 million in dedicated tax revenue over the financial plan. After reserving \$4.97 million to fund the local match for Medicaid fee-for-service hospital reimbursements, \$41.43 million is available in fiscal year 2025 to make local separate payments to Medicaid MCOs. Because 12 percent of the revenue will be used for Medicaid fee-for-service Local funding, the budget and financial plan does not include any transfer of revenue from the fund to Local Funds.

<b>Subtitle (V)(D) - Medicaid Outpatient Hospital Directed Payment Act of 2024</b>						
<b>Total Dedicated Tax Revenue and Uses (\$ thousands)</b>						
		FY 2025	FY 2026	FY 2027	FY 2028	Total
<b>Total Dedicated Tax Revenue</b>		<b>\$46,398</b>	<b>\$46,398</b>	<b>\$46,398</b>	<b>\$46,398</b>	<b>\$185,591</b>
Uses	MCO Local Separate Payment	\$41,427	\$41,427	\$41,427	\$41,427	\$165,706
	Medicaid FFS Local Funding <sup>(a)</sup>	\$4,971	\$4,971	\$4,971	\$4,971	\$19,885

Table Notes:

(a) Assumes a twelve percent District retention.

The Local separate payments are eligible to receive federal matching funds at a rate equal to the District’s weighted average Federal Medical Assistance Percentage (FMAP).<sup>45</sup> This will result in additional federal Medicaid funding in the amount of \$130.80 million in fiscal year 2025 and \$523.18 million over the financial plan. In total, MCOs will receive an additional \$172.22 million in fiscal year 2025 and \$688.89 million over the financial plan to provide directed payments to hospitals for outpatient services.

<sup>45</sup> The weighted average FMAP for the MCO outpatient services 75.9 percent.

<b>Subtitle (V)(D) - Medicaid Outpatient Hospital Directed Payment Act of 2024</b>					
<b>Total MCO Separate Payments (\$ thousands)</b>					
	FY 2025	FY 2026	FY 2027	FY 2028	Total
MCO Local Separate Payment	\$41,427	\$41,427	\$41,427	\$41,427	\$165,706
Federal FMAP <sup>(a)</sup>	\$130,796	\$130,796	\$130,796	\$130,796	\$523,182
<b>Total Separate Payments</b>	<b>\$172,222</b>	<b>\$172,222</b>	<b>\$172,222</b>	<b>\$172,222</b>	<b>\$688,889</b>

Table Notes:

(a) Assumes 75.9 percent weighted average FMAP.

**Subtitle (V)(E) - Medicaid Hospital Outpatient Supplemental Payment and Hospital Inpatient Rate Supplement Adjustments Amendment Act of 2024**

**Background**

The subtitle updates the definition of outpatient gross patient revenue<sup>46</sup> and inpatient net patient revenue<sup>47</sup> to conform with the definitions used in subtitle V(C) and subtitle V(D). The subtitle also exempts Howard University Hospital from certain fees.

**Financial Plan Impact**

The subtitle does not have a cost since it makes conforming changes to make definitions and exemptions consistent in the D.C. Code.

**Subtitle (V)(F) - Repeal of the Duplicative Ombudsperson for Children Office Amendment Act of 2024**

**Background**

The subtitle repeals the Office of the Ombudsperson for Children Establishment Amendment Act of 2020, eliminating the Office of the Ombudsperson for Children (Office).

**Financial Plan Impact**

The subtitle saves the cost of funding the Office in the budget and financial plan as follows:

<b>Subtitle (V)(F) - Repeal of the Duplicative Ombudsperson for Children Office Amendment Act of 2024</b>					
<b>Total Savings (\$ thousands)</b>					
	FY 2025	FY 2026	FY 2027	FY 2028	Total
Personal Services	\$1,031	\$1,052	\$1,072	\$1,094	\$4,251
Non-Personal Services	\$96	\$97	\$99	\$101	\$393
<b>Total Savings</b>	<b>\$1,127</b>	<b>\$1,149</b>	<b>\$1,172</b>	<b>\$1,195</b>	<b>\$4,644</b>

Table Notes: Assumes 1.9 percent growth.

<sup>46</sup> By amending The Medicaid Hospital Outpatient Supplemental Payment Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.01 *et seq.*).

<sup>47</sup> By amending The Medicaid Hospital Inpatient Rate Supplement Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.11 *et seq.*).

### **Subtitle (V)(G) - Rapid Re-Housing Program Amendment Act of 2024**

#### **Background**

The Rapid Re-Housing program is a short-term subsidy program in the Department of Human Services (DHS) that subsidizes housing for families and individuals experiencing homelessness.<sup>48</sup> The subtitle establishes a statutory time limit on the duration of services provided by the program and waives the right for an individual or family to continue services while the program exit decision is in the appeal process.

#### **Financial Plan Impact**

The subtitle does not add cost to the program, as it may allow DHS to discontinue services for individuals and families who have remained in the program past the deadline. It is unknown, however, if this will create savings or if other individuals will backfill participation in the program.

### **Subtitle (V)(H) - Healthy DC Fund Amendment Act of 2024**

#### **Background**

The subtitle requires<sup>49</sup> a transfer of \$5.567 million from the Healthy DC Fund to Local funds in fiscal years 2025, 2026, 2027, and 2028.

#### **Financial Plan Impact**

The fiscal year 2025 budget includes a transfer of \$5.567 million in dedicated taxes from the Healthy DC Fund to Local funds, reducing revenue available to be budgeted in the Healthy DC dedicated tax fund and increasing Local funds. This transfer is also included in each fiscal year throughout the financial plan.

### **Subtitle (V)(I) – Not-For-Profit Hospital Corporation Subsidy Amendment Act of 2024**

#### **Background**

The subtitle allows<sup>50</sup> for the payment of a subsidy to the Not-For-Profit Hospital Corporation (NFPHC) of up to a maximum of \$26 million in fiscal year 2025. Current law caps this subsidy at \$22 million. The NFPHC, commonly known as United Medical Center (UMC), is an independent District instrumentality, created by legislation adopted by the Council of the District of Columbia. It provides inpatient, outpatient, psychiatric, and emergency care services.

#### **Financial Plan Impact**

The fiscal year 2025 budget includes \$25.2 million in subsidy payments to support the operation of inpatient, outpatient, psychiatric, and emergency care services at UMC.

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<sup>48</sup> <https://dhs.dc.gov/page/rapid-rehousing-individuals>

<sup>49</sup> By amending Section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02).

<sup>50</sup> By amending The Not-for-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.01 et seq.).

### **Subtitle (V)(I) – Career Mobility Action Plan Program Amendment Act of 2024**

#### **Background**

Under current law, the Department of Human Services is required to administer the Career Mobility Action Plan program<sup>51</sup>. The program provides a range of services to help families that are at risk of losing food, health care, child care, housing, and other benefits more quickly than their income can cover the lost resources, which are also known as “benefits cliffs”<sup>52</sup>. The subtitle makes the statutorily required program optional.

#### **Financial Plan Impact**

The subtitle does not have an impact on the proposed budget and financial plan. The proposed budget and financial plan contains funding for the program to continue.

### **Subtitle (V)(K) – Flexible Rent Subsidy Pilot Program Amendment Act of 2024**

#### **Background**

The Department of Human Services (DHS) manages the Flexible Rent Subsidy Pilot Program<sup>53</sup>, which subsidizes the cost of monthly rent for individuals and families receiving or eligible to receive Continuum of Care<sup>54</sup> services. Authorization for the program expires on September 30, 2026.<sup>55</sup> The subtitle authorizes DHS to restrict new individuals and families from entering the Flexible Rent Subsidy Pilot program prior to the expiration date of the program.

#### **Financial Plan Impact**

The subtitle does not have an impact on the budget and financial plan. It allows for the agency to stop taking on new participants prior to the end of the pilot program. Remaining budget will be used for existing participants to complete the full intended program cycle of four-years until the program is phased out.

### **Subtitle (V)(L) - Universal Paid Leave Program Amendment Act of 2024**

#### **Background**

The subtitle requires covered employers to pay a contribution rate of 0.62 percent of the wages of covered employees to the Universal Paid Leave Fund<sup>56</sup> (UPL Fund). Funds not required for use by the Universal Paid Leave program, as determined annually<sup>57</sup> by the annual certification of the Office of the Chief Financial Officer (OCFO), will be deposited in the General Fund.

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<sup>51</sup> D.C. Official Code § 4-281.02.

<sup>52</sup> <https://dhs.dc.gov/page/career-map>

<sup>53</sup> [https://dhs.dc.gov/sites/default/files/dc/sites/dhs/page\\_content/attachments/DC%20Flex%20One-Page 2022.pdf](https://dhs.dc.gov/sites/default/files/dc/sites/dhs/page_content/attachments/DC%20Flex%20One-Page%202022.pdf)

<sup>54</sup> D.C. Official Code § 4-753.01.

<sup>55</sup> D.C. Official Code § 4-756.05(e).

<sup>56</sup> D.C. Official Code § 32-551.01.

<sup>57</sup> D.C. Official Code § 32-541.04a(b)(1).

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Currently, the contribution rate is set annually by the certification of the Office of the Chief Financial Officer, based on the projected expenses of the UPL Fund.

**Financial Plan Impact**

The subtitle increases revenue in the General Fund by the amounts in the table below. This additional revenue is calculated as the difference between the expected total revenue at a 0.62 percent contribution rate and the revenue required by the OCFO’s certification dated March 1, 2024, to maintain the solvency of the UPL Fund.

<b>Subtitle (V)(L) – Universal Paid Leave Program Amendment Act of 2024</b>					
<b>Additional General Fund Revenue (\$ thousands)</b>					
	FY 2025	FY 2026	FY 2027	FY 2028	Total
<b>Additional General Fund Revenue</b>	<b>\$246,100</b>	<b>\$255,469</b>	<b>\$265,094</b>	<b>\$271,621</b>	<b>\$1,038,000</b>

**Subtitle (V)(M) - Birthing Hospital Grants Amendment Act of 2024**

**Background**

The subtitle allows<sup>58</sup> the Department of Health (DC Health) to issue grants to address emergency childcare needs of pregnant and birthing parents obtaining necessary treatment at the District’s birthing hospitals.

**Financial Plan Impact**

The DC Health fiscal year 2025 budget includes one-time Local funding of \$300,000 to implement an emergency childcare grant program for birthing parents receiving treatment at the District’s birthing hospitals.

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<sup>58</sup> By amending Section 4907a of the Department of Health Functions Clarification Act of 2001, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 7-736.01).



## **TITLE VI – OPERATIONS AND INFRASTRUCTURE**

### **Subtitle (VI)(A) – Unclaimed Deposits for Excavation Work Amendment Act of 2024**

#### **Background**

The District Department of Transportation (DDOT) requires anyone seeking a construction permit that involves excavation work in public space to make a refundable excavation deposit. The fees vary depending on the type and size of the excavation work. DDOT holds these deposits to ensure the permittee properly restores public space. DDOT can draw on the deposit, with notice to the permittee, if the public space restoration is unsatisfactory upon inspection and DDOT needs to undertake actions to restore it. After the permittee restores public space, they must wait two years before they can request the return of their deposit. If the permittee does not request the deposit within thirty days after the two-year waiting period, DDOT must notify the permittee at their last known address. Currently, DDOT regulations allow DDOT to deposit, into the repealed Department of Transportation Unified Fund,<sup>59</sup> any unclaimed deposits if the permittee has not responded to DDOT’s notice after one year.<sup>60</sup>

The subtitle deems the excavation deposits to be forfeit by the permittee if the permittee does not respond to the DDOT notice within the one-year period and directs the deposits to the District’s General Fund. The subtitle requires DDOT to maintain a publicly accessible website that is searchable electronically and maintains a list of all deposits held by DDOT and the name of each permittee.

The subtitle also exempts excavation deposits from the District’s unclaimed property laws<sup>61</sup> in favor of the DDOT regulations.

#### **Financial Plan Impact**

DDOT holds approximately \$60 million in excavation deposits for permittees. Approximately two-thirds of these deposits have been deposited since 2018 and the Office of the Chief Financial Officer’s Office of Revenue Analysis (ORA) assumes that the related projects are still under construction, public space has not been fully restored, or the two-year holding period after public space restoration to ensure proper restoration has not been completed.

The remaining \$22 million was deposited between 1998 and 2017 and encompasses nearly 3,900 deposits that DDOT must notice and wait the required one-year period before DDOT can deem the deposits forfeited. DDOT must also provide a searchable, public website for permittees to search for any unclaimed deposits. ORA expects that 45 percent of these deposits will be claimed and that in fiscal year 2026, DDOT can deem \$9.97 million forfeited and deposit it into the District’s General Fund.

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<sup>59</sup> District Department of Transportation Unified Fund Amendment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 50-921.11). [Repealed]

<sup>60</sup> Miscellaneous Provisions, effective February 14, 2020 (24 DCMR 3405.5, 3405.9).

<sup>61</sup> Revised Uniform Unclaimed Property Act of 2021, effective November 13, 2021 (D.C. Law 24-45; D.C. Official Code § 41-151.01 et seq.).

**Subtitle (VI)(B) – Renewable Energy Portfolio Standard Amendment Act of 2024**

**Background**

The District has a renewable energy portfolio standard (“standard”) that establishes the share of electricity supplied in the District that needs to come from renewable sources. For example, in 2025, 52 percent of electricity must come from tier one<sup>62</sup> renewable sources and 4.3 percent from solar energy sources. Electricity suppliers that do not meet the standard must pay a compliance fee. In 2025, an electricity supplier must pay five cents for each kilowatt-hour shortfall from tier one renewable sources and forty-six cents for each kilowatt-hour shortfall from solar sources. Compliance fees, if they are the least-cost measure to ratepayers or there are insufficient tier one sources available, can be recovered from ratepayers through their electricity bills. These compliance fees are paid to the District and deposited into the Renewable Energy Development Fund<sup>63</sup> (REDF), managed by the Department of Energy and Environment.

The subtitle changes the compliance fee remittance date from between October 1 and November 1 following the year of the supplier’s standard shortfall to between June 1 and July 1 following the year of the shortfall. The subtitle makes this change effective January 1, 2025.

The subtitle also clarifies that any compliance fees paid into the REDF from the District government’s energy usage and are subsequently transferred to the District’s General Fund, and it clarifies that the fees should be transferred whether they originated from bill surcharges or any other means of assessment.

**Financial Plan Impact**

Over the fiscal year 2025 through fiscal year 2028 budget and financial plan period, the District government will no longer purchase renewable energy credits, but will pay the compliance fee. The District would pay an average of \$17.2 million annually over the financial plan period if it purchased renewable energy credits. The District will pay an average of \$21.5 million annually when it pays the compliance fee. Because these fees are deposited into REDF and the fees paid by the District are transferred to the General Fund, the transfer will offset the cost of paying the compliance fees.

The chart on the following page outlines the subtitle’s overall fiscal impact.

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<sup>62</sup> Tier one sources include solar; wind; geothermal; ocean; and certain biomass, methane, fuel cells, and wastewater sources.

<sup>63</sup> Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1436).

<b>Renewable Energy Portfolio Standard Amendment Act of 2024</b>					
<b>Impact on the District’s Budget</b>					
<b>(\$ thousands)</b>					
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Renewable Energy Savings <sup>a</sup>	\$13,723	\$16,015	\$18,404	\$20,697	\$68,839
Compliance Fee Costs	(\$17,783)	(\$20,313)	(\$22,813)	(\$25,097)	(\$86,006)
<b>Net Cost Increase</b>	<b>(\$4,060)</b>	<b>(\$4,298)</b>	<b>(\$4,409)</b>	<b>(\$4,399)</b>	<b>(\$17,167)</b>
<b>New REDF Revenue<sup>b</sup></b>	<b>\$17,783</b>	<b>\$20,313</b>	<b>\$22,813</b>	<b>\$25,097</b>	<b>\$86,006</b>

Table Notes

<sup>a</sup> The District will no longer purchase renewable energy credits; costs which are not recoverable through REDF or any other sources. This expenditure is a reduction in costs, or a savings to the budget.

<sup>b</sup> The Compliance Fee Costs are paid by the electricity provider to the District’s REDF. Costs paid by the District into REDF are transferred back to the District’s Local fund.

**Subtitle (VI)(C) – Vision Zero Pedestrian and Bicycle Safety Fund Establishment Amendment Act of 2024**

**Background**

The Vision Zero Pedestrian and Bicycle Safety Fund (Fund) is used by the District Department of Transportation (DDOT) to enhance pedestrian and bicycle transportation in the District.<sup>64</sup> This includes education, physical infrastructure changes, and enforcement efforts. The Fund receives \$500,000 annually from Automated Traffic Enforcement Revenues.

The subtitle transfers control of the Fund from DDOT to the Deputy Mayor for Operations and Infrastructure (DMOI).

**Financial Plan Impact**

The fiscal year 2025 transfers control of the Fund from DDOT to DMOI. The fiscal year 2025 budget also transfers \$203,307 from the Fund’s certified fund balance to the District’s Local fund.<sup>65</sup>

**Subtitle (VI)(D) – Water Pollution Control Third-Party Review Amendment Act of 2024**

**Background**

The Department of Energy and Environment (DOEE) reviews construction permits submitted to the Department of Buildings (DOB) through its Inspection and Enforcement Division. In reviewing these permit applications and building plans, DOEE assesses the plans’ environmental impacts, including water pollution control law and regulation compliance and erosion and sediment control (ESC).

<sup>64</sup> Vision Zero Pedestrian and Bicycle Safety Fund Establishment Act of 2015, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 50-921.20).

<sup>65</sup> See Subtitle VII(O), Non-Lapsing Fund Transfers.

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The subtitle authorizes the Mayor to certify third-party permit reviewers to make these assessments. The subtitle also authorizes the Mayor to certify third-party inspectors for compliance with water pollution control laws and regulations.

The subtitle imposes several prohibitions on third-party reviewers and inspectors. A third-party reviewer or any affiliates may not also act as a third-party inspector for any component of the project. The subtitle prohibits any entity or its affiliates performing work on the project from acting as either a third-party reviewer or inspector. A third-party reviewer or inspector cannot be controlled by the owner or any entity with an ownership interest in a project. A third-party reviewer or inspector cannot have a contractual relationship with any party to the project, including an owner, contractor, permittee, subcontractor, or other related entity. The Mayor should resolve any conflict matters and can revoke a third-party’s certification for any violation of the rules.

The Mayor may also establish an online platform for permittees to hire a third-party permit reviewer or inspector. The Mayor may charge a fee of not more than five percent of the cost of the third-party reviewer or inspector.

### **Financial Plan Impact**

DOEE worked with the DOB to update its online platform to accommodate third-party permit review and inspection requests for DOEE activities. DOEE intends to pilot its use of third-party entities for ESC matters, of which DOEE conducts approximately 1,200 permit reviews and 5,000 inspections annually. DOEE will charge a five percent fee to an entity that chooses to hire a third-party reviewer or inspector and that fee will be deposited into the District’s Local fund. At this time, DOEE is unsure how many entities may hire third-party reviewers or inspectors for ESC matters, so the fiscal year 2025 budget does not recognize any new Local fund revenues. The fiscal year 2025 budget includes resources for DOEE to support the ongoing maintenance of the online system hosted by DOB.

## **Subtitle (VI)(E) – Greener Government Buildings Amendment Act of 2024**

### **Background**

Under current law, nonresidential construction projects of District-owned buildings must “maintain a net zero energy compliance”.<sup>66</sup> The subtitle makes several changes to how District-owned or District-instrumentally owned buildings must comply with the Greener Government Buildings Act.<sup>67</sup>

First, the subtitle clarifies that nonresidential and mixed-use projects with building permits issued before January 1, 2026, must build to, but not necessarily maintain, net zero energy compliance, and only if the project is new construction or a full modernization. Second, the subtitle removes a requirement that residential projects over 10,000 square feet maintain net zero energy compliance.

Third, the subtitle clarifies that a project shall not be considered non-compliant with net zero energy standard solely because the standard authorizes or requires the use of acquisition of off-site

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<sup>66</sup> D.C. Official Code § 6-1451.02(2)(D).

<sup>67</sup> Effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01 et seq.).

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renewable energy in the District, Maryland, or Virginia, and the site instead uses off-site renewable energy through a power purchase agreement from a renewable energy generation facility located outside the District, Maryland, or Virginia, but within the PJM interconnection region.<sup>68</sup>

The subtitle also makes changes to the Green Building Council<sup>69</sup> exemption process. First, it requires the Green Building Council to meet within 14 days to consider exemption requests from the Mayor. Second, it establishes that a government project shall be deemed to have satisfied requirements for an exemption if it is not technically feasible to build the project to net-zero energy compliance due to programmatic requirements of the building, space constraints of the property site, condition of the existing building, incompatibility with recommendations from a list of District Boards, requirements of the District electric distribution company, or requirements of other statutes or building regulations.

Under current law, beginning January 1, 2025, the District government cannot install space or water-heating appliances that rely on natural gas, oil, or other fossil fuels, except in cases where it would not be technically feasible. The subtitle replaces the word “appliance” in the current law with “system” and clarifies that this does not apply to the replacement of components or units in existing space or water-heating systems.

### **Financial Plan Impact**

The subtitle does not have an impact on the budget and financial plan. The Department of General Services indicates the changes will allow for projects with permits issued prior to January 1, 2026 to comply with net zero requirements.

## **Subtitle (VI)(F) – District Department of Transportation Projects Amendment Act of 2024**

### **Background**

In fiscal year 2020, the Council required the District Department of Transportation (DDOT) to undertake a congestion pricing study,<sup>70</sup> but DDOT only produced a draft report and did not publish a final report. In fiscal year 2024, the Council required DDOT to contract to update the study and for the contractor to directly transmit the study to Council. If DDOT did not enter into a contract by October 1, 2023, then DDOT was prohibited from any capital reprogramming unless Council approved of the reprogramming by resolution.<sup>71</sup>

The subtitle repeals the requirement to update and publish the congestion pricing study and the prohibition on a capital project reprogramming without a Council resolution. The subtitle makes these repeals effective July 1, 2024.

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<sup>68</sup> PJM is a regional transmission organization (RTO) that coordinates the movement of wholesale electricity in all or parts of [13 states and the District of Columbia](https://www.pjm.com/about-pjm). <https://www.pjm.com/about-pjm>

<sup>69</sup> D.C. Official Code § 6-1451.09.

<sup>70</sup> Congestion Pricing Study Amendment Act of 2019, effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 50-921.21(b)).

<sup>71</sup> Congestion Pricing Study Update Amendment Act of 2023, effective September 6, 2023 (D.C. Law 25-50; D.C. Official Code §§ 50-921.21(c) and 47-362(i)).

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The DDOT was redesigning K Street, N.W. from 11<sup>th</sup> Street, N.W. to 21<sup>st</sup> Street, N.W. to enhance pedestrian walkways and crossings, improve overall curbside uses, and install a bus-only transitway along the middle of the street. In fiscal year 2024, the Council prohibited<sup>72</sup> the Mayor from expending any resources, including local or federal funds, on the K Street Transitway project, except for project planning.

The subtitle repeals this fiscal year 2024 prohibition as of July 1, 2024.

The Council also prohibited the Mayor from expending any resources, including local or federal funds, to acquire the Foundry Branch Trolley Trestle (Trolley Trestle) utilizing the fiscal year 2024 budget until the Mayor submitted a plan to the Council. The plan was to include future uses of the Trolley Trestle and an evaluation of the potential liability to the District following acquisition of the Trolley Trestle until the Trolley Trestle is restored, repurposed, or demolished. The Mayor may only acquire the Trolley Trestle after an act authorizing its acquisition is approved by the Council.<sup>73</sup>

The subtitle repeals the requirement to plan for uses of the Trolley Trestle and submit an authorizing act to Council prior to expending resources to acquire the Trolley Trestle. This repeal is effective July 1, 2024.

In fiscal year 2024, DDOT established the new Greater U Street Performance Parking Zone<sup>74</sup> around the District’s U Street, N.W. corridor.<sup>75</sup> The Mayor can adjust fees at metered spaces to manage curbside availability and congestion and to establish metered parking on residential parking zones within the corridor. DDOT was required to establish a baseline level of revenue from all metered spaces located within the performance parking zone by October 1, 2023 and then deposit any revenue generated with the zone above the baseline into the newly established Performance Parking Program Fund<sup>76</sup> (Fund).

The subtitle repeals the Fund and any conforming code provisions<sup>77</sup> that directed parking meter revenues to the Fund.

### **Financial Plan Impact**

DDOT did not receive additional funding to update the congestion pricing study, so there are no cost savings associated with repealing the requirement to update the study. The repeal of the capital budget reprogramming notice to Council will allow DDOT to more efficiently reprogram funds within its capital budget to meet project needs.

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<sup>72</sup> K Street Transitway Planning Act of 2023, effective September 6, 2023 (D.C. Law 25-50; 70 DCR 10366).

<sup>73</sup> Foundry Branch Trolley Trestle Plan Act of 2023, effective September 6, 2023 (D.C. Law 25-50; 70 DCR 10366).

<sup>74</sup> Greater U Street Performance Parking Zone Amendment Act of 2023, effective September 6, 2023 (D.C. Law 25-50; D.C. Official Code § 50-2538).

<sup>75</sup> The area is roughly bounded by S Street, N.W., 17<sup>th</sup> Street, N.W., Florida Avenue, N.W., and Georgia Avenue, N.W.

<sup>76</sup> D.C. Official Code § 50-2531.01.

<sup>77</sup> D.C. Official Code § 50-2603(8)(A).

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The Fiscal Year 2024 Revised Local Budget Emergency Act of 2024 reduces the capital budget for the K Street Transitway project by approximately \$2 million. DDOT is exploring alternative approaches to enhance the safety and uses of the public space along the K Street, N.W. corridor.

DDOT allocated \$250,000 within its Trails Master Capital Project for planning for the District to assume control of the Trolley Trestle. DDOT has determined that the Trolley Trestle requires additional capital resources that are not budgeted for and that pursuing any planning for the Trolley Trestle is not currently needed. DDOT will use the \$250,000 to advance other trail projects.

DDOT established the Greater U Street Performance Parking Zone but has not allocated any resources to the Fund. DDOT will now direct any revenue received from the Greater U Street Performance Parking Zone to support the general operations of the Washington Metropolitan Area Transit Authority as it does with all other parking meter revenue, with limited exceptions.<sup>78</sup>

### **Subtitle (VI)(G) – Clean Curbs Pilot Program Amendment Act of 2024**

#### **Background**

The Department of Public Works (DPW) collects trash and recycling from residential buildings in the District that contain 3 or fewer residential units. In fiscal year 2023, DPW also launched a food waste (composting) pilot program for District residents. DPW provides trash and recycling cans to residential addresses it serves and collects once or twice per week, depending on the location. DPW collects solid waste and recycling from the front of a residence or an alley location.

In fiscal year 2024, DPW was required to implement a one-year, shared container collection pilot program in the District. The pilot program, to be operated by a private waste hauler, would have allowed residents to separate solid waste into trash, glass recyclables, and non-glass recyclables. DPW contracted with a private waste hauler to operate the pilot program, who collected from the shared containers three times per week. Residents who live on the participating blocks were able to opt-in to the pilot program and the subtitle requires at least 70 percent of a block to opt-in to participate. DPW was able to select participating blocks based on funding availability and the ability to meaningfully assess the pilot program. DPW would continue to service households on a pilot block who do not participate in the pilot program.

The fiscal year 2024 budget also required DPW to publish a database, within the first six months of the fiscal year, of its serviced residential addresses indicating where those residences are serviced: the front of the home or an alley location.

The subtitle repeals this program and any related activities. The repeal is effective as of the effective date of the Fiscal Year 2024 Revised Local Budget Emergency Act of 2024.

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<sup>78</sup> D.C. Official Code § 50-2603(8)(A).

### **Financial Plan Impact**

The fiscal year 2024 budget included one-time funding of approximately \$1.14 million for DPW to contract with a private waste hauler to operate the pilot program. DPW also received \$215,000 in fiscal year 2024 and \$219,000 in fiscal year 2025 for program staff.

DPW was unable to implement the pilot program, however DPW retained \$511,000 of these funds in fiscal year 2024 to install public compactor bins and smart composting collection bins. The remaining funds will be reallocated within the Mayor’s fiscal year 2024 revised Local budget. There are no fiscal year 2025 costs associated with repealing this program.

### **Subtitle (VI)(H) – Motor Vehicle Excise Tax Amendment Act of 2024**

#### **Background**

When the Department of Motor Vehicles (DMV) issues an original certificate of title for a vehicle or a subsequent certificate of title for a vehicle sold, resold, or gifted, it requires the vehicle owner to pay an excise tax to the District.<sup>79</sup> The excise tax is calculated as a percentage of the vehicle’s value. Under the CleanEnergy DC Omnibus Amendment Act,<sup>80</sup> DMV was required to recalculate the excise tax rates based on a fuel efficiency standard established in conjunction with the Department of Energy and Environment (DOEE). The new rates, which were set in 2021, established higher rates for vehicles with fuel efficiency performance below the standard set by DMV and DOEE, and lower rates for vehicles with performance higher than the standard.

The subtitle repeals an excise tax exemption for electric vehicles, imposes an excise tax on electric vehicles, and increases the excise tax for vehicles that perform at 40 miles per gallon (mpg) or greater. The following chart identifies the new rate for electric vehicles and reflects the rate change for 40 mpg or greater vehicles:

<b>Vehicle Weight</b>	<b>New Electric Vehicle Rate</b>	<b>Old 40 mpg or Greater Rate</b>	<b>New 40 mpg or Greater Rate</b>
3,499 pounds or less	1.0%	1.0%	1.5%
3,500 – 4,999 pounds	2.0%	2.0%	2.5%
5,000 pounds or greater	3.0%	3.0%	3.5%

The subtitle also requires DMV to publish information for residents to help them better understand vehicle excise tax rates.

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<sup>79</sup> Exceptions include a bona fide gift of a District-titled vehicle between spouses, parent and a child, or domestic partners.

<sup>80</sup> Effective March 22, 2019 (D.C. Law 22-257; D.C. Official Code § 50-2201.03(j)(1A)).



**Financial Plan Impact**

Imposing an excise tax on electric vehicles and increasing the excise tax for vehicles that perform at 40 mpg or greater will generate additional excise taxes for the District. The subtitle will generate \$2.8 million in fiscal year 2025 and \$11.5 million over the four-year financial plan period. The fiscal year 2025 budget includes the necessary resources for DMV to update the excise tax rates in its systems and to publish information for the public to better understand excise tax rates.

<b>Motor Vehicle Excise Tax Amendment Act of 2024</b>					
<b>New Excise Tax Revenues</b>					
<b>(\$ thousands)</b>					
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Excise Tax Revenue	\$2,804	\$2,855	\$2,900	\$2,947	\$11,506

**Subtitle (VI)(I) – Automated Traffic Enforcement Revenue Amendment Act of 2024**

**Background**

In fiscal year 2022, the Council designated that any revenues generated from the Automated Traffic Enforcement (ATE) Program, beyond what was officially certified by the Chief Financial Officer (CFO) to support the District’s general budget, be deposited into the Vision Zero Enhancement Omnibus Amendment Act Implementation Fund (Fund).<sup>81</sup> The District should use the Fund’s resources to implement certain sections of the Vision Zero Enhancement Omnibus Amendment Act of 2020,<sup>82</sup> the Safer Streets Amendment Act of 2022,<sup>83</sup> the Safe Passage Program provisions of the Safe Streets for Students Amendment Act of 2022,<sup>84</sup> and to enhance the safety and quality of the pedestrian and bicyclist transportation networks. At the end of fiscal year 2023, the Fund received \$4,346,555 in ATE revenues that exceeded what was needed for the budget. The February 2023 revenue estimates project an additional \$2.94 million of ATE revenues will be deposited in the Fund at the end of fiscal year 2024.

The subtitle repeals the Fund and authorizes the Mayor to transfer all of the Fund’s resources to the District’s Local fund.

The subtitle also repeals a reporting requirement imposed on the CFO.<sup>85</sup> This required the CFO to report monthly on revenues deposited into the Fund, the CFO’s projection of ATE revenues exceeding what was certified for the annual budget, and the CFO’s methodology for calculating ATE revenues.

The subtitle’s changes are effective as of the effective date of the Fiscal Year 2024 Revised Local Budget Emergency Act of 2024.

<sup>81</sup> ATE System Revenue Designation Amendment Act of 2021, effective November 13, 2021 (D.C. Law 24-45; D.C. Official Code § 50-921.25).

<sup>82</sup> Effective December 23, 2020 (D.C. Law 23-158; 67 DCR 13057).

<sup>83</sup> Effective December 21, 2022 (D.C. Law 24-214; 70 DCR 10).

<sup>84</sup> Effective March 10, 2023 (D.C. Law 24-285; § 2(b), 70 DCR 998).

<sup>85</sup> Dedicated Revenue Adjustments Amendment Act of 2023, effective September 6, 2023 (D.C. Law 25-50; D.C. Official Code § 50-2209.05(b)).

### **Financial Plan Impact**

The subtitle’s repeal of the Fund and effective date of the Fiscal Year 2024 Revised Local Budget Emergency Act of 2024’s effective date means that the Mayor will recognize the fiscal year 2024 \$2.94 million of ATE revenues that would have been designated for the Fund as Local fund revenue. The \$4.3 million in fund balance from fiscal year 2023 will also be transferred to the Local fund in fiscal year 2024.<sup>86</sup> These resources will support the fiscal year 2025 through fiscal year 2028 budget and financial plan. There are no costs or savings associated with repealing the Fund or the CFO’s reporting requirement.

### **Subtitle (VI)(I) – Unfunded Bus Accounts Amendment Act of 2024**

#### **Background**

In 2022, the Council approved three new transit initiatives for District residents.<sup>87</sup> These initiatives required the District Department of Transportation (DDOT) to negotiate fare-free bus service and 24-hour bus service on certain routes, dedicate \$10 million annually to expand transit access in underserved areas, and provide transit subsidies of up to \$100 to District residents. The first two initiatives were to be funded by a dedication of District sales tax revenues to the extent that recurring local revenues over the financial plan exceeded those included in the certified fiscal year 2023 budget.<sup>88</sup> Sales tax revenues to support fare-free and 24-hour bus service were to be deposited into the Fare-Free Bus Service Fund,<sup>89</sup> while the revenues to support expanded transit services in underserved areas were to be deposited into the Bus Service Enhancement Fund.<sup>90</sup>

The subtitle repeals the Fare-Free Bus Service Fund, the Bus Service Enhancement Fund, and the mechanism to dedicate sales tax revenues to each fund.

#### **Financial Plan Impact**

The Chief Financial Officer did not certify excess recurring local revenues in the February 2023 revenue estimate and the two special purpose revenue bus funds did not receive any resources. There are no costs associated with repealing the two funds or the now-dated mechanism to provide resources for the funds.

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<sup>86</sup> See also Subtitle VII(O).

<sup>87</sup> Metro for D.C. Amendment Act of 2022, effective March 22, 2023 (D.C. Law 24-335; D.C. Official Code § 50-921.81 et seq.).

<sup>88</sup> The Chief Financial Officer needed to review local recurring revenues in December 2022 and February 2023 relative to what was included in the certified fiscal year 2023 budget.

<sup>89</sup> D.C. Official Code § 50-921.87.

<sup>90</sup> D.C. Official Code § 50-921.88.

### **Subtitle (VI)(K) – Illegal Vending Enforcement Amendment Act of 2024**

#### **Background**

The Department of Licensing and Consumer Protection (DLCP) enforces vending laws in the District.<sup>91</sup> The subtitle authorizes the Mayor to seize, tow, and impound a food truck if the owner, operator, agent, or employee of the food truck is vending without a valid basic business license, site permit, or other authorization; alters or falsifies a basic business license, site permit, or other authorization; fails to provide a basic business license, site permit, or other authorization upon the request of a law enforcement officer; or parks illegally in public space. The Mayor may also immobilize the food truck if a tow truck operator is not readily available. If the Mayor impounds the food truck, they must notice the food truck owner, operator, and any lienholders of record with details about the vehicle, the violation, fines or fees imposed, the procedures to recover the vehicle, the food truck owner’s appeal rights, and the Mayor’s rights to dispose of the vehicle. This notice can be provided to the food truck operator at the time of impoundment or via first class mail to the food truck owner, if different than the operator. The notice should also be sent to any lienholders via first class mail.

A food truck owner can secure release of their vehicle if they pay any impoundment, towing, immobilization, or storage fees. If the infractions that led to the impoundment are dismissed or overturned, the District should refund the food truck owner’s booting, towing, impoundment, and two days of storage fees. The subtitle authorizes the Mayor to dispose of a vehicle that is not reclaimed in a timely manner.

The subtitle allows the Mayor to contract or engage with private entities to immobilize, tow, impound, store, and release food trucks.

#### **Financial Plan Impact**

DLCP enforces vending violations and will engage with private tow companies to immobilize and remove food trucks that violate license or permit requirements or are otherwise illegally in public space.

### **Subtitle (VI)(L) – Securities and Banking Regulatory Trust Fund Amendment Act of 2024**

#### **Background**

The Department of Insurance, Securities and Banking (DISB) regulates and licenses securities and the banking industry in the District of Columbia. Licensing fees and fines collected from regulated firms are deposited in the Securities and Banking Regulatory Trust Fund.<sup>92</sup> These funds are used by DISB’s Securities and Banking Bureau to carry out its administrative and regulatory operations. Under current law, \$11.63 million each year is also transferred from the Securities and Banking Regulatory Trust Fund to Local funds revenue. The subtitle increases that transfer to \$12.63 million.

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<sup>91</sup> Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.1 et seq.).

<sup>92</sup> D.C. Official Code § 31-107.

### **Financial Plan Impact**

The subtitle increases the amount of Local funds revenue by \$1 million each year starting in FY2025 and decreases the trust fund revenue by the same amount.

## **Subtitle (VI)(M) – School Traffic Safety Action Plans Amendment Act of 2024**

### **Background**

The Safe Streets for Students Amendment Act required the District Department of Transportation (DDOT) to create a master plan for action plans and perform action plans for twenty-five schools annually. These action plans include a comprehensive traffic safety assessment for the school zones, details of existing and to-be-installed traffic safety infrastructure, and the required community engagement plan. DDOT needs to install infrastructure identified in action plans within one year or report on the cause of the delays. DDOT cannot allow any barriers preventing one element of an action plan from stopping DDOT’s plans to install other elements of the action plan. DDOT should prioritize action plans based on the order identified in the master plan.

The subtitle eliminates the requirement that DDOT produce twenty-five action plans annually.

### **Financial Plan Impact**

The fiscal year 2025 through fiscal year 2030 Capital Improvements Plan includes \$6.3 million annually to fund action plans. This funding is sufficient to perform action plans for schools, but not at the currently required level of twenty-five annually.

## **Subtitle (VI)(N) – Parking and Transit Benefits Amendment Act of 2024**

### **Background**

The District requires employers with twenty or more employees (“covered employers”) to provide their employees with a transportation benefits program.<sup>93</sup> These programs include a pre-tax transportation fringe benefit, an employer-paid benefit, or employer-provider transportation through a bus or vanpool. Covered employers that offer a parking benefit to their employees must also offer a clean-air transportation fringe benefit<sup>94</sup> to their employees, pay a \$100 monthly compliance fee, or implement a transportation demand management plan.<sup>95</sup> When accepting a clean-air transportation fringe benefit, the employee estimates the value of the benefit. If the benefit is less than the value of the parking benefit, then the employer must pay the employee the difference in the form of additional compensation, increased health care coverage contribution, or both.

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<sup>93</sup> Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 32-152).

<sup>94</sup> These benefits are employer-provided commuter transportation, transit passes, and qualified bicycle commuting reimbursement.

<sup>95</sup> Transportation Benefits Equity Amendment Act of 2019, effective June 24, 2020 (D.C. Law 23-113; D.C. Official Code § 32-152.01).

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The subtitle repeals the need for DDOT to create a form for employees to estimate how much of the clean-air transportation fringe benefits they use which is then used to compare to the value of the employer-provided parking benefit. The subtitle also eliminates the requirement that the employer provide the difference between the value of the parking benefit and the utilized clean-air transportation fringe benefit as additional compensation or an increase to the health care coverage contribution. The subtitle allows the employer to make a cash payment to an employee who estimates that their use of the clean-air fringe benefit is less than the parking benefit.

### **Financial Plan Impact**

The subtitle simplifies the compensation that employers can offer to employees whose clean-air fringe benefits are less than the employer-offered parking benefit. The subtitle also eliminates a DDOT administrative effort to create a form for employees to estimate their clean-air fringe benefit usage. The subtitle has no impact on the fiscal year 2025 budget as the private sector bears the burden of complying with the District’s transportation benefits program requirements.

## **Subtitle (VI)(O) – Building Energy Performance Standards Amendment Act of 2024**

### **Background**

Under current law,<sup>96</sup> any buildings that are below the energy performance standards to be established by the Department of Energy and Environment (DOEE) will have five years to come into compliance. DOEE must establish exemption criteria that, if met and satisfactorily demonstrated to DOEE, can delay the performance requirements for up to three years.

The subtitle extends the timeframe for District-owned buildings from five to eight years to either meet the standards to be established by DOEE, or an alternative compliance pathway approved by DDOE. The subtitle also allows qualifying buildings, including qualifying affordable housing buildings, to be exempt from compliance with the building energy performance standards if the owner satisfactorily demonstrates certain requirements to DOEE.

Under current law, buildings failing to comply with building energy performance requirements at the end of the five-year compliance period must pay a compliance penalty to be set by DOEE. The subtitle allows building owners to require a tenant to pay if non-compliance is due to unusual or extreme energy use of the tenant.

Lastly, the subtitle allows an owner with more than five buildings to perform third-party verifications of its benchmark and EnergyStar statements for a sample of the owner’s buildings, perform the third-party verifications on a rolling basis over three years, or both.

### **Financial Plan Impact**

The subtitle does not have an impact on the budget and financial plan. However, the Department of General Services indicates that many District-owned properties could be out of compliance with standards, once established, and could be subject to fines if the deadline is not extended.

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<sup>96</sup> D.C. Official Code § 8-1772.21(c).

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## **Subtitle (VI)(P) – Sustainable Energy Trust Fund Utilization Amendment Act of 2024**

### **Background**

The Department of Energy and Environment (DOEE) manages the Sustainable Energy Trust Fund<sup>97</sup> (SETF) which collects surcharges on electric, natural gas, and home heating oil providers in the District to fund energy efficiency and renewable energy projects. The SETF pays for the District’s Sustainable Energy Utility which works to reduce energy consumption, increase renewable energy generating capacity, improve energy efficiency in buildings that support low-income residents, and support green collar jobs in the District. The SETF also provides funding for the District’s Green Finance Authority, energy storage, residential electrification, and other District laws.<sup>98</sup> The District also recently increased the gas and electricity assessments, generating additional revenue for the SETF.<sup>99</sup>

The subtitle bill amends the DOEE’s SETF contribution to the Green Finance Authority. Currently, DOEE must send between \$10 million and \$15 million through fiscal year 2025. The subtitle authorizes DOEE to transfer no more than \$15 million and eliminates the minimum contribution of \$10 million. There are no mandated contributions to the Green Finance Authority after fiscal year 2025.

The subtitle authorizes DOEE to use SETF resources to purchase renewable energy credits and the payment of alternative compliance fees to ensure the District’s compliance with the Renewable Energy Portfolio Standard.<sup>100</sup> DOEE can also expend SETF resources on the purchase of wind or solar energy through purchase power agreements.

The subtitle’s changes are effective as of the effective date of the Fiscal Year 2024 Revised Local Budget Emergency Act of 2024.

### **Financial Plan Impact**

The fiscal year 2024 supplemental budget allocates approximately \$17.3 million in SETF resources for the payment of renewable energy credits or alternative compliance fees or to support purchase power agreements.

The fiscal year 2025 through fiscal year 2028 budget and financial plan allocates \$26 million annually in SETF resources to support the District Government’s energy costs. The fiscal year 2025 budget does not anticipate an SETF allocation for the Green Finance Authority.

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<sup>97</sup> Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10).

<sup>98</sup> The SETF provides funding for the Climate Commitment Act of 2021, effective September 21, 2022 (D.C. Law 24-176; 69 DCR 11946) and the Clean Energy DC Building Code Amendment Act of 2022, effective September 21, 2022 (D.C. Law 24-177; 69 DCR 11947).

<sup>99</sup> Sustainable Energy Trust Fund Rightsizing Amendment Act of 2023, effective September 6, 2023 (D.C. Law 25-50; D.C. Official Code 8-1774.10(b)).

<sup>100</sup> Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431 et seq.).

**Subtitle (VI)(Q) – Late Business License Renewal Penalty Fee Waiver Amendment Act of 2024**

**Background**

The Department of Licensing and Consumer Protection (DLCP) sends a notice to business licensees within sixty days of the pending expiration of their licenses. If a licensee fails to renew their license on time and that license is not otherwise suspended, revoked, or relinquished, DLCP deems the license to be lapsed. DLCP imposes a penalty on licensees who seek to renew a lapsed license of \$250 if they renew within thirty days of the license lapse or \$500 if they renew between thirty days and six months. After six months, a licensee must reapply as a new applicant. If the licensee continued to operate over the six-month period without a license, then they will be subject to other penalties and fees for conducting business without a valid license.

The subtitle authorizes the DLCP director to waive the \$250 and \$500 penalties and any other fines imposed for late renewal, for renewing within six months of a license lapsing if the licensee shows good cause for their failure to renew the license on time.

**Financial Plan Impact**

DLCP collects approximately \$1.7 million in lapsed registration penalties and deposits them into DLCP’s Basic Business License Fund (Fund) along with basic license registration fees. The DLCP director intends to use this authority on a case-by-case basis, therefore it is not possible to determine the revenue loss to the Fund at this time. DLCP will need to adjust its operations supported by the Fund in the future if it were to exercise this authority on a broader basis.

**Subtitle (VI)(R) – Streatery Program Grants Amendment Act of 2024**

**Background**

Current law authorizes the District Department of Transportation (DDOT) Director to issue grants not exceeding \$1 million per grant to support the District’s transportation goals.<sup>101</sup> The subtitle expands the authorization to include grants for streateries and the streatery program.

**Financial Plan Impact**

The fiscal year 2025 budget includes one-time funding of \$750,000 for DDOT to issue grants supporting streatery beautification and accessibility.

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<sup>101</sup> Department of Transportation Establishment Amendment Act of 2008, effective October 22, 2008 (D.C. Law 17-248; D.C. Official Code § 50-921.02(c)(1)).

**TITLE VII – FINANCE AND REVENUE**

**Subtitle (VII)(A) – Combined Reporting Amendment Act of 2024**

**Background**

The District requires combined reporting<sup>102</sup> for corporate tax filers with activity inside and outside of the District of Columbia. Combined reporting means businesses with a presence in multiple states report their nationwide profits, and the District taxes profits proportionally to the sales made in DC.

“Joyce” and “Finnigan” are two approaches to apportioning combined group income among states for tax purposes.<sup>103</sup> The “Joyce” method requires DC to establish taxing jurisdiction separately over every member of a corporate group selling into DC. DC adopted the “Joyce” method of income apportionment when it adopted combined reporting in 2011.<sup>104</sup> The “Finnigan” method of combined reporting treats the entire corporate group as a single taxpayer.

The subtitle would require combined filers to switch to using the “Finnigan” method starting in tax year 2026. Only C-corporations are subject to combined reporting and, therefore, affected by the switch to the “Finnigan” method.

**Financial Plan Impact**

The subtitle adds \$23.1 million of income tax revenue in fiscal year 2027 and \$15.8 million in fiscal year 2028. Although corporate taxpayers are required to make quarterly estimated tax payments throughout the year, given the proposal's complexity, it is assumed that corporate taxpayers would not know which adjustments to make until after the end of the first tax year to which the new filing method applies. Thus, it is assumed that the revenue impact pertaining to tax year 2026 will be reflected starting in fiscal year 2027. By tax year 2027 it is expected that corporate tax filers affected by the change also adjust their estimated payments to reflect the higher tax estimates owed for the current year.

<b>Subtitle (VII)(A) Combined Reporting Amendment Act of 2024</b>					
<b>(\$ thousands)</b>					
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Increase in corporate income tax revenue	\$0	\$0	\$23,100	\$15,800	\$38,900

The Office of Tax and Revenue may require administrative funding in fiscal year 2026 to carry out this subtitle, but those costs are unknown at this time.

<sup>102</sup> D.C. Official Code § 47-1805.02a.

<sup>103</sup> “Joyce” and “Finnigan” refer to two court cases in California that ruled on apportionment methods for combined reporting.

<sup>104</sup> Fiscal Year 2012 Budget Support Act of 2011, effective September 14, 2012 (D.C. Law 19-24; 58 DCR 6226).



**Subtitle (VII)(B) – Excess Central Collection Unit Revenue Amendment Act of 2024**

**Background**

The District’s Delinquent Debt Fund<sup>105</sup> funds the expenses of the Central Collection Unit (CCU) and receives revenue from its collection activities. Under current law, if CCU collections exceed the District’s Local funds revenue estimate for such collections after all administrative expenses of operating the CCU have been paid, up to \$2.5 million may be transferred to the Arts and Humanities Fund. The subtitle repeals this dedication.

**Financial Plan Impact**

Out of the prior three fiscal years, CCU revenues have been sufficient to make a \$2.5 million transfer to the Arts and Humanities fund in two years. CCU collections available for Local funds purposes are therefore projected to increase an average of \$1.7 million annually under the subtitle’s removal of the dedication.

<b>Subtitle (VII)(B) Excess Central Collection Unit Revenue Amendment Act of 2024</b>					
<b>(\$ thousands)</b>					
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Increased Nontax Revenue	\$1,667	\$1,667	\$1,667	\$1,667	\$6,668

**Subtitle (VII)(C) – Deposit of Deed Recordation and Transfer Taxes Act of 2024**

**Background**

As part of the Fiscal Year 2024 Budget Support Act of 2023, the Public Housing Stability Amendment Act of 2023 provided for a new dedication of 15 percent of the revenue from the District’s deed transfer and recordation taxes to development and rehabilitation capital projects for the District of Columbia Housing Authority (DCHA). The dedication was set to begin in fiscal year 2028. The DCHA dedication was in addition to an existing 15 percent dedication for the District’s Housing Production Trust Fund.

The subtitle repeals<sup>106</sup> the 15 percent dedication for DCHA capital projects which was set to begin in fiscal year 2028.

**Financial Plan Impact**

The subtitle increases deed transfer and recordation revenue available for the Local fund in 2028, in the amount of \$78.3 million, and reduces amounts available for DCHA capital projects by the same amount.

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<sup>105</sup> D.C. Official Code § 1-350.04.

<sup>106</sup> By amending the District of Columbia Real Estate Deed Recordation Tax Act, approved March 2, 1962, and by amending § 47-919 of the D.C. Official Code

**Subtitle (VII)(D) – Earned Income Tax Credit Amendment Act of 2024**

**Background**

The District of Columbia has its own Earned Income Tax Credit (EITC) for working adults with and without dependent children. The amount of the DC Earned Income Tax Credit (DC EITC) for filers with qualifying children<sup>107</sup> is a percentage of the federal EITC that currently stands at 70 percent of the federal credit and is scheduled to increase in tax year 2025 and again the following year. <sup>108</sup> The subtitle would freeze the match percentage at 70 percentage in tax year 2025 and all subsequent years.

<b>DC EITC for filers with qualifying children - share of federal EITC</b>			
<i>Tax year</i>	<i>2024</i>	<i>2025</i>	<i>2026 and later</i>
Current law	70%	85%	100%
Subtitle	70%	70%	70%

**Financial Plan Impact**

Eliminating the tax credit increases scheduled to go into effect as of tax year 2025 reduces the cost of the program and increases overall District income tax revenue. Since tax year 2025 credits are paid out in fiscal year 2026 and fiscal year 2027,<sup>109</sup> the subtitle first increases revenue in fiscal year 2026. In total, the subtitle reduces the cost of the DC EITC by \$68.8 million over the four-year financial plan.

<b>Subtitle (VII)(D) - Earned Income Tax Credit Amendment Act of 2024</b>					
<b>(\$ thousands)</b>					
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Revenue increase (individual income tax)	\$0	\$13,405	\$27,399	\$28,002	\$68,806

**Subtitle (VII)(E) – Baby Bonds Amendment Act of 2024**

**Background**

The Child Wealth Building Act of 2021<sup>110</sup> established a Child Trust Fund, a District-funded omnibus account for children born in the District who are covered by Medicaid. The Act provided for an initial

<sup>107</sup> The amount of the DC EITC for filers with no qualifying children is calculated using a different formula.

<sup>108</sup> The DC EITC is also available to filers who are not eligible for the federal EITC because they file tax forms with an individual taxpayer information number (ITIN) instead of a Social Security number. This policy proposal would also apply to these ITIN filers.

<sup>109</sup> Starting with tax year 2023, if the filer’s DC EITC is more than \$1,200, the filer will receive their EITC in 12 monthly payments after filing their return. In tax year 2022, depending on the EITC amount and whether a filer has a qualifying child, filers may receive both a lump sum and monthly payments.

<sup>110</sup> Effective February 18, 2022 (D.C. Law 24-53; D.C. Official Code § 4-681.01 et seq.).

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contribution for all eligible children in their birth year and additional annual deposits for each year that the child lives in the District and meets eligibility requirements until the age of 18. Under existing law, children in families with income up to 300 percent of the federal poverty threshold may be eligible. The deposit amount varies by income tier (with higher contributions for lower-income families) and grows with inflation.

The subtitle modifies the eligibility criteria and the deposit amounts for children eligible for the program. Specifically, it sets eligibility at 100 percent of the federal poverty threshold and changes the deposit amount to \$500 each year, with no indexing to inflation. The subtitle applies retroactively to fiscal year 2022 when the Child Wealth Building Act became effective.

### Financial Plan Impact

The subtitle would reduce the funding needed for the program by \$66.5 million over the four year financial plan period.

As of March 2024, \$17.6 million is available in the trust fund for the fiscal year 2022, fiscal year 2023, and fiscal year 2024 cohorts. This is sufficient to fund the subtitle for the deposits required for the revised program through fiscal year 2027 and part of fiscal year 2028’s cost. The financial plan reflects an incremental \$3.1 million increase for the funding of the program in fiscal year 2028.

<b>Subtitle (VII)(E) - Baby Bonds Amendment Act of 2024</b>					
<b>(\$ thousands)</b>					
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Funding required under current law (annual amounts)	\$12,131	\$15,195	\$18,142	\$20,982	\$66,450
Cumulative Cost under subtitle	\$7,933	\$11,631	\$15,921	\$20,762	
Less, balance in the fund:				(\$17,642)	
Cost included in the financial plan	--	--	--	\$3,120	\$3,120

The cost of the program is \$5.4 million in fiscal year 2029 and \$5.8 million in fiscal year 2030. The costs thereafter through 2040 (when the first cohort turns 18) will be about \$500,000 higher each year.

## **Subtitle (VII)(F) - Sales and Use Tax Amendment Act of 2024**

### **Background**

The District imposes a 6 percent tax on the sale and use of tangible personal property and selected services<sup>111</sup>. The subtitle would raise this “general rate” sales tax to 6.5 percent for fiscal year 2026 and again to 7.0 percent for fiscal year 2027.

Certain portions of District sales taxes are dedicated for specific purposes. Five percent of the revenue the District receives from charging the general 6 percent rate on tangible personal property sales and use and selected services sales and use is currently dedicated to the Arts and Humanities Fund for use by the Commission on Arts and Humanities (CAH)<sup>112</sup>. Growth in this tax dedication is limited to two percent annually through fiscal year 2027<sup>113</sup>. A flat \$1.07 million of all District sales tax revenue is dedicated<sup>114</sup> each year to the Reimbursable Detail Subsidy Program in the Alcohol Beverage and Cannabis Administration (ABCA).

The subtitle revises the percentage of general rate sales and use tax revenue dedicated to CAH in fiscal year 2026 to the lesser of 4.615 percent or 102 percent of revenues dedicated in fiscal year 2025, and beginning in fiscal year 2027 to the lesser of 4.286 percent or 102 percent of the revenues dedicated in the prior fiscal year. The subtitle further repeals the dedication to the Reimbursable Detail Subsidy Program in ABCA.

### **Financial Plan Impact**

The subtitle adds approximately \$338 million to Local funds over the four-year financial plan. The increased general sales tax rate is projected to cause some residents to accelerate their planned purchases in order to pay fiscal year 2025’s 6 percentage applicable rate instead of the increased 6.5 percentage rate applicable to fiscal year 2026. Therefore, fiscal year 2025 sales tax revenues are projected to increase by \$15.7 million. When the increased 6.5 percentage rate is in effect during fiscal year 2026, \$66.7 million of new Local fund revenue is projected. An average of \$128 million of new annual Local fund revenue is projected during fiscal years 2027 and 2028, when the rate increases to 7.0 percentage. These projections factor in some reduced demand for total taxable sales in the District due to the tax increase.

The subtitle also decreases dedicated tax revenue in the Arts and Humanities Fund by \$2.3 million over the financial plan. The fiscal year 2027 impact in the Arts and Humanities Fund is due to the decreased demand for taxable sales, while the fiscal year 2028 impact is due to extending the annual two percent growth limitation that under current law sunsets in fiscal year 2027. Finally, the subtitle decreases dedicated tax revenue to ABCA by \$4.3 million by repealing its dedication.

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<sup>111</sup> D.C. Official Code § 47-2002(a) and § 47-2202 (a).

<sup>112</sup> D.C. Official Code §§ 47-2002(d)(2)(A), 47-2002 (d)(3), 47-2202(b)(2)(A), and 47-2202(b)(3).

<sup>113</sup> D.C. Official Code §§ 47-2002(d)(2)(B) and 47-2202(b)(2)(B)

<sup>114</sup> D.C. Official Code § 47-2002(b).

<b>Subtitle (VII)(F) - Sales and Use Tax Amendment Act of 2024</b>					
<b>(\$ thousands)</b>					
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Additional Local - Funds Revenue (net of dedication changes)	\$15,728	\$66,682	\$115,569	\$140,450	\$338,429
Change in CAH Dedication	\$0	\$0	(\$66)	(\$2,221)	(\$2,287)
Change in ABCA Dedication	(\$1,070)	(\$1,070)	(\$1,070)	(\$1,070)	(\$4,280)

**Subtitle (VII)(G) – Excess Debt Service Appropriations Amendment Act of 2024**

**Background**

At the end of the fiscal year, any unspent funds appropriated for District debt service,<sup>115</sup> are transferred to the District Department of Transportation (DDOT) PAVEDC-Local Street Paving Project<sup>116</sup>. The subtitle removes this dedication, so any unspent funding in the debt service budget will be processed as standard lapsing General Fund dollars at the end of the fiscal year.

**Financial Plan Impact**

The subtitle has no impact on the budget and financial plan. It is not known until the end of the fiscal year how much debt service funding will be unspent, if any. DDOT’s local street budget is not dependent on this funding transfer.

**Subtitle (VII)(H) – Capital Arts Budgeting Amendment Act of 2024**

**Background**

The Commission on Arts and Humanities (CAH) issues grants, provides capital support, and operates programs to support art organizations, artists, and community groups in the District of Columbia. The subtitle eliminates a formulaic set aside within the District’s capital budget for CAH spending on arts infrastructure.

**Financial Plan Impact**

The subtitle has no impact on the budget and financial plan. The CAH budgets any arts infrastructure projects against dedicated District tax revenues it receives, as well as private sources.

<sup>115</sup> D.C. Official Code § 47-334(1).

<sup>116</sup> D.C. Official Code § 47-362(f).

### **Subtitle (VII)(I) – Howard University Hospital and Redevelopment Support Amendment Act of 2024**

#### **Background**

The Fiscal Year 2024 Budget Support Act of 2023 provided \$5 million in funding each year from fiscal year 2028 through fiscal year 2032 (for a total of \$25 million) to Howard University to operate a new teaching and research hospital. The new hospital is part of a redevelopment to replace the existing facility on Georgia Avenue.<sup>117</sup> The subtitle repeals this provision.

#### **Financial Plan Impact**

During the financial plan, the subtitle results in savings of \$5 million in fiscal year 2028.

### **Subtitle (VII)(I) - Paygo Capital Amendment Act of 2024**

#### **Background**

Current law<sup>118</sup> requires a minimum amount of funding from Local revenue sources to be allocated annually to the Capital Improvements Program. This “Paygo” funding requirement for fiscal year 2025 is \$206 million. For years other than fiscal year 2025, the minimum Paygo funding is the amount of \$58.95 million plus 25 percent of the amount the local revenues for that fiscal year exceeds the Local funds revenue in the baseline fiscal year of 2020. If the minimum transfer amount is equal to or exceeds the amount reported for additions to the accumulated depreciation of capital assets as reported in the most recent Annual Consolidated Financial Report (ACFR), then the minimum equals the amount reported for additions to the accumulated depreciation of capital assets.

The subtitle gives the District two options to meet the minimum required Paygo funding. The first option requires every year of the Capital Improvements Plan to have Paygo funding equal to or greater than the amount reported for additions to total accumulated depreciation of capital assets (not including additions due to right-to-use assets) in the most recent ACFR (“reported accumulated depreciation”). The second option requires cumulative Paygo funding across the six year Capital Improvement Plan to be at least six times reported accumulated depreciation. For fiscal year 2025 only, the subtitle sets the minimum required Paygo funding at five times the reported accumulated depreciation, plus \$206 million.

Lastly, the subtitle adds Special Purpose Revenue (other) funds to the operating funds in the Capital Improvements Plan that can be used to calculate whether the minimum transfer has been met. Currently, only Local funds, dedicated funds, or federal funds received from the Infrastructure Investment and Jobs Act<sup>119</sup> are part of that calculation.

#### **Financial Plan Impact**

The subtitle requires a minimum of \$2.96 billion in Paygo funding across the fiscal year 2025 through fiscal year 2030 Capital Improvements Plan. This minimum is calculated per the subtitle by multiplying the amount of reported accumulated depreciation in the fiscal year 2023 ACFR, which

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<sup>117</sup> [Howard University Hospital Project | newhospitals \(dc.gov\)](https://www.newhospitals.dc.gov/)

<sup>118</sup> D.C. Official Code § 47-392.02.

<sup>119</sup> Approved November 15, 2021 (Pub. L. No. 117-58; 135 Stat. 429)..

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was \$552.2 million, by five, and adding \$206 million. The proposed fiscal year 2025 through fiscal year 2030 Capital Improvements Plan contains \$3.35 billion in planned Paygo funding, exceeding the minimum requirement by \$388.2 million.

**Subtitle (VII)(K) – Excess Ballpark Fee Revenue Amendment Act of 2024**

**Background**

The Ballpark Revenue Fund (“Ballpark Fund”) collects dedicated revenue including utility gross receipts taxes, the Ballpark Fee, and sales taxes from sales of tickets, concessions, and merchandise at the stadium. Current law provides that as long as the amounts are not needed to pay debt service on Ballpark Revenue bonds, the first \$22 million of any revenue collected in the Ballpark Fund in fiscal year 2024 and the first \$20 million of revenue collected in fiscal years 2025 through 2027 may be transferred to the District’s General Fund. The subtitle, applicable as of the effective date of the Revised Fiscal Year 2024 Local Budget Emergency Act of 2024, increases the authorized General Fund transfer amounts to \$32.37 million in fiscal year 2024, \$31.47 million in fiscal year 2025, \$32.92 million in fiscal year 2026, \$34.06 million in fiscal year 2027, and \$35.19 million in fiscal year 2028.

**Financial Plan Impact**

The Ballpark Fund is projected to receive excess revenue each year, beyond required debt service, and some of these amounts are used for General Fund purposes in the budget and financial plan. The subtitle’s increased authorization of amounts is based on additional ballpark revenues certified in the February 2024 revenue estimates, and it provides for an additional \$84 million of General Fund use over the financial plan. The balance of the projected excess revenue will be used to defease bonds, and the bonds are expected to be fully repaid during fiscal year 2028.

<b>Subtitle (VII)(K) Excess Ballpark Fee Revenue Amendment Act of 2024</b>						
<b>(\$ thousands)</b>						
	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total, FY2024- FY2028</b>
Additional transfers to the General Fund	\$10,370	\$11,475	\$12,920	\$14,067	\$35,199	\$84,031

## **Subtitle (VII)(L) - Right-of-Way Fee, Gas Tax, and Gas Surcharge Amendment Act of 2024**

### **Background**

The District collects a tax and a local transportation surcharge ("surcharge") on motor vehicle fuels imported to the District. The motor fuel tax is currently deposited in the District of Columbia Highway Trust Fund<sup>120</sup> (HTF), which funds the District Department of Transportation's (DDOT) local match requirement for federal capital projects, and the motor fuel surcharge is deposited in the Local Transportation Fund,<sup>121</sup> which funds DDOT's local capital projects. The subtitle redirects the motor fuel surcharge to the HTF to support the local match requirement.

The District collects rights-of-way (ROW) occupancy fees from entities using the surface, air space, or areas below public space for purposes such as stand-alone conduit or pipe, aerial lines, or transmission facilities. These fees are currently designated to supplement motor fuel tax revenues in the HTF to the extent necessary to satisfy the local match requirements. The remainder of the ROW revenue is designated to the Local Transportation Fund to support the renovation, repair, and maintenance of local transportation infrastructure. The subtitle makes ROW fees available as a source of Local funds revenue.

### **Financial Plan Impact**

The subtitle does not affect total revenues for the HTF,<sup>122</sup> but replaces some of the ROW fees designated for the HTF with the motor fuel surcharge. The motor fuel surcharge will generate \$10.4 million in fiscal year 2025 and \$42.1 million over the four-year financial plan period. The subtitle does not impact the revenues or allocation of motor fuel taxes. The District will collect \$19.8 million in fiscal year 2025 and \$77.4 million over the four-year financial plan period in motor fuel taxes.

The District will collect \$45.1 million of ROW fees annually and a total of \$180 million over the four-year financial plan period. After accounting for the motor fuel tax and motor fuel surcharge revenues, \$10.8 million in fiscal year 2025 and \$61.6 million over the four-year financial plan period of ROW fees will be designated for the HTF. The financial plan includes \$56.3 million of local transportation projects funded from the Local Transportation Fund, all of which will be sourced under the subtitle by ROW fees.

The subtitle allows remaining ROW fee revenue to be deposited in Local funds. The District will deposit \$20.3 million in fiscal year 2025 and \$62.4 million over the four-year financial plan period into the District's Local fund.

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<sup>120</sup> Highway Trust Fund Establishment Act and the Water and Sewer Authority Amendment Act of 1996, effective April 9, 1997 (D.C. Law 11-184; D.C. Official Code § 9-111.01).

<sup>121</sup> PA0 6630 – Local Transportation Revenue – Paygo.

<sup>122</sup> The HTF requires \$41 million in fiscal year 2025 and \$181.1 million over the four-year financial plan period.



<b>Subtitle (VII)(L) Right-of-Way Fee, Gas Tax, and Gas Surcharge Amendment Act of 2024</b>					
<b>Allocation of Right-of-Way Fees</b>					
<b>(\$ thousands)</b>					
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Total ROW Fees	\$45,100	\$45,100	\$45,100	\$45,100	\$180,400
Less: Used for HTF	(\$10,781)	(\$16,041)	(\$17,296)	(\$17,535)	(\$61,627)
Less: Used for local transportation projects	(\$13,990)	(\$14,052)	(\$14,114)	(\$14,176)	(\$56,331)
<b>Local Funds Increase/Local Transportation Fund decrease</b>	<b>\$20,321</b>	<b>\$15,026</b>	<b>\$13,682</b>	<b>\$13,380</b>	<b>\$62,409</b>

**Subtitle (VII)(M) – Non-Lapsing Account Repeals Amendment Act of 2024**

**Background**

The subtitle repeals the following non-lapsing accounts:

- The Historic Landmark District Protection Fund<sup>123</sup>
- The Common Lottery Board Fund<sup>124,125</sup>
- The School Safety and Positive Climate Fund<sup>126</sup>
- The Clean Rivers Impervious Area Charge Assistance Fund<sup>127</sup>
- The Lead Service Line Priority Replacement Assistance Fund<sup>128</sup>
- The H Street Retail Priority Area Grant Fund<sup>129</sup>
- The Medical Cannabis Social Equity Fund<sup>130</sup>

**Financial Plan Impact**

The budget and financial plan does not include any budget authority for any of the subtitle’s repealed funds. The subtitle impacts dedicated revenue available for the Healthy DC Fund. All dedicated taxes

<sup>123</sup> By amending Section 11b(k) of the Historic Landmark and Historic District Protection Act of 1978, effective March 2, 2007 (D.C. Law 16-189; D.C. Official Code § 6-1110.01)

<sup>124</sup> By amending Section 206 of the Department of Education Establish Act of 2007, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code 38-195).

<sup>125</sup> By amending Section 4122(g) of the My School DC EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code 38-196.01(g)).

<sup>126</sup> By amending Section 207 of the Attendance Accountability Amendment Act of 2013, effective August 29, 2018 (D.C. Law 22-157; D.C. Official Code 38-236.07).

<sup>127</sup> Clean Rivers Impervious Area Charge Assistance Fund Amendment Act of 2019, effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 8-151.13a).

<sup>128</sup> By amending The Lead Service Line Priority Replacement Assistance Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 et seq.).

<sup>129</sup> By amending Sections 2, 3, and 4 of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code §§ 1-325.171, 1-325.172, and 1-325.173).

<sup>130</sup> By amending Section 9b of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective September 21, 2022 (D.C. Law 24-167; D.C. Code § 7-1671.08b).

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from the sale of medical marijuana will be deposited into the Healthy DC Fund instead of the Medical Cannabis Social Equity Fund. Since both are dedicated tax funds, there is no net revenue change as a result of the elimination of the Medical Cannabis Social Equity Fund. The Healthy DC Fund will increase by \$312,000 in fiscal year 2025 and by \$6.51 million over the financial plan.

<b>Medical Cannabis Social Equity Fund Repeal Change in Dedicated Tax Revenue (\$ thousands)</b>					
	FY 2025	FY 2026	FY 2027	FY 2028	Total
Healthy DC Fund Revenue Increase	\$312	\$439	\$2,807	\$2,947	\$6,505
Medical Cannabis Social Equity Fund Revenue Decrease	(\$312)	(\$439)	(\$2,807)	(\$2,947)	(\$6,505)
Net Revenue Impact	\$0	\$0	\$0	\$0	\$0

**Subtitle (VII)(N) – Non-Lapsing Fund Transfers Act of 2024**

**Background**

The subtitle authorizes the Chief Financial Officer to transfer fund balance available in special purpose, dedicated tax, and segregated Local funds to the unassigned fund balance of the General Fund for use in the proposed fiscal year 2025 through fiscal year 2028 budget and financial plan. The affected funds and transfer amounts are listed in the chart below:

<b>Subtitle (VII)(N) – Non-Lapsing Fund Transfers Act of 2024 Fund Balance Transfer</b>			
Agency Code	Fund Number	Fund Name	Amount
AM0	1060206	Eastern Market Enterprise Fund	(\$27,870)
AM0	1011014	West End Library/Firehouse Maintenance	(\$911,844)
AT0	1060052	Recorder of Deeds Surcharge	(\$957,834)
BD0	1010107	Targeted Homeowner Grant Program	(\$67,223)
BG0	1010094	Disability Compensation Fund	(\$4,920,605)
BX0	1060004	Arts and Humanities Enterprise Fund	(\$2,529,845)
BX0	1011002	Dedicated Taxes	(\$4,558,566)
CB0	1060035	Child Support TANF/AFDC Collections	(\$1,894,662)
CB0	1060051	Child Support Interest Income	(\$2,428)
CE0	1010105	Library Collections Account	(\$2,754,755)
CE0	1060302	Revenue-Generating Activities	(\$449,024)
CF0	1060104	DC Jobs Trust Fund	(\$908,187)
CF0	1060103	Wage Theft	(\$194,856)
CF0	1060416	Apprenticeship Fees	(\$39,029)
CIO	1010095	Designated Fund Balance	(\$1)
CIO	1060009	Special Purpose Revenue Fund	(\$430,872)
CQ0	1060261	Rental Unit Fee Fund	(\$302,678)
CR0	1060283	Corporate Recordation Fund	(\$3,136,955)
CR0	1060267	Occupational and Professional Licensing Special Account	(\$1,298,839)
CR0	1060265	Real Estate Guarantee and Education Fund	(\$764,760)

<b>Subtitle (VII)(N) – Non-Lapsing Fund Transfers Act of 2024</b>			
<b>Fund Balance Transfer</b>			
<b>Agency Code</b>	<b>Fund Number</b>	<b>Fund Name</b>	<b>Amount</b>
CR0	1060277	DC Combat Sports Commission Fund	(\$412,351)
CR0	1060272	Basic Business License Fund	(\$229,500)
CR0	1060284	Vending Regulation Fund	(\$125,392)
CR0	1060266	Real Estate Appraisal Fee	(\$37,488)
DH0	1060129	Operating Utility Assessment	(\$847,584)
DJ0	1060127	Advocate For Consumers	(\$44,008)
DX0	1010201	Technical Support and Assistance Fund	(\$353,520)
EBO	1060131	Economic Development Special Account	(\$1,001,307)
EBO	1011017	Walter Reed Redevelopment	(\$66,539)
EBO	1011016	St Elizabeth East Campus Redevelopment	(\$855,560)
ENO	1010108	Ward 7 and Ward 8 Entrepreneur Grant Fund	(\$5,520)
ENO	1060303	Streetscape Loan Relief Fund	(\$11,225)
FBO	1060016	FEMS Reform Fund	(\$2,000,000)
FLO	1060006	Corrections Trustee Reimbursement	(\$410,826)
FO0	1010043	Private Security Camera Incentive Fund	(\$354,539)
FO0	1010042	Community-Based Violence Reduction Fund	(\$300,000)
FX0	1060419	Medical Examiner Pathology and Toxicology	(\$244,760)
GA0	1060147	DCPS School Facility Fund	(\$1,140,372)
GB0	1060324	Administrative Fees	(\$1,000,000)
GD0	1010106	Special Education Enhancement Fund	(\$5,800,000)
GD0	1010110	Common Lottery Board Fund	(\$225,082)
GD0	1010112	School Safety and Positive Climate	(\$6,384)
GD0	1060102	Student Residency Verification Fund	(\$182,416)
GD0	1060107	Child Development Facilities Fund	(\$99,611)
GD0	1011008	Healthy Schools	(\$1,072,560)
GLO	1060106	State Athletic Acts Program and Office Fund	(\$147,696)
HA0	1060026	Enterprise Fund Account	(\$1,103,211)
HCO	1010001	General Purpose Local Fund	(\$3,783,461)
HCO	1010096	Health Professional Recruitment Fund	(\$457,097)
HCO	1010189	Howard University Hospital Centers of Excellence	(\$398,222)
HCO	1060151	Board of Medicine	(\$4,658,202)
HCO	1060050	SHPDA Fees	(\$1,162,624)
HCO	1060133	Pharmacy Protection	(\$448,527)
HCO	1060186	DOH Regulatory Enforcement Fund	(\$20,307)
HCO	1060171	ICF/MR Fees and Fines	(\$7,338)
HCO	1060166	SHPDA Admission Fee	(\$4,155)
HT0	1060386	Individual Insurance Market Affordability and Stability	(\$6,804,203)
HT0	1060128	Medicaid Collections-Third Party Liability	(\$2,824,833)
HT0	1060132	Bill of Rights (Grievances and Appeals)	(\$1,065,715)
HT0	1060137	Medicaid Recovery Audit Contractor	(\$1,401)
HT0	1011010	Hospital Assessment Tax	(\$137,629)
HT0	1011009	Stevie Sellows	(\$1,431,003)
HT0	1011011	DC Provider Fee	(\$6,306,930)

<b>Subtitle (VII)(N) – Non-Lapsing Fund Transfers Act of 2024</b>			
<b>Fund Balance Transfer</b>			
<b>Agency Code</b>	<b>Fund Number</b>	<b>Fund Name</b>	<b>Amount</b>
HT0	1011003	Nursing Homes Quality of Care Fund	(\$6,872,308)
HT0	1011007	Healthy DC Fund	(\$9,473,628)
HY0	1010001	General Purpose Local Fund	(\$1,455,600)
JA0	1060039	SSSI Payback	(\$188,089)
JZ0	1060421	US Marshall Detention Services Agreement	(\$192,317)
KA0	1060428	Vision Zero Enhance Omnibus Amendment Act	(\$4,346,555)
KA0	1060281	DC Circulator Fund NPS Mall Route	(\$596,249)
KA0	1060280	WMATA Projects	(\$334,084)
KA0	1060340	Vision Zero Pedestrian and Bicycle Safety	(\$203,307)
KE0	1060019	Parking Meter WMATA	(\$8,125,164)
KE0	1011002	Dedicated Taxes	(\$7,160,848)
KG0	1010161	CRIAC Relief Fund	(\$312,107)
KG0	1010181	Lead Service Line Replacement Fund	(\$94,175)
KG0	1060174	Renewable Energy Development Fund	(\$6,605,692)
KG0	1060184	Anacostia River Clean Up Fund	(\$1,862,803)
KG0	1060330	Energy Assistance Trust Fund	(\$1,252,216)
KG0	1060366	Pesticide Product Registration	(\$428,387)
KG0	1060154	Storm Water Fees	(\$174,061)
KG0	1060159	Product Stewardship Fund	(\$110,604)
KG0	1060058	Underground Storage Tank Fines and Fees	(\$101,457)
KG0	1060332	Special Energy Assessment Fund	(\$99,940)
KG0	1060314	DC Municipal Aggregation Program	(\$62,272)
KG0	1060181	Lead Service Line Replacement Fund	(\$58,487)
KG0	1060318	Benchmarking Enforcement Fund	(\$56,595)
KT0	1060288	Solid Waste Disposal Fee Fund	(\$1,622,607)
KT0	1060286	Solid Waste Diversion Fund	(\$255,160)
KT0	1060268	Super Can Program	(\$11,246)
KV0	1060310	Motor Vehicle Inspection Station	(\$5,016)
LQ0	1060374	ABC Import and Class License Fees	(\$346,000)
LQ0	1011002	Dedicated Taxes	(\$637,750)
PA0	1060422	Gas Surcharge Revenue Paygo	(\$125,562)
RJ0	1060146	Subrogation Fund	(\$666,956)
RJ0	1060196	Captive Insurance Fund	(\$134,455)
RM0	1060123	Agreement with Independent Agencies	(\$2,550,643)
RM0	1011012	Gambling Addiction Treatment and Research	(\$172,460)
SR0	1060242	Insurance Assessment	(\$845,823)
SR0	1060240	HMO Assessment	(\$13,331)
SR0	1060254	Foreclosure Mediation Fund	(\$4,000)
TC0	1060381	Public Vehicles for Hire Consumer Service	(\$193,065)
VA0	1060007	Office of Veterans Affairs Fund	(\$7,000)
<b>Total</b>			<b>(\$131,497,950 )</b>

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### **Financial Plan Impact**

The subtitle provides approximately \$131.50 million to balance the proposed fiscal year 2025 through fiscal year 2028 budget and financial plan.

### **Subtitle (VII)(O) – Subject to Appropriations Repeals**

#### **Background**

The subtitle authorizes expenditures for laws, and portions of laws (see table below) which were passed subject to appropriations.

The subtitle modifies the subject to appropriations clause for the Secure DC Omnibus Amendment Act of 2024<sup>131</sup> to reflect the inclusion of four provisions funded in the budget and financial plan. Section 2(b) creates a permanent Safe Commercial Corridor program, which is designed to serve businesses, residents, and visitors in a commercial neighborhood in order to maintain public and commercial space in that area and to improve public safety. Section 16 expands the existing private security camera incentive program to include two additional items—internal cameras, and rollbreak sensors—that can be rebated for small commercial properties. Section 28(c) establishes a pre-arrest diversion task force chaired by the Criminal Justice Coordinating Council. And Subsections 30(f), (g), (h), and (k) make changes to the standards considered for pretrial detention and release of adults, and expand the violent crimes for which there is a rebuttable presumption of detention. These changes to pretrial detention will sunset after 225 days.

The subtitle modifies the subject to appropriations clause for the Business and Entrepreneurship Support to Thrive Amendment Act of 2022<sup>132</sup> to make the act effective as of October 1, 2025. The budget and financial plan include \$2.5 million in administrative costs for the Department of Licensing and Consumer Protection in fiscal year 2025, and a backfilling of lost special purpose revenue with Local funding of \$6.9 million annually beginning in fiscal year 2026, when reduced fees are expected to be effective.

#### **Financial Plan Impact**

The costs that have been funded in the budget and financial plan are listed on the following page for each law or act that will become effective under the subtitle:

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<sup>131</sup> Projected Law Date May 18, 2024 (D.C. Act 25-411; 71 DCR 2732).

<sup>132</sup> Effective March 22, 2023 (D.C. Law 24-333; 70 DCR 1524).

<b>Subtitle (VII)(O) - Subject to Appropriations Repeals</b>					
<b>(\$ in thousands)</b>					
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Total</b>
Section 2(b), Safe Commercial Corridors	\$2,323	\$2,329	\$2,335	\$2,342	\$9,330
Section 16, Private Security Incentive Program	\$322	\$328	\$334	\$340	\$1,323
Section 28 (c), CJCC Diversion Task Force	\$ 160	\$163	\$166	\$170	\$659
Section 30 (f), (g), (h), (k), Pretrial Detention for Adults	\$1,817	-	-	-	\$1,817
<b>Total, Secure DC Omnibus Amendment Act of 2024</b>	<b>\$4,622</b>	<b>\$2,820</b>	<b>\$2,835</b>	<b>\$2,852</b>	<b>\$13,129</b>
<b>Business and Entrepreneurship Support to Thrive Amendment Act of 2022</b>	<b>\$2,500</b>	<b>\$6,998</b>	<b>\$6,998</b>	<b>\$6,998</b>	<b>\$6,998</b>

**Subtitle (VII)(P) - Reinstatement of Subject-to-Appropriation Provisions**

**Background**

The subtitle reinstates a subject-to-appropriations provision for the Green Building Act of 2006<sup>133</sup> with regard to District-owned or District instrumentality-owned projects receiving building permits on or after January 1, 2026, until such time costs associated with those projects are included in an approved budget and financial plan.

The subtitle also reinstates a subject-to-appropriations provision for the CleanEnergy DC Omnibus Amendment Act of 2018<sup>134</sup> as it applies only to District-owned or District instrumentality-owned buildings.

**Financial Plan Impact**

The Department of General Services indicates that it will be unable to meet the requirements of the Green Building Act and the CleanEnergy DC Omnibus Amendment Act of 2018 within current resources for projects planned after January 1, 2026. However, current law provides for exemptions where site or project constraints prevent the laws’ required construction components. If such exemptions are granted they would mitigate a cost impact. If current planned projects have to meet current law requirements without exemptions, changes may need to be made to the Capital Improvements Plan.

<sup>133</sup> Effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.02).

<sup>134</sup> Effective March 22, 2019 (D.C. Law 22-257; D.C. Official Code § 6-1451.02).

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of the Attorney General



BRIAN L. SCHWALB  
ATTORNEY GENERAL

Legal Counsel Division

**TO:** Tomás Talamante  
Director  
Office of Policy and Legislative Affairs

**FROM:** Megan D. Browder  
Deputy Attorney General  
Legal Counsel Division

**DATE:** April 3, 2024

**RE:** Legal Sufficiency Review of Proposed Bill, the “Fiscal Year 2025 Budget Support Act of 2024”  
(AE-24-194)

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**This is to Certify that** this Office has reviewed the above-referenced draft legislation and found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at (202) 724-5524.

A handwritten signature in black ink that reads "Megan D. Browder".

Megan D. Browder