

A BILL

24-285

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To enact and amend provisions of law necessary to support the Fiscal Year 2022 budget.

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

**TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

**SUBTITLE A. INSPECTOR GENERAL SUPPORT FUND**

Sec. 1001. Short title.

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

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

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

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

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

“(1) Twenty-five percent of the revenue received by the District from each restitution and recoupment resulting from a criminal action that was initiated based on a referral by the Office of the Inspector General of a criminal matter to the United States Attorney’s Office or the Office of the Attorney General for the District; provided, that such revenue is not due to another party or encumbered by federal or other legal restrictions; provided further, that before



the deposit of such revenue into the Fund in each of Fiscal Years 2022 through 2025, there shall be deposited first into the General Fund of the District of Columbia \$284,000 from such recoveries or from recaptured payments described in paragraph (2) of this subsection; and

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

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

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

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

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

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

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

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

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

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

Sec. 1011. Short title.

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

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

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

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

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

“(18) To issue a report to the Mayor and the Council within 90 days after the end of the public health emergency that began on March 11, 2020 (“Public Health Emergency”), that includes:

“(A) A review and analysis of emergency procurements conducted under the Public Health Emergency that includes:

“(i) A comprehensive listing of each emergency procurement conducted, including the date of contract award, the source selection method, including whether the procurement was competitively sourced, the name and certified business enterprise status of the awardee, the award amount, the category of goods or services procured, and a description of the specific goods or services procured;

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

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

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

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

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

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

240 “(viii) A plan for disposition of any excess supplies and  
241 equipment; and

242 “(ix) A plan for retaining or decommissioning the additional  
243 warehouse space acquired during the public health emergency;

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

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

250 “(ii) The number of emergency procurement contracts awarded to  
251 certified business enterprises relative to the total number of emergency procurement contracts  
252 awarded;

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

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

**SUBTITLE C. FAIR ELECTIONS CLARIFICATION**

Sec. 1021. Short title.

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

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

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

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

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

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

**ENGROSSED ORIGINAL**

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

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

280                   “(3) For candidates for Attorney General, 110% of the average expenditures per  
281 election cycle of all candidates who were elected Attorney General in all prior general elections  
282 for Attorney General, until such time as 4 general elections for Attorney General have been held,  
283 after which time, 110% of the average expenditures per election cycle of all candidates who were  
284 elected Attorney General in the prior 4 general elections for Attorney General;

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

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

291                   “(6) For candidates for member of the State Board of Education elected at-large,  
292 110% of the average expenditures per election cycle of all candidates who were elected member  
293 of the State Board of Education elected at-large in the prior 2 general elections for member of the  
294 State Board of Education elected at-large; and

“(7) For candidates for member of the State Board of Education elected by ward, 110% of the average expenditures per election cycle of all candidates who were elected member of the State Board of Education elected by ward in the prior 2 general elections for member of the State Board of Education elected by ward.”.

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

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

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

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

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

#### **SUBTITLE D. ATTORNEY GENERAL SUPPORT AND RESTITUTION**

#### **FUNDS**

Sec. 1031. Short title.

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

Sec. 1032. The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.81 *et seq.*), is amended as follows:

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

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

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

“(1) Subject to the limitations of subsection (d)(3) of this section and notwithstanding any other provision of District law, any recoveries from claims or litigation brought by the Office of the Attorney General on behalf of the District shall be deposited into the Fund;

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

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

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

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

(B) Subparagraph (B) is repealed.

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



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

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

“(e) For the purposes of this section, the term “recovery” shall include funds obtained through court determinations or through the settlement of claims in which the Office of the Attorney General represents the District but shall not include funds obtained through an administrative proceeding or funds obligated to another source by federal law. Recoveries shall be deposited into the Fund regardless of whether the amounts payable to satisfy the underlying obligations would otherwise have been required to be deposited into a different District special fund.”.

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

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

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

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

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

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

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

(2) Subsection (h) is repealed.

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

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

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

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

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

Sec. 1041. Short title.

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

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

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

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

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

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

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

Sec. 1051. Short title.

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

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

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

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

**SUBTITLE G. DISABILITY INSURANCE OVERPAYMENT REMEDY**

Sec. 1061. Short title.

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

Sec. 1062. Definitions.

For the purposes of this subtitle, the term:

(1) “Affected employee” means each past and current District government employee who DCHR determines overpaid premiums on disability insurance at any time during the period from January 1, 2010, through December 31, 2020.

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

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

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

Sec. 1063. Notification and repayment of premiums.

By September 30, 2022, DCHR shall:

(1) Identify all affected employees;

(2) Individually notify each affected employee about the fact of the overpayment, the date range of the employee's overpayment, the total dollar amount overpaid by the employee, and the formula DCHR used to arrive at the affected employee's overpayment amount;

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

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

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

(A) Total number of affected employees;

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

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

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

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

Sec. 1064. Sunset.

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

**SUBTITLE H. DISTRICT GOVERNMENT EMPLOYEE RESIDENCY**

**RESEARCH**

Sec. 1071. Short title.

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

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

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

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

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

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

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

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

“(2A) “Employment information” means the agency for which the employee works; the employee’s job title, salary, employment service and grade, occupation, and

occupational group; the employee's status as a full-time, part-time, term, or permanent employee; and the employee's status as a highly-compensated employee.".

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

"(4) "Jurisdiction of residence" means the city, county, and state, as applicable, in which a District government employee maintains the employee's primary or permanent residence.

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

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

"Sec. 106a. Study of District government employee residency.

"(a)(1) DCHR shall conduct a study on District government employee and applicant residency and residency-related policies ("study"), which it shall submit to the Council no later than October 1, 2022. The study shall utilize the results of each of the components described in subsection (b) of this section to provide a comprehensive analysis on the District government workforce as a whole and on sworn police officers, firefighters, and other groups regarding current patterns related to District government employees' jurisdictions of residence; barriers to higher rates of District residency; reasons for District residency; effectiveness of current residency-related policies; and factors or policies that, if changed, could increase the rates of District residency for District government employees.

476                   “(2) DCHR shall provide the Council Committee on Labor and Workforce  
477   Development a status update on the research, in writing, 3 months, 6 months, 9 months, 10  
478   months, and 12 months following the applicability date of the District Government Employee  
479   Residency Research Amendment Act of 2021, approved by the Committee of the Whole on July  
480   20, 2021 (Committee print of Bill 24-285).

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

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

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

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

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

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

496                   “(i) Employment information;



497                               “(ii) Demographics;

498                               “(iii) Median housing costs, including monthly rent and home sale

499 price, in common jurisdictions of residence; and

500                               “(iv) Applicable residency-related policies;

501                               “(B) Patterns, including rates of application and of hire, of District

502 government job applicants, by jurisdiction of residence and then by agency, salary level,

503 employment service and grade, occupation, and occupational group; and for District resident

504 applicants, the analysis shall also include a review of total workforce and agency-level patterns

505 and rates at which applicants:

506                               “(i) Were qualified for the applied-for jobs based on the 100-point

507 scale;

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

509                               “(iii) Received an interview;

510                               “(iv) Received job offers; and

511                               “(v) Accepted job offers; and

512                               “(C) Patterns related to District government employees moving into the

513 District, maintaining residency in the District, or moving out of the District, and factors or

514 circumstances that include the following:

515                               “(i) Employees’ jurisdictions of residence immediately before

516 commencing work with the District government;

517                               “(ii) Residency-related policies, including the end of the 7-year  
518   period of required residency for employees who received a hiring preference pursuant to section  
519   102;

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

522                               “(iv) Employment information; and

523                               “(v) Demographics and changes in demographics.

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

527                               “(A) The District’s workforce as a whole;

528                               “(B) Subordinate agency employees;

529                               “(C) Independent agency employees;

530                               “(D) Employees in jobs that require District residency;

531                               “(E) Employees in jobs that do not require District residency;

532                               “(F) Sworn police officers;

533                               “(G) Firefighters;

534                               “(H) Employees who received residency preference points;

535                               “(I) Employees with long tenures with the District government;

536                               “(J) Employees with short tenures with the District government; and

537                   “(K) Other groups and subgroups that produce findings of interest,  
538   relevance, or import, including disaggregation by demographics, employment information,  
539   occupation, and other factors, where such disaggregation demonstrates observable patterns of  
540   interest or importance.

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

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

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

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

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

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

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

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

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

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

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

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

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

“(A) Include findings on:

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

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

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

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

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

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

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

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

“(A) A review of District government agencies’ actual recruitment, hiring, retention, and promotion practices, whether and to what extent such practices focus on hiring District residents, success or lack of success of such practices at hiring District residents, how to improve practices to increase hiring of District residents, and the main challenges, as supported by data or reported by hiring directors, in hiring District residents and recruiting to positions that require District residency;

“(B) Identification of specific occupations or occupational groups and patterns or correlations related to occupations or occupational groups for which District residents

represent less than 40% of new hires, each occupation's or occupational group's starting salary, and specific credentials necessary for each occupation or occupational group; and

“(C) For agencies that consistently have an annual rate of new hires that is less than 40% District residents, data analysis of, and agency hiring directors' perspective on, the reasons for such rates, such as inadequate recruitment, bona fide hard-to-fill positions, lack of qualified District-resident applicants, lack of positions that require residency, or other legitimate reasons.

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

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

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

“(3) DCHR shall:

“(A) Provide a contractor or hired entity, should one be procured or hired, with the information and data necessary to facilitate completion of the study components outlined in subsection (b) of this section and shall assist the contractor or hired entity in

obtaining data from other agencies, including the Office of the Chief Financial Officer  
("OCFO") Office of Tax and Revenue.

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

“(g) In complying with the provisions of this section, DCHR shall take steps to ensure the  
privacy and confidentiality of current and former District government employees. DCHR may not  
release to the public or to the Council any findings or data that contain personally identifying  
information.

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

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

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

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

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

**SUBTITLE I. DELINQUENT DEBT**

Sec. 1081. Short title.

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

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

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

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

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

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

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

“(2) Funds collected by the Central Collection Unit arising out of delinquent debts payable as restitution pursuant to a court order, judgment, or settlement under D.C. Official Code § 28-3909 and section 6(a)(2)(A)(iii) of An Act To provide for the payment and collection of



wages in the District of Columbia, approved August 3, 1956 (70 Stat. 977; D.C. Official Code § 32-1306(a)(2)(A)(iii)), transferred and referred to the Central Collection Unit by the Office of the Attorney General for collection shall be deposited into the Attorney General Restitution Fund established by section 106c of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 1-301.86c), within 60 days; and

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

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

#### **SUBTITLE J. TENANT RECEIVERSHIP**

Sec. 1091. Short title.

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

Sec. 1092. Rehabilitation Funding.

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

“(j)(1) In a case in which the court has appointed a receiver in response to a petition pursuant to section 503, if the court finds, after notice and hearing, that the owner of the rental property currently lacks sufficient funds to pay for rehabilitation of the rental housing accommodation, and that such funds cannot be feasibly and timely obtained through grants or subsidies:

“(A) The court may issue an order authorizing the Attorney General to supply funding to the receiver, for initial and emergency repairs, from any funds available in the Tenant Receivership Act Abatement Fund, established by section 106e of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, as approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285); or

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

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

“(ii) If the owner is a District of Columbia corporation or other entity, file a petition in the appropriate federal bankruptcy court to place the corporate owner into

bankruptcy proceedings pursuant to, and in a manner consistent with, the federal Bankruptcy Code.

“(2)(A) If a court issues an order pursuant to paragraph (1)(A) of this subsection, the owner shall be required to repay the funding supplied by the Attorney General no later than 30 days after the receiver receives those funds. Any funds unpaid as of that 30-day deadline shall incur interest at the rate of 6% per annum until repaid. The Attorney General may petition the court to convert the order into a final judgment, and once the order is so converted, the Attorney General may take actions to collect on any unpaid balance, using all available collection methods authorized under District or other applicable law.

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

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

Sec. 1093. Tenant Receivership Abatement Fund.

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

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

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

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

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

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

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

“Sec. 106e. Tenant Receivership Abatement Fund.

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

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

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

“(B) All funds recovered from owners under section 506(j)(1) of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06(j)(1)); except, that when the deposit of such funds into the Fund would cause the Fund balance to exceed \$2 million, the excess of such funds instead shall be deposited into the Litigation Support Fund established by section 106b.

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

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

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

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

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

##### **TASKFORCE**

Sec. 1101. Short title.

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

Sec. 1102. Definitions.

For purposes of this subtitle, the term:

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

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

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

(4) “Subsidy” means supplemental payments made by the Mayor pursuant to section 5a of the Day Care Policy Amendment Act of 1998, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code § 4-404.01).

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

(a) The Council of the District of Columbia shall establish an Early Childhood Educator Equitable Compensation Task Force (“Task Force”) to provide recommendations on how to implement an employee compensation scale for early childhood development providers.

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

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

(B) Community-based organizations;

(C) Early childhood advocacy organizations;

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

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

(F) Employees of child development facilities; and

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

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

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

(c) The Task Force shall:

(1) Meet a minimum of 4 times;

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

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

(A) Assesses overall readiness for early childhood development providers to implement a competitive employee compensation scale that includes salary, benefits, professional development, and workforce development;

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

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

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

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

(D) Provides recommendations for implementing the employee compensation scale.

**SUBTITLE L. FALSE CLAIMS CLARIFICATION**

Sec. 1111. Short title.

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

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

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

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

“(B) The District taxable income, District sales, or District revenue of the person against whom the action is being brought equals \$1 million for any taxable year subject to



824 any action brought pursuant to this part, and the damages pleaded in the action total \$350,000 or  
825 more; or

826 “(2) The claim, record, or statement was made on or after January 1, 2015, and  
827 relates to the classification of real property as vacant or blighted pursuant to An Act To provide  
828 for the abatement of nuisances in the District of Columbia by the Commissioners of said District,  
829 and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01  
830 *et seq.*)

831 **SUBTITLE M. BUILDING PATHWAYS GRANT**

832 Sec. 1121. Short title.

833 This subtitle may be cited as the “Building Pathways Grant Act of 2021”.

834 Sec. 1122. Notwithstanding the Grant Administration Act of 2013, effective December  
835 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2022, the  
836 Department of General Services shall have grant-making authority to provide a \$1,000,000 grant  
837 to Building Pathways – Charter School Incubator Initiative for the purpose of replacing the  
838 HVAC system at the Patricia R. Harris Educational Center school building.

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

840 Sec. 1131. Short Title.

841 This subtitle may be cited as the “Residential Reentry Development Plan Amendment  
842 Act of 2021”.

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

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

Sec. 1141. Short title.

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

Sec. 1142. The Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2005, effective April 4, 2006 (D.C. Law 16-89, D.C. Official Code § 2-1381 *et seq.*), is amended as follows:

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

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

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

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

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

“(D) Holds itself out to the public as catering to LGBTQ customers or communities, including through advertising or regular events; however, a business that declines to advertise widely its practice of catering to LGBTQ customers or communities to protect the privacy and safety of its clientele, but can demonstrate that it willingly cultivates LGBTQ individuals as customers through other means, such as word of mouth, may satisfy this criterion.”.

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 2001. Short title.

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

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

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

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

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

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

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

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

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

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

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

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

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

“(A) From June 30, 2022 until June 30, 2023, the Commission shall consist of 16 members.

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

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

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

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

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

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

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

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

“(c-1) For the Fiscal Year 2022 budget and every fiscal year thereafter the Commission shall allocate the annual budget as follows:

945                   “(1) Not more than 22% of the annual budget shall be allocated for administrative  
946 costs.

947                   “(2) Not less than 78% of the annual budget shall be allocated for the following  
948 purposes:

949                               “(A) 17% for grants to fund capital projects in support of all eligible arts  
950 and humanities organizations; provided, that during Fiscal Years 2021 and 2022, these grant  
951 funds may be used, if approved by the Commission, to pay:

952                                       “(i) Rent or mortgage expenses for the operation of a grant  
953 recipient’s arts-or humanities-related home-based office in the District; and

954                                       “(ii) Rent or mortgage expenses for the operation of a grant  
955 recipient’s space in the District used to produce or publicly present arts-or humanities-related  
956 work.

957                               “(B)(i) 54% for General Operating Support grants to all eligible arts and  
958 humanities organizations.

959                                       “(ii) Awards of General Operating Support grants shall be  
960 competitive, and each application of an eligible organization shall be reviewed in cohorts of  
961 similar budget size, and with grant award amounts tiered in relation to the grantee’s budget size;  
962 and

963                               “(C) 25% for other art grant programs established by the Commission.

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

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

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

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

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

(2) Subsection (d) is repealed.

(3) Subsection (e) is amended by striking the phrase “grant-managing entity” wherever it appears and inserting the phrase “HumanitiesDC” in its place.

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

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

**SUBTITLE B. GREAT STREETS PROGRAM**

Sec. 2011. Short title.



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

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

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

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

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

#### **SUBTITLE C. SUPERMARKET TAX INCENTIVES**

Sec. 2021. Short title.

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

Sec. 2022. Chapter 38 of Title 47 of the District of Columbia Code (D.C. Official Code § 47-3801 *et seq.*), is amended as follows:

(a) The table of contents for the Chapter 38 is amended by adding a new section designation to read as follows:

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

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

1008 (1) Paragraph (1D) is amended to read as follows:

1009 “(1D) “Eligible area” means:

1010 “(A)(i) Properties within or abutting the boundaries of low-income census  
1011 tracts where a significant number of residents are more than 1/2 mile from the nearest  
1012 supermarket, as designated based on the 2019 data from the United States Department of  
1013 Agriculture Food Access Research Atlas, not including any census tract, as identified by the  
1014 Mayor, in which a college or university campus is located, or nearby, that has been designated as  
1015 a low-income census tract due primarily to the incomes of college or university students residing  
1016 within the census tract; or

1017 “(ii) Properties within or abutting proximal neighborhood groups  
1018 with over 20% participation in the Supplemental Nutrition Assistance Program or other public  
1019 assistance programs as designated in the 2018 District of Columbia Health Equity Report.

1020 “(B) For supermarkets under construction as of January 1, 2021, for which  
1021 a certificate of occupancy is issued on or before July 1, 2023 and for which an application for  
1022 certification under this chapter is filed on or before July 1, 2023:

1023 “(i) A historically underutilized business zone, as defined by  
1024 section 3(p)(1) of the Small Business Act, approved July 18, 1958 (72 Stat. 384; 15 U.S.C. §  
1025 632(p)(1)); and

1026 “(ii) Census tracts 103, 33.01, 94, 95.05, 95.07, or 95.08.”.

1027 (2) Paragraph (3)(A) is amended as follows:

1028 (A) Sub-subparagraph (ii) is amended to read as follows:

1029 “(ii) Offers for sale at least 6 of the following categories of food or  
1030 beverages:

1031 “(I) Fresh fruits and vegetables;

1032 “(II) Fresh and uncooked meats, poultry, and seafood;

1033 “(III) Dairy products;

1034 “(IV) Canned foods;

1035 “(V) Frozen foods;

1036 “(VI) Dry groceries and baked goods; or

1037 “(VII) Non-alcoholic beverages;”

1038 (B) Sub-subparagraph (iii) is amended by striking the period and inserting a  
1039 semicolon in its place.

1040 (C) New sub-subparagraphs (iv) and (v) are added to read as follows:

1041 “(iv) Dedicates either 50% of the establishment’s total square  
1042 footage of selling area (defined as the area in the establishment that is open to the public and not  
1043 including storage areas, preparation areas, or bathrooms), or 6,000 square feet of the  
1044 establishment’s selling area to the sale of the categories listed in sub-subparagraph (ii) of this  
1045 subparagraph; and

1046 “(v) Dedicates at least 5% of the establishment’s selling area to  
1047 each of at least 6 of the categories listed in sub-subparagraph (ii) of this subparagraph.”.

1048 (b) A new section 47-3801.01 is added to read as follows:

1049 “§ 47-3801.01. Expansion of supermarket investment areas.

1050           “(a) If the Mayor determines that there is an area that warrants investment pursuant to  
1051   this chapter that is not an eligible area, as defined by § 47-3801(1D), the Mayor shall submit a  
1052   plan describing the area, geographically and otherwise, along with a detailed rationale for  
1053   extending supermarket tax incentives and any other aid the Mayor proposes, a fiscal impact  
1054   statement, and an explication of the benefits to be derived for the area and the District as a  
1055   whole.

1056           “(b) The Mayor shall transmit the plan to the Council, with a proposed resolution for a  
1057   45-day period of review, excluding days of Council recess. If the Council does not approve or  
1058   disapprove the plan, in whole or in part, by resolution within this 45-day review period, the plan  
1059   shall be deemed approved.”.

1060           (c) Section 47-3802 is amended as follows:

1061                   (1) Subsection (c)(1) is amended by adding the following sentence at the end:

1062                   “As part of the application, and as a condition of certification, the applicant shall  
1063   agree in writing to:

1064                   “(A) Become authorized to accept Supplemental Nutrition Assistance  
1065   Program (“SNAP”) benefits as payment at the qualified supermarket, and to accept SNAP  
1066   benefits for payment after such authorization;

1067                   “(B) Apply to the Department of Health (“DOH”) for approval to accept  
1068   Special Supplemental Nutrition Program for Women, Infants, and Children (“WIC”) benefits as  
1069   payment at the qualified supermarket, and accept WIC benefits as payment at the qualified  
1070   supermarket if approved by DOH to accept WIC benefits; and

1071 “(C) Conduct community listening sessions on the store’s product  
1072 offerings and operations at least once every 2 years.”.

1073 (2) New subsections (e) and (f) are added to read as follows:

1074 “(e) To remain eligible to continue to receive the tax benefits provided by this chapter, a  
1075 qualified supermarket shall:

1076 “(1) Accept SNAP benefits for payment at the qualified supermarket;

1077 “(2) Accept WIC benefits for payment at the qualified supermarket, unless  
1078 determined ineligible by the Department of Health to accept payments by WIC benefits; and

1079 “(3) Conduct a community listening session on the store’s product offerings and  
1080 operations at least once every 2 years.

1081 “(f) The Mayor shall review the definition of the term “eligible area” at least once every 5  
1082 years to determine whether it continues to appropriately reflect the areas of the District where tax  
1083 incentives for new supermarkets provide substantial benefits to District residents and  
1084 neighborhoods.”.

1085 **SUBTITLE D. REAL PROPERTY TAX APPEALS COMMISSION**

1086 **MEMBERSHIP**

1087 Sec. 2031. Short title.

1088 This subtitle may be cited as the “Real Property Tax Appeals Commission Membership  
1089 Amendment Act of 2021”.

1090 Sec. 2032. Section 47-825.01a of the District of Columbia Official Code is amended as  
1091 follows:

1092 (a) Subsection (a) is amended as follows:

1093 (1) Paragraph (1) is amended as follows:

1094 (A) Subparagraph (B) is amended as follows:

1095 (i) Sub-subparagraph (ii) is amended by striking the semicolon and  
1096 inserting the phrase “; and” in its place.

1097 (ii) Sub-subparagraph (iii) is amended by striking the phrase “;  
1098 and” and inserting a period in its place.

1099 (iii) Sub-subparagraph (iv) is repealed.

1100 (B) Subparagraph (C) is amended to read as follows:

1101 “(C) The Commission may non-competitively appoint to temporary  
1102 appointments up to 8 hearing examiners, who each shall be appointed for a term not to  
1103 exceed 6 months each year, who shall hear cases of single-family residential property or  
1104 any noncommercial real property assessed during the administrative review (or under the  
1105 notice of assessment if the administrative review is unavailable) at \$3 million or less;  
1106 provided, that the Chairperson may assign hearing examiners to hear cases of other real  
1107 property assessments.”.

1108 (C) Subparagraph (D) is amended as follows:

1109 (i) Sub-subparagraph (i) is amended to read as follows:

1110 “(i) The Chairperson of the Commission shall:

1111 “(I) Be a District of Columbia certified appraiser with at  
1112 least 3 years of professional experience; or

1113                               “(II) Have at least 5 years of commercial real estate  
1114   property appraisal experience.”.

1115                               (ii) Sub-subparagraph (iv) is amended by striking the phrase “All  
1116   Commissioners” and inserting the phrase “All Commissioners and hearing examiners” in  
1117   its place.

1118                               (E) Subparagraph (E) is amended by striking the phrase “The  
1119   Commissioners” and inserting the phrase “The Commissioners and hearing examiners” in  
1120   its place.

1121               (2) Paragraph (2) is amended as follows:

1122                               (A) Subparagraph (A) is amended to read as follows:

1123                               “(A) Each Commissioner and hearing examiner shall be prohibited from  
1124   representing any client or business interest before the Commission for a period of 2 years  
1125   after the separation of the Commissioner or hearing examiner from the Commission.”.

1126                               (B) Subparagraph (B) is amended as follows:

1127                               (i) Strike the phrase “A Commissioner” and insert the phrase  
1128   “Each Commissioner and hearing examiner” in its place; and

1129                               (ii) Strike the phrase “the Commissioner” and insert the phrase  
1130   “the Commissioner or hearing examiner” in its place.

1131                               (C) Subparagraph (C) is amended to read as follows:

1132                               “(C) A Commissioner or hearing examiner shall not review an appeal for  
1133   which that Commissioner or hearing examiner has a direct or indirect interest.”.

1134 (3) Paragraph (3) is amended by adding a new subparagraph (C) to read as  
1135 follows:

1136 “(C)(i) Each part-time Commissioner serving on the day before the  
1137 effective date of the Real Property Tax Appeals Commission Membership Amendment  
1138 Act of 2021, as approved by the Committee of the Whole on July 20, 2021 (Committee  
1139 print of Bill 24-285) (“Act”), shall, with the Commissioner’s consent, be converted to a  
1140 hearing examiner on the effective date of the Act.

1141 (ii) The position of part-time Commissioner shall be  
1142 abolished as of the effective date of the Act, and no individual shall continue to serve in  
1143 the position of part-time Commissioner after that date.”.

1144 (4) Paragraph (5) is amended by striking the phrase “Commissioners shall” and  
1145 inserting the phrase “Commissioners and hearing examiners shall” in its place.

1146 (5) Paragraph (6) is amended to read as follows:

1147 “(6) The Commission shall employ staff in addition to the hearing examiners,  
1148 including an executive director and a general counsel.”.

1149 (b) Subsection (c) is amended as follows:

1150 (1) Paragraph (1) is amended as follows:

1151 (A) Subparagraph (A) is amended as follows:

1152 (i) The lead-in text is amended by striking the word  
1153 “Commissioners” and inserting the phrase “Commissioners and hearing examiners” in its  
1154 place.



1155 (ii) Sub-subparagraph (i) is amended as follows:

1156 (I) Strike the phrase “one-Commissioner” and insert the  
1157 phrase “one-Commissioner or hearing examiner” in its place; and

1158 (II) Strike the phrase “multi-Commissioner panel” and  
1159 insert the phrase “multi-member panel” in its place.

1160 (iii) Sub-subparagraph (ii) is amended to read as follows:

1161 “(ii) In the case of all other real property, a panel consisting of 3  
1162 members shall be convened; provided, that a panel consisting of 2 members may be  
1163 convened if the appellant and OTR agree.”.

1164 (B) Subparagraph (B) is amended by striking the word  
1165 “Commissioner” and inserting the phrase “Commissioner or hearing examiner” in its  
1166 place.

1167 (2) Paragraph (2) is amended by striking the word “Commissioners” and inserting  
1168 the phrase “members” in its place.

1169 (3) Paragraph (3) is amended as follows:

1170 (A) Strike the phrase “deciding Commissioner” and insert the phrase  
1171 “deciding Commissioner or hearing examiner” in its place;

1172 (B) Strike the phrase “multi-Commissioner” and insert the phrase “multi-  
1173 member” in its place; and

1174 (C) Strike the phrase “each Commissioner” and insert the phrase “each  
1175 member” in its place.

1176 (4) Paragraph (4)(C) is amended to read as follows:

1177 “(C) The names of the member who were on the panel that established the  
1178 assessment or classification, or both, indicating whether each participating member  
1179 agreed with, or dissented from, the decision of the panel.”.

1180 (c) Subsection (e) is amended as follows:

1181 (1) Paragraph (3) is amended by striking the word “Commission or a  
1182 Commissioner” and inserting the phrase “Commission, or a Commissioner or hearing  
1183 examiner,” in its place.

1184 (2) Paragraph (6)(C) is amended to read as follows:

1185 “(C) In the case of a rehearing, a panel shall be convened consisting of the  
1186 Chairperson, Vice-Chairperson, and a Commissioner or hearing examiner who was a  
1187 member of the panel that heard the underlying appeal.”.

1188 (d) A new subsection (j) is added to read as follows:

1189 “(j) For the purposes of this section, the word “member” means a Commissioner or  
1190 hearing examiner.”.

1191 Sec. 2033. Section 406(b) of the District of Columbia Government Comprehensive Merit  
1192 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §  
1193 1-604.06), is amended as follows:

1194 (a) Paragraph (27) is amended by striking the phrase “; and” and inserting a semicolon in  
1195 its place.

1196 (b) Paragraph (28) is amended by striking the period at the end and inserting the phrase “;

1197 and” in its place.

1198 (c) A new paragraph (29) is added to read as follows:

1199 “(29) For the Real Property Tax Appeals Commission, the personnel authority is  
1200 the Real Property Tax Appeals Commission.”.

1201 Sec. 2034. Section 15 of An Act To provide for the abatement of nuisances in the District  
1202 of Columbia by the Commissioners of said District, and for other purposes, approved April 14,  
1203 1906 (34 Stat. 114; D.C. Official Code § 42-3131.15), is amended by adding a new subsection  
1204 (d) to read as follows:

1205 “(d) The District may appeal a decision of the Real Property Tax Appeals Commission to  
1206 the Superior Court of the District of Columbia within 2 months after the date of the written  
1207 decision or receipt of the written decision, which is later.”.

1208 **SUBTITLE E. LOCAL RENT SUPPLEMENT PROGRAM**

1209 Sec. 2041. Short title.

1210 This subtitle may be cited as the “Local Rent Supplement Program Enhancement  
1211 Amendment Act of 2021”.

1212 Sec. 2042. The District of Columbia Housing Authority Act of 1999, effective May 9,  
1213 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

1214 (a) Section 2 (D.C. Official Code § 6-201) is amended as follows:

1215 (1) A new paragraph (7B) is added to read as follows:

1216                   “(7B) “Capital-based assistance” means capital gap financing for the construction  
1217 or rehabilitation of housing units for which project-based voucher assistance or sponsor-based  
1218 voucher assistance was previously awarded as an operating subsidy.”.a

1219                   (2) A new paragraph (43C) is added to read as follows:

1220                   “(43C) “Tenant-based voucher assistance” means housing subsidy payments  
1221 provided for households with extremely low incomes or histories of homelessness to pay all or a  
1222 portion of the household’s rent in privately owned housing units in the District.”.

1223                   (b) Section 26a (D.C. Official Code § 6-226), is amended as follows:

1224                   (1) Subsection (a) is amended to read as follows:

1225                   “(a) The Rent Supplement Program is established to provide housing assistance to  
1226 extremely low-income District residents, including those who are homeless and those in need of  
1227 supportive services, such as elderly individuals or those with disabilities. The funding of this  
1228 program is subject to appropriation. The assistance under this section, section 26b, and section  
1229 26c shall not constitute an entitlement.”

1230                   (2) Subsection (b) is amended to read as follows:

1231                   “(b)(1) The Authority shall award the funds appropriated for the program’s sponsor-  
1232 based voucher assistance and capital-based assistance.”

1233                   “(2) The Department of Housing and Community Development shall award the  
1234 funds appropriated for the program’s project-based voucher assistance.

1235                   “(3) The Authority shall award the funds appropriated for ongoing tenant-based  
1236 voucher assistance.

1237                   “(4) The Authority shall award the funds appropriated for new tenant-based  
1238 voucher assistance, as described in section 26a-1(c)(5), to the extent that such funds are  
1239 transferred to the Housing Authority Rent Supplement Program Fund pursuant to section 26a-  
1240 1(c)(4).

1241                   “(5) For the purposes of this subsection, the phrase “ongoing tenant-based  
1242 voucher assistance” means tenant-based voucher assistance funded by money deposited into the  
1243 Housing Authority Rent Supplement Program Fund pursuant to section 26a-1(a)(2)(C).”.

1244                   (3) Subsection (c) is amended to read as follows:

1245                   “(c)(1) The Authority shall promulgate rules, subject to Council approval, for sponsor-  
1246 based voucher assistance as required by section 26b, tenant-based voucher assistance, and  
1247 capital-based assistance as required by section 26d, which shall govern the administration of  
1248 funds for these types of assistance.

1249                   “(2) The Authority shall promulgate rules, subject to Council approval, for  
1250 project-based voucher assistance, which shall govern the administration of funds for this type of  
1251 assistance; except, that the Department of Housing and Community Development shall  
1252 promulgate rules governing the award of project-based voucher assistance, as provided in  
1253 paragraph (3) of this subsection.

1254                   “(3) The Department of Housing and Community Development shall promulgate  
1255 rules, subject to Council approval, governing the award of project-based voucher assistance;  
1256 provided, that the rules previously promulgated by the Authority that govern the award of funds

1257 for project-based voucher assistance shall remain in effect unless amended or repealed by the  
1258 Department of Housing and Community Development.

1259 “(4) The rules proposed pursuant to this subsection shall:

1260 “(A) Provide for allocating project-based and sponsor-based funds to  
1261 maintain or create new affordable housing units, including by combining funds under this  
1262 program with other sources of funds for housing production and development and for allocating  
1263 tenant-based funds to expand affordable housing choices for households through housing  
1264 subsidies; and

1265 “(B) Be submitted to the Council for a 45-day period of review, excluding  
1266 Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve  
1267 or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review  
1268 period, the proposed rules shall be deemed approved.”.

1269 (4) Subsections (d) and (e) are repealed.

1270 (c) A new section 26a-1 is added to read as follows:

1271 “Sec. 26a-1. Rent Supplement Program Funds.

1272 “(a) Housing Authority Rent Supplement Program Fund.

1273 (1) There is established as a special fund the Housing Authority Rent Supplement  
1274 Program Fund, which shall be administered by the Authority in accordance with paragraph (3) of  
1275 this section.

1276 “(2) There shall be deposited into the Housing Authority Rent Supplement  
1277 Program Fund:

**ENGROSSED ORIGINAL**

1278                   “(A) Money appropriated for sponsor-based voucher assistance;  
1279                   “(B) Money appropriated for capital-based assistance;  
1280                   “(C) Money appropriated to the Authority for the ongoing provision of  
1281 tenant-based voucher assistance;  
1282                   “(D) Money appropriated to the Authority for the ongoing provision of  
1283 project-based voucher assistance previously awarded by the Department of Housing and  
1284 Community Development;  
1285                   “(E) Money for project-based voucher assistance transferred to the  
1286 Housing Authority Rent Supplement Program Fund pursuant to subsection 26b(b-1)(3);  
1287                   “(F) Money for tenant-based voucher assistance transferred to the Housing  
1288 Authority Rent Supplement Program Fund pursuant to subsection (c)(4) of this section; and  
1289                   “(G) Money remaining in the Rent Supplement Fund, established by  
1290 section 26a(d)(1), at the end of Fiscal Year 2021.  
1291                   “(3) Money in the Housing Authority Rent Supplement Program Fund shall be  
1292 used solely to:  
1293                   “(A) Provide sponsor-based voucher assistance and capital-based  
1294 assistance;  
1295                   “(B) Provide project-based voucher assistance to projects awarded such  
1296 assistance by the Authority before October 1, 2021;  
1297                   “(C) Provide project-based voucher assistance to projects awarded such  
1298 assistance by the Department of Housing and Community Development after September 30,

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1299 2021, including assistance from funds transferred to the Housing Authority Rent Supplement  
1300 Program Fund from the Rent Supplement Program Project-Based Allocation Fund established by  
1301 subsection (b) of this section;

1302 “(D) Provide ongoing tenant-based voucher assistance; and

1303 “(E) Provide new tenant-based voucher assistance from funds transferred  
1304 from the Rent Supplement Program Tenant-Based Allocation Fund established by subsection (c)  
1305 of this section.

1306 “(4)(A) The money deposited into the Housing Authority Rent Supplement  
1307 Program Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of  
1308 the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

1309 “(B) Subject to authorization in an approved budget and financial plan,  
1310 any funds in the Housing Authority Rent Supplement Program Fund shall be continually  
1311 available without regard to fiscal year limitation.

1312 “(5) For the purposes of this subsection, the term “ongoing tenant-based voucher  
1313 assistance” means tenant-based voucher assistance paid for from funds appropriated to the  
1314 Housing Authority Rent Supplement Program Fund pursuant to paragraph (2)(C) of this  
1315 subsection.

1316 “(b) Rent Supplement Program Project-Based Allocation Fund.

1317 (1) There is established as a special fund the Rent Supplement Program Project-  
1318 Based Allocation Fund, which shall be administered by the Department of Housing and  
1319 Community Development in accordance with paragraph (3) of this subsection.



1320                   “(2) Amounts appropriated for new project-based voucher assistance shall be  
1321 deposited into the Rent Supplement Program Project-Based Allocation Fund.

1322                   “(3)(A) Money in the Rent Supplement Program Project-Based Allocation Fund  
1323 shall be used to fund awards to applicants selected for project-based voucher assistance as  
1324 defined in section 2(39A) and shall be transferred to the Housing Authority Rent Supplement  
1325 Program Fund as described in section 26b(b-1)(3).

1326                   “(B) Money in the Rent Supplement Program Project-Based Allocation  
1327 Fund may be used to increase the amount of project-based voucher assistance previously  
1328 awarded to an applicant to account for a documented need to increase the proposed rent charged  
1329 on a rental unit.

1330                   “(4)(A) The money deposited into the Rent Supplement Program Project-Based  
1331 Allocation Fund shall not revert to the unrestricted fund balance of the General Fund of the  
1332 District of Columbia at the end of a fiscal year, or at any other time.

1333                   “(B) Subject to authorization in an approved budget and financial plan,  
1334 any funds appropriated in the Rent Supplement Program Project-Based Allocation Fund shall be  
1335 continually available without regard to fiscal year limitation.”.

1336                   “(c) Rent Supplement Program Tenant-Based Allocation Fund.

1337                   (1) There is established as a special fund the Rent Supplement Program Tenant-  
1338 Based Allocation Fund, which shall be administered by the Department of Human Services in  
1339 accordance with paragraph (3) of this subsection.

1340                   “(2) The following funds shall be deposited into the Rent Supplement Program  
1341 Tenant-Based Allocation Fund:  
1342                   “(A) Amounts appropriated for new tenant-based voucher assistance; and  
1343                   “(B) Any unspent local dollars appropriated for supportive services, as  
1344 that term is defined in section 2(39) of the Homeless Services Reform Act, effective October 22,  
1345 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(39)), for the Targeted Affordable  
1346 Housing Program or a permanent housing program, as that term is defined in section 2(27C) of  
1347 the Homeless Services Reform Act, effective October 22, 2005 (D.C. Law 16-35; D.C. Official  
1348 Code § 4-751.01(27C)), in the operating budget of the Department of Human Services at the end  
1349 of each fiscal year.  
1350                   “(3) Money in the Rent Supplement Program Tenant-Based Allocation Fund shall  
1351 be used in a fiscal year to fund awards to applicants selected for tenant-based voucher assistance,  
1352 to the extent that the dollar amount of all new or previously awarded tenant-based voucher  
1353 assistance awarded to applicants in that fiscal year or a prior fiscal year, for which the Authority  
1354 continues to be obligated to make payments, exceeds the amount of money deposited into the  
1355 Housing Authority Rent Supplement Program Fund during the then-current fiscal year for the  
1356 ongoing provision of tenant-based voucher assistance pursuant to subsection (a)(2)(C) of this  
1357 section.  
1358                   “(4) Money in the Rent Supplement Program Tenant-Based Allocation Fund  
1359 shall, at the direction of the Director of the Department of Human Services, be transferred to the  
1360 Housing Authority Rent Supplement Program Fund when such funding is necessary to fund the

award of new tenant-based vouchers because the dollar amount of tenant-based vouchers for which the Authority would be obligated to make payments would otherwise exceed the amount of money deposited into the Housing Authority Rent Supplement Program Fund during the applicable fiscal year for the ongoing provision of tenant-based voucher assistance pursuant to subsection (a)(2)(C) of this section.

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

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

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

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

(1) Subsection (a) is amended by striking the phrase “project-based and”.

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

“(b-1)(1) The funds allocated under the program for new project-based voucher assistance shall be awarded by the Department of Housing and Community Development for the

construction of new housing, or rehabilitation or preservation of existing housing, for extremely low-income District residents.

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

“(3) The funds awarded pursuant to paragraphs (1) and (2) of this subsection shall be held in the Rent Supplement Program Project-Based Allocation Fund, established by section 26a-1(b), until a certificate of occupancy is issued for the project for which the funds were awarded. After the certificate of occupancy is issued, the funds shall, at the direction of the Director of the Department of Housing and Community Development, be transferred to the Housing Authority Rent Supplement Program Fund established by section 26a-1(a).”.

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

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

1403 (4) Subsection (d) is amended to read as follows:

1404 “(d) To maintain consistency for households receiving rental housing support, the  
1405 Authority shall, to the extent possible, given funding resources available in the Housing  
1406 Authority Rent Supplement Program Fund, continue to fund project-based and sponsor-based  
1407 grantees at the same level, adjusted for inflation on an annual basis, or on such other basis as  
1408 may be agreed to with the grantee, unless the Authority determines that a grantee is not meeting  
1409 the criteria set forth in the rules governing project-based or sponsor-based voucher assistance.”.

1410 (5) Subsection (e) is repealed.

1411 (e) Section 26c (D.C. Official Code § 6-228), is amended as follows:

1412 (1) Subsection (a) is amended by striking the phrase “procedures for the Housing  
1413 Choice Voucher Program.” and inserting the phrase “procedures for the Housing Choice  
1414 Voucher Program; provided, that the Authority may waive or modify such rules, regulations,  
1415 policies, and procedures so as not to exclude households on the basis of immigration status or  
1416 prior criminal convictions.” in its place.

1417 (2) Subsection (b) is amended as follows:

1418 (A) The lead-in text is amended by striking the phrase “Eligible families  
1419 shall be selected from the households” and inserting the phrase “Eligible households shall be  
1420 selected from the individuals and families” in its place.

1421 (B) Paragraph (1) is amended by striking the phrase “Eligible families”  
1422 and inserting the phrase “Eligible households” in its place.

1423                   (3) Subsection (c) is amended by striking the phrase “Eligible families may be  
1424 referred” and inserting the phrase “Individuals and families may be referred for eligibility  
1425 determination” in its place.

1426                   (4) Subsection (g)(2) is amended by striking the phrase “eligible to participate in  
1427 the Authority’s Housing Choice Voucher Program” and inserting the phrase “eligible for tenant-  
1428 based voucher assistance” in its place.

1429                   (f) New sections 26d-1, 26d-2, and 26d-3 are added to read as follows:

1430                   “Sec. 26d-1. Housing Authority Rent Supplement Program quarterly reporting.

1431                   “(a) The Authority shall submit to the Mayor and the Council, within 30 days after the  
1432 end of each fiscal quarter, a Rent Supplement Program report.

1433                   “(b) Each report shall include the following information with respect to the Housing  
1434 Authority Rent Supplement Program Fund:

1435                   “(1) The total amount of money in the fund at the beginning and end of the  
1436 reporting period;

1437                   “(2) The amount of money in the fund allocated to project-based voucher  
1438 assistance at the beginning of the reporting period, the amount of money expended from the fund  
1439 on project-based voucher assistance during the reporting period, and the amount of money in the  
1440 fund allocated to project-based voucher assistance at the end of the reporting period;

1441                   “(3) The amount of money in the fund allocated to sponsor-based voucher  
1442 assistance at the beginning of the reporting period, the amount of money expended from the fund

1443 on sponsor-based voucher assistance during the reporting period, and the amount of money in the  
1444 fund allocated to sponsor-based voucher assistance at the end of the reporting period;

1445 “(4) The amount of money in the fund allocated to tenant-based voucher  
1446 assistance at the beginning of the reporting period, the amount of money expended from the fund  
1447 on tenant-based voucher assistance during the reporting period, and the amount of money in the  
1448 fund allocated to tenant-based voucher assistance at the end of the reporting period;

1449 “(5) The amount of money in the fund allocated to capital assistance at the  
1450 beginning of the reporting period, the amount of money expended from the fund on capital  
1451 assistance during the reporting period, and the amount of money in the fund allocated to capital  
1452 assistance at the end of the reporting period; and

1453 “(6) The amount of money expended from the fund during the reporting period on  
1454 administrative costs, which shall include a breakdown by category of expense.

1455 “(c) Each report shall include the following information with respect to project-based  
1456 voucher assistance:

1457 “(1) For each project that has a contract with the Authority for project-based  
1458 voucher assistance, the name of, address of, number of total housing units in, number of units  
1459 subsidized by project-based voucher assistance (“project-based units”) in, and contract end date  
1460 of the project;

1461 “(2) For each project listed pursuant to paragraph (1) of this subsection:

1462 “(A) The dollar amount of project-based voucher assistance received  
1463 during the reporting quarter;

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1464 “(B) The occupancy status of each project-based unit;

1465 “(C) The contract rent for each project-based unit, including both the  
1466 tenant-paid portion of the rent and project-based subsidy amount associated with the unit; and

1467 “(D) The income level at the most recent income certification of the  
1468 household occupying the unit.

1469 “(3) The name of, address of, number of project-based units in, and project-based  
1470 voucher assistance contract end date of, each project that has a contract with the Authority for  
1471 project-based voucher assistance that is scheduled to expire within 24 months after the last day  
1472 of the reporting period;

1473 “(4) The name of, address of, number of project-based units in, and contract end  
1474 date of each project whose contract with the Authority for project-based voucher assistance  
1475 expired during the reporting period;

1476 “(5) The name of, address of, and number of project-based units to be located in  
1477 each project that has been awarded project-based voucher assistance but for which a contract  
1478 with the Authority for such assistance has not been entered into, along with the date by which the  
1479 Authority expects to enter into such a contract.

1480 “(d) Each report shall include the following information with respect to sponsor-based  
1481 voucher assistance:

1482 “(1) The name and address of each non-profit organization or landlord  
1483 (“sponsor”) with sponsor-based vouchers, along with the number of vouchers issued to the  
1484 sponsor;



1485                   “(2) For each sponsor listed pursuant to paragraph (1) of this subsection, the  
1486 following information with respect to each sponsor-based unit of the sponsor:

1487                   “(A) The address of the sponsor-based unit;

1488                   “(B) The occupancy level of each sponsor-based unit, defined as the  
1489 number of days in the reporting quarter the unit was leased to a household eligible for Rent  
1490 Supplement Program assistance;

1491                   “(C) The contract rent of the unit, including the tenant-paid portion of the  
1492 rent and the sponsor-based subsidy amount allocated to the unit; and

1493                   “(D) The income level at last income certification of the household  
1494 occupying the sponsor-based unit.

1495                   “(e) Each report shall include the following information with respect to tenant-based  
1496 voucher assistance:

1497                   “(1) The number of households, categorized separately as individual households  
1498 and family households, receiving tenant-based voucher assistance on the first day and last day of  
1499 the reporting quarter, listed separately by the program in which the household is participating,  
1500 including the Permanent Supportive Housing and Targeted Affordable Housing program;

1501                   “(2) The total dollar amount of rental payments made for tenant-based voucher  
1502 recipients during the reporting quarter and fiscal year to date, listed separately by the program in  
1503 which the household is participating, including the Permanent Supportive Housing and Targeted  
1504 Affordable Housing program;

1505                   “(3) The average monthly rent of housing units leased by households receiving  
1506 tenant-based voucher assistance, listed separately by the program in which the household is  
1507 participating, including the Permanent Supportive Housing and Targeted Affordable Housing  
1508 program;

1509                   “(4) The number of households receiving tenant-based vouchers at the beginning  
1510 of the fiscal year that were no longer receiving tenant-based vouchers on the last day of the  
1511 reporting quarter, listed separately by the program in which the household is participating,  
1512 including the Permanent Supportive Housing and Targeted Affordable Housing program; and

1513                   “(5) Tenant-based voucher assistance funding spent on security deposits,  
1514 administrative services, and any other non-rental expenses, by expenditure type, during the  
1515 reporting quarter and fiscal year to date.

1516                   “(f) Each report shall include the following information with respect to capital-based  
1517 assistance:

1518                   “(1) The name of, address of, and number of project-based and sponsor-based  
1519 units in each project that received capital-based assistance during the reporting quarter; and

1520                   “(2) The dollar amount of capital assistance provided to each project listed  
1521 pursuant to paragraph (1) of this subsection.

1522                   “Sec. 26d-2. Rent Supplement Program Project-Based Allocation Fund quarterly  
1523 reporting.

1524           “(a) The Department of Housing and Community Development shall submit to the  
1525 Council, within 30 days after the end of each fiscal quarter, a Project-Based Rent Supplement  
1526 Program report.

1527           “(b) Each report shall include the following information with respect to the Rent  
1528 Supplement Program Project-Based Allocation Fund:

1529                   “(1) The total amount of money in the fund at the beginning and end of the  
1530 reporting period;

1531                   “(2) The amount of money in the fund transferred to the Authority for project-  
1532 based voucher assistance during the reporting period, listed separately by the project for which  
1533 the funds were awarded;

1534                   “(3) The amount of money in the fund awarded to projects that do not yet have a  
1535 certificate of occupancy, listed separately by project;

1536                   “(4) For each project that has been awarded project-based voucher assistance, the  
1537 developer, address, planned number of total housing units, planned number of units subsidized  
1538 by project-based voucher assistance, planned period of project-based voucher assistance, date of  
1539 award, expected completion date, and whether the project is new construction or existing  
1540 housing rehabilitation or preservation; and

1541                   “(5) The amount of money expended from the fund during the reporting period on  
1542 administrative costs, which shall contain a breakdown by category of expense.

1543           “Sec. 26d-3. Rent Supplement Program Tenant-Based Allocation Fund quarterly  
1544 reporting.

1545           “(a) The Department of Human Services shall submit to the Council, within 30 days after  
1546 the end of each fiscal quarter, a Rent Supplement Program Tenant-Based Allocation Fund report.

1547           “(b) Each report shall include the following information with respect to the Rent  
1548 Supplement Program Tenant-Based Allocation Fund:

1549                   “(1) The total amount of money in the fund at the beginning and end of the  
1550 reporting period;

1551                   “(2) The amount of money in the fund transferred to the Authority for each  
1552 tenant-based voucher assistance program during the reporting period, listed separately by the  
1553 program in which the household is participating, including the Permanent Supportive Housing,  
1554 Targeted Affordable Housing program, and the Rapid Rehousing program, and categorized by  
1555 individual households and family households;

1556                   “(3) The amount of money remaining in the fund at the end of the reporting  
1557 period, listed separately by the program in which the household is participating, including the  
1558 Permanent Supportive Housing, Targeted Affordable Housing program, and the Rapid  
1559 Rehousing program, and categorized by individual households and family households;

1560                   “(4) The number of households, categorized separately as individual households  
1561 and family households, matched with a tenant-based voucher assistance program during the  
1562 reporting quarter, listed separately by the program in which the household is participating,  
1563 including the Permanent Supportive Housing and Targeted Affordable Housing program; and

1564                   “(5) The amount of money expended from the fund during the reporting period on  
1565 administrative costs, which shall contain a breakdown by category of expense.”.

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

Sec. 2051. Short title.

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

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

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

Sec. 2061. Short title.

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

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

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

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

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

“(1) Real property eligible for the low-income housing tax credit provided by section 42 of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2189; 26 U.S.C. § 42), (“affordable housing”) that is owned by or leased to an organization that is not organized or operated for private gain, or that is owned by or leased to an entity controlled, directly or indirectly, by such an organization, for which a certification has been made as to both the real property and owner or lessee pursuant to subsection (b)(1) of this section (and that has

not been revoked under subsection (b)(2) of this section) shall be exempt from the taxes imposed by Chapters 8 and 10 of this title and from a payment in lieu of tax imposed under § 47-1002(20) during the time that the real property is being developed for or being used as affordable housing and is subject to restrictive covenants governing the income of residents that occupy the affordable housing units during the federal low-income housing tax credit compliance period, including any extended use period; provided, that if the property is eligible for the tax relief provided by this subsection in part because it is leased to an organization that is not organized or operated for private gain, or is leased to an entity controlled, directly or indirectly, by such an organization, the owner and lessee shall certify to the Mayor, and the Mayor shall confirm, that the value of the tax abatement provided by this subsection will be passed through to the lessee.”.

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

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

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

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

“(B) Affordable housing developed or to be developed on the real property has been awarded financial assistance in the form of a grant or a loan from the Housing

1608 Production Trust Fund or other District government low-income housing financing assistance  
1609 program designated by the Mayor to provide housing affordable to households earning not in  
1610 excess of 80% of the adjusted median income, as defined by § 47-1005.03(a)(1);

1611 “(C) The financial assistance described in subparagraph (B) of this  
1612 paragraph was awarded after the effective date of the Property Tax Relief for Low Income  
1613 Housing Harmonization Act of 2021;

1614 “(D) A certification as to both the real property and owner or lessee has  
1615 been made pursuant to subsection (b)(1) of this section (and that has not been revoked under  
1616 subsection (b)(2) of this section); and

1617 “(E) The real property is subject to, and in compliance with, restrictive  
1618 covenants governing the income of residents that occupy or will occupy the affordable housing  
1619 units developed or to be developed on the real property.

1620 “(2) Real property described in paragraph (1) of this subsection shall be exempt  
1621 from the taxes imposed by Chapters 8 and 10 of this title and from a payment in lieu of tax  
1622 imposed under § 47-1002(20) during the time that the real property is being developed for or  
1623 being used as affordable housing.”.

1624 (3) Subsection (b) is amended as follows:

1625 (A) Paragraph (1) is amended as follows:

1626 (i) The lead-in text is amended to read as follows:

1627 “The Mayor shall certify to the Office of Tax and Revenue (“OTR”) each property and  
1628 owner or lessee eligible for an exemption. The certification shall identify:”.

1629 (ii) Subparagraph (B) is amended by striking the word “owner”  
1630 and inserting the phrase “owner or lessee” in its place.

1631 (iii) Subparagraph (E) is amended to read as follows:

1632 “(E) The effective date of the exemption, which shall be:

1633 “(i) In the case of an application by an eligible owner, the date on  
1634 which the eligible owner acquired the real property or October 1, 2012, whichever is later; and

1635 “(ii) In the case of an application by an eligible lessee, the date on  
1636 which the eligible lessee leased the real property, or October 1, 2021, whichever is later.”.

1637 (B) Paragraph (2) is amended as follows:

1638 (i) The lead-in text is amended as follows:

1639 (I) Strike the phrase “owner or property” and insert the  
1640 phrase “property or owner or lessee” in its place.

1641 (II) Strike the phrase “subsection (a)” and insert the phrase  
1642 “subsection (a) or (a-1)” in its place.

1643 (ii) Subparagraph (B) is amended by striking the word “owner”  
1644 and inserting the phrase “owner or lessee” in its place.

1645 (iii) Subparagraph (E) is amended by striking the phrase “taxpayer  
1646 or property” and inserting the phrase “property, owner, or lessee” in its place.

1647 (C) Paragraph (3) is amended as follows:

1648 (i) Strike the phrase “subsection (a)” and insert the phrase  
1649 “subsection (a) or (a-1)” in its place.



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1650 (ii) Strike the word “owner” and insert the phrase “owner or lessee,  
1651 whichever is applicable,” in its place.

1652 (4) Subsection (c) is amended by striking the word “owner” and inserting  
1653 the phrase “owner or lessee” in its place.

1654 (b) Section 47-1005.03 is amended as follows:

1655 (1) Subsection(a)(2)(B) is amended as follows:

1656 (A) Sub-subparagraph (i) is amended by striking the word “or”.

1657 (B) Sub-subparagraph (ii) is amended by striking the period and inserting  
1658 the phrase “; or” in its place.

1659 (C) A new sub-subparagraph (iii) is added to read as follows:

1660 “(iii) Is a limited-equity cooperative as defined by § 42–2061(2).”.

1661 (2) Subsection (b) is amended as follows:

1662 (A) The lead-in language is amended by striking the phrase “provided,  
1663 that” and inserting the phrase “provided, that the land and buildings are acquired by the nonprofit  
1664 owner in an arm’s-length transaction on or after October 1, 2020, or, in the case of a nonprofit  
1665 owner that is a limited-equity cooperative as defined by § 42–2061(2), on or after October 1,  
1666 2021; provided further, that” in its place.

1667 (B) Paragraph (6) is amended to read as follows:

1668 “(6) Such nonprofit owner, or its sole member if the nonprofit owner is  
1669 disregarded for income tax purposes, is the subject of a Determination Letter issued by the

1670 Internal Revenue Service providing for recognition under section 501(c)(3) of the Internal  
1671 Revenue Code; except, that this requirement shall not apply to a limited-equity cooperative.”.

1672 **SUBTITLE H. SECTION 108 DEBT RESERVE ACCOUNT**

1673 Sec. 2071. Short title.

1674 This subtitle may be cited as the “Section 108 Debt Reserve Account Establishment Act  
1675 of 2021”.

1676 Sec. 2072. Section 108 debt reserve account.

1677 (a) The Chief Financial Officer shall establish as a special fund under section 450 of the  
1678 District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official  
1679 Code § 1-204.50), or as an account at a financial institution outside the District government, the  
1680 Section 108 Debt Reserve Account (“Account”).

1681 (b) There shall be deposited into the Account such amounts as are appropriated for the  
1682 Account. The amount of money in the Account at any point during a fiscal year should be at least  
1683 equal to the amount necessary to pay the principal and interest due during the remainder of that  
1684 fiscal year to the Department of Housing and Urban Development (“HUD”) on amounts  
1685 borrowed by the District under the federal loan guarantee program authorized by section 108 of  
1686 the Housing and Community Development Act of 1974, approved August 22, 1974 (88 Stat.  
1687 647; 42 U.S.C. 5308) (“Section 108 Loan Guarantee Program”).

1688 **SUBTITLE I. PARK MORTON REDEVELOPMENT**

1689 Sec. 2081. Short title.

1690 This subtitle may be cited as the “Park Morton Redevelopment Act of 2021”.

1691           Sec. 2082. Park Morton Redevelopment.

1692           The use of funds allocated for the redevelopment of public housing at Park Morton shall  
1693 be limited to furthering the project requirements and shall be subject to the guidelines,  
1694 conditions, and standards as approved by Zoning Commission Order Nos. 16-11 and 16-12, and  
1695 any subsequent applicable orders issued by the Zoning Commission.

1696           **SUBTITLE J. REENTRY HOUSING AND SERVICES PROGRAM**

1697           Sec. 2091. Short title.

1698           This subtitle may be cited as the “Reentry Housing and Services Program Act of 2021”.

1699           Sec. 2092. Definitions

1700           For purposes of this subtitle, the term:

1701                   (1) “Area median income” means the area median income of the Washington  
1702 Metropolitan Statistical Area as set forth in the periodic calculation provided by the U.S.  
1703 Department of Housing and Urban Development.

1704                   (2) “Community Housing Development Organization” means a private nonprofit  
1705 community-based organization with the capacity to develop affordable housing for the target  
1706 population.

1707                   (3) “Extremely low-income” means having a household income equal to 30% or  
1708 less of the area median income.

1709                   (4) “Housing production” means the construction, rehabilitation, or preservation  
1710 of decent, safe, and affordable housing.

1711 (5) “Low-income” means having a household income that is less than 60% of the  
1712 area median income.

1713 (6) “On-site services” means services, provided in connection with housing,  
1714 designed primarily to help tenants maintain housing, including coordination or case  
1715 management, physical and mental health support, substance use management and recovery  
1716 support, job training, literacy and education, youth and children’s programs, and money  
1717 management.

1718 (7) “Qualifying housing project” means a development that has an approved  
1719 building permit and provides permanent and transitional housing with on-site services for the  
1720 target population.

1721 (8) “Returning citizen” means a District resident who was previously  
1722 incarcerated.

1723 (9) “Sponsor-based assistance” means funds allocated to a particular Community  
1724 Housing Development Organization to subsidize rent and social services in units owned and  
1725 operated by the Community Housing Development Organization for a maximum number of  
1726 households as established by contract.

1727 (10) “Target population” means low-income, very low-income, and extremely  
1728 low-income individuals, families, or returning citizens.

1729 (11) “Very low-income” means a household income equal to or less than 50% of  
1730 the area median income.

1731           Sec. 2093. (a)(1) The Department of Housing and Community Development (“DHCD”)  
1732   shall establish a Reentry Housing and Services Program (“Program”), subject to available  
1733   funding, to provide sponsor-based assistance to a Community Housing Development for  
1734   qualifying housing projects.

1735                   (2) The Program shall allocate sponsor-based funds to produce and maintain new  
1736   affordable housing units and subsidize the cost of monthly rent and on-site services for the target  
1737   population at a qualifying housing project.

1738           (b) To be eligible, a qualifying housing project shall provide:

1739                   (1) No fewer than 60 units of housing, which may include single room occupancy  
1740   units;

1741                   (2) On-site services for the target population; and

1742                   (3) A preference for returning citizens as tenants.

1743           (c) The agency shall issue a request for proposals no later than January 31, 2022, and  
1744   issue awards no later than July 1, 2022.

1745           (d)(1) The Mayor, pursuant to Title I of the District of Columbia Administrative  
1746   Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),  
1747   shall issue rules to implement the provisions of this act, including rules addressing:

1748                   (A) The distribution of funds under this program; and

1749                   (B) The allocation of sponsor-based funds pursuant to this section,  
1750   including by combining funds under this program with other sources of funds for housing  
1751   production and development.

1752 (2) The proposed rules shall be submitted to the Council for a 45-day period of  
1753 review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council  
1754 does not approve or disapprove the proposed rules, by resolution, within the 45-day review  
1755 period, the proposed rules shall be deemed approved.”

1756 **SUBTITLE K. EMORY BEACON OF LIGHT TAX EXEMPTION**

1757 Sec. 2101. Short title.

1758 This subtitle may be cited as the “Emory United Methodist Church Tax Exemption and  
1759 Equitable Tax Relief Act of 2021”.

1760 Sec. 2102. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as  
1761 follows:

1762 (a) The table of contents is amended by adding a new section designation to read as  
1763 follows:

1764 “47-1099.11. Emory United Methodist Church; Square 2940, lots 826, 828, 831, 832,  
1765 7007, 7008, 7009, 7010, 7011, and 7012.”.

1766 (b) A new section § 47-1099.11 is added to read as follows:

1767 “§ 47-1099.11. Emory United Methodist Church; Square 2940, lots 826, 828, 831, 832,  
1768 7007, 7008, 7009, 7010, 7011, and 7012.

1769 “(a) The real property described for assessment and taxation purposes as Square 2940,  
1770 Lots 826, 828, 831, 832, 7007, 7008, 7009, 7010, 7011, and 7012 (“real property”) shall be  
1771 exempt from real property taxation and possessory interest taxation so long as the real property  
1772 is:

1773                   “(1) Owned by Emory United Methodist Church or an entity controlled directly or  
1774 indirectly by Emory United Methodist Church;

1775                   “(2) If leased, leased to Beacon Center QALICB, LLC, or a nonprofit  
1776 organization, including Emory Beacon of Light;

1777                   “(3) If subleased, subleased to Beacon Center QALICB, LLC, or a nonprofit  
1778 organization, including Emory United Methodist Church or Emory Beacon of Light; and

1779                   “(4) Used, or, if vacant, held for use, by Emory United Methodist Church, an  
1780 entity controlled directly or indirectly by Emory United Methodist Church, Beacon Center  
1781 QALICB, LLC, or a nonprofit organization, including Emory Beacon of Light, for affordable  
1782 housing or community-serving purposes, such as a church, gymnasium, classroom, food pantry,  
1783 community or incubator kitchen, immigration clinic, small-business services, restaurant staffed  
1784 by returning citizens, youth leadership academy, or health clinic.

1785                   “(b) Any transfer, assignment, or other disposition of all or any portion of the real  
1786 property, including a lease or sublease of the real property between Emory United Methodist  
1787 Church or any entity controlled directly or indirectly by Emory United Methodist Church  
1788 including Emory Beacon of Light, and Beacon Center QALICB, LLC, and any security interest  
1789 instrument in the real property granted by Emory United Methodist Church, an entity controlled  
1790 directly or indirectly by Emory United Methodist Church, or Beacon Center QALICB, LLC,  
1791 shall be exempt from the tax imposed by § 42-1103 and § 47-903.”.

1792                   Sec. 2103. The Council orders that all recordation and transfer taxes, interest, and  
1793 penalties assessed or assessable, fees, and other related charges assessed with respect to

documents recorded concerning the real property, for the period beginning with January 1, 2016, through the end of the month following the effective date of this act shall be forgiven, and any payments made of such taxes, interest, penalties, fees, or other related charges shall be refunded.

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

**SUBTITLE L. DSLBD GRANTS**

Sec. 2111. Short title.

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

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

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

(b)(1) A grant in the amount of up to \$250,000 to the DC Community Development Consortium (“Consortium”) to develop a Ward 8 Community Investment Fund to provide access to capital to entrepreneurs residing in Ward 8 or to assist in operating a small business in Ward 8.

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

(3) The Consortium shall give Ward 8 residents control over the deployment of



1815 capital in the Community Investment Fund through an investment committee comprised of Ward  
1816 8 residents and supported by technical and administrative staff, as necessary.

1817 (c) A grant of not less than \$300,000 to an organization partnering with property owners  
1818 in the Friendship Heights neighborhood for place making, place management, branding, and  
1819 economic development.

1820 **SUBTITLE M. REDEVELOPMENT OF THE CENTER LEG FREEWAY**

1821 Sec. 2121. Short title.

1822 This subtitle may be cited as the “Redevelopment of the Center Leg Freeway (Interstate  
1823 395) Amendment Act of 2021”.

1824 Sec. 2122. Section 47-4640 of the District of Columbia Official Code is amended by  
1825 adding a new subsection (i) to read as follows:

1826 “(i)(1) For the purposes of this subsection, the term “Property” means the real property,  
1827 including any improvements thereon, described as Lots 50, 861, and 862 in Square 566 and Lots  
1828 44 and 865 in Square 568, including any future subdivisions of those lots.

1829 “(2) The Owner may make a payment to the District in the amount of 25% of the  
1830 real property taxes that would otherwise be imposed on the Property by Chapter 8 of this title for  
1831 10 years starting October 1, 2027; provided, that:

1832 “(A) The residential building on the Property is constructed and has  
1833 received its final certificate of occupancy by September 30, 2027;

1834 “(B) The Owner and the Mayor, prior to October 1, 2022, have executed  
1835 an amendment to the documents governing the transfer of the Center Leg Freeway (Interstate

1836 395) PILOT Area to the Owner pursuant to section 3 of the Redevelopment of the Center Leg  
1837 Freeway (Interstate 395) Act of 2010, effective October 26, 2010 (D.C. Law 18-257; 57 DCR  
1838 8144), to require, in addition to completion of the residential building on the Property by  
1839 September 30, 2027, completion of all remaining development of the Property by September 30,  
1840 2033, and such economic inclusion requirements as the Mayor may require;

1841 “(C) The Owner is in compliance with the amended documents described  
1842 in subparagraph (B) of this paragraph; and

1843 “(D) The total amount of real property taxes that may be abated under this  
1844 paragraph shall not exceed \$100 million.”.

1845 **SUBTITLE N. DMPED GRANTS AND INITIATIVES**

1846 Sec. 2131. Short title.

1847 This subtitle may be cited as the “Deputy Mayor for Planning and Economic  
1848 Development Grants and Initiatives Amendment Act of 2021”.

1849 Sec. 2132. Vibrant places recovery support.

1850 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited  
1851 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.  
1852 Official Code § 1-328.04), is amended by adding new subsections (j) and (k) to read as follows:

1853 “(j)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,  
1854 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make  
1855 grants to eligible BID corporations, as defined by section 2(4) of the Business Improvement  
1856 Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-

1857 1215.02(4)), and Main Street corridors supported by the Department of Small and Local  
1858 Business Development for the purpose of making the area served by the BID corporation or  
1859 Main Street organization (“commercial district”) and the surrounding area more people-focused  
1860 and engaging to attract more residents and visitors to the commercial district and surrounding  
1861 area.

1862 “(2) A grant awarded pursuant to paragraph (1) of this subsection may be used to  
1863 pay for the costs of:

1864 “(A) The development of neighborhood brand identities;

1865 “(B) Investments to implement neighborhood brand identities guidelines;

1866 “(C) Marketing campaigns for the commercial district and surrounding  
1867 area;

1868 “(D) Wayfinding signage and resources for the commercial district and  
1869 surrounding area;

1870 “(E) Training of employees who work in the commercial district;

1871 “(F) Market studies that examine visitor attraction, hotel occupancy,  
1872 marketing campaigns in competitive jurisdictions, and other indicators that may inform actions  
1873 that may be taken to gain market share; and

1874 “(G) Public space improvements and activation, including pedestrian  
1875 priority zones in the commercial district and surrounding area.

1876 “(3) A BID corporation or Main Street organization seeking a grant under  
1877 paragraph (1) of this subsection shall submit to the Deputy Mayor an application, in a form  
1878 proscribed to the Deputy Mayor. The application shall include:

1879 “(A) A description of how the applicant proposes to spend the grant funds  
1880 to attract visitors to its commercial district and surrounding area to shop, eat, and attend or  
1881 engage in cultural and entertainment activities.

1882 “(B) A description of how the increased spending by visitors attracted  
1883 through the expenditure of the grant funds will directly impact local businesses in the  
1884 commercial district and surrounding area; and

1885 “(C) Any additional information requested by the Deputy Mayor.

1886 “(k) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013  
1887 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make grants:

1888 “(1) To the Anacostia BID to support an art and culture district;

1889 “(2) To the Southwest Waterfront BID to support autonomous vehicle shuttles;

1890 and

1891 “(3) To the Golden Triangle BID for an innovation district.”.

1892 Sec. 2133. Small Business Rent Relief Program.

1893 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited  
1894 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.  
1895 Official Code § 1-328.04), is amended by adding a new subsection (l) to read as follows:

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1896           “(l)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,  
1897   2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and subject to the availability of  
1898   funds, the Deputy Mayor shall establish the Small Business Rent Relief Program to award grants  
1899   to small businesses operating a restaurant, tavern, nightclub, entertainment venue, or retail  
1900   establishment on leased property to pay one-third of the applicant’s past-due rent for the period  
1901   of April 1, 2020, through March 31, 2021.

1902           “(2)(A) To be eligible for rent relief, a small business operating a restaurant,  
1903   tavern, nightclub, entertainment venue, or retail establishment on leased property shall meet the  
1904   following criteria:

1905                           “(i) The restaurant, tavern, nightclub entertainment venue, or retail  
1906   establishment shall be physically located in the District;

1907                           “(ii) The small business shall have operated the restaurant, tavern,  
1908   nightclub entertainment venue, or retail establishment continuously since at least December 1,  
1909   2018, except for any interruptions required by Mayor’s Orders 2020-045 and 2020-046 and  
1910   subsequent public health emergency orders;

1911                           “(iii) The small business shall be in good standing with the District  
1912   of Columbia’s Office of Tax and Revenue;

1913                           “(iv) The small business shall have experienced a 50% decrease in  
1914   revenue during any three-month period from April through March 2021 when compared to the  
1915   same time period in 2019;

1916 “(v) The lease for the restaurant, tavern, nightclub entertainment  
1917 venue, or retail establishment shall extend at least until December 31, 2023;

1918 “(vi) If the small business is a franchisee of a franchise with  
1919 multiple locations, the business receiving assistance must be independently owned and operated;

1920 “(vii) The small business did not receive funding from the  
1921 Restaurant Revitalization Fund established by Section 5003 of the American Rescue Plan Act of  
1922 2021, approved March 11, 2021 (Pub. L. 117-2; H.R. 1319);

1923 “(viii) The small business did not receive funding from the  
1924 Shuttered Venue Operators Grant established by Section 324 of the Economic Aid to Hard-Hit  
1925 Small Businesses, Nonprofits and Venues Act of 2020 (Economic Aid Act), approved December  
1926 27, 2020 (Pub. L. 116-260; H.R. 748); and”

1927 “(ix) The small-business owner shall demonstrate that he or she  
1928 will pay one-third of the amount of past due rent.

1929 “(B) In addition to the requirements set forth under subparagraph (A) of  
1930 this paragraph, as part of the grant application, the landlord of a small-business owner applying  
1931 to receive grants shall certify that:

1932 “(i) He or she will forgive one-third of the past due rent; and

1933 “(ii) The grant will make the business current on rent.

1934 “(3) The Mayor shall prioritize grant funding under this subsection for eligible  
1935 small businesses that did not receive Paycheck Protection Program loans from the Coronavirus  
1936 Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. §

**ENGROSSED ORIGINAL**

1937 9001 *et seq.*) or section 501 of Division N of the Consolidated Appropriations Act, 2021,  
1938 approved December 27, 2020 (134 Stat. 2069; 15 U.S.C. § 9058a).

1939 “(A) The Mayor may issue one or more grants to a third-party grant-  
1940 managing entity for the purpose of administering the grant program under subsection (u) of this  
1941 section and making subgrants on behalf of the Mayor in accordance with the requirements of this  
1942 section.

1943 “(B) The Mayor, and any third-party entity chosen pursuant to  
1944 subparagraph (A) of this paragraph, shall, at a minimum, maintain the following information for  
1945 each grant award:

1946 “(i) The name, location and business license number of the grant  
1947 recipient;

1948 “(ii) Proof of revenue declines as required by subsection  
1949 (l)(2)(A)(iv) of this section;

1950 “(iii) The date and amount, if any, of Paycheck Protection Program  
1951 loans received by the small business for purposes of compliance with paragraph (3) of this  
1952 subsection;

1953 “(iv) The date of the award;

1954 “(v) The intended uses of the award;

1955 “(vi) A certification of rent forgiveness by the landlord as required  
1956 by subsection (l)(2)(B)(i) of this section;

1957                               “(vii) Proof of the small-business owners’ ability to pay a third of  
1958 past due rent as required by subsection (l)(2)(A)(vii) of this section;

1959                               “(viii) The award amount; and

1960                               “(ix) Any other information deemed necessary to implement the  
1961 requirements of this section.

1962                               “(C) The Mayor shall issue a report with information required by  
1963 paragraph (3)(B) of this subsection to the Council no later than June 1, 2022.

1964                               “(4) For purposes of this section, the term “small business” means a brick-and-  
1965 mortar, for-profit establishment located in the District that made no more than \$5 million in  
1966 revenue in 2020.”.

1967               Sec. 2134. LGBTQ+ Center.

1968               Section 2032 of the Deputy Mayor for Planning and Economic Development Limited  
1969 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.  
1970 Official Code § 1-328.04), is amended by adding a new subsection (m) to read as follows:

1971               “(m) Notwithstanding the Grant Administration Act of 2013, effective December 24,  
1972 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), the Deputy Mayor may make  
1973 grants to support the buildout of new office and community space for the DC Center for the  
1974 LGBT Community, currently located at the Frank D. Reeves Center.”.

1975               Sec. 2135. Employment center vitality and local jobs creation.



1976           Section 2032 of the Deputy Mayor for Planning and Economic Development Limited  
1977   Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.  
1978   Official Code § 1-328.04), is amended by adding a new subsection (n) to read as follows:

1979           “(n)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,  
1980   2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), the Deputy Mayor may award  
1981   grants to attract large companies, in sectors designated by the Deputy Mayor, that have the  
1982   ability to attract additional businesses to the District.

1983           “(2) Grants awarded pursuant to this subsection may be used for the following  
1984   purposes:

1985                       (A) As initial startup capital;

1986                       (B) To cover operational costs;

1987                       (C) As down-payment assistance or to subsidize rent;

1988                       (D) Tenant improvements;

1989                       (E) Workforce training or professional development costs not eligible for  
1990   support through other workforce programs; and

1991                       (F) Recruitment and hiring costs.

1992           “(3) To be eligible to receive a grant under this subsection, a business must:

1993                       “(A) Have 25 or more employees;

1994                       “(B) Lease or own, or agree to lease or acquire, a physical office or  
1995   business location of at least 20,000 square feet in the District’s central business District and enter  
1996   into an agreement with the District to remain in the leased or owned space for at least 10 years;

1997                   “(C) Be in the field of cloud and computer systems, food technology,  
1998 cybersecurity, artificial intelligence, big data, life sciences, education, education technology,  
1999 research, consulting services, professional services, marketing, or communications;

2000                   “(D) Enter into an agreement with the District to implement a workforce  
2001 development program that offers District residents opportunities for training or employment  
2002 within the business or the industry in which it operates;

2003                   “(E) Commit to spending at least 5% of its total annual contracting with  
2004 businesses eligible for certification as local business enterprises, pursuant to section 2331 of the  
2005 Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005,  
2006 effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31), during the 10-year  
2007 period referred to in paragraph (B) of this subsection; and

2008                   “(F) Require its employees, in the aggregate, to be on-site at the location  
2009 referred to in paragraph (B) of this subsection for at least 50% of their work hours.”.

2010               Sec. 2136. Local food access.

2011               Section 2032 of the Deputy Mayor for Planning and Economic Development Limited  
2012 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.  
2013 Official Code § 1-328.04), is amended by adding a new subsection (o) to read as follows:

2014               “(o)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,  
2015 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*) the Deputy Mayor may make  
2016 grants and loans for the purpose of supporting the equitable distribution of food businesses in  
2017 Wards 7 and 8 and in eligible areas, including:

2018 “(A) Grants and loans to assist in the startup, growth, and long-term  
2019 sustainability of food business in Wards 7 and 8 and in eligible areas; and

2020 “(B) Grants for the provision of technical assistance to food businesses  
2021 and individuals seeking to establish food businesses in the District.

2022 “(2) The Deputy Mayor may issue one or more grants to a third-party grant-  
2023 managing entity to issue or administer, or both, the grants and loans authorized by this  
2024 subsection.

2025 “(3) For the purposes of this subsection, the term “eligible areas” shall have the  
2026 same meaning as set forth in D.C. Official Code § 47-3801(1D).”.

2027 Sec. 2137. Guaranteed income pilot.

2028 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited  
2029 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.  
2030 Official Code § 1-328.04), is amended by adding a new subsection (p) to read as follows:

2031 “(p)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective  
2032 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in fiscal year 2022, the  
2033 Deputy Mayor shall have grant-making authority for the purpose of providing funds, on or  
2034 before November 1, 2021, and in amount of at least \$1.5 million to support District-based direct  
2035 cash assistance programs or pilot programs administered by a nonprofit organization or an  
2036 organization that provides unrestricted cash assistance directly to individuals or households.

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

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

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

“(C) The funding structure for the program or pilot program; and

“(D) Information on how the program or pilot-program participants used the cash assistance they received.

“(3) By November 1, 2022, the Deputy Mayor shall provide to the Council a report based on the information required by paragraph (2) of this subsection, along with a summary analysis of the efficacy and benefits of the cash assistance issued by the grantee or grantees.”.

Sec. 2138. CDFI and MDI small business assistance.

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

“(q)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in fiscal year 2022, the

2058 Deputy Mayor shall make grants to multiple Community Development Financial Institutions or  
2059 Minority Depository Institutions located in the District of Columbia in an aggregate amount of  
2060 up to \$6 million to assess activities that support equitable economic recovery and increase access  
2061 to loans, grants, technical assistance, and financial services to eligible entities.

2062                   “(2) An applicant shall submit a grant application in the form and with the  
2063 information required by the Deputy Mayor, which may include:

2064                               “(A) An explanation of proposed activities to be supported by the grant  
2065 funds; and

2066                               “(B) A demonstration that the applicant has a record of success in serving  
2067 small business based in the District of Columbia.

2068                   “(3) Grant funds may be used:

2069                               “(A) To provide technical assistance to eligible entities that have  
2070 outstanding loans from the CDFI or MDI or to borrow funds from the CDFI or MDI within one  
2071 year of the date of the CDFI or MDI’s application for grant funds. Technical assistance shall be  
2072 tailored to help ensure the success of borrowers and repayment of loans;

2073                               “(B) For loan capital; provided, that the approved loan is for a business  
2074 purpose;

2075                               “(C) For risk capital, including loan loss reserves, loan guarantees, and  
2076 cash collateral support for business loans;

2077                               “(D) For administrative support for the CDFI or MDI, including the  
2078 provision of technical and financial assistance; except, that the amount of grant proceeds used for

this purpose may not exceed the NICRA between a CDFI and the federal government, or 10% of the grant proceeds if the CDFI does not have a NICRA in effect.

“(4) By November 1, 2022, a grantee who has received a grant pursuant to paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the grant funds, including:

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

“(B) The aggregate number of eligible entities receiving support from the grantee and the aggregate amount received; and

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

“(5) By December 1, 2022, the Deputy Mayor shall provide to the Council a report based on the information required by paragraph (4) of this subsection, along with a summary analysis of the efficacy and benefits of the use of the grant funds by the grantee.

“(6) For purposes of this subsection, the term:

“(A) “Community Development Financial Institution” or “CDFI” means an organization operating the District that has been certified as a community development financial institution by the federal community development institutions fund, pursuant to 12 U.S.C. 4701 *et seq.*

“(B) “Eligible entity” means an equity impact enterprise, as defined in section 2302(8A) of the Small and Certified Business Enterprise Development and Assistance

2100 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)),  
2101 or a business entity that meets the definition of an equity impact enterprise.

2102 “(C) “Minority Depository Institution” or “MDI” means an organization  
2103 operating in the District that qualifies as a minority depository institution pursuant to the  
2104 Financial Institutions Reform, Recovery, and Enforcement Act of 1989, approved August 9,  
2105 1989 (Pub. L. No. 101-73; 103 Stat. 183).

2106 (D) “NICRA” means a Negotiated Indirect Cost Rate Agreement, which is  
2107 an agreement that estimates the indirect cost rate negotiated between the federal government and  
2108 a grantee organization that reflects indirect costs and fringe benefit expenses incurred by the  
2109 organization that the federal government may reimburse.

2110 Sec. 2139. Equity impact enterprise growth.

2111 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited  
2112 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.  
2113 Official Code § 1-328.04), is amended by adding a new subsection (r) to read as follows:

2114 “(r)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective  
2115 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in fiscal year 2022, the  
2116 Deputy Mayor shall award a grant in an amount of up to \$400,000 to an organization based and  
2117 located in the District and founded in 2017 that is an affiliate of a national organization and that  
2118 promotes and supports the growth of equity impact enterprises, as defined in section 2302(8A) of  
2119 the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective

2120 October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)), to provide resources  
2121 for advocacy and education and the facilitation of networking opportunities.

2122 “(2) By November 1, 2022, a grantee who has received a grant pursuant to  
2123 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the  
2124 grant funds, including a description of services it provided through the grant funds.

2125 “(3) By December 1, 2022, the Deputy Mayor shall provide to the Council a  
2126 report based on the information required by paragraph (2) of this subsection, along with a  
2127 summary analysis of the efficacy and benefits of services provided by the grantee.”.

2128 Sec. 2140. Great Streets grants.

2129 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited  
2130 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.  
2131 Official Code § 1-328.04), is amended by adding a new subsection (s) to read as follows:

2132 “(s) For fiscal year 2022, the Deputy Mayor may make grants in an aggregate amount of  
2133 up to \$800,000 to businesses that are located within the geographical boundaries set forth in the  
2134 Great Streets Neighborhood Retail Priority Amendment Act of 2021, as introduced on March 31,  
2135 2021 (Bill 24-179), and that would otherwise qualify for a Great Streets Small Business grant.”.

2136 Sec. 2142. Conforming amendments; rulemaking authority grants authorization from the  
2137 Economic Development Special Account.

2138 (a) The Deputy Mayor for Planning and Economic Development Limited Grant-Making  
2139 Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; 59 DCR 8050), is  
2140 amended by adding a new section 2032a to read as follows:



2141 “Sec. 2032a. Rules.

2142 “The Mayor may, pursuant to Title I of the District of Columbia Administrative  
2143 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),  
2144 issue rules to implement section 2032.”.

2145 (b) Section 301 of the National Capital Revitalization Corporation and Anacostia  
2146 Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-  
2147 138; D.C. Official Code § 2-1225.21), is amended by adding a new subsection (d-2) to read as  
2148 follows:

2149 “(d-2) Monies credited to the Account may be used to provide grants authorized by the  
2150 section 2032 (j) and (k) of the Deputy Mayor for Planning and Economic Development Limited  
2151 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.  
2152 Official Code § 1-328.04(j) and (k)), as introduced on May 27, 2021 (Bill 24-285).”.

2153  
2154

2155 **SUBTITLE O. BID CLARIFICATION**

2156 Sec. 2151. Short title.

2157 This subtitle may be cited as the “Business Improvement Districts Clarification  
2158 Amendment Act of 2021”.

2159 Sec. 2152. Section 206 of the Business Improvement Districts Act of 1996, effective  
2160 March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56), is amended by adding a new  
2161 subsection (a-1) to read as follows:

2162 “(a-1)(1) Notwithstanding any other provision of law or order to the contrary, the initial  
2163 term of the Adams Morgan BID began, pursuant to Mayor’s Order 2005-121 dated August 22,  
2164 2005, on June 30, 2005, and expired on September 30, 2011.

2165 “(2) This subsection shall apply as of January 1, 2010.”.

2166 **SUBTITLE P. D.C. HOUSING AUTHORITY BOARD OF COMMISSIONERS**  
2167 **REFORM**

2168 Sec. 2161. Short title.

2169 This subtitle may be cited as the “District of Columbia Housing Authority Board of  
2170 Commissioner Reform Amendment Act of 2021.”

2171 Sec. 2162. Section 12 of the District of Columbia Housing Authority Act of 1999,  
2172 effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-211), is amended as follows:

2173 (a) Subsection (a) is amended as follows:

2174 (1) The lead-in language is amended by striking the number “11” and inserting  
2175 the number “13”.

2176 (2) Paragraph (4) is amended by striking the word “and”.

2177 (3) Paragraph (5) is amended by striking the period and inserting the phrase “;  
2178 and” in its place.

2179 (4) A new paragraph (6) is added to read as follows:

2180 “(6) Two Commissioners, who shall not be employees of the  
2181 Authority, appointed by the Council, who shall be representatives with

professional experience designing and developing public and private multi-family housing and who shall:

“(A) Have demonstrated professional competence in at least one of the following areas:

“(i) Public housing law and regulations;

“(ii) Public or affordable housing development, operation, and management;

“(iii) Subsidized or nonprofit housing production and development;

“(iv) Community-based redevelopment;

“(v) Legal or counseling services provided to public or affordable housing tenants for the purposes of obtaining or maintaining housing; or

“(vi) Multifamily residential housing construction; and

“(B) Not be an officer or employee of the federal government or the District government.

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

(1) The lead-in language is amended by striking the phrase “nominated by the Mayor pursuant to subsection (a)(1) of this section” and

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2200 inserting the phrase “nominated by the Mayor pursuant to subsection (a)(1) of this  
2201 section or appointed by the Council pursuant to subsection (a)(6) of this section” in  
2202 its place.

2203 (2) Paragraph (1) is amended by striking the word “individual’s” and  
2204 inserting the word “Commissioner’s” in its place.

2205 (3) Paragraph (2) is amended by striking the phrase “Each individual  
2206 shall be selected by the Mayor from among District residents” and inserting the  
2207 phrase “Each Commissioner shall be selected from among District residents” in its  
2208 place.

2209 (c) Subsection (j) is amended to read as follows:

2210 “(j)(1) The Commissioners shall serve 3-year terms, which shall be  
2211 staggered.

2212 “(2) On the initial Board, the 3 elected Commissioners shall each  
2213 serve a term of 3 years, the Chairperson shall serve a term of 3 years, 2 of the  
2214 appointed Commissioners shall each serve initial terms of 2 years, and the  
2215 remaining Commissioners shall each serve a term of one year.

2216 “(3) The 2 Commissioners appointed by the Council shall serve 3-year  
2217 terms. Their initial terms may be less than 3 years and shall end in 2024.”.

**SUBTITLE Q. CNHED TOPA STUDY**

Sec. 2171. Short title.

This subtitle may be cited as the “The Coalition for Non-Profit Housing and Economic Development TOPA Study and Grant Act of 2021”.

Sec. 2172. Tenant Opportunity to Purchase Act Outcomes Study.

In Fiscal Year 2022, the Department of Housing and Community Development shall issue a grant in the amount of \$250,000 to the Coalition for Non-Profit Housing and Economic Development to conduct a study of Tenant Opportunity to Purchase Act outcomes. The study shall be completed and delivered to the Council by September 30, 2022.

**SUBTITLE R. MCMILLAN SLOW SAND FILTRATION SITE DEVELOPMENT**

Sec. 2181. This subtitle may be cited as the “McMillan Site Development Amendment Act of 2021.”

Sec. 2182. (a) Notwithstanding any provision of law, the development of the McMillan Slow Sand Filtration Site described in subsection (b) of this section, shall proceed expeditiously and without further delay through all phases of demolition and construction of the foundation of the community center consistent with the permits already issued by the Department of Consumer and Regulatory Affairs, including Demolition Permit number D1600814 and Foundation Permit number FD1800040, and any extensions or reinstatements of, or amendments to, those permits, and other permits for the project.

(b) The “McMillan Slow Sand Filtration Site” is the property that is located at 2501 First Street, N.W., and known for tax and assessment purposes as Lot 0800 in Square 3128 (“McMillan Site”).

Sec. 2183. Applicability.

2241 This subtitle shall apply as of the effective date of the Fiscal Year 2022 Budget Support  
2242 Emergency Act of 2021.

2243 **SUBTITLE S. COVID-19 HOTEL RECOVERY**

2244 Sec. 2191. Short Title.

2245 This subtitle may be cited as the “COVID-19 Hotel Recovery Grant Program Act of  
2246 2021”.

2247 Sec. 2192. Hotel Recovery Grant Program.

2248 (a) To be eligible for a grant under this section, a business operating a hotel, motel, inn,  
2249 or bed and breakfast shall meet the following criteria:

2250 (1) The business shall be physically located in the District;

2251 (2) The business shall have an active hotel, inn and motel, or bed and breakfast  
2252 lodging business license;

2253 (3) The business shall have been in continuous operation since at least December  
2254 1, 2018, except for any interruptions required by Mayor’s Orders 2020-045 and 2020-046 and  
2255 subsequent public health emergency orders;

2256 (4) The business shall be in good standing with the District of Columbia’s Office  
2257 of Tax and Revenue; and

2258 (5) The business shall have experienced at least a 40% reduction in occupancy in  
2259 2020 due to the COVID-19 pandemic.

2260 (b)(1) The Mayor shall prioritize grant funding for eligible businesses that did not receive  
2261 Paycheck Protection Program loans pursuant to the Coronavirus Aid, Relief, and Economic

2262 Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), or section 501  
2263 of Division N of the Consolidated Appropriations Act, 2021, approved December 27, 2020 (134  
2264 Stat. 2069; 15 U.S.C. § 9058a).

2265 (2) The Mayor may prioritize grant funding for eligible businesses that  
2266 experienced a 70% or greater reduction in occupancy in 2020 due to the COVID-19 pandemic.

2267 (c)(1) The amount of funding awarded to an eligible business shall be calculated on a per  
2268 room key basis.

2269 (2) Grant funding issued to an eligible business may be used to pay for employee  
2270 wages and benefits, rent or other operating costs, taxes, and debt service; except, that grant funds  
2271 may not be used to pay debt to close the business or start a new business.

2272 (d) The Mayor may issue one or more grants to a third-party grant-managing entity for  
2273 the purpose of administering the grant program and making subgrants on behalf of the Mayor in  
2274 accordance with the requirements of this section.

2275 (e)(1) The Mayor, and any third-party entity chosen pursuant to subsection (d) of this  
2276 section, shall, at a minimum, maintain the following information for each grant award:

2277 “(A) The name, location and business license number of the grant  
2278 recipient;

2279 “(B) Proof of occupancy rate declines as required by subsection (a)(5) of  
2280 this section;

2281 “(C) The date and amount of Paycheck Protection Program loans received  
2282 by the business for purposes of subsection (b)(1) of this section;

2283                   “(D) The date of the award;  
2284                   “(E) Intended uses of the award;  
2285                   “(F) The award amount; and  
2286                   “(G) Any other information deemed necessary to implement the  
2287 requirements of this section.  
2288                   “(2) The Mayor shall issue a report setting forth the information required by  
2289 paragraph (1) of this section to the Council no later than June 1, 2022.  
2290                   “(f) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
2291 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue  
2292 rules as necessary to implement the provisions of this section.  
2293                   “(g) For purposes of this section, the term “hotel, motel, inn, or bed and breakfast” means  
2294 a real property:  
2295                   “(1) Any part of which is classified as Class 2 Property under D.C. Official Code  
2296 § 47-813;  
2297                   “(2) That is commercially improved and occupied;  
2298                   “(3) That has 10 or more rooms; and  
2299                   “(4) That is regularly used for the purpose of furnishing rooms, lodgings, or  
2300 accommodations to transients.”.

2301                   **SUBTITLE T. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESSES**

2302                   Sec. 2201. Short title.



2303           This subtitle may be cited as the “Equitable Impact Assistance for Local Businesses  
2304 Amendment Act of 2021”.

2305           Sec. 2202. The Equitable Impact Assistance for Local Businesses Act of 2020, effective  
2306 December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 2-281.01 *et seq.*), is amended as  
2307 follows:

2308           (a) Section 2162 (D.C. Official Code § 2-281.01) is amended as follows:

2309                   (1) Paragraph (2)(A) is amended by striking the phrase “equity impact enterprise”  
2310 and inserting the phrase “equity impact enterprise or an entity that would qualify as an equity  
2311 impact enterprise” in its place.

2312                   (2) A new paragraph (5A) is added to read as follows:

2313                           “(5A) “Investment” unless the context otherwise requires, means a grant, loan,  
2314 credit enhancement, or other financial funding tool approved by the Mayor.”.

2315           (b) Section 2163 (D.C. Official Code § 2-281.02) is amended to read as follows:

2316                   “(a)(1) The Mayor shall select one or more Fund Managers to manage a fund outside the  
2317 District of Columbia government to be known as the Equity Impact Fund (“Fund”).

2318                           “(2) The selected Fund Manager shall have completed at least one round of prior  
2319 funding in an amount greater than or equal to the amount of the District’s initial grant.

2320                           “(3) The Deputy Mayor for Planning and Economic Development shall provide,  
2321 upon selection of the Fund Manager, the District’s initial grant to the Fund Manager for deposit  
2322 into the Fund (“District’s initial investment”).

2323                   “(b) The Fund shall be used to:

2324 “(1) Facilitate investment in eligible businesses that lack access to capital; and

2325 “(2) Make investments into eligible businesses based on a strategy determined by

2326 the Fund Manager.”.

2327 (c) Section 2164 (D.C. Official Code § 2-218.03) is amended as follows:

2328 (1) Subsection (a) is amended as follows:

2329 (A) The lead-in text is amended by striking the phrase “contain description

2330 of” and inserting the phrase “contain a description of” in its place.

2331 (B) Paragraph (1) is amended to read as follows:

2332 “(1) The applicant’s qualifications, which shall include 5 or more years of

2333 demonstrable experience investing in:

2334 “(A) Small businesses;

2335 “(B) Businesses owned by economically disadvantaged

2336 individuals;

2337 “(C) Businesses owned by individuals who have been subjected to

2338 racial or ethnic prejudice or cultural bias because of their identity as a member of a group

2339 without regard to their individual qualities;

2340 “(D) Businesses that otherwise meet the definition of, or are

2341 similar to, an equity impact enterprise; or

2342 “(E) District-based businesses.”.

2343 (C) Paragraph (3) is amended by striking the phrase “ability and plans”

2344 and inserting the phrase “evidence, ability, or plans”.

2345 (2) Subsection (b) is amended as follows:

2346 (A) Paragraph (1) is amended to read as follows:

2347 “(1) A preference be given to applicants that:

2348 “(A) Have experience working with entrepreneurs in the District;

2349 and

2350 “(B)(i) Are at least 51% owned, operated, or controlled by

2351 economically disadvantaged individuals or individuals who have been subjected to racial or

2352 ethnic prejudice or cultural bias because of their identity as a member of a group without regard

2353 to their individual qualities; or

2354 (ii) Are an equity impact enterprise; and”.

2355 (B) Paragraph (2) is amended by striking the figure “\$100,000,000” and

2356 inserting the figure “\$50,000,000” in its place.

2357 (d) Section 2165(b)(3) (D.C. Official Code § 2-281.04(b)(3)) is amended to read as

2358 follows:

2359 “(3)(A) The Fund Manager shall establish, for each selected eligible business, a

2360 12-month individualized business plan.

2361 “(B) The individualized business plan shall include technical assistance,

2362 provided at no cost to the eligible business, which shall include education on the management

2363 and scale of a business through live training or guided recorded sessions.

2364 “(C) All eligible businesses that receive an investment from the Fund shall  
2365 be required to participate in at least 3 months of technical assistance training prior to receipt of  
2366 an investment.

2367 “(D) Investments shall be distributed to the eligible business in  
2368 installments based upon completion of specific milestones clearly described in the eligible  
2369 business's individualized business plan.”.

2370 (e) Section 2167 (D.C. Official Code § 2-281.06) is amended as follows:

2371 (1) The heading is amended by striking the word “investment” and inserting the  
2372 word “grant” in its place.

2373 (2) The text is amended to read as follows:

2374 “The Mayor shall reserve the right to recover the amount of the District’s initial  
2375 grant or any subsequent grant of funds to the Fund Manager for deposit into the Fund and may  
2376 exercise this right if the Fund Manager does not, within a reasonable period, as determined by  
2377 the Mayor, place investments into eligible businesses in an amount equal to the amount of the  
2378 District's initial grant or any subsequent grant of funds to the Fund Manager for deposit into the  
2379 Fund.”.

2380 **TITLE III. PUBLIC SAFETY AND JUSTICE**

2381 **SUBTITLE A. EMERGENCY MEDICAL SERVICE FEES**

2382 Sec. 3001. Short title.

2383 This subtitle may be cited as the “Emergency Medical Services Fees Amendment Act of  
2384 2021”.

2385           Sec. 3002. Section 502 of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law  
2386   1-124; D.C. Official Code § 5-416), is amended as follows:

2387           (a) Subsection (a) is amended by striking the phrase “his or her” both times it appears and  
2388   insert the phrase “the person’s” in its place.

2389           (b) Subsection (b)(2) is repealed.

2390           (c) Subsection (c)(2) is amended to read as follows:

2391                   “(2) Non-Medicaid revenue generated by fees authorized in subsection (a) of this  
2392   section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998, effective  
2393   September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)), in excess of the  
2394   amount of Medicaid and non-Medicaid revenue generated by fees authorized in subsection (a) of  
2395   this section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998,  
2396   effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)), in Fiscal  
2397   Year 2016, shall be deposited in the Fund.”.

2398           (d) New subsections (d) and (e) are added to read as follows:

2399                   “(d) Fees charged for pre-hospital medical care and transport services shall be set as  
2400   follows:

2401                           “(1) For the transportation of each patient in an advanced life support unit or basic  
2402   life support unit, when advanced life support or basic life support, respectively, is administered  
2403   to the patient being transported, no more than:

2404                                   “(A) \$750, beginning January 1, 2021;

2405                                   “(B) \$1,000, beginning January 1, 2022;

2406 “(C) \$1,250, beginning January 1, 2023;

2407 “(D) \$1,500, beginning January 1, 2024;

2408 “(E) \$1,750, beginning January 1, 2025; and

2409 “(F) \$2,000, beginning January 1, 2026; and

2410 “(2) For each patient transported as described in paragraph (1) of this subsection,

2411 an additional fee for each mile, or fraction thereof, that the patient is transported by ambulance,

2412 no more than:

2413 “(A) \$11.25, beginning January 1, 2021;

2414 “(B) \$15, beginning January 1, 2022;

2415 “(C) \$18.75, beginning January 1, 2023;

2416 “(D) \$22.50, beginning January 1, 2024;

2417 “(E) \$26.25, beginning January 1, 2025; and

2418 “(F) \$30, beginning January 1, 2026.

2419 “(e) For the purposes of this section, the term:

2420 “(1) “Advanced life support unit” means an ambulance staffed by an emergency

2421 medical technician and an emergency medical technician intermediate or paramedic.

2422 “(2) “Ambulance” means any privately or publicly owned vehicle specially

2423 designed, constructed, modified, or equipped for use as a means for transporting patients in a

2424 medical emergency, or any privately or publicly owned vehicle that is advertised, marked, or in

2425 any way held out as a vehicle for the transportation of patients in a medical emergency. The term

2426 “ambulance” includes vehicles capable of operation over ground, on water, and in air.

2427 “(3) “Basic life support unit” means an ambulance staffed by 2 emergency  
2428 medical technicians, or an emergency medical technician and an emergency medical technician  
2429 intermediate or paramedic.

2430 “(4) “Health care facility” shall have the same meaning as provided in section  
2431 2(5) of the Nurse Staffing Agency Act of 2003, effective March 10, 2004 (D.C. Law 15-74; D.C.  
2432 Official Code § 44-1051.02(5)).”.

2433 **SUBTITLE B. OFFICE OF RESILIENCY**

2434 Sec. 3011. Short title.

2435 This subtitle may be cited as the “Office of Resiliency and Recovery Amendment Act of  
2436 2021”.

2437 Sec. 3012. Section 2(a) of the Office of Resilience and Recovery Establishment Act of  
2438 2020, effective May 6, 2020 (D.C. Law 23-84; D.C. Official Code § 1-301.201(a)), is amended  
2439 as follows:

2440 (a) Strike the phrase “Office of the City Administrator” and insert the phrase “Homeland  
2441 Security and Emergency Management Agency” in its place.

2442 (b) Strike the phrase “man-made challenges” and insert the phrase “human-made  
2443 challenges” in its place.

2444 **SUBTITLE C. CONCEALED PISTOL LICENSING REVIEW BOARD STIPEND**

2445 Sec. 3031. Short title.

2446 This subtitle may be cited as the “Concealed Pistol Licensing Review Board Stipend  
2447 Amendment Act of 2021”.

2448           Sec. 3032. Section 1108(c-2) of the District of Columbia Government Comprehensive  
2449 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
2450 611.08(c-2)), is amended as follows:

2451           (a) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in  
2452 its place.

2453           (b) Paragraph (5) is amended by striking the period and inserting the phrase “; and” in its  
2454 place.

2455           (c) A new paragraph (6) is added to read as follows:

2456                   “(6) Each member of the Concealed Pistol Licensing Review Board, except  
2457 members who are District or federal government employees, shall be entitled to a stipend of  
2458 \$250 per week for their service on the board.”.

2459           Sec. 3033. Section 908(b) of the Firearms Control Regulations Act of 1975, effective  
2460 June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08(b)), is amended as follows:

2461           (a) Paragraph (1) is amended as follows:

2462                   (1) Sub-paragraph (A) is amended by striking the phrase “his or her designee” and  
2463 inserting the phrase “the USAO’s designee” in its place.

2464                   (2) Sub-paragraph (B) is amended by striking the phrase “his or her designee” and  
2465 inserting the phrase “the Attorney General’s designee” in its place.

2466           (b) Paragraph (4) is amended to read as follows:

2467                   “(4) Members of the Board, except members who are District or federal  
2468 government employees, shall be entitled to compensation as provided in section 1108 of the



2469 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March  
2470 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08), for their service on the Board.”.

2471 **SUBTITLE D. GUN VIOLENCE PREVENTION HOUSING SUPPORT AND**  
2472 **INDIVIDUALS AND FAMILIES AT RISK OF GUN VIOLENCE**

2473 Sec. 3041. Short title.

2474 This subtitle may be cited as the “Gun Violence Prevention Housing Support Amendment  
2475 Act of 2021”.

2476 Sec. 3042. Section 26c of the District of Columbia Housing Authority Act of 1999,  
2477 effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a  
2478 new subsection (f-1) to read as follows:

2479 “(f-1) Agencies within the District government may refer individuals and families who  
2480 have been victims of gun violence or are at risk of gun violence to the Authority for eligibility  
2481 determination for the Local Rent Supplement Program.”.

2482 Sec. 3043. The Neighborhood Engagement Achieves Results Amendment Act of 2016,  
2483 effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended by  
2484 adding a new section 103b to read as follows:

2485 “Sec. 103b. Housing assistance for victims and those at risk of gun violence.

2486 “(a) The Mayor may issue housing vouchers and provide other forms of financial  
2487 assistance to individuals and families who have been victims of gun violence or are at risk of gun  
2488 violence.

“(b) The financial assistance provided pursuant to subsection (a) of this section shall be used to assist the recipients with relocation from their current housing and provide them with short- and mid-term housing supports.

“(c) The Mayor may also provide housing counseling and other supportive services to the individuals and families described in subsection (a) of this section.”.

**SUBTITLE E. HUMAN RIGHTS CASE MANAGEMENT METRICS**

Sec. 3051. Short title.

This subtitle may be cited as the “Human Rights Case Management Metrics Amendment Act of 2021”.

Sec. 3052. Section 301 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38, D.C. Official Code § 2-1403.01), is amended by adding a new subsection (g-1) to read as follows:

“(g-1)(1) The Mayor shall report quarterly to the Council as to the volume and age of cases before the Office and the Commission, including at minimum the following measures:

“(A) The number of initial questionnaires or other inquiries alleging unlawful discrimination the Office received during the prior quarter, broken down by protected characteristics and categories of alleged discriminatory action;

“(B) The number of signed formal complaints that were filed during the prior quarter, broken down by protected characteristics and categories of alleged discriminatory action;

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2509                           “(C) The number of intake interviews that took place during the prior  
2510 quarter;

2511                           “(D) The number of initial inquiries awaiting intake interviews, broken  
2512 down by number of weeks since initial questionnaire or other inquiry;

2513                           “(E) The number of initial inquiries that were withdrawn or otherwise  
2514 closed before a signed formal complaint could be completed;

2515                           “(F) The number of mediation sessions that took place during the prior  
2516 quarter, broken down by protected characteristics, categories of alleged discriminatory action,  
2517 and number of weeks elapsed from complaint to mediation;

2518                           “(G) The number of mediation sessions that resulted in conciliation;

2519                           “(H) The number of mediation sessions that failed to produce conciliation  
2520 and proceeded to the investigation stage;

2521                           “(I) The number of signed formal complaints awaiting mediation, broken  
2522 down by number of weeks since filing;

2523                           “(J) The number of signed formal complaints withdrawn or otherwise  
2524 closed before a mediation could be completed;

2525                           “(K) The number of determinations of jurisdiction and probable cause or  
2526 lack thereof that the Office issued the prior quarter, broken down by protected characteristics,  
2527 categories of alleged discriminatory action, determination, and number of weeks between  
2528 unsuccessful mediation and determination;

2529                           “(L) The number of cases awaiting a determination of jurisdiction and  
2530   probable cause following unsuccessful mediation, broken down by number of weeks since  
2531   unsuccessful mediation;

2532                           “(M) The number of investigations open per Office full-time equivalent  
2533   investigator;

2534                           “(N) The number of decisions and orders the Commission rendered in the  
2535   prior quarter, broken down by protected characteristics and categories of alleged discriminatory  
2536   conduct;

2537                           “(O) The number of matters withdrawn or otherwise terminated without a  
2538   decision of the Commission in the prior quarter; and

2539                           “(P) The number of matters pending before the Commission, broken down  
2540   by number of weeks since the Office issued a determination of jurisdiction and probable cause,  
2541   and whether the Commission has held a hearing.

2542                           “(2) In each quarterly report, if the Mayor is unable to calculate one or more of  
2543   the metrics specified in paragraph (1) of this subsection,, then for each such omitted measure, the  
2544   Mayor shall:

2545                           “(A) Briefly explain the obstacle preventing accurate measurement;

2546                           “(B) Specify what steps the Office and the Commission are taking to  
2547   enable accurate measurement; and

2548                           “(C) Estimate the time remaining before the Office will be in a position to  
2549   provide consistent quarterly updates on the measure.”.

2550           **SUBTITLE F. ALTERNATIVE RESPONSES TO CALLS FOR SERVICE PILOT**  
2551 **PROGRAM**

2552           Sec. 3061. Short title.

2553           This subtitle may be cited as the “Alternative Responses to Calls for Service Amendment  
2554 Act of 2021”.

2555           Sec. 3062. The Office of Unified Communications Establishment Act of 2004, effective  
2556 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq.*), is amended by  
2557 adding a new section 3205c to read as follows:

2558           “Sec. 3205c. Alternative Responses to Calls for Service Pilot Program.

2559           “(a)(1) The Office shall, in coordination with the Deputy Mayor for Public Safety and  
2560 Justice (“DMPSJ”) and the Department of Behavioral Health (“DBH”), establish an Alternative  
2561 Responses to Calls for Service Pilot Program (“Pilot Program”) to dispatch non-law enforcement  
2562 agency personnel and community-based responders to calls for service, including calls for  
2563 service related to individuals experiencing:

2564                       “(A) Behavioral health emergencies;

2565                       “(B) Homelessness; or

2566                       “(C) Substance use.

2567           “(2) The Pilot Program shall:

2568                       “(A) Center a public health approach to emergency response in its  
2569 protocols, training, operations, and public engagement;

2570                   “(B) Prioritize the diversion of calls for service away from a law  
2571 enforcement response and towards District agencies or community-based organizations that  
2572 employ unarmed practitioners or professionals, such as mental health professionals and social  
2573 workers; and

2574                   “(C) To the extent possible, operate during non-business hours.

2575           “(b) With regard to the Pilot Program, the Office, DMPSJ, and DBH shall:

2576                   “(1) Develop protocols for:

2577                           “(A) Identifying and dispatching certain categories of calls for service; and

2578                           “(B) Cross-training law enforcement personnel, non-law enforcement  
2579 agency personnel, and community-based responders, including call center employees;

2580                   “(2) Conduct public education to build awareness and trust in the Pilot Program,  
2581 including by developing branding, publicly accessible and lay-friendly educational materials, and  
2582 strategic messaging about:

2583                           “(A) The Pilot Program’s purpose, goals, and operations; and

2584                           “(B) Alternatives to calling 9-1-1 or dispatching law enforcement for  
2585 certain categories of calls for service;

2586                   “(3) By October 1, 2021, convene a working group of community-based experts  
2587 and practitioners in alternative responses to calls for service, in addition to directly-impacted  
2588 individuals, to advise on the Pilot Program’s development, training, operations, community  
2589 engagement, and evaluation, including the District agencies, community-based organizations, or

2590 other entities to which individuals will be diverted pursuant to subsection (a)(2)(B) of this  
2591 section; and

2592 “(4) By January 1, 2022, and every 3 months thereafter, publish, at a minimum,  
2593 the following information on the Office’s website:

2594 “(A) The members of the working group convened pursuant to paragraph  
2595 (3) of this subsection;

2596 “(B) The Pilot Program’s protocols for identifying and dispatching calls  
2597 for service;

2598 “(C) The non-law enforcement agencies and community-based responders  
2599 to which eligible calls for service are being dispatched; and

2600 “(D) Aggregated for that reporting period:

2601 “(i) The hours during which the Pilot Program operated;

2602 “(ii) A description of the Pilot Program’s staffing internal and  
2603 external to the Office and any training provided;

2604 “(iii) The expenditures for the Pilot Program, by purpose for the  
2605 expenditure, amount, and source;

2606 “(iv) A list of the public events held, attended, and upcoming  
2607 related to the Pilot Program;

2608 “(v) The number of calls for service eligible for diversion, broken  
2609 down by day, period of time, and category of call for service;

2610                               “(vi) Of those eligible calls for service identified under sub-  
2611   subparagraph (v) of this subparagraph, the number of calls for service diverted, broken down by  
2612   day, period of time, category of call for service, entity to which the calls for service were  
2613   diverted, response time, the reason for any significant delays in response time, and outcome of  
2614   the call for service, including whether anyone on the scene was:

2615                               “(I) Taken into custody through arrest or other means, such  
2616   as involuntary commitment;

2617                               “(II) Sustained physical injuries during the response; or

2618                               “(III) Connected to or provided supportive services, and the  
2619   nature of those supportive services; and

2620                               “(vii) Of those eligible calls for service identified under sub-  
2621   subparagraph (v) of this subparagraph, if law enforcement was not initially dispatched in  
2622   response to the call for service, whether the responding non-law enforcement agency personnel  
2623   or community-based responders later requested a law enforcement response, and if so, the  
2624   outcome of that request.”.

2625               **SUBTITLE G. KEEPING YOUTH OUT OF THE JUSTICE SYSTEM REPORT**

2626               Sec. 3071. Short title.

2627               This subtitle may be cited as the “Keeping Youth out of the Justice System Amendment  
2628   Act of 2021”.



Sec. 3072. Section 1505 of the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4234), is amended as follows:

(a) Subsection (b-2) is amended by striking the phrase “2018, and every 2 years thereafter, the” and inserting the phrase “2018, the” in its place.

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

“(b-3)(1) On October 1, 2020, the CJCC shall submit a report to the Mayor and the Council analyzing the root causes of youth crime and the prevalence of adverse childhood experiences among justice-involved youth, such as housing instability, childhood abuse, family instability, substance abuse, mental illness, family criminal involvement, or other factors deemed relevant by the CJCC that incorporates the results of the survey conducted pursuant to subsection (b-2) of this section.

“(2) No later than October 1, 2022, the CJCC shall submit a report to the Mayor and the Council that includes recommendations on factors, programs, or interventions, informed by best practices in other jurisdictions, the survey conducted pursuant to subsection (b-2) of this section, and the report submitted pursuant to paragraph (1) of this subsection, that effectively prevent District youth from having contact with law enforcement or entering the juvenile and criminal justice systems, such as access to stable housing, nutrition assistance, healthcare assistance, violence intervention, and educational, recreational, and youth programming.

“(3) No later than October 1, 2024, the CJCC shall submit a report to the Mayor and the Council that analyzes the types of school-based incidents that lead to a law enforcement

2650 referral or arrest, and whether factors such as economic resources, race, Individualized Education  
2651 Program eligibility, mental health conditions, school location, and school resource officer  
2652 assignment statistically affect the likelihood of referrals or arrests.”.

2653 (c) Subsection (b-4) is amended by striking the phrase “the report required” and inserting  
2654 the phrase “the reports required” in its place.

2655 **SUBTITLE H. OFFICE OF THE CHIEF MEDICAL EXAMINER AND CHILD**  
2656 **FATALITY REVIEW COMMITTEE**

2657 Sec. 3081. Short title.

2658 This subtitle may be cited as the “Office of the Chief Medical Examiner and Child  
2659 Fatality Review Committee Amendment Act of 2021”.

2660 Sec. 3082. The Establishment of the Office of the Chief Medical Examiner Act of 2000,  
2661 effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1401 *et seq.*), is amended  
2662 as follows:

2663 (a) Section 2902 (D.C. Official Code § 5-1401) is amended as follows:

2664 (1) Paragraph (1) is redesignated as paragraph (1A).

2665 (2) A new paragraph (1) is added to read as follows:

2666 “(1) “CME” means the Chief Medical Examiner within the OCME.”.

2667 (3) A new paragraph (2A) is added to read as follows:

2668 “(2A) “OCME” means the Office of the Chief Medical Examiner.”.

2669 (b) Section 2903 (D.C. Official Code § 5-1402) is amended as follows:

2670 (1) Subsection (a) is amended to read as follows:

“(a) There is established as a subordinate agency in the Executive branch of the District government, the Office of the Chief Medical Examiner.”.

(2) Subsection (b) is amended by striking the phrase “Examiner (“CME”) within” and inserting the phrase “Examiner within” in its place.

(3) Subsection (c)(1) is amended by striking the phrase “District of Columbia.” and inserting the phrase “District.” in its place.

(c) Section 2904(b) (D.C. Official Code § 5-1403(b)) is amended by striking the phrase “equipment, as” and inserting the phrase “equipment as” in its place.

(d) Section 2905 (D.C. Official Code § 5-1404) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “the District of Columbia” and inserting the phrase “the District” in its place.

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

“(a-1) The CME may provide pathology and toxicology services to other District government agencies, non-District government agencies, and private entities, and may establish fees or require the payment of costs for the provision of such services.”.

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

“(b) The CME, and OCME employees authorized by the CME, may teach post-secondary, medical, and law school classes, conduct special classes for government personnel, conduct research, and engage in other activities related to their work.”.

(4) Subsection (c) is amended by striking the phrase “in any event within” and inserting the phrase “in any event, within” in its place.

2692 (5) Subsection (d) is amended to read as follows:

2693 “(d) The CME, or the CME’s designee, shall attend all reviews of deaths by District  
2694 government fatality review committees and fatality review boards. The CME shall coordinate  
2695 with such committees and boards in their investigations of deaths.”.

2696 (e) Section 2906 (D.C. Official Code § 5-1405) is amended as follows:

2697 (1) Subsection (b) is amended as follows:

2698 (A) The lead-in language is amended by striking the phrase “the District of  
2699 Columbia” and inserting the phrase “the District” in its place.

2700 (B) Paragraph (1) is amended by striking the phrase “suicidal or accidental  
2701 including” and inserting the phrase “suicidal, or accidental, including” in its place.

2702 (C) Paragraph (7) is amended by striking the phrase “District of Columbia  
2703 government” and inserting the phrase “District government” in its place.

2704 (D) Paragraph (9) is amended by striking the phrase “legal custody” and  
2705 inserting the phrase “the legal custody” in its place.

2706 (E) Paragraph (10) is amended by striking the phrase “trauma including”  
2707 and inserting the phrase “trauma, including” in its place.

2708 (F) Paragraph (11) is amended to read as follows:

2709 “(11) Deaths for which the Metropolitan Police Department, another law  
2710 enforcement agency, or the United States Attorney’s Office for the District of Columbia  
2711 requests, or a court orders, investigation;”.

2712 (G) Paragraph (12) is amended by striking the phrase “District of  
2713 Columbia without” and inserting the phrase “District without” in its place.

2714 (2) The lead-in language of subsection (b-1)(2) is amended by striking the phrase  
2715 “a woman’s” and inserting the phrase “a birthing parent’s” in its place.

2716 (3) Subsection (c) is amended by striking the phrase “the District of Columbia”  
2717 and inserting the phrase “the District” in its place.

2718 (f) Section 2907(b) (D.C. Official Code § 5-1406(b)) is amended by striking the phrase  
2719 “(EMS) personnel,” and inserting the phrase “personnel,” in its place.

2720 (g) Section 2908 (D.C. Official Code § 5-1407) is amended by striking the phrase “in his  
2721 or her opinion” and inserting the phrase “in the CME’s opinion” in its place.

2722 (h) Section 2909(a) (D.C. Official Code § 5-1408(a)) is amended by striking the phrase  
2723 “in his or her opinion” and inserting the phrase “in the opinion of the medical examiner,  
2724 medicolegal investigator, or law enforcement officer” in its place.

2725 (i) Section 2912(b) (D.C. Official Code § 5-1411(b)) is amended by striking the phrase  
2726 “the District of Columbia” and inserting the phrase “the District” in its place.

2727 (j) Section 2915 (D.C. Official Code § 5-1414) is amended by striking the phrase “the  
2728 United States Attorney, on his or her own motion, or on request of a medical examiner, or the  
2729 Metropolitan Police Department, or other law enforcement agency” and inserting the phrase “the  
2730 United States Attorney for the District of Columbia, on the United States Attorney’s own motion,  
2731 or at the request of a medical examiner, the Metropolitan Police Department, or another law  
2732 enforcement agency” in its place.

2733 (k) A new section 2918c is added to read as follows:

2734 “Sec. 2918c. Office of the Chief Medical Examiner Fund.

2735 “(a) There is established as a special fund the Office of the Chief Medical Examiner Fund  
2736 (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this  
2737 section.

2738 “(b) All funds from fees received by OCME for services provided pursuant to section  
2739 2905(a-1) shall be deposited in the Fund.

2740 “(c) Money in the Fund shall be used to support any personnel and non-personnel  
2741 expenses associated with District fatality reviews, in addition to other agency expenses.

2742 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
2743 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
2744 of a fiscal year, or at any other time.

2745 “(2) Subject to authorization in an approved budget and financial plan, any funds  
2746 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

2747 Sec. 3083. The Child Fatality Review Committee Establishment Act of 2001, effective  
2748 October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.01 *et seq.*), is amended as  
2749 follows:

2750 (a) Section 4603 (D.C. Official Code § 4-1371.03) is amended to read as follows:

2751 “Sec. 4603. Establishment and purpose.

2752 “(a) There is established a Child Fatality Review Committee. Facilities and other  
2753 administrative support shall be provided by the Office of the Chief Medical Examiner.

2754 “(b) The Committee shall:

2755 “(1) Identify and characterize the scope and nature of all child deaths in the  
2756 District, particularly those that are violent, accidental, unexpected, or unexplained;

2757 “(2) In an effort to reduce the number of preventable child fatalities, examine past  
2758 events and circumstances surrounding child deaths in the District by reviewing the records, files,  
2759 and other pertinent documents of public and private agencies responsible for serving families and  
2760 children, investigating deaths, or treating children, giving special attention to child deaths that  
2761 may have been caused by abuse, negligence, or other forms of maltreatment;

2762 “(3) Develop and revise, as necessary, operating rules and procedures for the  
2763 review of child deaths, including identification of cases to be reviewed, coordination among the  
2764 agencies and professionals involved, and improvement of the identification, data collection, and  
2765 record keeping of the causes of child death;

2766 “(4) Recommend specific and systemic improvements to promote improved and  
2767 integrated public and private systems serving families and children;

2768 “(5) Recommend components for prevention and education programs; and

2769 “(6) Recommend training to improve the investigation of child deaths.”.

2770 (b) Section 4604 (D.C. Official Code § 4-1371.04) is amended as follows:

2771 (1) Subsection (a) is amended as follows:

2772 (A) Paragraph (13) is amended by striking the phrase “; and” and inserting  
2773 a semicolon in its place.

2774 (B) Paragraph (14) is amended by striking the period and adding the  
2775 phrase “; and” in its place.

2776 (C) A new paragraph (15) is added to read as follows:

2777 “(15) Director of Gun Violence Prevention.”.

2778 (2) A new subsection (a-1) is added to read as follows:

2779 “(a-1) The Council Chairpersons with jurisdiction over judiciary and human services  
2780 matters, or their designees, shall serve as Committee members.”.

2781 (c) Section 4605 (D.C. Official Code § 4-1371.05) is amended as follows:

2782 (1) The lead-in language of subsection (a) is amended by striking the phrase “the  
2783 deaths of children who were residents of the District of Columbia and of such children” and  
2784 inserting the phrase “all deaths of children who were residents of the District of Columbia, and  
2785 with particular attention, such children” in its place.

2786 (2) Subsection (c) is amended to read as follows:

2787 “(c) The Committee’s manner of review shall be to conduct a multidisciplinary, multi-  
2788 agency review of all individual fatalities within 6 months after the final determination of the  
2789 cause and manner of death and prioritize fatalities where child abuse, neglect, or another form of  
2790 child maltreatment is the cause of death or a contributing factor.”.

2791 (3) Subsection (d) is amended by striking the phrase “establish 2 review teams”  
2792 and inserting the phrase “establish at least 2 review teams” in its place.

2793 (4) Subsection (e) is repealed.

2794 (d) Section 4606 (D.C. Official Code § 4-1371.06) is amended as follows:



2795 (1) Subsection (c) is repealed.

2796 (2) Subsection (d) is repealed.

2797 (e) Section 4607(b) (D.C. Official Code § 4-1371.07(b)) is amended by striking the  
2798 phrase “or his or her” and inserting the phrase “or the witness’s” in its place.

2799 (f) Section 4608(a) (D.C. Official Code § 4-1371.08(a)) is amended by striking the phrase  
2800 “. Committee members” and inserting the phrase “. Unless authorized by a majority vote of the  
2801 Committee members appointed pursuant to section 4604(c), Committee members” in its place.

2802 (g) Section 4609 (D.C. Official Code § 4-1371.09) is amended as follows:

2803 (1) Subsection (e) is amended by striking the phrase “any person, other than a  
2804 person who has consented to be identified, are” and inserting the phrase “a person identified in  
2805 section 4608(c) are” in its place.

2806 (2) Subsection (f) is amended to read as follows:

2807 “(f) The Committee shall compile an Annual Report of Findings and Recommendations  
2808 which shall be publicly available and submitted to the Mayor and Council. The annual report  
2809 shall include:

2810 “(1) The number of child fatalities in the District annually, with a description of  
2811 the causes, and for those fatalities where abuse, neglect, or another form of child maltreatment is  
2812 the cause of the fatality or a contributing factor, the number, type, and response of any agency  
2813 contact prior to the fatality;

2814                   “(2) Statistics on all reviews conducted in the past calendar year, including the  
2815   date of each fatality, when the Committee staff learned of the fatality, and when the Committee  
2816   began and concluded each review;

2817                   “(3) Findings regarding factors, including agency practices, that may have  
2818   prevented particular fatalities from occurring;

2819                   “(4) Recommendations for preventing fatalities and identifying children most at  
2820   risk of fatalities, including agency policies and practices that need improvement to prevent  
2821   fatalities;

2822                   “(5) A timeline for implementing corrective actions;

2823                   “(6) An identification of any necessary funding to implement changes to policies  
2824   and practices or corrective actions;

2825                   “(7) The responses required by subsection (f-1) of this section; and

2826                   “(8) A description of the progress made on the findings and recommendations  
2827   made in the prior annual report.”.

2828                   (3) A new subsection (f-1) is added to read as follows:

2829                   “(f-1) Any agency that has a representative on the Committee pursuant to section 4604(a)  
2830   and is implicated by a recommendation included in the Committee’s Annual Report of Findings  
2831   and Recommendations shall provide the Committee with a response to the specific  
2832   recommendation.”.

2833                   (4) Subsection (g) is repealed.

2834 (5) Subsection (j) is amended by striking the phrase “Human Services” and  
2835 inserting the phrase “Human Services, Child and Family Services Agency,” in its place.

2836 (h) Section 4610 (D.C. Official Code § 4-1371.10) is amended by striking the phrase  
2837 “from liability, administrative, civil, or criminal, that” and inserting the phrase “from  
2838 administrative, civil, or criminal liability that” in its place.

2839 (i) Section 4611 (D.C. Official Code § 4-1371.11) is amended by striking the phrase “the  
2840 Corporation Counsel or his or her designee” and inserting the phrase “the Attorney General” in  
2841 its place.

2842 (j) Section 4613 (D.C. Official Code § 4-1371.13) is amended by striking the phrase  
2843 “from liability, administrative, civil, or criminal, that” and inserting the phrase “from  
2844 administrative, civil, or criminal liability that” in its place.

2845 (k) Section 4614 (D.C. Official Code § 4-1371.14) is amended by striking the phrase “the  
2846 Corporation Counsel of the District of Columbia, or his or her agent, in” and inserting the phrase  
2847 “the Attorney General in” in its place.

2848 **SUBTITLE I. REDUCING LAW ENFORCEMENT PRESENCE IN SCHOOLS**

2849 Sec. 3091. Short title.

2850 This subtitle may be cited as the “Reducing Law Enforcement Presence in Schools  
2851 Amendment Act of 2021”.

2852 Sec. 3092. The School Safety and Security Contracting Procedures Act of 2004, effective  
2853 April 13, 2005 (D.C. Law 15-350; D.C. Official Code § 5-132.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 5-132.01) is amended as follows:

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

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

“(1B) “Law enforcement officer” shall have the same meaning as provided in section 802a(b)(1) of An Act To establish a code of law for the District of Columbia, effective May 23, 1995 (D.C. Law 10-256; D.C. Official Code § 22-2106(b)(1)).”.

(3) Paragraph (2A) is redesignated as paragraph (2B).

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

“(2A) “Non-school-based offense” means conduct punishable as a criminal offense that is not a school-based offense.”.

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

“(2C) “School-based offense” means conduct punishable as a criminal offense that:

“(A) Occurred at a DCPS or public charter school or on its grounds; or

“(B) Is directly related to a student’s enrollment or attendance at a DCPS or public charter school.”.

(6) Paragraph (3) is amended to read as follows:

“(3) “School resource officer” means a sworn MPD officer assigned to DCPS or public charter schools for the purpose of working in collaboration with DCPS, public charter schools, and community-based organizations to ensure that DCPS schools, public charter schools, and their grounds are safe environments for students, teachers, and staff through the use

of culturally competent, developmentally-appropriate, and community-oriented policing strategies and practices.”.

(b) Section 102 (D.C. Official Code § 5-132.02) is amended as follows:

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

“(c-1) School resource officers shall not report any information regarding a student’s suspected crew or gang affiliation, or that of their family members, to a law enforcement agency for the purpose of including such information in any District government crew or gang database, nor shall any such information shared by or derived from a school resource officer be otherwise included in any District government crew or gang database.”.

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

“(e) The School Safety Division’s sworn and civilian staffing shall be as follows:

“(1) By July 1, 2022, a maximum of 60 personnel;

“(2) By July 1, 2023, a maximum of 40 personnel;

“(3) By July 1, 2024, a maximum of 20 personnel; and

“(4) By July 1, 2025, the School Safety Division shall be dissolved, and MPD shall no longer staff DCPS and public charter schools with school resource officers.”.

(c) A new section 107 is added to read as follows:

“Sec. 107. Limitations on law enforcement actions against students.

“(a) A law enforcement officer shall not detain, serve a warrant on, or arrest a DCPS or public charter school student at a DCPS or public charter school or on its grounds for a:

“(1) School-based offense unless:

2896                   “(A) The school-based offense is alleged to be a crime of violence, as that  
2897 term is defined in D.C. Official Code § 23-1331(4); or

2898                   “(B) Exigent circumstances exist; or

2899                   “(2) Non-school-based offense unless exigent circumstances exist.

2900                   “(b) Prior to detaining, serving a warrant on, or conducting an arrest of a DCPS or public  
2901 charter school student at a DCPS or public charter school or on its grounds pursuant to  
2902 subsection (a)(1)(A) of this section, a law enforcement officer shall:

2903                   “(1) In consultation with the administration of the DCPS or public charter school,  
2904 MPD Youth and Family Engagement Bureau leadership, and the Office of the Attorney General,  
2905 determine if there are reasonable alternatives to detaining, serving a warrant on, or conducting an  
2906 arrest of the DCPS or public charter school student at the DCPS or public charter school or on its  
2907 grounds; and

2908                   “(2) Present a copy of any warrant to the DCPS or public charter school’s  
2909 principal or assistant principal.”.

2910   **TITLE IV. PUBLIC EDUCATION SYSTEMS**

2911                   **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASES**

2912                   Sec. 4001. Short title.

2913                   This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools  
2914 Increase Amendment Act of 2021”.

2915           Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public  
2916 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §  
2917 38-2901 *et seq.*), is amended as follows:

2918           (a) Section 102 (D.C. Official Code § 38-2901) is amended as follows:

2919                   (1) Redesignate existing paragraph (2B) as paragraph (2C).

2920                   (2) Add a new paragraph (2AB) to read as follows:

2921                   “(2B) “At-Risk High School Over-age Supplement” means weighting provided in  
2922 addition to the at-risk weight for a student who is at-risk because the student is a high school  
2923 student that is one year older, or more, than the expected age for the grade in which the student is  
2924 enrolled.;

2925                   (3) Add a new paragraph (4A) to read as follows:

2926                   “(4A) “Elementary ELL” means students who are LEP/NEP and enrolled in  
2927 grades pre-kindergarten 3 through 5.”.

2928                   (4) Redesignate existing paragraph (10B) as paragraph (10C).

2929                   (5) Add a new paragraph (10B) to read as follows:

2930                   “(10B) “Secondary ELL” means students who are LEP/NEP and enrolled in:

2931                           (A) Grades 6 through 12 at a DCPS or public charter school

2932                           (B) An alternative program;

2933                           (C) Adult education; or

2934                           (D) Grades 6 through 12 at a special education school.

2935 (b) Section 103(b) (D.C. Official Code § 38-2902(b)) is amended by striking the phrase  
 2936 “Charter Schools” and inserting the phrase “Charter Schools; except, that, for Fiscal Year 2022,  
 2937 the Formula shall not apply to funding allocated to a DCPS school to meet the requirement of  
 2938 section 108a(a)(2) that the school be provided with not less than 95% of its prior year allocation  
 2939 of Formula funds” in its place.

2940 (c) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase  
 2941 “\$11,310 per student for Fiscal Year 2021” and inserting the phrase “\$11,720 per student for  
 2942 Fiscal Year 2022” in its place.

2943 (d) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array  
 2944 and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2022
“Pre-Kindergarten 3	1.34	\$15,705
“Pre-Kindergarten 4	1.30	\$15,236
“Kindergarten	1.30	\$15,236
“Grades 1-5	1.00	\$11,720
“Grades 6-8	1.08	\$12,658
“Grades 9-12	1.22	\$14,298
“Alternative program	1.52	\$17,814
“Special education school	1.17	\$13,712
“Adult	0.89	\$10,431

2945 (e) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

2946 “(c) The supplemental allocations shall be calculated by applying weightings to the  
 2947 foundation level as follows:

2948 “Special Education Add-ons:



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“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$11,368
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$14,064
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$23,088
“Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$40,903
“Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.099	\$1,160
“Attorney’s Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney’s fees.	0.089	\$1,043
“Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$19,572

2949

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Elementary ELL	Additional funding for English Language Learners in grades PK3-5.	0.50	\$5,860
“Secondary ELL	Additional funding for English Language Learners in grades 6-12,	0.75	\$8,790

	alternative students, adult students, and students in special education schools.		
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level in high school.	0.24	\$2,813
“At-risk High School Over-Age Supplement	Weighting provided in addition to at-risk weight for students who are behind grade level in high school.	0.06	\$703

2950

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.37	\$4,336
“Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.34	\$15,705
“Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$33,871
“Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non- English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$33,871
“LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that	0.668	\$7,829

**ENGROSSED ORIGINAL**

	provides students with room and board in a residential setting		
--	--	--	--

2951 “Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated

2952 in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$738
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.227	\$2,660
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.491	\$5,755
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs”.	0.491	\$5,755

2953

2954 (f) Section 106a (D.C. Official Code § 38-2905.01) is amended as follows:

2955 (1) Subsection (b) is amended by striking the phrase “a weighting factor” and

2956 inserting the phrase “weighting factors” in its place.

2957 (2) Subsection (c) is amended as follows:

2958 (A) Strike the phrase “weighting for at-risk students” and insert the phrase

2959 “weighting factors for at-risk students” in its place.

2960 (B) Strike the phrase “both as at-risk” and insert the phrase “both at-risk”  
2961 in its place.

2962 (3) A new subsection (c-1) is added to read as follows:

2963 “(c-1) To ensure alignment between the alternative program and at-risk weighting  
2964 factors, the alternative program weighting factor should be amended whenever the grades 9-12,  
2965 at-risk, or at-risk high school over-age supplement weighting factors are amended.”.

2966 (g) Section 109 (D.C. Official Code § 38-2908) is amended as follows:

2967 (1) Subsection (b-2)(2D) is amended to read as follows:

2968 “(2D) For Fiscal Years 2021, 2022, and 2023, the per pupil facility allowance for  
2969 Public Charter Schools will be \$3,408.”.

2970 (2) A new subsection (b-3) is added to read as follows:

2971 “(b-3) Beginning with Fiscal Year 2024, the per pupil facility allowance for  
2972 Public Charter Schools shall increase by 3.1% each fiscal year. The facility allowance shall then  
2973 be multiplied by the number of students estimated to attend each Public Charter School to  
2974 determine the actual facility allowance payments to be received by each Public Charter  
2975 School.”.

2976 Sec. 4003. Section 1102(a) of the School Based Budgeting and Accountability Act of  
2977 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code 38-2801.01) is amended  
2978 as follows:

2979 (a) Inserting new paragraphs (1-1), (1C), and (3A) to read as follows:

2980 “(1-1) “At-Risk High School Over-age Supplement” shall have the same meaning  
2981 as provided in § 38-2901(2A-1).”;

2982 “(1C) “Elementary ELL” shall have the same meaning as provided in § 38-  
2983 2901(4A).”; and

2984 “(3A) “Secondary ELL” shall have the same meaning as provided in § 38-  
2985 2901(10A-1).”.

2986 Sec. 4004. Section 6(b) of the Board of Education Continuity and Transition Amendment  
2987 Act of 2004, effective December 7, 2004 (D.C. Law 15-211; D.C. Official Code § 38-2831(b)),  
2988 is amended as follows:

2989 (a) Paragraph (3)(B) is amended to read as follows:

2990 “(B) Any funding associated with at-risk students and with the at-risk high  
2991 school over-age supplement that has been retained by the Chancellor;”.

2992 (b) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in  
2993 its place.

2994 (c) Paragraph (5) is amended to read as follows:

2995 “(5) For each school’s individual budget, a separate budget line item for funding  
2996 allocated to the following, as coded in the District’s current official financial system of record:

2997 “(A) At-risk students;

2998 “(B) The at-risk high school over-age supplement;

2999 “(C) Elementary ELL; and

3000 “(D) Secondary ELL; and”.

3001 (d) A new paragraph (6) is added to read as follows:

3002 “(6) The projected enrollment, by school, for the following:

3003 “(A) At-risk students;

3004 “(B) The number of students counted for the at-risk high school over-age  
3005 supplement;

3006 “(C) Elementary ELL; and

3007 “(D) Secondary ELL.”.

3008 (e) A new subsection (h) is added to read as follows:

3009 “(h) For the purposes of this section, the following terms shall have the same meaning as  
3010 provided in section 102 of the Uniform Per Student Funding Formula for Public Schools and  
3011 Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official  
3012 Code § 38-2901):

3013 (1) “At-risk”;

3014 (2) “At-risk high school over-age supplement”;

3015 (3) “Elementary ELL”;

3016 (4) “Secondary ELL.”.

3017 **SUBTITLE B. DCPS REPROGRAMMING FLEXIBILITY**

3018 Sec. 4011. Short title.

3019 This subtitle may be cited as the “DCPS Intra-School Reprogramming Flexibility  
3020 Amendment Act of 2021”.

3021           Sec. 4012. Section 4012(a) of the DCPS Contracting and Spending Flexibility  
3022 Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 38-  
3023 2955(a)), is amended by striking the figure “\$10,000” and inserting the figure “\$25,000” in its  
3024 place.

3025           **SUBTITLE C. PARKS AND RECREATION GRANT-MAKING AUTHORITY**

3026           Sec. 4021. Short title.

3027           This subtitle may be cited as the “Parks and Recreation Grant-Making Authority  
3028 Amendment Act of 2021”.

3029           Sec. 4022. Section 3 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law  
3030 10-246; D.C. Official Code § 10-302), is amended by adding a new subsection (f) to read as  
3031 follows:

3032           “(f) Beginning in Fiscal Year 2022, and on an annual basis thereafter, and in accordance  
3033 with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.  
3034 Official Code § 1-328.11 *et seq.*), the Department of Parks and Recreation shall issue:

3035           “(1) A grant of not less than \$150,000 to an organization to plan, promote, and  
3036 manage events and programs for the community in the new Eastern Market Metro Park. The  
3037 organizer shall obtain permits, book talent, publicize programming, and supervise the site during  
3038 events and clean up.

3039           “(2) One or more grants that total no more than \$235,000 to individual program  
3040 providers and nonprofit organizations to assist the Department in implementing a comprehensive  
3041 program of public recreation as described in section 3 of An Act To create a Recreation Board

**ENGROSSED ORIGINAL**

for the District of Columbia, to define its duties, and for other purposes, approved April 29, 1942 (56 Stat. 263; D.C. Official Code § 10-213).”.

Sec. 4023. In Fiscal Year 2022, the Department of Parks and Recreation, in accordance with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), shall award:

(a) A grant of not less than \$7,000 to an organization to conduct a community run or walk event series. Grant funds shall be used to organize weekly run or walk events in at least 3 locations, and may be spent on outreach, advertising, equipment, or permits associated with the event series.

(b) One or more grants that total not less than \$50,000 for regular activation of spaces in Ward 1 at Columbia Heights Plaza, 14th and Girard Park, and Unity Plaza.

(c) A grant of not less than \$500,000 to an organization developing an urban farm and community wellness space in Oxon Run Park in Ward 8.

**SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA  
FUNDRAISING MATCH**

Sec. 4031. Short title.

This subtitle may be cited as the “University of the District of Columbia Fundraising Match Act of 2021”.

Sec. 4032. (a) In Fiscal Year 2022, of the funds allocated to the Non-Departmental agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the District of Columbia (“UDC”) for every \$2 that UDC raises from private donations by April 1,



3063 2022.

3064 (b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less  
3065 than one-third of the funds shall be deposited into UDC's endowment fund.

3066 **SUBTITLE E. APPRENTICESHIP FINES**

3067 Sec. 4041. Short title.

3068 This subtitle may be cited as the "Apprenticeship Fines Amendment Act of 2021".

3069 Sec. 4042. Section 5(c)(3) of the Amendments to An Act To Provide for Voluntary  
3070 Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-  
3071 156; D.C. Official Code § 32-1431(c)(3)), is amended as follows:

3072 (1) Strike the phrase "District of Columbia Public Schools" and insert the phrase  
3073 "Department of Employment Services" in its place.

3074 (2) Strike the phrase " , subject to appropriations by Congress".

3075 **SUBTITLE F. SCHOLARSHIP AND TUITION ASSISTANCE PAYMENTS**

3076 Sec. 4051. Short title.

3077 This subtitle may be cited as the "Scholarship and Tuition Assistance Payment Method  
3078 Amendment Act of 2021".

3079 Sec. 4052. Section 3(b) of the State Education Office Establishment Act of 2000,  
3080 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by  
3081 adding a new paragraph (29A) to read as follows:

3082 "(29A) Have the authority to increase access, promote retention, and improve District  
3083 resident completion of postsecondary education in the District by:

“(A) Awarding scholarships and financial assistance for tuition, fees, room and board, books, supplies, and other costs of postsecondary education, including:

“(i) Dual enrollment programs;

“(ii) Costs associated with gaining admission or increasing the chances of gaining admission to an institution of higher education in the District, including test preparation programs, standardized test fees, and application fees;

“(iii) Programs designed to support students navigating the college process through completion;

“(iv) Funding if the cost of education prevents a student or prospective student from starting, continuing, or completing their postsecondary education.

“(B) Paying for the financial assistance described in subparagraph (A) of this paragraph through the issuance of direct vouchers or payments to institutions of higher education in the District;”.

**SUBTITLE G. UNIVERSAL PAID LEAVE**

Sec. 4061. Short title.

This subtitle may be cited as the “Universal Paid Leave Amendment Act of 2021”.

Sec. 4062. The Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*), is amended as follows:

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

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

3104                   “(1) “Average weekly wage” means the total wages subject to contribution under  
3105   section 103 earned by an eligible individual during the 4 quarters during which the individual’s  
3106   wages were the highest out of the 5 quarters immediately preceding the qualifying leave event,  
3107   divided by 52; except that, for claims filed after the applicability date of the Universal Paid  
3108   Leave Amendment Act of 2021, approved by the Committee of the Whole on July 20, 2021  
3109   (Committee print of Bill 24-285), and before the 365th day after the end of the public health  
3110   emergency, the term “average weekly wage” means the total wages subject to contribution under  
3111   section 103 for the 4 quarters during which the individual’s wages were the highest out of the 10  
3112   quarters immediately preceding the qualifying leave event, divided by 52.”.

3113                   (2) New paragraphs (6A) and (6B) are added to read as follows:

3114                   “(6A) “Employer contribution rate” means the uniform percentage of covered  
3115   employees’ wages that covered employers must contribute to the Universal Paid Leave Fund,  
3116   including the percentage of annual self-employment income that a covered employer who is a  
3117   self-employed individual must contribute, as provided under this act.”

3118                   “(6B) “Exigent circumstances” means:

3119                   “(A) Physical or mental incapacity that prevents an eligible individual or  
3120   eligible individual’s authorized representative from filing for paid leave benefits following the  
3121   occurrence of a qualifying leave event;

3122                   “(B) A demonstrable inability to reasonably access the means by which a  
3123   claim could have been filed by the eligible individual or the eligible individual’s authorized  
3124   representative following the occurrence of a qualifying leave event; or

3125                   “(C) Actual lack of knowledge by an eligible individual of his or her right  
3126 to apply for paid leave benefits pursuant to this act due to the noncompliance of all of the eligible  
3127 individual’s covered employers with the notice requirements required by section 106(i)(3) during  
3128 the period when the individual could have received paid leave benefits pursuant to this act;  
3129 provided, that such employer noncompliance shall be confirmed by the Department of  
3130 Employment Services before the eligible individual shall be eligible for paid leave benefits  
3131 pursuant to this act.”.

3132                   (3) A new paragraph (9A) is added to read as follows:

3133                   “(9A) “Miscarriage” means the loss of a pregnancy prior to 20 weeks’ gestation.”.

3134                   (4) New paragraphs (11A) and (11B) are added to read as follows:

3135                   “(11A) “Pre-natal medical care” means routine and specialty appointments,  
3136 exams, and treatments associated with a pregnancy provided by a health care provider, including,  
3137 but not limited to, pre-natal check-ups, ultrasounds, treatment for pregnancy complications,  
3138 bedrest that is required or prescribed by a health care provider, and pre-natal physical therapy.

3139                   “(11B) “Public health emergency” means the Coronavirus (COVID-19) public  
3140 health emergency declared pursuant to Mayor’s Order 2020-045, on March 11, 2020, and all  
3141 subsequent extensions.”.

3142                   (5) Paragraph (12) is amended to read as follows:

3143                   “(12) “Qualifying family leave” means paid leave that an eligible individual may  
3144 take in order to provide care or companionship to a family member because of the occurrence of  
3145 a qualifying family leave event.”.

3146 (6) A new paragraph (13A) is added to read as follows:

3147 “(13A) “Qualifying leave event” means a qualifying family leave event, a  
3148 qualifying medical leave event, a qualifying pre-natal leave event, or a qualifying parental leave  
3149 event.”.

3150 (7) Paragraph (14) is amended to read as follows:

3151 “(14) “Qualifying medical leave” means paid leave that an eligible individual may  
3152 take following the occurrence of a qualifying medical leave event.”.

3153 (8) Paragraph (15) is amended to read as follows:

3154 “(15) “Qualifying medical leave event” means, for an eligible individual, the  
3155 diagnosis or occurrence of a serious health condition, which shall include the occurrence of a  
3156 stillbirth and the medical care related to a miscarriage.”.

3157 (9) Paragraph (16) is amended to read as follows:

3158 “(16) “Qualifying parental leave” means paid leave that an eligible individual  
3159 may take within one year of the occurrence of a qualifying parental leave event.”.

3160 (10) New paragraphs (17A) and (17B) are added to read as follows:

3161 “(17A) “Qualifying pre-natal leave” means paid leave that an eligible individual  
3162 who is pregnant may take for pre-natal medical care following the occurrence of a qualifying  
3163 pre-natal leave event and prior to the occurrence of a qualifying parental leave event.

3164 “(17B) “Qualifying pre-natal leave event” means the diagnosis of pregnancy by a  
3165 health care provider.”.

3166 (11) New paragraph (20A) is added to read as follows:

3167 “(20A) “Stillbirth” means the loss of a pregnancy at 20 weeks’ gestation or  
3168 later.”.

3169 (12) Paragraph (21) is amended to read as follows:

3170 “(21) “Universal Paid Leave Fund” means the fund established pursuant to  
3171 section 1153 of the Universal Paid Leave Implementation Fund Act of 2016, effective October 8,  
3172 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.02).”.

3173 (b) Section 102 (D.C. Official Code § 32-541.02) is amended by adding a new subsection  
3174 (c) to read as follows:

3175 “(c) Within 30 days after the applicability date of the Universal Paid Leave Amendment  
3176 Act of 2021, approved by the Committee of the Whole on July 20, 2021 (committee print of Bill  
3177 24-285), or of any expansion of benefits or change to the employer contribution rate pursuant to  
3178 section 104a(c), the Mayor, pursuant to Title I of the District of Columbia Administrative  
3179 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),  
3180 shall issue rules, which may include the issuance of emergency rules, to implement the  
3181 provisions of this act.”.

3182 (c) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

3183 (1) Subsection (a) is amended by striking the phrase “0.62%” and inserting the  
3184 phrase “0.62%, or a lower rate computed pursuant to section 104a(c)(2),” in its place.

3185 (2) Subsection (b) is amended by striking the phrase “0.62%” and inserting the  
3186 phrase “0.62%, or a lower rate computed pursuant to section 104a(c)(2),” in its place.

3187 (d) Section 104 (D.C. Official Code § 32-541.04) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “qualifying family leave event, qualifying medical leave event, or qualifying parental leave event” and inserting the phrase “qualifying leave event” in its place.

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

“(b)(1) Except as provided in paragraph (2) of this subsection, after the occurrence of a qualifying leave event, an eligible individual shall wait one week during and for which no benefits are payable before being entitled to receive payment of his or her paid-leave benefits; provided, that regardless of the number of qualifying events for which an eligible individual files a claim for paid-leave benefits, he or she shall only have one waiting period during and for which no benefits are payable within a 52-week period.

“(2) For claims filed after the applicability date of the Universal Paid Leave Amendment Act of 2021, approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285), and before the 365th day after the end of the public health emergency, paragraph (1) of this subsection shall not apply.”.

(3) Subsection (d) is amended to read as follows:

“(d)(1)(A) An eligible individual may submit a claim for payment of his or her paid-leave benefits for a period during which he or she does not or did not perform his or her regular and customary work because of the occurrence of a qualifying leave event.

“(B) An eligible individual may receive retroactive paid-leave benefits pursuant to subparagraph (A) of this paragraph only if he or she submits a claim within 30 calendar days after the qualifying leave event; provided, that the 30-calendar day limitation

3209 may be waived if an individual is unable to apply for his or paid-leave benefits within 30  
3210 calendar days after the qualifying leave event due to exigent circumstances.

3211           “(2) Except as provided in paragraph (3), within a 52-workweek period, an  
3212 eligible individual shall not receive paid-leave benefits, for any number or combination of  
3213 qualifying leave events, for a duration that exceeds the maximum duration of qualifying parental  
3214 leave available in the fiscal year during which the individual files a claim for paid-leave benefits,  
3215 as provided in subsection (e-1) of this section.

3216           “(3) Within a 52-workweek period, an eligible individual may receive the  
3217 maximum duration of qualifying pre-natal leave available in the fiscal year during which the  
3218 individual files a claim for paid-leave benefits in addition to the maximum duration of parental  
3219 leave available during such fiscal year, as provided in subsection (e-1) of this section; provided,  
3220 that an eligible individual shall not receive any combination of qualifying pre-natal leave and  
3221 qualifying medical leave for a duration that exceeds the maximum duration of qualifying medical  
3222 leave available for the fiscal year during which the individual files a claim for paid-leave  
3223 benefits.”.

3224           (4) Subsection (e) is amended to read as follows:

3225           “(e) The International Classification of Diseases, Tenth Revision (ICD-10), or subsequent  
3226 revisions by the World Health Organization to the International Classification of Diseases, along  
3227 with the health care provider or caretaker assessments, shall be used to determine the appropriate  
3228 length of qualifying family leave an eligible individual is entitled to, based on the serious health  
3229 condition of the eligible individual’s family member, or the appropriate length of qualifying



3230 medical leave an eligible individual is entitled to, based on the serious health condition of the  
3231 eligible individual, subject to the limits set forth in subsection (e-1) of this section.”.

3232 (5) A new subsection (e-1) is added to read as follows:

3233 “(e-1)(1) Before October 1, 2021, the maximum duration of each type of paid-leave  
3234 benefits within a 52-workweek period shall be:

3235 “(A) 8 workweeks of qualifying parental leave;

3236 “(B) 6 workweeks of qualifying family leave;

3237 “(C) 2 workweeks of qualifying medical leave; and

3238 “(D) Zero workweeks of qualifying pre-natal leave.

3239 “(2) From October 1, 2021, through September 30, 2022, the maximum duration  
3240 of each type of paid-leave benefits within a 52-workweek period shall be:

3241 “(A) 8 workweeks of qualifying parental leave;

3242 “(B) 6 workweeks of qualifying family leave;

3243 “(C) 6 workweeks of qualifying medical leave; and

3244 “(D) 2 workweeks of qualifying pre-natal leave.

3245 “(3) Beginning October 1, 2022, and thereafter, the maximum duration of each  
3246 type of paid-leave benefits within a 52-workweek period shall be determined pursuant to section  
3247 104a, but shall be no less than the maximum durations for each type of paid-leave benefits set  
3248 forth in paragraph (1) of this subsection.”.

3249 (6) Subsection (f) is amended to read as follows:

3250           “(f) An eligible individual may receive payment for intermittent leave; provided, that the  
3251 duration of paid-leave benefits an individual receives in a 52-week period shall not exceed the  
3252 total maximum duration of paid-leave benefits or the maximum duration of any type of paid-  
3253 leave benefits available in the fiscal year during which the individual files a claim to receive  
3254 paid-leave benefits, as provided in subsection (d)(2) and (3) and (e-1) of this section.”.

3255                       (7) Subsection (g)(4) is amended to read as follows:

3256                       “(4) Medical, family, parental, and pre-natal leave benefits for partial weeks of  
3257 leave shall be prorated.”.

3258           (e) A new section 104a is added to read as follows:

3259                       “Sec. 104a. Expansion of paid-leave benefits and employer contribution rate change.

3260                       “(a) By March 1, 2022, and annually thereafter, the Chief Financial Officer (“CFO”) shall  
3261 update estimates of the projected cost of the paid-leave program established by this act and any  
3262 paid-leave benefit expansions set forth in subsection (c)(1) of this section that have not yet been  
3263 implemented.

3264                       “(b)(1) On or before March 1 of each year beginning with March 1, 2022, the CFO shall  
3265 certify the:

3266                               “(A) Fund balance of the Universal Paid Leave Fund;

3267                               “(B) Projected annual revenues for the current fiscal year and future fiscal  
3268 years, for the duration of the financial plan, to be deposited into the Universal Paid Leave Fund  
3269 at the then-existing employer contribution rate;

3270                           “(C) Projected annual expenditures from the Universal Paid Leave Fund at  
3271 the then-existing maximum paid-leave benefit durations;

3272                           “(D) Projected fiscal impact of the paid-leave benefit expansions and  
3273 employer contribution rate change set forth in subsection (c) of this section, which shall include  
3274 whether, and at what tier of expansion, the paid-leave benefit expansions and employer  
3275 contribution rate change would cause the projected fund balance of the Universal Paid Leave  
3276 fund to fall below the equivalent of 9 months of paid-leave benefits at the expanded tier; and

3277                           “(E) Projected employer contribution rate necessary to maintain the then-  
3278 existing level of benefits and continued solvency of the Universal Paid Leave Fund.

3279                           “(2) The Mayor shall incorporate the certification required pursuant to paragraph  
3280 (1) of this subsection into the Mayor’s annual submission of the District’s multiyear budget and  
3281 financial plan to the Council, which shall reflect any paid-leave benefit expansions or employer  
3282 contribution rate change required pursuant to subsection (c) of this section, as certified pursuant  
3283 to paragraph (1) of this subsection.

3284                           “(3) A paid-leave benefit expansion or employer contribution rate change set forth  
3285 in subsection (c) of this section shall apply as of July 1 of the year in which the paid-leave  
3286 benefit expansion or employer contribution rate change will not cause the projected fund balance  
3287 of the Universal Paid Leave Fund to fall below the equivalent of 9 months of benefits at the  
3288 expanded tier, as certified pursuant to paragraph (1) of this subsection.

3289                           “(c)(1) Paid-leave benefits shall be expanded in the following order:

**ENGROSSED ORIGINAL**

3290                   “(A) Extend the maximum duration of qualifying pre-natal leave by one or  
3291 more workweeks, until the maximum duration of qualifying pre-natal leave equals 2 workweeks;

3292                   “(B) Extend the maximum duration of qualifying medical leave by one or  
3293 more workweeks, until the maximum duration of qualifying medical leave equals 6 workweeks;

3294                   “(C) Extend the maximum duration of qualifying parental leave by one or  
3295 more workweeks, until the maximum duration of qualifying parental leave equals 10 workweeks;

3296                   “(D) Extend the maximum duration of qualifying medical leave by one or  
3297 more workweeks, until the maximum duration of qualifying medical leave equals 8 workweeks;

3298                   “(E) Extend the maximum duration of qualifying family leave by one or  
3299 more workweeks, until the maximum duration of qualifying family leave equals 8 workweeks;

3300                   “(F) Extend the maximum duration of qualifying parental leave by one or  
3301 more workweeks, until the maximum duration of qualifying parental leave equals 12 workweeks;

3302                   “(G) Extend the maximum duration of qualifying medical leave by one or  
3303 more workweeks, until the maximum duration of qualifying medical leave equals 10 workweeks;

3304                   “(H) Extend the maximum duration of qualifying family leave by one or  
3305 more workweeks, until the maximum duration of qualifying family leave equals 10 workweeks;

3306                   “(I) Extend the maximum duration of qualifying medical leave by one or  
3307 more workweeks, until the maximum duration of qualifying medical leave equals 12 workweeks;

3308                   “(J) Extend the maximum duration of qualifying family leave by one or  
3309 more workweeks, until the maximum duration of qualifying family leave equals 12 workweeks;

3310                   “(2) Beginning with July 1 of the first year in which all paid-leave benefit  
3311   expansions set forth in paragraph (1) of this subsection have been implemented, and annually  
3312   thereafter, if the projected employer contribution rate calculated by the CFO pursuant to  
3313   subsection (b)(1)(E) of this section is below 0.62%, the employer contribution rate shall equal  
3314   that projected employer contribution rate. If the projected employer contribution rate calculated  
3315   pursuant to subsection (b)(1)(E) is greater than or equal to 0.62%, then the employer contribution  
3316   rate shall be 0.62%.

3317                   “(d)(1) At least 60 days before implementation of any paid-leave benefit expansion or  
3318   employer contribution rate change pursuant to this section, the Mayor shall prescribe and provide  
3319   to covered employers an update to the notice required under section 106(i). The Mayor may  
3320   conduct a public-education campaign to inform individuals of expanded benefits. Costs of the  
3321   notice and campaign authorized under this subsection shall be payable pursuant to section  
3322   1153(c)(1) of the Universal Paid Leave Implementation Fund Act of 2016, effective December 3,  
3323   2020 (D.C. Law 23-149; D.C. Official Code § 32-551.02(c)(1)), from the Universal Paid Leave  
3324   Administration Fund.

3325                   “(2) The public education campaign required by paragraph (1) of this subsection  
3326   shall include:

3327                               “(A) Updated programmatic notices sent electronically to all covered  
3328   employers, which shall be distributed to their covered employees;

3329                   “(B) At least 3 webinars, of which at least one shall be offered during  
3330 evening hours or on the weekend, that are open to the public and that shall be promoted through  
3331 multiple methods of communication at least 2 weeks before they occur; and

3332                   “(C) Promotional mailers, including postcards, sent to all households with  
3333 residents enrolled in the District's Medicaid or Health Care Alliance Program, and other  
3334 households as determined by the Mayor.”.

3335           (f) Section 106(j)(1) (D.C. Official Code § 32-541.06(j)(1)) is amended by striking the  
3336 final sentence.

3337           Sec. 4063. The Universal Paid Leave Implementation Fund Act of 2016, effective  
3338 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01 *et seq.*), is amended as  
3339 follows:

3340           (a) Section 1152 (D.C. Official Code § 32-551.01) is amended as follows:

3341                   (1) Subsection (l) is amended to read as follows:

3342                   “(l) As of December 31, 2021, and as of the last day of each quarter thereafter until full  
3343 implementation of the paid-leave benefit expansions and any employer contribution rate change  
3344 set forth in section 104a(c) of the Act, the Chief Financial Officer shall compare its estimated  
3345 costs of each type of paid-leave benefit with the actual cost of such leave during the most  
3346 recently completed calendar quarter. If, on the basis of such comparison, the estimated cost of  
3347 any type of paid-leave benefit was 3 or more times greater than the actual cost of such leave,  
3348 then the Chief Financial Officer shall promptly deliver a letter to the Council disclosing the  
3349 extent to which costs were overestimated, whether funds are sufficient to implement all or any

portion of the paid-leave benefit expansions and the employer contribution rate change in the order set forth in section 104a(c) of the Act, and the earliest point at which the benefits could be expanded or the employer contribution rate could be reduced.”.

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

“(n) The cost of the benefits authorized under the Act shall be payable solely from the Fund. Nothing contained in the Act or this act shall be construed to create an obligation on the part of the District to pay benefits from any source other than the Fund.”.

(b) Section 1153(c)(1) (D.C. Official Code Sec. § 32-551.02(c)(1)) is amended by striking the phrase “and of those public education funds, at least \$500,000 shall be used to fund the Workplace Leave Navigators Program established pursuant to section 2093 of the Workplace Leave Navigators Program Establishment Amendment Act of 2020, passed on 2nd reading on July 28, 2020 (Enrolled version of Bill 23-760)”.

Sec. 4064. The District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501(1)(A)), is amended as follows:

(a) Section 2(1)(A) (D.C. Official Code § 32-501(1)(A)) is amended to read as follows:

“(A) For leave provided under sections 3 or 4, an individual who has:

“(i) Been employed by the same employer for at least 12 consecutive or non-consecutive months, inclusive of holiday, sick, or personal leave granted by the employer as part of its regular benefits whether such leave was paid or unpaid, in the 7 years immediately preceding the date on which the period of family or medical leave is to commence; and

3371 “(ii) Worked at least 1,000 hours for the employer during the 12-  
3372 month period referenced in sub-subparagraph (i) of this paragraph preceding the date on which  
3373 the period of family or medical leave is to commence.”.

3374 (b) Section 11(b) (D.C. Official Code § 32-510(b)) is amended by striking the period and  
3375 inserting the phrase “, except that this limitations period shall toll while a claim is pending  
3376 administrative review under section 10(b).” in its place.

3377 Sec. 4065. The Workplace Leave Navigators Program Establishment Amendment Act of  
3378 2020, effective Dec. 3, 2020 (D.C. Law 23-149; D.C. Official Code § 32-561.01 *et seq.*), is  
3379 repealed.

3380 Sec. 4066. Title I of the Fiscal Year 2017 Budget Support Act of 2016, effective Oct. 8,  
3381 2016 (D.C. Law 21-160; 63 DCR 10775), is amended by striking the subtitle heading  
3382 “SUBTITLE P. UNIVERSAL PAID LEAVE IMPLEMENTATION FUND” and inserting the  
3383 subtitle heading “SUBTITLE P. UNIVERSAL PAID LEAVE FUND” in its place.

3384

3385 **SUBTITLE H. STUDENT ACTIVITY FUND**

3386 Sec. 4071. Short title.

3387 This subtitle may be cited as the “Student Activity Fund Theatrical and Music Performance  
3388 Expenditures Act of 2021”.

3389 Sec. 4072. Use of Student Activity Funds for theatrical and music performances.

3390 (a) Expenditures on school-administered theatrical and music performances, including stipends  
3391 for non-District of Columbia Public Schools (“DCPS”) employees, but excluding stipends for



3392 DCPS employees, shall be an allowable expenditure from a DCPS school's Student Activity  
3393 Fund.

3394 (b) For the purposes of this act, the term "theatrical and music performances" means the  
3395 planning, rehearsal, or presentation of a musical, staged play, choral production, orchestral or  
3396 band concert, variety show, improvised or sketch comedy performance, or other live  
3397 performance.

3398 **SUBTITLE I. UDC HEI QUALIFIED APPLICANTS**

3399 Sec. 4081. Short title.

3400 This subtitle may be cited as the "UDC HEI Qualified Applicants Expansion Amendment  
3401 Act of 2021".

3402 Sec. 4082. Section 402(b) of the "Pre-k Enhancement and Expansion Amendment Act of  
3403 2008, effective July 18, 2008 (D.C. Law 17-202, D.C. Code § 38-274.02(b)), is amended to read  
3404 as follows:

3405 "(b)(1) A qualified applicant shall be a high school graduate enrolled in a post-secondary  
3406 institution receiving funding pursuant to Title IV of this Act in an effort to pursue an Associate  
3407 degree in education or early childhood education or a Bachelor of Arts degree in education,  
3408 human development, or early childhood education.

3409 "(2) A preference shall be given to individuals who:

3410 "(A) Are domiciled in the District;

3411 "(B)(i) Work in a bilingual childhood development facility in the District  
3412 that is licensed by the Office of the State Superintendent of Education; and

3413 “(ii) Are required to obtain an Associate degree or Bachelor’s  
3414 degree pursuant to sections 164 through 171 of Title 5-A of the District of Columbia Municipal  
3415 Regulations (5-A DCMR §§ 164-171);

3416 “(C) Graduated from a District of Columbia Public Schools high school or  
3417 District public charter high school; or

3418 “(D) Commit to be domiciled in the District within 180 days of accepting a  
3419 scholarship.”.

3420 **SUBTITLE J. IT COMMUNITY TRAINING AND ADVISORY BOARD**  
3421 **ESTABLISHMENT**

3422 Sec. 4091. Short title.

3423 This subtitle may be cited as the “IT Community Training and Advisory Board  
3424 Establishment Act of 2021”.

3425 Sec. 4092. Definitions.

3426 For the purposes of this subtitle:

3427 (1) “Community training provider” means an entity in the District that has  
3428 received an IT training grant awarded pursuant to section 4097.

3429 (2) “Dual-enrollment” means enrollment at both a WIC-approved community-  
3430 based IT training program and UDC-CC or WDLL.

3431 (3) “IT” means information technology.

3432 (4) “IT Board” means the Information Technology Occupational Advisory Board.

(5) “IT training” means occupational skills training that leads to an industry-recognized credential for IT jobs in any sector.

(6) “Program” means the Information Technology Investment Program established pursuant to section 4093 of this subtitle.

(7) “Program participant” means a District resident who is enrolled in Program training and receiving Program assistance authorized pursuant to section 4093.

(8) “Program training” means any of the following, collectively or independently, as determined by context:

(A) Credit-bearing courses at UDC-CC that may be applied toward a UDC-CC degree;

(B) WDLL courses; or

(C) IT training through a community training provider.

(9) “Program training providers” means UDC-CC and WDLL, to the extent those entities are engaged in providing Program training, and community training providers.

(10) “Public health emergency” means the Coronavirus (COVID-19) public health emergency declared pursuant to Mayor’s Order 2020-046, on March 11, 2020, and all subsequent extensions.

(11) “Satisfactory academic progress” means maintaining an academic standing consistent with the requirements for program completion, as determined by the Program training provider.

(12) “UDC” means the University of the District of Columbia.

(13) “UDC-CC” means the UDC Community College.

(14) “UDC-CC degree” means the Associate of Science degree in Computer Science, Information Technology, or any of the technology academies offered through the UDC-CC.

(15) “WDLL” means the UDC-CC Division of Workforce Development and Lifelong Learning.

(16) “WDLL courses” means Information Technology and Office Administration Career Pathway courses offered through the WDLL.

(17) “WIC” means the Workforce Investment Council, established pursuant to section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 12-150; D.C. Official Code § 32-1603).

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

Sec. 4093. Establishment of the Information Technology Investment Program.

(a) The WIC, in collaboration with UDC, the University of the District of Columbia Foundation, Inc., and community training providers, shall establish the Information Technology Investment Program to provide financial assistance to District residents who seek to obtain IT occupational credentials through Program training and to support District residents in obtaining IT jobs. The WIC shall be responsible for providing funding for the Program consistent with the memoranda of understanding required pursuant to section 4096 and the IT training grants authorized pursuant to section 4097.

(b) The Program shall provide industry-informed, up-to-date IT training and certification at no cost to eligible District residents, who, under the Program, may receive the following financial assistance to pursue Program training:

(1) Payment of tuition, to the extent charged;

(2) Payment of academic costs, including the costs of books, supplies, and membership fees; and

(3) A monthly stipend to be used toward living expenses and transportation for participants pursuing WDLL courses or IT training through community training providers.

(c) Program training shall be offered at the UDC-CC campus and any WDLL satellite location and at community training provider sites located in the District, as approved by the WIC.

(d) Program marketing and public education shall be provided by UDC-CC, WDLL, and community training providers to attract District residents to the Program and for the duration of the Program.

Sec. 4094. Conditions of Program eligibility.

(a) To be eligible for Program assistance to pursue a UDC-CC degree, an individual shall:

(1) Meet the relevant enrollment requirements for a UDC-CC degree;

(2) Be a resident of the District;

(3) Have a stated interest in working in IT occupations;

(4) Have not already completed an associate degree in IT or a bachelor's degree at an institution of higher education; and

(5)(A) Have experienced unemployment or significant loss of income due to the public health emergency; or

(B) Have multiple barriers to employment, as determined by the WIC.

(b) To be eligible for Program assistance to pursue WDLL courses, an individual shall:

(1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4), and (5) of this section; and

(2) Meet the enrollment requirements for WDLL courses.

(c) To be eligible for Program assistance to pursue IT training through a community training provider, an individual shall:

(1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4), and (5) of this section; and

(2) Meet the enrollment requirements of the community training provider.

(d) Program training providers shall select Program participants according to the terms of the applicable memorandum of understanding or grant agreement with the WIC.

Sec. 4095. Program participation.

(a) To maintain eligibility for Program assistance, an individual shall:

(1) Maintain satisfactory academic progress;

(2) Be a resident of the District throughout enrollment in Program training; and

(3) Meet any other requirements determined by the WIC to be necessary or appropriate for Program participation.

(b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor to remain a District resident for 6 months for each Program training course the participant completes.

(2) The WIC shall establish requirements and procedures to administer this subsection.

Sec. 4096. Memoranda of Understanding.

(a)(1) No later than November 1, 2021, and by November 1 annually thereafter, the WIC shall execute Memoranda of Understanding (“MOUs”) with UDC and the University of the District of Columbia Foundation, Inc. (“Foundation”) for the purpose of implementing the Program through UDC-CC, including WDLL, and authorizing the intradistrict transfer of funds in accordance with the terms of this subsection.

(2) The MOU with UDC shall, among other things, include funding from the WIC to support the following purposes in amounts to be determined by the parties:

(A) Tuition, required fees, equipment, supplies, tools, and memberships for Program participants who are full-time or part-time students enrolled at UDC-CC to obtain a UDC-CC degree;

(B) Required academic fees, equipment, supplies, tools, and membership fees for Program participants who are students enrolled in WDLL courses, and the salaries and fringe benefits of faculty and staff directly engaged in the provision of such courses;

3537 (C) Reasonable costs of facilities and equipment upgrades  
3538 necessary to provide Program training offered through UDC-CC, including  
3539 WDLL;

3540 (D) Marketing and recruitment activities to attract District  
3541 residents to the Program; and

3542 (E) Development of dual enrollment guidance and policies for the  
3543 expansion of dual-enrollment programs.

3544 (3) The MOU with the University shall, among other things, include funding from  
3545 the WIC to provide Program participants enrolled in WDLL courses monthly stipends to defray  
3546 living expenses in amounts to be determined by the parties. The University will disperse the  
3547 stipends in a timely manner and apply criteria for providing stipends, which may include  
3548 amounts for the following:

3549 (A) Fees associated with occupational licensing exams;

3550 (B) Reasonable transportation costs to and from classes; and

3551 (C) Any other expenses deemed appropriate by the WIC.

3552 Sec. 4097. Establishment of IT training grants.

3553 (a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000,  
3554 effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than  
3555 January 31, 2022, and by November 1 annually thereafter, the WIC shall issue IT training grants  
3556 (“grants”) to eligible providers of IT training in the District.



(b) Grant recipients shall use funds received pursuant to this section to support the salaries and fringe benefits of faculty and staff engaged in the provision of IT training and to provide Program participants the financial assistance outlined in section 4093(b).

(c) Subject to availability of funds, the WIC shall award grants totaling not less than \$1,875,000 per year with the option of one additional year based on performance results from previous years.

(d) To be eligible for a grant, an applicant shall:

(1) Be licensed by the Higher Education Licensure Commission as a postsecondary institution, degree or non-degree seeking.

(2) Demonstrate that its IT training participants consistently and successfully attain the following benchmarks:

(A) Completion of IT training;

(B) Attainment of an IT occupational credential;

(C) Obtainment of unsubsidized employment in an IT occupation; and

(D) Retention of employment in an IT occupation for 6 months or longer.

(e) The WIC may give preference to grant applicants utilizing integrated education and training, as defined by 34 C.F.R. § 463.35.

Sec. 4098. Program performance and reporting.

(a) At the termination of each semester, UDC shall furnish to the WIC a statement of:

(1) The disaggregated number of Program participants by course who, during that semester, participated in one or more Program training courses;

(2) The total number of Program training course enrollments attributable to the Program participants identified pursuant to paragraph (1) of this section;

(3) The disaggregated number of Program participants included in the response to paragraph (1) of this section who successfully completed each Program training course, who dropped out, or who otherwise did not complete a Program training course in which the Program participant had enrolled;

(4) The disaggregated number, by occupational credential, of Program participants who successfully secured an IT occupational credential; and

(5) The total number of Program participants who successfully secured employment in an IT occupation and the average starting wage.

(b) At the end of each fiscal year, the University shall furnish to the WIC a written accounting, for the previous year, of monthly stipends dispersed, the number of Program participants who received monthly stipends, the average amount of stipend per Program participant, and the approved purposes for the monthly stipends.

(c) At the middle and end of each grant award cycle, a community training provider shall furnish to the WIC a report on the number of Program participants achieving the targets identified by the IT Advisory Report outlined in section 4101(a)(4).

(d) The WIC shall:

(1) Use common performance measures outlined in section 116 of WIOA (128 Stat. 1471; 29 U.S.C. § 3142), to track the performance of Program training providers; and

(2) Report on the performance of the Program as required by section 102 of the Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018 (D.C. Law 22-95; D.C. Official Code § 32-1622).

(e) Beginning no later than September 30, 2022, and by September 30 annually thereafter, the WIC shall furnish to the Mayor and the Council of the District of Columbia copies of the IT Advisory Report issued pursuant to section 4101 and a report, which shall include;

(1) Reporting on the attainment of the target performance outcomes established pursuant to section 4101(d);

(2) A narrative analysis on the effectiveness of the Program at increasing the number of District residents in IT occupations; and

(3) Recommendations on the expansion or extension of the Program beyond the terms of this subtitle, including any additional budgetary needs.

Sec. 4099. Program funding.

The WIC shall make best efforts to use federal WIOA Title I Adult and Dislocated Worker funds to supplement funds appropriated for the purposes of implementing this subtitle.

Sec. 4100. Establishment of the Information Technology Occupational Advisory Board.

(a) The WIC shall establish an Information Technology Occupational Advisory Board, which shall work to advise UDC-CC, WDLL, and community training providers on their IT training courses to ensure a high quality of training, to maximize the employability of graduates of IT training course offerings, and to meet the IT staffing needs of employers in the District.

(b) After researching and analyzing existing IT occupational advisory boards in the District and the metropolitan region, the WIC shall determine the structure and membership of its IT Board. The WIC may use a third-party to conduct the research and analysis and to make recommendations on the structure and membership of the IT Board.

(c) No later than March 1, 2022, the WIC's Executive Director shall provide to the WIC a recommendation on an IT Board structure, membership composition, membership selection process, and board duties.

(d) The WIC shall approve, deny, or amend the recommendation described in subsection (c) of this section by vote.

(e) The first meeting of the WIC-approved IT Board shall occur no later than July 1, 2022.

Sec. 4101. IT Advisory Report.

No later than September 30, 2022, the WIC shall submit to the Mayor, Council, UDC-CC, WDLL, and community training providers, an IT Advisory Report, which shall contain the following:

(a) The number of District residents needed to meet hiring demands of District employers hiring for IT occupation jobs;

(b) The occupational credentials less than a bachelor's degree needed for District residents to be eligible for employment in IT occupations;

(c) The necessary hard and soft skills needed to succeed in IT occupations;

(d) Target performance outcomes for Program training providers to achieve pertaining to recruitment, enrollment, course or degree completion, credential attainment, employment, average starting wage, and retention of employment at 6 months and one year; and

(e) Recommendations for Program training providers on the following:

(1) New or additional IT courses that Program training providers should offer;

(2) Existing IT course offerings that Program training providers should expand;

(3) IT course content adjustments that could be made to align courses with skills needed on the job in IT occupations;

(4) Equipment and facilities upgrades necessary for relevant IT education and IT training to achieve the recommendations in subparagraphs (A), (B), and (C) of this paragraph; and

(5) Any other information deemed appropriate by the IT Board.

Sec. 4102. Sunset.

This subtitle shall expire on September 30, 2024.

#### **SUBTITLE K. NURSE EDUCATION ENHANCEMENT**

Sec. 4111. Short title.

This subtitle may be cited as the “DC Nurse Education Enhancement Program Amendment Act of 2021”.

Sec. 4112. Definitions.

For the purposes of this subtitle:

3658 (1) "BON" means the Board of Nursing established pursuant section 204 of the  
3659 District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C.  
3660 Law 6-99; D.C. Official Code § 3-1202.04).

3661 (2) "CNA" means a Certified Nursing Aide.

3662 (3) "Community training provider" means an entity that has been approved by the  
3663 BON to provide training to individuals to attain certification as a CNA, HHA, or MA-C.

3664 (4) "Direct care worker" means an individual who is certified as a CNA, HHA, or  
3665 MA-C.

3666 (5) "Direct care worker training grant" means a grant issued pursuant to section  
3667 4117.

3668 (6) "Direct care worker training grantee" means a community training provider  
3669 that has received a direct care worker training grant.

3670 (7) "Dual-enrollment" means enrollment in both a BON-approved training  
3671 program and the University.

3672 (8) "Healthcare Workforce Partnership" means the entity established pursuant to  
3673 section 2075 of the Healthcare Workforce Partnership Act of 2020, effective December 3, 2020  
3674 (D.C. Law 23-149; D.C. Official Code § 32-1684).

3675 (9) "HHA" means Home Health Aide.

3676 (10) "LPN to AASN degree" means a Licensed Practical Nurse to Associate in  
3677 Applied Science in Nursing degree.

3678 (11) "MA-C" means Medication Aide Certified.

3679 (12) "Nursing care occupation" means an occupation that requires a worker to be  
3680 certified as a CNA, HHA, MA-C, LPN, or RN.

3681 (13) "Program" means the DC Nurse Education Enhancement Program  
3682 established pursuant to this subtitle.

3683 (14) "Program participant" means a District resident who is enrolled in Program  
3684 training and receiving Program assistance authorized pursuant to section 4113.

3685 (15) "Program training" means any of the following, collectively or  
3686 independently, as determined by context:

3687 "(A) Credit-bearing courses at UDC that may be applied toward an RN to  
3688 BSN degree;

3689 "(B) Credit-bearing courses at UDC-CC that may be applied toward an  
3690 LPN to AASN degree;

3691 "(C) WDLL courses; or

3692 "(D) Training to obtain a certification as a CNA, HHA, or MA-C, or a  
3693 CNA to HHA bridge program, through a community training provider.

3694 (16) "RN to BSN degree" means a Registered Nurse to Bachelor of Science in  
3695 Nursing degree.

3696 (17) "Satisfactory academic progress" means maintaining an academic standing  
3697 consistent with the requirements for program completion, as determined by the Program training  
3698 provider.

3699 (18) "UDC" means the University of the District of Columbia.

3700 (19) “UDC-CC” means the University of the District of Columbia Community  
3701 College.

3702 (20) “University” means, collectively, UDC, UDC-CC, and WDLL.

3703 (21) “WDLL” means the UDC-CC Division of Workforce Development and  
3704 Lifelong Learning.

3705 (22) “WDLL courses” means courses offered through WDLL’s Healthcare Direct  
3706 Career Pathway Nursing Assistant program.

3707 (23) “WIC” means the Workforce Investment Council, established pursuant to  
3708 section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000  
3709 (D.C. Law 12-150; D.C. Official Code § 32-1603).

3710 (24) “WIOA” means the Workforce Innovation and Opportunity Act of 2014,  
3711 approved July 22, 2014 (128 Stat. 1425; 29 U.S.C § 3101 *et seq.*).

3712 Sec. 4113. Establishment of the Nurse Education Enhancement Program.

3713 (a) The WIC shall establish, in collaboration with the University, the University of the  
3714 District of Columbia Foundation, Inc., and direct care worker training grantees, the DC Nurse  
3715 Education Enhancement Program for the purpose of training District residents to obtain an  
3716 occupational credential and employment in nursing care occupations. The WIC shall be  
3717 responsible for providing funding for the Program consistent with the memoranda of  
3718 understanding executed pursuant to section 4116 and the direct care worker training grants  
3719 authorized pursuant to section 4117.



3720 (b) The Program shall provide industry-informed, BON-approved training that leads to  
3721 certifications required for nursing care occupations at no cost to eligible District residents, who,  
3722 under the Program, may receive the following financial assistance to pursue Program training:

3723 (1) Payment of tuition, to the extent charged;

3724 (2) Payment of academic costs, including books, supplies, and membership fees;

3725 and

3726 (3) A monthly stipend to be used toward living expenses and transportation for  
3727 Program participants pursuing WDLL courses or certification as a CNA, HHA, MA-C, or a CNA  
3728 to HHA bridge program, through a direct care worker training grantee.

3729 (c) Program training shall be offered at the University's campuses and satellite locations  
3730 and at community training provider sites located in the District.

3731 (d) Program training shall be approved by the BON.

3732 (e) Program marketing and public education shall be provided by the University and  
3733 community training providers to attract residents to the Program and for the duration of the  
3734 Program.

3735 (f) The University shall review the recommendations and implement relevant sections of  
3736 the Healthcare Occupations Report developed by the Healthcare Workforce Partnership pursuant  
3737 to section 2175(e) of the Healthcare Workforce Partnership Act of 2020, effective December 3,  
3738 2020 (D.C. Law 23-149; D.C. Official Code §32-1684(e)), to maintain and enhance course  
3739 offerings to meet the workforce needs of nursing care occupations in the District.

3740 Sec. 4114. Conditions of Program eligibility.

3741 (a) To be eligible for Program assistance while pursuing an RN to BSN degree through

3742 UDC, an individual shall:

3743 (1) Have met the enrollment requirements of UDC;

3744 (2) Be a resident of the District;

3745 (3) Have a stated interest in employment in a nursing care occupation;

3746 (4) Have not already completed a bachelor's degree at an institution of higher

3747 education;

3748 (5) Have previously obtained a credential as a CNA, HHA, or LPN; and

3749 (6) Have been employed in the District for a minimum of 2 years as a CNA,

3750 HHA, or LPN with a healthcare employer.

3751 (b) To be eligible for Program assistance while pursuing an AASN degree through UDC-

3752 CC, an individual shall:

3753 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

3754 (2) Meet the enrollment requirements of UDC-CC;

3755 (3) Have previously obtained a credential as a CNA, HHA, or MA-C; and

3756 (4) Have been employed in the District for a minimum of 2 years as a CNA,

3757 HHA, or MA-C with a healthcare employer.

3758 (c) To be eligible for Program assistance while pursuing certification as a CNA through

3759 WDLL, an individual shall:

3760 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

3761 and

3762 (2) Meet the enrollment requirements of WDLL;

3763 (d) To be eligible for Program assistance while pursuing a certification as a CNA, HHA,  
3764 MA-C, or while pursuing a CNA to HHA bridge program, through a direct care worker training  
3765 grantee, an individual shall:

3766 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;  
3767 and;

3768 (2) Meet the enrollment requirements of the community training provider.

3769 (e) The University and direct care worker training grantees shall select Program  
3770 participants according to the terms of the applicable memorandum of understanding or grant  
3771 agreement with the WIC.

3772 Sec. 4115. Program participation.

3773 (a) To maintain eligibility for Program assistance, an individual shall:

3774 (1) Maintain satisfactory academic progress, as determined by the University or  
3775 the direct care worker training grantee;

3776 (2) Be a resident of the District throughout participation in Program training; and

3777 (3) Meet any other requirements determined by the WIC to be necessary or  
3778 appropriate.

3779 (b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor  
3780 to remain a District resident for 6 months for each Program training course the participant  
3781 completes.

(2) The WIC shall establish requirements and procedures to implement this subsection.

Sec. 4116. Memoranda of Understanding.

(a)(1) No later than November 1, 2021, and by November 1 annually thereafter, the WIC shall execute Memoranda of Understanding ("MOUs") with the University and the University of the District of Columbia Foundation, Inc. ("Foundation") for the purpose of implementing the Program at the University and authorizing the intradistrict transfer of funds in accordance with the terms of this subsection.

(2) The MOU with the University shall, among other things, include funding from the WIC to support the following purposes in amounts to be determined by the parties:

(A) Tuition, required fees, equipment, supplies, tools, and memberships for Program participants who are full-time or part-time students at UDC and UDC-CC seeking to obtain an RN to BSN degree or an LPN to AASN degree; provided, that the BON has approved such degree paths by the date of execution of the MOU; provided further, that the parties may modify the MOU to incorporate funding for BON-approved degree paths following BON approval.

(B) Required academic fees, equipment, supplies, tools, certification exam preparation fees, and memberships for Program participants who are students enrolled in WDLL courses, and the salaries and fringe benefits of faculty and staff directly engaged in the provision of such courses;

3802 (C) Reasonable costs of facilities and equipment upgrades necessary for  
3803 providing Program training through UDC-CC, including WDLL;

3804 (D) Marketing and recruitment activities to attract District residents to the  
3805 Program; and

3806 (E) Development of dual enrollment guidance and policy for the  
3807 expansion of dual-enrollment programs.

3808 (3) The MOU with the Foundation shall, among other things, include funding  
3809 from the WIC to provide Program participants enrolled in WDLL courses monthly stipends to  
3810 defray living expenses in amounts to be determined by the parties, and may include amounts for  
3811 the following:

3812 (A) Fees associated with occupational licensing exams;

3813 (B) Reasonable transportation costs to and from classes; and

3814 (C) Any other expenses deemed appropriate by the WIC.

3815 Sec. 4117. Establishment of direct care worker training grants.

3816 (a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000,  
3817 effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than  
3818 January 31, 2022, and by November 1 annually thereafter, the WIC shall issue direct care worker  
3819 training grants (“grants”) to community training providers according to this section.

3820 (b) Grant recipients shall use funds received pursuant to this section to support the  
3821 salaries and fringe benefits of faculty and staff engaged in training Program participants to

become direct care workers and to provide Program participants the financial assistance outlined in section 4113(b).

(c) Subject to availability of funds, the WIC shall award grants totaling not less than \$900,000 per year with the option of 2 additional years based on performance results from previous years.

(d) To be eligible for a grant, an applicant shall:

(1) Be located in the District;

(2) Be a community training provider; and

(3) Demonstrate that its training participants consistently and successfully attain the following benchmarks:

(A) Completion of direct care worker training;

(B) Direct care worker credential attainment;

(C) Obtainment of unsubsidized employment as a direct care worker in the occupation of training; and

(D) Retention of employment as a direct care worker in the occupation of training for 6 months or longer.

(e) The WIC may give preference to grant applicants utilizing integrated education and training, as defined by 34 C.F.R. § 463.35.

Section 4118. Program performance and reporting.

(a) At the termination of each semester, the University shall furnish to the WIC a statement of:

3843 (1) The disaggregated number of Program participants by course who, during that  
3844 semester, participated in each Program course;

3845 (2) The total number of Program training course enrollments attributable to the  
3846 Program participants identified pursuant to paragraph (1) of this subsection;

3847 (3) The disaggregated number of Program participants included in the response to  
3848 paragraph (1) of this subsection who successfully completed each Program training course, who  
3849 dropped out, or who otherwise did not complete the Program training course in which the  
3850 program participant had enrolled;

3851 (4) The disaggregated number, by occupational credential, of Program  
3852 participants who successfully secured a nursing care occupation credential; and

3853 (5) The total number of Program participants who successfully secured  
3854 employment in a nursing care occupation and average starting wage.

3855 (b) At the end of each fiscal year, the University shall furnish to the WIC a written  
3856 accounting, for the previous year, of the monthly stipends dispersed, number of Program  
3857 participants who received monthly stipends, average amount of stipend per Program participant,  
3858 and the approved purposes for the monthly stipends.

3859 (c) At the middle and end of the grant award cycle, each direct care worker training  
3860 grantee shall furnish to the WIC a report on Program participant outcomes pertaining to  
3861 recruitment, enrollment, completion, credential attainment, employment average starting wage,  
3862 and retention of employment at 6 months and one year.

3863 (d) The WIC shall:

(1) Use common performance measures outlined in section 116 of WIOA (128 Stat. 1471; 29 U.S.C. § 3142), to track the performance of the Program training providers; and

(2) Report on the performance of the Program as required by section 102 of the Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018 (D.C. Law 22-95; D.C. Official Code § 32-1622).

(3) No later than September 30, 2022 and by September 30 annually thereafter, furnish a report to the Mayor and the Council of the District of Columbia, which shall include:

(A) The data received pursuant subsections (a), (b), and (c) of this section;

(B) A narrative analysis on the effectiveness of the Program at increasing the number of District residents in nursing care occupations; and

(C) Recommendations on the expansion or extension of the Program beyond the terms of this subtitle, including any additional budgetary needs.

Sec. 4119. Program funding.

The WIC shall make best efforts to use federal WIOA Title I Adult and Dislocated Worker funds to supplement funds appropriated for the purposes of implementing this subtitle.

Sec. 4120. The Healthcare Workforce Partnership Act of 2020, effective December 3, 2020 (D.C. Law 23-149, D.C. Official Code § 32-1681 *et seq.*), is amended as follows:

(a) Section 2172(c) (D.C. Official Code § 32-1682(c)) is amended as follows:

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

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



3885                   “(2A) Submit to the Partnership for feedback the proposed statement of work for  
3886 the direct care worker training grant outlined in section 4117 of the DC Nurse Education  
3887 Enhancement Program Amendment Act of 2021, approved by the Committee of the Whole on  
3888 July 20, 2021 (Committee print of Bill 24-285); and”.

3889                   (b) Section 2175(b)(3) (D.C. Official Code § 32-1684) is amended as follows:

3890                   (1) Subparagraph (D) is amended by striking the phrase “; and” and inserting a  
3891 semicolon in its place.

3892                   (2) Subparagraph (E) is amended by striking the period and inserting the phrase “;  
3893 and” in its place.

3894                   (3) A new subparagraph (F) is added to read as follows:

3895                   “(F) At least one representative from an employer of workers who are  
3896 certified nursing aides, certified home health aides, or medication aide certified, including  
3897 licensed home health agencies, assisted living residences, adult day health programs, nursing  
3898 facilities, and long-term direct healthcare providers.”.

3899                   Sec. 4121. The Nurses Training Corps Establishment Act of 1987, effective October 9,  
3900 1987 (D.C. Law 7-32, D.C. Official Code § 38-1501 *et seq.*), is repealed.

3901                   Sec. 4122. Sunset.

3902                   Sections 4112 through 4120 shall expire on September 30, 2024.

3903                   **SUBTITLE L. SCHOOL YEAR INTERNSHIP PROGRAM**

3904                   Sec. 4131. Short title.

**ENGROSSED ORIGINAL**

3905           This subtitle may be cited as the “School Year Internship Program Amendment Act of  
3906 2021”.

3907           Sec. 4132. Section (a)(2A) of the Youth Employment Act of 1979, effective January 5,  
3908 1980 (D.C. Law 3-46; D.C. Official Code § 32-242(a)(2A)), is amended as follows:

3909           (a) The lead-in language is amended by striking the word “pilot” and inserting the word  
3910 “program” in its place.

3911           (b) Subparagraph (A) is amended to read as follows:

3912                       “(A) A program called the School Year Internship Program (“Program”) for  
3913 a minimum of 350 District high school students, each year, to provide work-based learning  
3914 opportunities during the school year.”.

3915           (c) Subparagraph (C) is amended to read as follows:

3916                       “(C) DOES shall notify students of their placement with an internship host  
3917 by January 5, 2022, and September 15 of each subsequent year.”.

3918           (d) Subparagraph (D) is amended to read as follows:

3919                       “(D) Interns shall remain matched with their internship host between the  
3920 first week of October and the last day of May; provided, that for Fiscal Year 2022, internships may  
3921 begin as late as the second week in January 2022.”.

3922           (e) Subparagraph (F)(ii) is amended by striking the phrase “December 1, 2020.” and  
3923 inserting the phrase “December 1, 2021, and July 1 of each subsequent year.” in its place.

3924           **SUBTITLE M. JOBS FIRST DC PILOT PROGRAM ESTABLISHMENT**

3925           Sec. 4141. Short title.

3926 This subtitle may be cited as the "Jobs First DC Pilot Program Establishment Act of  
3927 2021".

3928 Sec. 4142. Definitions.

3929 For the purposes of this subtitle:

3930 (1) "Digital literacy" means fluency in the use and security of interactive digital tools and  
3931 searchable networks including the ability to use digital tools safely and effectively for learning,  
3932 collaborating, and producing.

3933 (2) "DOES" means the District Department of Employment Services.

3934 (3) "Employment retention support" means activities delivered to participants after  
3935 securing employment that are aimed at assisting participants in maintaining employment with the  
3936 same employer.

3937 (4) "Grant" means the Program funds authorized to be issued pursuant to section 4144.

3938 (5) "Grantee" means an organization in receipt of a grant issued pursuant to section 4144.

3939 (6) "Participant" means an individual selected by a grantee, pursuant to section 4144, to  
3940 participate in the Program.

3941 (7) "Program" means the Jobs First DC Pilot Program established pursuant to section  
3942 4143.

3943 (8) "Supportive services" shall have the same meaning as provided in 20 CFR § 651.10

3944 (9) "WIOA" means the Workforce Innovation and Opportunity Act of 2014, approved  
3945 July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

3946 Sec. 4143. Establishment of the Jobs First DC Pilot Program.

3947 (a) There is established a Jobs First DC Pilot Program for the purpose of issuing grants to  
3948 assist in the placement of at least 300 District residents in unsubsidized permanent employment  
3949 and to fund 12 months of job retention support.

3950 (b) The Program shall provide participants the following assistance:

3951 (1) Assessment and evaluation of their job history, skills, and education;

3952 (2) Information and referral to support services, as defined by 20 CFR § 651.10;

3953 (3) Career services described in section 134(c)(2) of WIOA (128 Stat. 1520; 29  
3954 U.S.C. § 3174(c)(2));

3955 (4) Resume development;

3956 (5) Employment-readiness skills development;

3957 (6) Interview preparation;

3958 (7) Job search and application submission;

3959 (8) Job referrals as described in 20 CFR § 651.10, to unsubsidized permanent  
3960 employment opportunities;

3961 (9) Job interview follow-up and feedback;

3962 (10) Employment orientation paperwork completion;

3963 (11) Professional networking coaching; and

3964 (12) 12 months of employment retention support.

3965 (c) The Program may provide participants the following assistance:

3966 (1) Digital literacy skills development;

3967 (2) Review of credit scores and creation of a plan to improve a participant's credit  
3968 score; and

3969 (3) Review of criminal history records and creation of a plan to ameliorate the  
3970 effects of or correct a participant's criminal record.

3971 Sec. 4144. Establishment of Jobs First DC grants.

3972 (a) Beginning no later than December 15, 2021, DOES shall award a minimum of 2  
3973 grants, each not less than \$250,000 per year for a minimum of 2 years, subject to the availability  
3974 of funds, to provide job placement and employment retention support for District residents.

3975 (b) To be eligible for a grant, an applicant shall:

3976 (1) Be located in the District;

3977 (2) Be a nonprofit organization with a 501(c)(3) status, as determined by the  
3978 Internal Revenue Service;

3979 (3) Have demonstrated success providing the employment assistance described in  
3980 section 4143(b) to individuals with the characteristics described in section 4145(d), as evidenced  
3981 by a minimum of a 65% employment placement rate; and

3982 (4) Have demonstrated success providing employment support to individuals for  
3983 up to 12 months, as evidenced by a minimum of a 70% employment retention rate.

3984 (c) DOES may give preference to applicants that have partnerships with:

3985 (1) Organizations that provide criminal and credit record review and recovery  
3986 support; or

3987 (2) Financial institutions to establish individual development accounts (“IDAs”)  
3988 for employed participants, in which the progressive employment retention bonuses outlined in  
3989 subsection (d)(3) of this section and other savings may be deposited and matched to help  
3990 participants build assets and achieve financial stability.

3991 (d) Grantees shall:

3992 (1) Select Program participants according to the criteria outlined in section 4145.

3993 (2) Provide participants the services outlined in section 4143(b); and

3994 (3) Provide progressive employment retention bonuses totaling up to \$500 for  
3995 each participant who meets the following milestones:

3996 (A) At 180 days of employment, a participant shall receive \$250; and

3997 (B) At 365 days of employment, a participant shall receive \$250;

3998 (4) Receive a training outcomes bonus totaling up to \$500 for each participant  
3999 who meets the following milestones:

4000 (A) For each participant that remains employed for 180 days, a grantee  
4001 shall receive \$250; and

4002 (B) For each participant that remains employed for 365 days, a grantee  
4003 shall receive \$250.

4004 (e) Grantees may establish and facilitate a participant alumni group for the purpose of  
4005 providing participants access to education and training opportunities and to promote professional  
4006 advancement.

4007 Sec. 4145. Participant conditions of eligibility.

4008 To be eligible to participate in the Program, an individual shall:

4009 (a) Be a resident of the District;

4010 (b) Be unemployed at the time of application to the Program;

4011 (c) Be able to engage in regular, full-time employment, as assessed by the

4012 grantee; and

4013 (d) Have one or more of the following barriers to employment:

4014 (1) Lack of consistent work history;

4015 (2) History of a criminal record;

4016 (3) History of substance abuse;

4017 (4) History of mental illness; or

4018 (5) Housing insecurity.

4019 Sec. 4146. Reporting.

4020 (a) Every 6 months, starting from receipt of a grant, a grantee shall furnish to DOES a

4021 report on the following outcomes from the previous 6 months:

4022 (1) The total number of participants placed in employment;

4023 (2) The average starting wage for participants;

4024 (3) The average number of days from official enrollment in the Program to

4025 employment start date;

4026 (4) The total number of participants achieving each progressive employment

4027 milestone outlined in section 4144(d)(3) and the average participant wage at each milestone;

4028 (5) The total sum of progressive employment retention bonuses issued to  
4029 participants; and

4030 (6) The total sum of training outcomes bonuses issued to grantees.

4031 (b) Beginning no later than December 15, 2022, and by December 15 annually thereafter,  
4032 DOES shall furnish a report to the Mayor and the Council containing the grantee performance  
4033 outcomes reported pursuant to subsection (a) of this section.

4034 **SUBTITLE N. WORKPLACE RIGHTS GRANT PROGRAM**

4035 Sec. 4151. This subtitle may be cited as “Workplace Rights Grant Program Amendment  
4036 Act of 2021”.

4037 Sec. 4152. Subtitle J of Title II of the Fiscal Year 2020 Budget Support Act of 2019,  
4038 effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 32-171.01 *et seq.*), is  
4039 amended to read as follows:

4040 “SUBTITLE J. WORKPLACE RIGHTS GRANT PROGRAM

4041 “Sec. 2091. Short title.

4042 “This subtitle may be cited as the “Workplace Rights Grant Program Amendment Act of  
4043 2021”.

4044 “Sec. 2092. Definitions.

4045 For the purposes of this subtitle, the term:

4046 “(1) “Activities” means conducting outreach to, providing worker education to, or  
4047 providing legal services for eligible individuals related to employment laws.



4048                   “(2) “Community-based organization” means a nonprofit organization, including  
4049 a legal services provider, headquartered in the District of Columbia whose purpose OAG  
4050 determines is aligned with one or more purposes of the Program.

4051                   “(3) “Eligible individual” means an individual who works in the District.

4052                   “(4) “Employment laws” means workplace leave laws and:

4053                               “(A) The Minimum Wage Act Revision Act of 1992, effective March 25,  
4054 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*);

4055                               “(B) An Act To provide for the payment and collection of wages in the  
4056 District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et*  
4057 *seq.*);

4058                               “(C) The District of Columbia Unemployment Compensation Act,  
4059 approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*); and

4060                               “(D) Federal laws that relate to or provide similar rights as the laws  
4061 identified in subparagraphs (A) through (C) of this paragraph, including the Fair Labor Standards  
4062 Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*), and the Family  
4063 and Medical Leave Act of 1993, approved February 5, 1993 (107 Stat. 6; 29 U.S.C. § 2611 *et*  
4064 *seq.*).

4065                   “(5) “Grantee” means a community-based organization in receipt of a Program  
4066 grant issued pursuant to section 2093.

4067                   “(6) “Legal services” means the provision of legal advice, assistance, or  
4068 representation regarding an individual's rights or responsibilities related to a particular matter or  
4069 more general matters.

4070                   “(7) “Legal services provider” means a nonprofit organization or clinical program  
4071 headquartered in the District that provides legal services.

4072                   “(8) “Low- or moderate-income eligible individual” means an individual who  
4073 works in the District and who earns an hourly wage or salary equivalent to less than 3 times the  
4074 District minimum wage or who has a household income that falls at or below 400% of the  
4075 federal poverty guidelines issued by the United States Department of Health and Human  
4076 Services.

4077                   “(9) “OAG” means the Office of the Attorney General for the District of  
4078 Columbia.

4079                   “(10) “Program” means the Workplace Rights Grant Program established  
4080 pursuant to section 2093.

4081                   “(11) “Workplace leave laws” means laws that provide for eligible individuals to  
4082 take leave from their employment and protect the right to do so, and include the:

4083                               “(A) Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008  
4084 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*);

4085                               “(B) Universal Paid Leave Amendment Act of 2016, effective April 7,  
4086 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*);

4087 “(C) District of Columbia Family and Medical Leave Act of 1990,  
4088 effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*); and

4089 “(D) Protecting Pregnant Workers Fairness Act of 2014, effective March  
4090 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*).

4091 “Sec. 2093. Establishment of Program and issuance of grants.

4092 “(a) There is established the Workplace Rights Grant Program for the purpose of  
4093 authorizing OAG to provide grants to community-based organizations to conduct activities with  
4094 eligible individuals related to employment laws and to inform the OAG’s work related to  
4095 employment laws.

4096 “(b) OAG shall administer the Program by:

4097 “(1) Issuing Program grants to community-based organizations to provide  
4098 outreach and worker education; outreach and legal services; or a combination of outreach,  
4099 worker education, and legal services.

4100 “(2) Awarding Program grants at least annually, which may include the  
4101 continuation or renewal of multi-year grants, to at least 2 qualified community-based  
4102 organizations;

4103 “(3) Adopting policies, procedures, guidelines, and requirements for the grants,  
4104 including performance measures and target outcomes; and

4105 “(4) Issuing all grants pursuant to the requirements set forth in the Grant  
4106 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code  
4107 § 1-328.11 *et seq.*).

4108           “(c) OAG may:

4109                   “(1) Require that at least 95% of the individuals served by a Program grant in a  
4110 grant year be low- or moderate-income eligible individuals or reasonably believed to be low- or  
4111 moderate-income eligible individuals; and

4112                   “(2) Pay grants on a performance basis or a reimbursable basis.

4113           “(d) Program grants shall:

4114                   “(1) Have a duration of at least one year and up to 3 years, subject to the  
4115 availability of appropriations and contingent on satisfactory performance by a grantee during the  
4116 grant’s first year or, if applicable, the grant’s second year; and

4117                   “(2) Be for not less than \$100,000 per year per grant.

4118           Sec. 2094. Grantee eligibility requirements.

4119           “(a)(1) To be eligible for a grant authorized under this subtitle, a community-based  
4120 organization shall:

4121                   “(A) Demonstrate in its application that it is well qualified to engage in the  
4122 types of activities which will be funded, in whole or in part, by the grant;

4123                   “(B) Specify in its grant application the planned staff, schedule, format,  
4124 and intended audience of the activities it plans to provide and provide a summary of the content  
4125 of any worker education that will be carried out during the grant period; and

4126                   “(C) Have the capacity to provide free legal services if applying to be a  
4127 legal services provider; and

4128                   “(D) Include other information as required by OAG.

4129                   “(2)(A) In addition to the criteria specified in paragraph (1) of this subsection, to  
4130 be eligible for Program grant funds, a community-based organization that is not a legal services  
4131 provider shall demonstrate that it possesses at least 3 years’ experience:

4132                               “(i) Conducting outreach to and establishing working relationships  
4133 with significant numbers of eligible individuals; and

4134                               “(ii) Working on or assisting workers to secure rights under  
4135 employment laws.

4136                   “(B) A community-based organization that does not satisfy the criteria in  
4137 subparagraph (A)(i) of this paragraph may receive a Program grant if it applies in partnership  
4138 with a community-based organization that meets the requirements of both subparagraph (A)(i)  
4139 and (ii) of this paragraph.

4140                   “Sec. 2095. Grant uses.

4141                   “(a) Grantees may conduct activities:

4142                               “(1) Regarding a subset of employment laws; and

4143                               “(2) With workers in a single occupational group; provided, that the grant  
4144 application demonstrates that such occupational group experiences significant,  
4145 disproportionately high, or persistent violations of employment laws or that the occupational  
4146 group requires targeted assistance in order to access programs under employment laws.

4147                   “(b) Grantees that provide worker education shall provide, to an eligible individual or  
4148 group of eligible individuals, information on the rights and responsibilities of accessing benefits

4149 under, recognizing violations of and learning how to prevent or rectify violations of, or learning  
4150 how to assist others to take steps to prevent or rectify violations of employment laws.

4151 “Sec. 2096. Transparency and reporting.

4152 “(a) OAG shall annually collect the following information from grantees:

4153 “(1) The number of eligible individuals served by gender, race, ethnicity, primary  
4154 language, and age;

4155 “(2) The number of eligible individuals served by state of residence, and for  
4156 District residents, by election ward;

4157 “(3) The occupational groups of eligible individuals served and the number of  
4158 individuals served in each occupational group;

4159 “(4) A list of the activities provided, with a descriptive summary of each activity;

4160 “(5) The number of eligible individuals served in relation to each employment law  
4161 or set of employment laws;

4162 “(6) Performance outcomes; and

4163 “(7) An evaluation of implementation challenges and recommendations for future  
4164 improvements.

4165 “(b) OAG shall annually provide to the Council a report that includes:

4166 “(1) A list of grantees and the amount of grant funding provided to each;

4167 “(2) For each grantee, the information provided to OAG pursuant to subsection

4168 (a) of this section; and

4169                   “(3) An overall evaluation of the Program, including implementation challenges  
4170 and recommendations for future improvements.

4171                   “(c) OAG may not require grantees to release to OAG any personally identifying  
4172 information in connection with the preparation or provision of the reports described in this  
4173 section.”.

4174                   Sec. 4153. The Attorney General for the District of Columbia Clarification and Elected  
4175 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code §  
4176 1-301.81 *et seq.*), is amended as follows:

4177                   (a) Section 106b(c)(1)(B) (D.C. Official Code § 1-301.86b(c)(1)(B)) is amended by  
4178 striking the phrase “provided in section 108c(a)” and inserting the phrase “provided in sections  
4179 108c(a) and 108d(a)” in its place.

4180                   (b) A new section 108d is added to read as follows:

4181                   “Sec. 108d. Authority to issue grants for workplace rights.

4182                   “(a) The Attorney General may issue grants for the purposes authorized pursuant to the  
4183 Workplace Rights Grant Program Amendment Act of 2021, approved by the Committee of the  
4184 Whole on July 20, 2021 (Committee print of Bill 24-285).

4185                   “(b) Personnel and non-personnel costs related to administering any grants issued  
4186 pursuant to the authority provided in subsection (a) of this section may be paid from funds  
4187 deposited into the Litigation Support Fund established in section 106b.

4188                   “(c) The Attorney General may issue rules to implement this section.”.

**SUBTITLE O. UNEMPLOYMENT COMPENSATION IMPROVEMENTS**

Sec. 4161. This subtitle may be cited as the “Unemployment Compensation Improvements Amendment Act of 2021”.

Sec. 4162. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

(a) Section 3(c)(2) (D.C. Official Code § 51-103(c)(2)) is amended by adding a new subparagraph (H) to read as follows:

“(H)(i) The following benefits paid to an individual who became unemployed or partially unemployed as a result of the circumstances giving rise to the public health emergency shall not be charged to an employer’s experience rating:

“(I) Benefits paid to an affected employee pursuant to section 101(a), (b), (d), (e), and (g) of the Coronavirus Support Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824) (“section 101”), or any preceding act of the Council of the District of Columbia authorizing payment of benefits on substantially similar terms as those described in section 101;

“(II) Benefits paid to an affected employee after the expiration of the Coronavirus Support Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824), because the employee continues to otherwise qualify for benefits; and



4208 “(III) Benefits paid under other local or federal law,  
4209 including the federal Pandemic Emergency Unemployment Compensation program and extended  
4210 benefits authorized under section 107(g).

4211 “(ii) For the purposes of this subparagraph, the term:

4212 (I) “Affected employee” shall have the same meaning as  
4213 provided in section 101(d) of the Coronavirus Support Temporary Amendment Act of 2021,  
4214 enacted June 24, 2021 (D.C. Act 24-9; 68 DCR 4824).

4215 (II) “Public health emergency” means the Coronavirus  
4216 (COVID-19) public health emergency declared pursuant to Mayor’s Order 2020-046, on March  
4217 11, 2020, and all subsequent extensions.”.

4218 (b) Section 10(a) (D.C. Official Code § 51-110(a)) is amended as follows:

4219 (1) Designate the existing text as paragraph (1).

4220 (2) A new paragraph (2) is added to read as follows:

4221 “(2) For the purposes of paragraph (1) of this subsection, the term “good cause”  
4222 includes working in unsafe locations or under unsafe conditions where such unsafe working  
4223 condition or location would cause a reasonable and prudent person in the labor market to leave  
4224 the work, as determined by the Director based on the facts in each case.”

4225 (c) Section 19(d) (D.C. Official Code § 51-119(d)) is amended as follows:

4226 (1) Paragraph (1) is amended by striking the phrase “or by the collection remedy  
4227 set forth in D.C. Official Code § 47-1812.11(a)” and inserting the phrase “no more than 3 years  
4228 from the date that such sum was paid to the claimant” in its place.

4229 (2) A new paragraph (3) is added to read as follows:

4230 “(3)(A) Notwithstanding paragraph (1) of this subsection, during a covered  
4231 period:

4232 “(i) The Director, except as provided in subparagraphs (B) and (C)  
4233 of this paragraph, shall not:

4234 “(I) Initiate, file, or threaten to file a civil action for the  
4235 collection of sums received as benefits to which a person was not entitled (“overpayment debt”);  
4236 or

4237 “(II) Engage in communications related to such civil  
4238 actions with persons alleged to owe an overpayment debt or their legal representatives, except as  
4239 Directed by a court of competent jurisdiction or as necessary to comply with this subparagraph.

4240 “(ii) All activity in pending civil actions that the Director has  
4241 brought against persons for the collection of an overpayment debt shall be stayed, and the  
4242 Director shall not engage in any activity in violation of such stay.

4243 “(B) During a covered period, the Director shall continue to notify persons  
4244 of their right to request overpayment waivers, to receive and process overpayment waiver  
4245 requests, to provide information about an overpayment to a person or a person’s legal  
4246 representative, and to engage in negotiations for the settlement of an existing overpayment debt.

4247 “(C)(i) In addition to any requirement under federal law, within 30 days  
4248 after the applicability date of the Unemployment Compensation Improvements Amendment Act  
4249 of 2021, approved by the Committee on the Whole on July 20, 2021 (Committee print of Bill 24-

285), and, thereafter, within 30 days after a declaration of a public emergency, the Director shall individually notify each person against whom the Director has initiated a civil action for the collection of an overpayment debt, in writing, that:

“(I) Any previously instituted civil action for the collection of an overpayment debt has been stayed until December 29, 2022, or during a public emergency, until 90 days after the public emergency terminates; and

“(II) The Director is barred from engaging in communications with the person related to a civil action for the collection of an overpayment debt according to the terms of subparagraph (A)(i)(II) of this paragraph.

“(ii) The Director shall retain proof that the notice required pursuant to sub-subparagraph (i) of this subparagraph was sent by a method reasonably calculated to reach the person alleged to owe the overpayment debt.

“(D) Beginning on the later of the public emergency, or the date the Mayor issues the declaration of the public emergency, the statute of limitations period prescribed in paragraph (1) of this subsection shall toll until 90 days after the termination of the public emergency.

“(E) After the conclusion of a covered period, the Director shall make reasonable efforts to resolve a dispute related to an overpayment debt for which a civil action was filed through settlement, including by making a reasonable offer to settle for less than the amount of the alleged overpayment.

4270 “(F)(i) Any settlement agreement to which the Director, or his or her  
4271 designee, is a party for repayment of an alleged overpayment debt entered into during a covered  
4272 period shall not be valid or enforceable unless the Director can demonstrate compliance with this  
4273 paragraph.

4274 “(ii) A court of competent jurisdiction may void a  
4275 settlement agreement described in sub-subparagraph (i) of this subparagraph if a person who is a  
4276 party to the agreement demonstrates that the Director has not complied with the requirements of  
4277 this paragraph.

4278 “(G) For the purposes of this paragraph the term:

4279 “(i) “Covered period” means:

4280 “(I) Fiscal Year 2022 and 90 days thereafter; or

4281 “(II) A public emergency and 90 days after the termination  
4282 of the public emergency.

4283 “(ii) “Public emergency” means a period of time for which the  
4284 Mayor has declared a public emergency pursuant to section 5 of the District of Columbia Public  
4285 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code §  
4286 7-2304).”.

4287 Sec. 4163. Requirement to produce educational videos for common questions about  
4288 unemployment insurance.

4289 (a) In Fiscal Year 2022, the Mayor shall produce 2 informational videos consistent with  
4290 the requirements of this subtitle related to the administration and payment of benefits under the

4291 District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat.  
4292 946; D.C. Official Code § 51-101 *et seq.*) (“UI program”).

4293 (b) The first video shall explain the UI program’s rules regarding the requirement that  
4294 claimants report weekly to the Department of Employment Services any earnings they receive  
4295 during their benefit year, including earnings from employment and self-employment, (“benefit  
4296 year earnings”), and shall specifically address:

4297 (1) What income is considered benefit year earnings for the purpose of the weekly  
4298 unemployment claim;

4299 (2) When and how a claimant must report benefit year earnings;

4300 (3) Examples of how to report benefit year earnings for hourly workers and for  
4301 tipped workers; and

4302 (4) Common errors claimants make when reporting benefit year earnings and how  
4303 to avoid them.

4304 (c) The second video shall explain the UI program’s requirement that the claimant has  
4305 inquired about available work in accordance with sections 9 and 10 of the District of Columbia  
4306 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code  
4307 §§ 51-109, -110), and shall specifically address:

4308 (1) What the work search requirement is;

4309 (2) How a claimant can satisfy the work search requirement; and

4310 (3) Common errors claimants make when trying to comply with the work search  
4311 requirement and how to avoid them.

4312 (d) Each video shall:

4313 (1) Explain its content in simple, clear, and concise language that has a high  
4314 likelihood of comprehension by a general audience;

4315 (2) Provide audio in English, Spanish, Amharic, Chinese, French, and other  
4316 languages commonly spoken in the District;

4317 (3) Provide closed captions in English; and

4318 (4) Be viewable online from both personal computers and mobile devices.

4319 (e) For as long as the content of each video is current and substantially accurate, as  
4320 determined by the Mayor, the Mayor shall display each video or a link leading to a website  
4321 where the video can be viewed:

4322 (1) On the UI program's website;

4323 (2) On the Department of Employment Services' website;

4324 (3) At American Job Centers;

4325 (4) Through social media posts; and

4326 (5) In emails to UI program claimants.

4327 (f)(1) The Mayor shall procure the informational videos required pursuant to this section  
4328 through grant or contract.

4329 (2) The person selected to produce the videos shall prepare a script for each video  
4330 prior to the video's production and submit it to the Mayor for review. Within 30 days after  
4331 receiving each script, the Mayor shall review and provide feedback on the script in order to:

(A) Correct any misstatements related to federal or District law or procedures claimants must follow; and

(B) Optimize the videos' accessibility to claimants.

**SUBTITLE P. LEARNING LOSS GRANT FUNDS**

Sec. 4171. Short title.

This subtitle may be cited at the "Learning Loss Grant Program Act of 2021".

Sec. 4172. (a) In Fiscal Year 2022, the Office of the State Superintendent of Education ("OSSE") shall use federal American Rescue Plan funds to establish a multi-year learning loss grant program to support evidence-based approaches to learning acceleration or high impact tutoring. OSSE shall allocate at least \$10,050,000 in Fiscal Year 2022, \$10,250,000 in Fiscal Year 2023, and \$7,000,000 in Fiscal Year 2024 for the following purposes:

(1) Award grants, on either a formula or competitive basis, to District of Columbia Public Schools ("DCPS") schools, public charter schools, or community-based organizations to support evidence-based approaches to learning acceleration or high impact tutoring;

(2) Distribute funds to District government agencies for the purposes of starting or expanding new programs;

(3) Provide technical assistance, professional development, and other supports to DCPS schools, public charter schools, District government agencies, and community-based organizations;

(4) Conduct evaluations on the effectiveness of the learning loss grant program; or

4353 (5) Indirect and direct administrative costs associated with administering this  
4354 subtitle; provided, that no more than 10% of the funds shall be used for this purpose.

4355 (b) OSSE shall require, at a minimum, that each school or organization indicate, in the  
4356 entity's grant application, the specific evidence-based approaches that the school or organization  
4357 intends to use to effectuate learning acceleration or high impact tutoring.

4358 (c) As part of the grant conditions, OSSE shall require, at a minimum, that each grantee  
4359 that receives grants pursuant to subsection (a)(1) of this section:

4360 (1) Measure the impact of the evidence-based approach stated in the grantee's  
4361 application on student educational development; and

4362 (2) Share the de-identified data or results regarding student educational  
4363 development with OSSE on a cycle specified by OSSE; provided that, the grantee shall share  
4364 annual de-identified data or results with OSSE at least 30 days prior to receiving funding for  
4365 additional grant years.

4366 (d) By July 15, 2022, July 15, 2023, and July 15, 2024, OSSE shall submit to the  
4367 Council, and make publicly available, a report detailing the following:

4368 (1) Award criteria used by OSSE to determine the grant recipients;

4369 (2) A list of the grantees and the amount of funding received by each grantee;

4370 and

4371 (3) The de-identified results on student progress submitted to OSSE by the  
4372 grantees pursuant to subsection (c)(2) of this section.

4373 (e) For purposes of this section, the term



(1) “De-identified data or results” means data or results in which identifying information about a student is removed.

(2) “Evidence-based approaches” means an activity, strategy, or intervention that:

(A) Demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on:

(i) Strong evidence from at least one well-designed and well-implemented experimental study;

(ii) Moderate evidence from at least one well-designed and well-implemented quasi-experimental study; or

(iii) Promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or

(B)(i) Demonstrates a rationale, based on high-quality research findings or positive evaluation, that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and

(ii) Includes ongoing efforts to examine the effects of such activity, strategy, or intervention.”.

**SUBTITLE Q. OSSE SLDS DATA PLAN**

Sec. 4181. This subtitle may be cited as the “OSSE Data Planning for the Future Amendment Act of 2021”.

4393           Sec. 4182. Section 7c of the State Education Office Establishment Act of 2000, effective  
4394   October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2609), is amended by adding a  
4395   new subsection (f) to read as follows:

4396           “(f) By March 31, 2022, the OSSE, in coordination with the Office of the Chief  
4397   Technology Officer, shall develop and submit to the Council, a plan for:

4398                   “(1) Creating a system to identify, code, and track courses offered by the  
4399   District’s local education agencies (“LEAs”) and to delineate which of the offered courses are  
4400   substantially similar for research, reporting, and other purposes as determined by OSSE;

4401                   “(2) Developing and implementing an early warning system for use by the LEAs  
4402   to identify individual students at risk of high school disengagement or dropping out of school,  
4403   which shall use at least the following statewide data:

4404                           “(A) Student test scores on prior English language arts and math statewide  
4405   assessments;

4406                           “(B) Chronic absenteeism and truancy rates in the 8th grade;

4407                           “(C) Out-of-school suspension rates;

4408                           “(D) Mid-year school transfer rates; and

4409                           “(E) Designation of students as special education, English language  
4410   learner, or at-risk.

4411                   “(3) Making improvements to the District’s EDW that align with the National  
4412   Forum of Education Statistics guidance for statewide data system capacities and the collection,  
4413   maintenance of, and longitudinal linkage of standard statewide data system data elements.”.

Sec. 4183. The Early Warning and Support System Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-751.01 *et seq.*), is repealed.

**SUBTITLE R. TEACHER PREPARATION PIPELINE**

Sec. 4191. Short title.

This subtitle may be cited as the “Teacher Preparation Amendment Act of 2021”.

Sec. 4192. Definitions.

For the purposes of this subtitle:

(1) “DCPS” means the District of Columbia Public Schools.

(2) “District university grantees” means an accredited university or college, other than UDC, that operates in the District and has received a teacher preparation grant from OSSE.

(3) “Dual enrollment student” means a student who is enrolled in:

(A) A DCPS or public charter school high school; and

(B) UDC or an accredited college or university, other than UDC, that operates in the District of Columbia.

(3) “Local education agency” or “LEA” means the District of Columbia Public Schools system, any individual District public charter school, or any group of public charter schools operating under a single charter.

(4) “OSSE” means the Office of the State Superintendent of Education.

(5) “Paraprofessional” means an individual employed by an LEA to provide instructional, behavioral, or other support, under the supervision of a licensed or certified teacher, to students in or outside of the classroom. This term includes instructional aides or

4435 assistants, teacher aides, and paraeducators.

4436 (6) "Program" means the "Grow Your Own" Teacher Preparation Support  
4437 Program established pursuant to this subtitle.

4438 (7) "Program participant" means a public high school dual enrollment student, a  
4439 public high school graduate, or a paraprofessional employed by an LEA that is receiving  
4440 financial assistance or professional support through the Program.

4441 (8) "Public high school" means a high school in the DCPS system or a District  
4442 public charter high school.

4443 (9) "UDC" means the University of the District of Columbia.

4444 Sec. 4193. "Grow Your Own" Teacher Preparation Support Program establishment.

4445 (a)(1) OSSE shall establish, in collaboration with UDC, District university grantees, and  
4446 the District's LEAs, a dual pathway "Grow Your Own" Teacher Preparation Support Program  
4447 for the purpose of educating, training, and providing financial support to public high school dual  
4448 enrollment students, public high school graduates, and paraprofessionals to become licensed  
4449 teachers at DCPS schools or certified teachers at District public charter schools.

4450 (b) Through UDC and District university grantees, the Program shall provide:

4451 (1) Education and training to District residents that will lead to:

4452 (A) The successful completion of coursework for a baccalaureate or a  
4453 Master's degree in education or teaching needed to become a teacher licensed by OSSE or a  
4454 certified teacher at a District public charter school;

4455 (B) Passage of examinations required by OSSE or an LEA to become a

4456 teacher licensed by OSSE or a certified teacher at a District public charter school; and

4457 (C) Hiring by an LEA as a licensed or certified teacher.

4458 (2) Two pathways to teacher licensure or certification, which shall be:

4459 (A) The baccalaureate degree pathway, which shall be available to District  
4460 residents who:

4461 (i) Enroll as or are public high school dual enrollment students that  
4462 intend to continue to pursue a baccalaureate or Master's degree in education or teaching to  
4463 become a teacher licensed by OSSE or a certified teacher at a District public charter school; or

4464 (ii) Are public high school graduates who are pursuing a  
4465 baccalaureate or Master's degree in education or teaching to become a teacher licensed by OSSE  
4466 or a certified teacher at a District public charter school; and

4467 (B) The paraprofessional pathway, which shall be available to District  
4468 residents who are paraprofessionals currently employed by an LEA and who need to complete  
4469 additional coursework or obtain a baccalaureate or Master's degree in education or teaching to  
4470 become a teacher licensed by OSSE or a certified teacher at a District public charter school; and

4471 (3) Financial assistance to Program participants for payment of:

4472 (A) Tuition and fees at UDC or a District university grantee, to the extent  
4473 charged;

4474 (B) Academic costs, including books and supplies; and

4475 (C) Testing fees associated with examinations required by OSSE or an  
4476 LEA to become a licensed or certified teacher.

(c)(1) UDC shall select individuals to enroll or who are enrolled in UDC to participate in the Program, consistent with the eligibility criteria established pursuant to section 4196.

(2) District university grantees shall select individuals to enroll or who are enrolled in their institutions to participate in the Program consistent with the eligibility criteria established pursuant to section 4196 and their grant agreements with OSSE.

(3) OSSE and UDC shall coordinate to ensure that Program participants do not receive Program financial assistance from more than one post-secondary institution at the same time.

Sec. 4194. The Program at UDC.

(a) Beginning with School Year 2022-2023, UDC shall begin using at least \$200,000 of the subsidy it receives from the District government for the Program to pay for the tuition, required academic fees, bootcamp preparation or training academies, required examination fees, and book and supply costs for District residents it selects to participate in the Program. UDC shall select individuals to participate in both Program pathways, provide extensive mentorship to each Program participant, including continued mentorship during the first 2 years after a Program participant is hired by an LEA as a teacher, and assist Program participants in obtaining employment at an LEA if the Program participant meets all of the employment criteria set by the LEA

(b) UDC may also use the subsidy it receives from the District government to pay:

(1) The salaries and fringe benefits of faculty, staff, and peer mentors directly engaged in the provision of courses necessary to obtain a baccalaureate or Master's degree in

4498 education or teaching at UDC;

4499 (2) For instructional materials used in courses necessary to obtain a baccalaureate  
4500 or Master's degree in education or teaching at UDC; and

4501 (3) For marketing and recruitment activities to attract District residents to the  
4502 Program at UDC.

4503 Sec. 4195. The Program at District university grantees.

4504 (a)(1) OSSE shall establish and administer a competitive grant program to provide "grow  
4505 your own" teacher preparation support grants ("grants") to eligible universities or colleges  
4506 located in the District for the purposes of educating, training, and providing financial support to  
4507 District residents pursuing a pathway to teacher licensure or certification described in section  
4508 4193(b)(2) at the university or college.

4509 (2) No later than April 30, 2022 and annually thereafter, subject to the availability  
4510 of funds, OSSE shall award at least 2 grants totaling not less than \$550,000 per year for the  
4511 purposes described in subsection (a) of this section. At least one grant shall be for the  
4512 baccalaureate degree pathway described in section 4193(b)(2)(A), and at least one grant shall be  
4513 for the paraprofessional degree pathway described in section 4193(b)(2)(B). OSSE may award a  
4514 baccalaureate degree pathway grant and a paraprofessional pathway grant to the same university  
4515 or college.

4516 (3) OSSE may award the grants on a multi-year basis; provided, that no grant  
4517 shall be for longer than 5 years.

4518 (4) OSSE may consider the cost of attendance at a particular university or college

4519 in determining how much funding to award to each grantee.

4520 (b) To be eligible for a grant, an applicant shall:

4521 (1) Be an accredited university or college that has a physical campus in the  
4522 District;

4523 (2) Offer a baccalaureate or Master's degree in education or teaching;

4524 (3) Have an education program that includes at least one year of residency or  
4525 student teaching for all participants; and

4526 (4) Demonstrate that its students pursuing degrees in education or teaching  
4527 consistently and successfully attain the following benchmarks:

4528 (A) Graduate within 5 years with a baccalaureate or Master's degree in  
4529 education or teaching;

4530 (B) Pass the PRAXIS examination;

4531 (C) Obtain licensure by OSSE, if hired as a DCPS teacher;

4532 (D) Be hired by an LEA within one-year of graduating; and

4533 (E) Remain employed as a licensed or certified teacher at an LEA for at  
4534 least 3 years.

4535 (c) Each District university grantee shall:

4536 (1) Use the grant to pay for Program participants' tuition, required academic fees,  
4537 bootcamp preparation or training academies, required examination fees, and book and supply  
4538 costs;



4539                   (2) Commit to paying, on behalf of Program participants, 100% of any remaining  
4540 tuition, required academic fees, required examination fees, and book and supply costs not  
4541 covered by the grant;

4542                   (3) Ensure the design and use of a teacher development plan for each Program  
4543 participant, consistent with the requirements of subsection (d) of this section;

4544                   (4) Provide extensive mentorship and academic support to Program participants  
4545 enrolled in its institution, including continued mentorship during the first 2 years after a Program  
4546 participant is hired by a LEA as a teacher;

4547                   (5) Provide licensure examination support to all Program participants enrolled in  
4548 its university or college;

4549                   (6) Execute a memorandum of understanding (“MOU”) with an LEA or LEAs,  
4550 consistent with the requirements of subsection (e) of this section, to facilitate participation in the  
4551 Program and the hiring of Program participants;

4552                   (7) Assist Program participants in obtaining employment at an LEA if the  
4553 Program participant meets all of the employment criteria set by the LEA; and

4554                   (8) Submit proof of each Program participant’s progress to OSSE on a cycle, and  
4555 in a manner, prescribed by OSSE.

4556                   (d)(1) The teacher development plan required pursuant to subsection (c)(2) of this section  
4557 shall:

4558                               (A) Specify how the Program participant will attain the credentials or  
4559 degree necessary to meet OSSE teacher licensure requirements or the certification requirements

4560 set forth by a public charter school LEA if the Program participant anticipates teaching at a  
4561 District public charter school; and

4562 (B) Identify one or more tools to be used to assess a Program participant's  
4563 performance once the Program participant is halfway through the participant's teacher residency  
4564 or student teaching.

4565 (2) If a Program participant is pursuing licensure or credentials through the  
4566 paraprofessional pathway, the teacher development plan shall be developed by comparing the  
4567 participant's prior experience and coursework with the District's teacher licensure requirements  
4568 or LEA's certification requirements.

4569 (e) The MOU between a District university grantee and LEA or LEAs required pursuant  
4570 to subsection (c)(6) of this section shall:

4571 (1) Identify, indicate the commitment of, and describe the role of the District  
4572 university grantee and the LEA, including specific duties of each partner, in supporting the goals  
4573 of the Program; and

4574 (2) Specify the:

4575 (A) Responsibilities of each party in the recruitment, screening, selection,  
4576 and oversight of Program participants;

4577 (B) Role of each party in field placement and student teaching and a  
4578 description of the time frame during each pathway described in section 4193 (b)(2) each begins;  
4579 and

4580 (C) Role of each party in selecting, training, and supporting mentors for  
4581 Program participants.

4582 (f)(1) Prior to April 30, 2022, and every 4 years thereafter, OSSE shall conduct an  
4583 assessment to identify the areas of high need in the District's elementary and secondary teaching  
4584 workforce, which shall include an assessment of the District's progress toward achieving  
4585 diversity in its elementary and secondary public school teachers that matches the demographics  
4586 of the District's corresponding student population.

4587 (2) In issuing the grants authorized pursuant to this section, OSSE may give a  
4588 preference to applicants that offer a high-quality education or teaching degree program in one or  
4589 more high-need categories identified pursuant to paragraph (1) of this subsection.

4590 Sec. 4196. Conditions of Program eligibility and participation.

4591 (a) To be eligible for Program participation through the baccalaureate degree pathway  
4592 described in section 4193(b)(2)(A), an individual shall:

4593 (1) Meet the relevant enrollment requirements for UDC or the District university  
4594 grantee in which the individual enrolls;

4595 (2) Be a resident of the District;

4596 (3)(A)(i) Become or be a dual enrollment student; or

4597 (ii) Be a graduate of a public high school; and

4598 (B) Be enrolled in UDC or a District university grantee with an intent to  
4599 pursue a baccalaureate or Master's degree in education or teaching; and

4600 (4) In exchange for Program financial assistance and professional support,

4601 commit to teaching at an LEA for a minimum of 3 years after receiving a baccalaureate or  
4602 Master's degree in education or teaching and earning the appropriate licensure or certification  
4603 needed to teach at an LEA.

4604 (b) To be eligible for Program participation through the paraprofessional degree pathway  
4605 described in section 4193(b)(2)(B), an individual shall:

4606 (1) Meet the relevant enrollment requirements for UDC or District university  
4607 grantee in which the individual enrolls;

4608 (2) Be a resident of the District;

4609 (3) Be currently employed by an LEA as a paraprofessional;

4610 (4) Enroll in a UDC or District university grantee to complete coursework or with  
4611 the intent to pursue a baccalaureate or Master's degree in education or teaching necessary to be a  
4612 teacher licensed by OSSE or a certified teacher at a public charter school ; and

4613 (5) In exchange for Program financial assistance and support, commit to teaching  
4614 at an LEA for a minimum of 3 years after completing the necessary coursework or receiving a  
4615 baccalaureate or Master's degree in education or teaching and earning the appropriate licensure  
4616 or certification needed to teach at an LEA.

4617 (c) To maintain eligibility for Program assistance, a Program participant shall:

4618 (1)(A) Maintain the requisite cumulative grade point average to maintain  
4619 satisfactory academic progress, as determined by UDC or the District university grantee; and

4620 (B) If participating in the Program through the baccalaureate degree  
4621 pathway described in section 4193(b)(2)(A), be consecutively enrolled as a full-time student in

the Program at UDC or a District university grantee to pursue a baccalaureate or Master’s degree in education or teaching;

(2) Remain a District resident throughout participation in the Program;

(3) If pursuing teacher licensure or certification through the Paraprofessional pathway described in section 4193(b)(2)(B), remain employed by an LEA as a paraprofessional while participating in the Program; and

(4) Meet any other requirement determined by UDC or OSSE to be necessary or appropriate for Program participation.

**SUBTITLE S. ADULT, EARLY CHILDHOOD, AND RESIDENTIAL CHARTER STABILIZATION**

Sec. 4201. Short title.

This subtitle may be cited as the “Public Charter Schools Equity in Stabilization Funding Amendment Act of 2021”.

Sec. 4202. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C. Official Code § 38-2901 *et seq.*) is amended by adding a new section 107c to read as follows:

“Sec. 107c. Public charter school stabilization funding.

“(a) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Agency, up to \$10,208,530 shall be transferred to the Office of the State Superintendent of Education (“OSSE”) to award formula-based payments to each eligible charter school described in subsection (b) of this section.

4643           “(b) A public charter school shall be eligible to receive funds pursuant to this section if it  
4644 operates:

4645                   “(1) An adult public charter school, an early childhood education public charter  
4646 school, or a residential public charter school; and

4647                   “(2) The total annual payment the adult public charter, early childhood education  
4648 public charter, or residential public charter school is projected to receive for School Year 2021-  
4649 2022, based on the school’s unverified October 15, 2021 enrollment count, is less than 95% of  
4650 the total annual payment the school actually received for School Year 2019-2020.

4651           “(c)(1) No later than December 31, 2021, OSSE shall award each eligible school its  
4652 stabilization funding amount.

4653                   “(2) Notwithstanding paragraph (1) of this subsection, if the total amount of funds  
4654 required to provide each eligible school its stabilization funding amount is more than  
4655 \$10,208,530, OSSE shall pay to each eligible school a proportional share of available funds  
4656 equal to the product of the school’s stabilization funding amount multiplied by the stabilization  
4657 factor.

4658           “(d) Payments allocated pursuant to this section shall be supplemental to other funds a  
4659 school may receive from the District and shall not supplant other funds to which a school or local  
4660 education agency is entitled, including pursuant to this act or federal law.

4661           “(e) For the purposes of this section, the term:

4662                   “(1) “Adult public charter school” means a public charter school or a program in a  
4663 public charter school that, during School Year 2021-2022, was identified as an adult education

4664 performance management framework school by the District of Columbia Public Charter School  
4665 Board; provided that, all students enrolled in a public charter school or program serving both  
4666 adult and alternative students shall be considered enrolled in an adult education program for the  
4667 purposes of this section.

4668               “(2) “Annual payment” means the sum of the quarterly payments described in  
4669 section 107b, including all applicable weightings provided pursuant to sections 105, 106, and  
4670 106a.

4671               “(3) “Early childhood education public charter school” means a public charter  
4672 school LEA whose prekindergarten 3 and prekindergarten 4 student enrollment comprised at  
4673 least 33% of the public charter school LEA’s total enrollment during School Year 2019-2020 and  
4674 whose LEA will serve only grades pre-kindergarten 3 up to third grade for School Year 2021-  
4675 2022 or a public charter school that is an adult public charter school that also serves grades  
4676 prekindergarten 3 and grades prekindergarten 4; provided, that if a public charter school LEA  
4677 served more grades in School Year 2019-2020 than it serves during School Year 2021-2022, the  
4678 percentage of the public charter school LEA’s prekindergarten 3 and prekindergarten 4 student  
4679 enrollment shall be calculated using only the grade bands that the public charter school serves in  
4680 School Year 2021-2022.

4681               “(4) “Eligible school” means an adult public charter school, early childhood  
4682 education public charter school, or residential public charter school that meets the criteria for  
4683 funding described in subsection (b)(2) of this section.

4684 “(5) “LEA” means any individual District public charter school, or any group of  
4685 public charter schools operating under a single charter.”

4686 “(6) “Residential public charter school” means:

4687 “(A) A public charter school that, during School Year 2021-2022,  
4688 provides students with room and board in a residential setting, in addition to their instructional  
4689 program; or

4690 “(B) A public charter school that operates a residential program that  
4691 provides support services to its students, in addition to an instructional program, but is unable to  
4692 provide its students with overnight room and board in a residential setting in order to comply  
4693 with health guidance provided by the D.C. Department of Health during the COVID-19 public  
4694 health emergency.

4695 “(7) Stabilization funding amount” means the amount of money equal to 95% of  
4696 an eligible school’s actual School Year 2019-2020 total annual payment, less the amount of the  
4697 total annual payment the school is projected to receive for School Year 2021-2022 based on its  
4698 unverified October 15, 2021 enrollment count.

4699 “(8) “Stabilization factor” means the quotient of \$10,208,530 divided by the sum  
4700 of all eligible schools’ stabilization funding amounts.”.

4701 Sec. 4203. Any funds that are not expended by December 31, 2021 pursuant to section  
4702 4202 shall be transferred to the Office of Victim Services and Justice Grants for the Access to  
4703 Justice program.



**SUBTITLE T. OFFICE OF WAGE AND HOUR ENFORCEMENT**

**TRANSPARENCY ACT**

Sec. 4211. Short title.

This subtitle may be cited as the “Office of Wage and Hour Enforcement Transparency Amendment Act of 2021”.

Sec. 4212. Wage and Hour Enforcement Report.

(a) No more than 90 days after the end of the first quarter of fiscal year 2022, and no later than 90 days after the end of each subsequent quarter, the Department of Employment Services (“DOES”) shall post online the following information for the most-recently completed quarter, in the following order:

(1) Total number of all complaints DOES received;

(2) Total number of complaints DOES received for each of the covered laws;

(3) Total new agency-initiated investigations into the covered laws in the quarter;

(4) Total new audits of compliance with the covered laws in the quarter;

(5) Number of complaints DOES received alleging that an employer violated:

(A) The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*), by:

(i) Failing to provide an employee with covered leave;

(ii) Failing to pay an employee for covered leave taken; or

(iii) Denying a request for covered leave;

(B) The Minimum Wage Revision Act of 1992, effective March 25, 1993

4725 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*) (“Minimum Wage Act”), by:  
4726 (i) Failing to pay the District minimum wage;  
4727 (ii) Failing to pay overtime; or  
4728 (iii) Failing to provide an employee with the written notice  
4729 required to be furnished pursuant to section 9(c) of the Minimum Wage Act (D.C. Law 9-248;  
4730 D.C. Official Code § 32-1008(c)), at the time of hire;

4731 (C) An Act To provide for the payment and collection of wages in the  
4732 District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et*  
4733 *seq.*), by:

4734 (i) Failing to pay full wages; or  
4735 (ii) Failing to pay wages on time.

4736 (6) For each of the covered laws, a separate downloadable, data-unlocked  
4737 spreadsheet that provides the following information for complaint-based investigations in the  
4738 most recently completed quarter:

4739 (A) Total number of complaints DOES received;

4740 (B) Total number of investigations opened;

4741 (C) Number of notices of complaint sent to employers, disaggregated by  
4742 the quarter in which the complaint that generated the notice was received;

4743 (D) Number of complaints closed without the agency notifying the  
4744 employer about the complaint, disaggregated by common reasons for closure;

4745 (E) Number of employers investigated, disaggregated by the quarter in

4746 which the complaint generating the investigation was received;

4747 (F) Number of final determinations reached, disaggregated by the quarter  
4748 in which the complaint that resulted in the determination was received;

4749 (G) Number of final determinations that included a finding of at least one  
4750 violation of the covered law, disaggregated by the quarter in which the complaint that resulted in  
4751 the determination was received;

4752 (H) Total dollar amount of damages determined by DOES to be owed to  
4753 employees and, of this amount, the amount paid to employees;

4754 (I) All-time cumulative total dollar amount of damages remaining unpaid  
4755 to employees at the end of the quarter;

4756 (J) Total dollar amount of penalties assessed against employers and, of this  
4757 amount, the amount DOES collected from employers;

4758 (K) All-time cumulative total dollar amount of penalties remaining  
4759 uncollected at the end of the quarter;

4760 (L) Number of settlement agreements entered into by complainants and  
4761 employers, disaggregated by the quarter or quarters in which the underlying complaint or  
4762 complaints were received;

4763 (M) Number of settlement agreements entered into by DOES and  
4764 employers, disaggregated by the quarter in which the underlying complaint was received; and

4765 (N) The 10 industries about which the most complaints were received and  
4766 the number of complaints for each industry; and

(7) All final orders issued by the Office of Administrative Hearings regarding adjudications of the covered laws with the basis for any redactions clearly stated.

(b) For the purposes of this section, the term “covered laws” means:

(1) The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*);

(2) The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*); and

(3) An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*).

Sec. 4213. Section 8a of Minimum Wage Act Revision Act of 2009, effective August 19, 2016 (D.C. Law 21-144; D.C. Official Code § 32-1007.01), is repealed.

**SUBTITLE U. ELLINGTON SCHOOL PERSONNEL GRANT**

Sec. 4221. Short title.

This subtitle may be cited as the “Duke Ellington School of the Arts Project Grant Act of 2021”.

Sec. 4222. Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2022, the Office of the State Superintendent of Education shall provide a \$1,500,000 grant to Duke Ellington School of the Arts Project to support personnel costs at the Duke Ellington School of the Arts.

**SUBTITLE V. DISTRICT OF COLUMBIA PUBLIC SCHOOLS INSIGHT**

**SURVEY DATA**

Sec. 4231. Short title.

This subtitle may be cited as the “District of Columbia Public Schools INSIGHT Survey Data Act of 2021.”

Sec. 4232. District of Columbia Public Schools INSIGHT survey data.

The District of Columbia Public Schools (DCPS) shall release publicly the full analysis conducted by American University’s School of Education for DCPS of IMPACT, the DCPS evaluation and feedback system for school-based personnel, and the raw, aggregated quantitative data related to the INSIGHT surveys of DC educators’ perceptions of the IMPACT evaluation system; provided, that no personally identifiable information may be released.

**TITLE V. HUMAN SUPPORT SERVICES**

**SUBTITLE A. MEDICAID HOSPITAL OUTPATIENT PAYMENT**

Sec. 5001. Short title.

This subtitle may be cited as the “Medicaid Hospital Outpatient Payment Amendment Act of 2021”.

Sec. 5002. Section 5066 of the Medicaid Hospital Outpatient Supplemental Payment Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.05), is amended by adding a new subsection (b-1) to read as follows:

4807 “(b-1) For visits and services beginning October 1, 2021, the District shall make fee-for-  
4808 service outpatient rate payments to hospitals at a rate that is an aggregate of Medicaid allowable  
4809 costs for the fiscal year in which payments are being made.”.

4810 **SUBTITLE B. MEDICAL ASSISTANCE AND IMMIGRANT CHILDREN’S**  
4811 **PROGRAM**

4812 Sec. 5011. Short title.

4813 This subtitle may be cited as the “Medical Assistance and Immigrant Children’s Program  
4814 Amendment Act of 2021”.

4815 Sec. 5012. Section 2202 of the Medical Assistance Expansion Program Act of 1999,  
4816 effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 1-307.03), is amended as  
4817 follows:

4818 (a) Subsection (a) is amended as follows:

4819 (1) The lead-in language is amended by striking the phrase “family income” and  
4820 inserting the phrase “household income” in its place.

4821 (2) Paragraph (5) is amended by striking the phrase “family income” and inserting  
4822 the phrase “household income” in its place.

4823 (b) Subsection (b) is amended as follows:

4824 (1) The lead-in language is amended to read as follows:

4825 “(b) The Mayor shall establish a program to provide medical assistance to undocumented  
4826 children not eligible for coverage under Medicaid who reside in the District and have an annual  
4827 household income up to 319% of the federal poverty level for children age 18 or younger, and up

4828 to 216% of the federal poverty level for children ages 19 and 20. In determining a household  
4829 income under this subsection, the Mayor may implement an income disregard amount, based on  
4830 family size, of up to 5% of the federal poverty level or such higher percentage as may be  
4831 authorized by the federal government as an income disregard for the determination of eligibility  
4832 for Medicaid.”.

4833 (2) Paragraph (2) is amended to read as follows:

4834 “(2) Upon the Mayor’s determination of a resident’s eligibility for the program,  
4835 the Mayor shall enroll the resident in the program and assign the enrollee to a health maintenance  
4836 organization with a current contract with the District to provide health care services for program  
4837 enrollees.”.

4838 (3) Paragraph (3) is amended to read as follows:

4839 “(3) For a period of time of at least 30 days after the Mayor’s assignment of an  
4840 enrollee under paragraph (2) of this subsection, the enrollee may choose to enroll in a different  
4841 health maintenance organization with a current contract with the District to provide health care  
4842 services for program enrollees.”.

4843 (c) Subsection (c) is amended to read as follows:

4844 “(c) Beginning on October 1, 2021, the Mayor may modify the standards for eligibility to  
4845 enroll in a program established by subsections (a) and (b) of this section, to increase the number  
4846 of District residents who would be eligible to enroll in the program, to the extent such expansion  
4847 is consistent with the District’s budget and financial plan.”.

**SUBTITLE C. MEDICAID RESERVE FUND**

Sec. 5021. Short title.

This subtitle may be cited as the “Medicaid Reserve Fund Amendment Act of 2021”.

Sec. 5022. The Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 et seq.), is amended as follows:

(a) Section 8b (D.C. Official Code § 7-771.07b) is repealed.

(b) Section 11a (D.C. Official Code § 7-771.10a) is repealed.

**SUBTITLE D. UNJUST CONVICTIONS HEALTH CARE**

Sec. 5031. Short title.

This subtitle may be cited as the “Unjust Convictions Amendment Act of 2021”.

Sec. 5032. Section 4b(a)(3)(A) of the District of Columbia Unjust Imprisonment Act of 1980, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 2-423.02(a)(3)(A)), is amended to read as follows:

“(A) Physical and behavioral health care for the duration of the petitioner’s life through participation in the D.C. Healthcare Alliance or any successor comprehensive community-centered health care and medical services system established pursuant to section 7 of the Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405), or through another locally funded comprehensive health care and medical services program offered by the District;”.



**SUBTITLE E. MATERNAL HEALTH RESOURCES AND ACCESS**

Sec. 5041. Short title.

This subtitle may be cited as the “Maternal Health Resources and Access Act of 2021”.

Sec. 5042. Definitions.

For the purposes of this subtitle, the term:

(1) “Doula” means an individual approved by the Department of Health to provide culturally competent and continuous physical, emotional, and informational support to the birthing parent during pregnancy, labor, birth, and postpartum, including:

(A) Providing continuous and culturally competent support to pregnant individuals and their families, including surrogates and adoptive parents;

(B) Conducting prenatal and postpartum visits;

(C) Accompanying pregnant individuals to health care and social service appointments;

(D) Connecting individuals to medical, community-based, or government funded resources, including those addressing social determinants of health; and

(E) Providing support to individuals following either the loss of pregnancy or birth of a child up to one year.

(2) “Medicaid” means the medical assistance programs authorized by title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other

4889 purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and  
4890 administered by the Department of Health Care Finance.

4891 (3) “Postpartum” means the time after delivery when maternal physiological  
4892 changes related to pregnancy return to the nonpregnant state, which may last for as long as 12  
4893 months after delivery.

4894 (4) “Transportation costs” means expenses incurred for travel using public  
4895 transportation or a public or private vehicle-for-hire service regulated by the Department of For-  
4896 Hire Vehicles, but does not include the cost of travel by private vehicle or parking fees.

4897 Sec 5043. Doula guidelines for training.

4898 (a) An individual applying to be approved as a doula under this subtitle shall establish to  
4899 the Department of Health’s (“Department”) satisfaction that the individual:

4900 (1) Completed a training program by an organization approved in doula training  
4901 by the Department; and

4902 (2) Successfully completed any other requirements as determined by the  
4903 Department.

4904 Sec. 5044. Coverage of doula services.

4905 (a) By October 1, 2022, health insurance coverage through Medicaid or the DC  
4906 HealthCare Alliance and the Immigrant Children’s Program shall cover and reimburse eligible  
4907 services provided by doulas; except, that no Medicaid payment shall be made until such time that

4908 the Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment  
4909 described in subsection (b) of this section.

4910 (b)(1) By September 30, 2022, the Department of Health Care Finance (“DHCF”) shall  
4911 submit for approval from the Centers for Medicare and Medicaid Services an amendment to the  
4912 Medicaid State Plan to authorize the Medicaid payments described in this section.

4913 (2) While preparing the Medicaid State Plan amendment application, DHCF shall:

4914 (A) In consultation with organizations providing doula services and other  
4915 relevant entities, establish processes for billing and reimbursement of doula services, including:

4916 (i) Setting competitive reimbursement rates;

4917 (ii) Setting a reasonable number of doula visits to be reimbursed  
4918 during the course of the pregnancy and postpartum period;

4919 (iii) Developing program support and training for doula service  
4920 providers to facilitate billing; and

4921 (iv) Assessing the viability of incentive payments to doulas whose  
4922 clients attend postpartum appointments with a medical provider.

4923 (B) In consultation with the Department of Health and other relevant  
4924 entities, issue rules to determine eligibility for reimbursement by Medicaid, the DC HealthCare  
4925 Alliance, and the Immigrant Children’s Program.

4926 Sec. 5045. Coverage of transportation costs.

4927 By October 1, 2021, health insurance coverage through the DC HealthCare Alliance shall  
4928 cover and reimburse transportation costs for travel to and from nonemergency prenatal and  
4929 postpartum health care appointments.

4930 **SUBTITLE F. HOWARD UNIVERSITY HOSPITAL CENTERS OF**  
4931 **EXCELLENCE**

4932 Sec. 5051. Short title.

4933 This subtitle may be cited as the “Howard University Hospital Centers of Excellence  
4934 Fund Amendment Act of 2021”.

4935 Sec. 5052. Section 47-4673 of the District of Columbia Official Code is amended by  
4936 adding a new subsection (j) to read as follows:

4937 “(j)(1) There is established as a special fund the Howard University Hospital Centers of  
4938 Excellence Fund (“Fund”), which shall be administered by the Department of Health in  
4939 accordance with paragraph (3) of this subsection.

4940 “(2) The following funds shall be deposited into the Fund:

4941 “(A) Funds appropriated in Fiscal Year 2022 or later for the purpose of  
4942 providing operational and start-up support to the centers of excellence described in subsection (f)  
4943 of this section; and

4944 “(B) Funds appropriated in Fiscal Year 2021 for the purposes of providing  
4945 operational and start-up support to the centers of excellence described in subsection (f) of this  
4946 section that remain unspent at the end of Fiscal Year 2021.

4947                   “(3) Money in the Fund shall be used to provide operational and start-up support  
4948 to the centers of excellence described in subsection (f) of this section. Such support may be  
4949 provided through non-competitive grants or other means.

4950                   “(4)(A) The money deposited into the Fund, but not expended in a fiscal year  
4951 shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at  
4952 the end of a fiscal year, or at any other time.

4953                   “(B) Subject to authorization in an approved budget and financial plan,  
4954 money in the Fund shall be continually available without regard to fiscal year limitation.”.

4955                   Sec. 5053. Applicability.

4956                   This subtitle shall apply as of September 30, 2021.

4957                   **SUBTITLE G. SNAP REINVESTMENT FUND**

4958                   Sec. 5061. Short title.

4959                   This subtitle may be cited as the “SNAP Reinvestment Fund Establishment Amendment  
4960 Act of 2021”.

4961                   Sec. 5062. The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law  
4962 18-111; D.C. Official Code § 4-261.01 *et seq.*), is amended by adding a new section 5085 to read  
4963 as follows:

4964                   “Sec. 5085. SNAP Reinvestment Fund.

4965                   “(a) There is established as a special fund the SNAP Reinvestment Fund (“Fund”), which  
4966 shall be administered by the Mayor in accordance with subsection (c) of this section.

4967           “(b) The unspent local fund dollars remaining in the operating budget of the Department  
4968 of Human Services at the end of each fiscal year shall be deposited into the Fund; provided, that  
4969 the amount of unspent local fund dollars deposited into the Fund at the end of a fiscal year shall  
4970 not exceed the difference between the total of all amounts that remain to be invested by the  
4971 Department of Human Services pursuant to active Supplemental Nutrition Assistance Program  
4972 excessive payment error rate liability settlement agreements (“Settlement Agreements”) between  
4973 the Department of Human Services and the United States Department of Agriculture minus the  
4974 amount in the Fund at the end of the fiscal year.

4975           “(c) Money in the Fund shall be used to implement the Settlement Agreements.

4976           “(d)(1) The money deposited into the Fund but not expended during a fiscal year shall not  
4977 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
4978 of a fiscal year, or at any other time.

4979           “(2) Subject to authorization in an approved budget and financial plan, any funds  
4980 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

4981           Sec. 5063. Applicability.

4982           This subtitle shall apply as of September 30, 2021.

4983           **SUBTITLE H. VETERAN TRANSPORTATION PROGRAM EXPANSION**

4984           Sec. 5071. Short title.

4985           (a) This subtitle may be cited as the “Veteran Transportation Program Expansion  
4986 Amendment Act of 2021”.

**ENGROSSED ORIGINAL**

Sec. 5072. Section 704 of the Office of Veterans Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 49-1003), is amended as follows:

(a) Paragraph (24) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (25) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new paragraph (26) is added to read as follows:

“(26) Subject to the availability of funding, provide a free on-demand transportation or public transportation option to veterans who reside in a household with an annual household income of less than or equal to 80% of area median income as defined in D.C. Official Code § 47-1806.09(1)(A), which, at a minimum:

“(A) Offers 15 one-way trips per month for each eligible veteran in the program;

“(B) Operates 6 days a week; and

“(C) Does not restrict the point of origin or destination of each trip, except that trips must begin and end within the District.”.

**SUBTITLE I. FIRST TIME MOTHERS HOME VISITING PROGRAM**

Sec. 5081. Short title.

This subtitle may be cited as the “Still Leverage for Our Future Amendment Act of 2021”.

5008           Sec. 5082. Section 105a(a) of the Birth-to-Three for All DC Amendment Act of 2018,  
5009   effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 4-651.05a(a)), is amended  
5010   by adding a new paragraph (3) to read as follows:

5011                   “(3) In Fiscal Year 2022, DOH shall provide an amount not to exceed \$150,000 to  
5012   the home visiting provider who was awarded the competitive grant pursuant to paragraph (1) of  
5013   this subsection.”.

5014           **SUBTITLE J. STEVIE SELLOW’S DIRECT SUPPORT PROFESSIONALS**  
5015   **QUALITY IMPROVEMENTS**

5016           Sec. 5091. Short title.

5017           This subtitle may be cited as the “Stevie Sellow’s Direct Support Professionals Quality  
5018   Improvements Amendment Act of 2021”.

5019           Sec. 5092. Title 47 of the District of Columbia Official Code is amended as follows:

5020                   (a) The table of contents is amended by striking the phrase “12D. Stevie Sellows” and  
5021   inserting the phrase “12D. Stevie Sellow’s” in its place.

5022                   (b) Chapter 12D is amended as follows:

5023                           (1) The heading is amended by striking the phrase “Stevie Sellows” and inserting  
5024   the phrase “Stevie Sellow’s” in its place.

5025                           (2) Section 47-1270 is amended as follows:

5026                                   (A) Strike the phrase “Stevie Sellows” both times it appears and insert the  
5027   phrase “Stevie Sellow’s” in its place.

5028                                   (B) The existing paragraph (1A) is redesignated as paragraph (1B).



5029 (C) The existing paragraph (1B) is redesignated as paragraph (1C).

5030 (D) A new paragraph (1A) is added to read as follows:

5031 “(1A) “DD waiver provider” means an entity that provides residential, in-home,  
5032 day, or support services, including employment and community development services under the  
5033 District’s Medicaid Home and Community-Based Services Waiver for Persons with Intellectual  
5034 and Developmental Disabilities program as authorized by section 1915(c) of the Social Security  
5035 Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1396n(c)).”.

5036 (3) Section 47-1271 is amended as follows:

5037 (A) Strike the phrase “Stevie Sellows” both times it appears and insert the  
5038 phrase “Stevie Sellow’s” in its place.

5039 (B) Subsection (b)(1) is amended by striking the phrase “reimbursement of  
5040 ICF/IID.” and inserting the phrase “reimbursement of ICF/IID; provided that if the quality-of-  
5041 care improvement is for an increase in salaries, the total payment amount, on average, for  
5042 qualifying direct support professionals should be up to the greater of 117.6% of the District  
5043 minimum wage pursuant to section 4 of the Minimum Wage Act Revision Act of 1992, effective  
5044 March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003) or 117.6% of the District  
5045 living wage pursuant to the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118;  
5046 D.C. Official Code § 2-220.01 *et seq.*)” in its place.

5047 (C) A new subsection (c-1) is added to read as follows:

5048           “(c-1) Notwithstanding subsection (b) of this section, revenues deposited in the Fund  
5049 beginning in fiscal year 2022 may be used to support quality of care improvements for DD  
5050 waiver providers.”.

5051                   (3) Section 47-1272 is amended by striking the phrase “an ICF-IDD” both times it  
5052 appears and inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

5053                   (4) Section 47-1275 is amended by striking the phrase “ICF-IDD” both times it  
5054 appears and inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

5055           **SUBTITLE K. EARLY CHILDHOOD EDUCATOR PAY EQUITY FUND**

5056           Sec. 5101. Short title.

5057           This subtitle may be cited as the “Early Childhood Educator Pay Equity Fund  
5058 Establishment Act of 2021”.

5059           Sec. 5102. Early Childhood Educator Pay Equity Fund.

5060           (a) There is established as a special fund an Early Childhood Educator Pay Equity Fund  
5061 (“Fund”), which shall be administered by the Office of the State Superintendent of Education in  
5062 accordance with subsection (c) of this section.

5063           (b)The following funds shall be deposited into the Fund:

5064                   (1) In Fiscal Year 2022, \$53,920,878 in local funds collected pursuant to the  
5065 Income Tax Fairness Amendment Act of 2021, passed on 1st reading on July 20, 2021  
5066 (Engrossed version of Bill 24-285); and

5067                   (2) Any appropriated funds.

(c) The Fund shall be used to support the cost of implementing an employee compensation salary scale to increase the minimum compensation for employees of early childhood development providers.

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

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

**SUBTITLE L. DC HEALTHCARE ALLIANCE**

Sec. 5111. Short title.

This subtitle may be cited as the “DC HealthCare Alliance Conforming Amendments and Non-Lapsing Fund Amendment Act of 2021”.

Sec. 5112. The Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1401 *et seq.*) is amended as follows:

(a) Section 7b (D.C. Official Code § 7-1407) is amended to read as follows:

“Sec. 7b. DC HealthCare Alliance recertification.

“(a) The Mayor shall allow enrollees for the DC HealthCare Alliance (“Alliance”) program to complete an application for recertification with the Department of Human Services:

“(1) In person;

“(2) Over the telephone; and

“(3) Through electronic means, including through a web-based portal.

**ENGROSSED ORIGINAL**

5089           “(b) Applicants for the Alliance program shall not be required to complete a face-to-face  
5090 interview to establish eligibility for enrollment in the Alliance program or to recertify their  
5091 enrollment in person; provided that the Mayor may require enrollees to complete one in-person  
5092 certification each year in Fiscal Years 2023, 2024, and 2025.

5093           “(c) Enrollees in the Alliance before April 1, 2025, shall be required to recertify his or her  
5094 enrollment every 6 months.

5095           “(d) Enrollees in the Alliance after March 31, 2025, shall be required to recertify his or  
5096 her enrollment on an annual basis.”.

5097           (b) Section 7c (D.C. Official Code § 7-1408) is repealed.

5098           (c) Section 7e (D.C. Official Code § 7-1410) is repealed.

5099           Sec. 5113. The Department of Health Care Finance Establishment Act of 2007, effective  
5100 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended by  
5101 adding a new section 8c as follows:

5102           “Sec. 8c. DC HealthCare Alliance Reform Fund.

5103           “(a) There is established as a special fund the DC HealthCare Alliance Reform Fund  
5104 (“Fund”), which shall be administered by the Department in accordance with subsection (c) of  
5105 this section.

5106           “(b) Local funds appropriated in Fiscal Years 2021 through 2024 for the Department  
5107 which remain unspent at the close of each fiscal year shall be deposited into the Fund.

5108           “(c) Money in the Fund shall be used exclusively within the Department of Health Care  
5109 Finance to fully fund reforms to the D.C. HealthCare Alliance Program, including:

5110 “(1) Permanently eliminating the requirement for a face-to-face interview as a  
5111 recertification requirement for the DC HealthCare Alliance program; and

5112 “(2) Extending the period of time before recertification of enrollment from 6 to  
5113 one year.

5114 “(3)(A) The money deposited into the Fund, but not expended in a fiscal year  
5115 shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at  
5116 the end of a fiscal year, or at any other time.

5117 “(B) Subject to authorization in an approved budget and financial plan,  
5118 money in the Fund shall be continually available without regard to fiscal year limitation.”.

5119 Sec. 5114. Section 47-362(h) of the District of Columbia Official Code is amended to  
5120 read as follows:

5121 “(h) Notwithstanding § 47-363, local funds appropriated for the Department of Health  
5122 Care Finance in Fiscal Years 2021, 2022, 2023, 2024, and 2025 shall not be reprogrammed to  
5123 other agencies unless the Council approves the reprogramming by resolution.”.

5124 Sec. 5115. Applicability.

5125 This subtitle shall apply as of August 8, 2021.

5126 **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

5127 **SUBTITLE A. HIGHWAY TRUST FUND REPROGRAMMINGS**

5128 Sec. 6001. Short title.

5129 This subtitle may be cited as the “Highway Trust Fund Reprogramming Amendment Act  
5130 of 2021”.

5131           Sec. 6002. Section 47-363 of the District of Columbia Official Code is amended by  
5132 adding a new subsection (h) to read as follows:

5133           “(h)(1) This subchapter shall not apply to a reprogramming from a master capital project  
5134 in the Highway Trust Fund portion of the District’s capital improvements plan to another master  
5135 capital project in the Highway Trust Fund portion of the District’s capital improvements plan,  
5136 other than as provided in this subsection.

5137           “(2) At the request of the Mayor, the Chief Financial Officer of the District of  
5138 Columbia (“CFO”) shall reprogram funds between master capital projects in the Highway Trust  
5139 Fund portion of the District’s capital improvements plan; provided, that the reprogramming of  
5140 funds is consistent with the State Transportation Improvement Plan included in the  
5141 Transportation Improvement Plan prepared and approved by the Metropolitan Washington  
5142 Council of Governments National Capital Region Transportation Planning Board; provided  
5143 further, that the CFO determines that the funds are available for reprogramming.

5144           “(3) After funds are reprogrammed pursuant to paragraph (2) of this subsection,  
5145 the director of the implementing agency for the project may obligate and expend the  
5146 reprogrammed funds.”.

5147           Sec. 6003. Applicability.

5148           This subtitle shall apply as of July 1, 2021.

5149           **SUBTITLE B. UTILITY RELOCATION ON INTERSTATE HIGHWAYS**

5150           Sec. 6011. Short title.

5151           This subtitle may be cited as the “Utility Relocation Reimbursement Amendment Act of  
5152 2021”.

5153           Sec. 6012. Section 4(a) of the District of Columbia Public Utilities Reimbursement Act  
5154 of 1972, approved October 14, 1972 (86 Stat. 812; D.C. Official Code § 9-107.02(a)), is  
5155 amended by striking the phrase “The cost of relocation, adjustment, replacement, or removal,  
5156 and the cost of abandonment of such facilities, shall be paid to the utility by the District of  
5157 Columbia, as a part of the cost of such project.” and inserting the phrase “50% of the cost of  
5158 relocation, adjustment, replacement, or removal, and 50% of the cost of abandonment of such  
5159 facilities, shall be paid by the District of Columbia, as a part of the cost of such project. The  
5160 remainder of such cost shall be paid by the utility.” in its place.

5161           **SUBTITLE C. BUSINESS RECOVERY AND SUSTAINABILITY FEE**  
5162 **REDUCTIONS**

5163           Sec. 6021. Short title.

5164           This subtitle may be cited as the “Business Recovery and Sustainability Fee  
5165 Reductions Amendment Act of 2021”.

5166           Sec. 6022. Business recovery and sustainability fee reductions.

5167           Title 17 of the District of Columbia Municipal Regulations is amended as follows:

5168           (a) Chapter 5 is amended as follows:

5169           (1) Section 500.2 (17 DCMR § 500.2) is amended to read as follows:

5170                               “500.2 The Director shall charge a fee of seventy dollars (\$70) for  
5171 each basic business license, plus a fee of twenty-five dollars (\$25) for each endorsement

added to the basic business license, except for a General Business license and endorsement under 17 DCMR 516.1(c), for which no fee shall be charged. Each basic business license and endorsement shall be valid for two (2) years from the date of issuance, unless earlier revoked or voluntarily relinquished.”.

(2) Section 500.3 (17 DCMR § 500.3) is amended to read as follows:

“500.3 The Director shall charge a fee of seventy dollars (\$70) for the renewal of each basic business license, plus a fee of twenty-five dollars (\$25) for each renewal endorsement added to a basic business license, except for a General Business license and endorsement under 17 DCMR 516.1(c), for which no fee shall be charged.”.

(3) Section 513.1 (17 DCMR § 513.1) is amended as follows:

(A) Paragraph (a) is amended by striking the figure “\$1,300” and inserting the figure “\$90” in its place.

(B) Paragraph (b) is amended by striking the figure “\$1,300” and inserting the figure “\$90” in its place.

(C) Paragraph (c) is amended by striking the figure “\$1,300” and inserting the figure “\$90” in its place.

(4) Section 516.1(c) (17 DCMR § 516.1(c)) is amended by striking the figure “\$200” and inserting the figure “\$90” in its place.

(b) Chapter 6 is amended as follows:

(1) Section 602.1(a)(1) (17 DCMR § 602(a)(1)) is amended by striking the phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars



5193 (\$99)” in its place.

5194 (2) Section 606.1(a) (17 DCMR § 606.1(a)) is amended by striking the  
5195 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars  
5196 (\$99)” in its place.

5197 (3) Section 607.1(a) (17 DCMR § 607.1(a)) is amended by striking the  
5198 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars  
5199 (\$99)” in its place.

5200 (4) Section 608.1(a) (17 DCMR § 608.1(a)) is amended by striking the  
5201 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars  
5202 (\$99)” in its place.

5203 (5) Section 611.1(a) (17 DCMR § 611.1(a)) is amended by striking the  
5204 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars  
5205 (\$99)” in its place.

5206 (c) Section 1607.1 (17 DCMR § 1607.1) is amended by striking the phrase “five hundred  
5207 dollars (\$500)” and inserting the phrase “zero dollars (\$0)” in its place.

5208 (d) Chapter 35 is amended as follows:

5209 (1) A new section 3500.6 (17 DCMR § 3500.6) is added to read as  
5210 follows:

5211 “3500.6. From October 1, 2021, through September 30, 2022, the  
5212 following fees shall be charged for each class of non-health occupation license issued by  
5213 the Department of Consumer and Regulatory Affairs (DCRA) in lieu of the fees listed in

5214 3500.2:

5215 “(a) The application fee and examination fee shall be zero dollars

5216 (\$0).

5217 “(b) The license fee and the renewal fee shall be ninety-nine

5218 dollars (\$99).”.

5219 Sec. 6023. Taxi industry recovery support.

5220 During Fiscal Year 2022, the following fees shall not be charged:

5221 (a) The Department of For-Hire Vehicles’ fee for the renewal of an annual operator ID

5222 license, imposed by 31 DCMR § 827, for operators of public vehicles-for-hire;

5223 (b) The Department of For-Hire Vehicles’ per vehicle registration fee, imposed by 31

5224 DCMR § 1104, for public vehicles-for-hire;

5225 (c) The Department of For-Hire Vehicles’ independent taxicab owner certificate of

5226 operating authority application fee, imposed by 31 DCMR § 505.2;

5227 (d) The Department of For-Hire Vehicles’ taxicab company, association, and fleet

5228 certificate of operating authority fee, imposed pursuant to 31 DCMR § 501.8;

5229 (e) The Department of For-Hire Vehicles’ application fee for a certificate of operating

5230 authority to operate an independent luxury vehicle business, imposed by 31 DCMR § 1221.6(e);

5231 (f) The Department of Motor Vehicles’ fee for certified and uncertified abstracts of

5232 operating records, imposed by 18 DCMR §§ 801.3 and 801.5), for operators of public vehicles-

5233 for-hire;

5234 (g) The Department of Motor Vehicles’ motor vehicle inspection fee, imposed by section  
5235 1 of An Act To provide for annual inspection of all motor vehicles in the District of Columbia,  
5236 approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50–1101), and 18 DCMR §  
5237 601.8(i)), for public vehicles-for-hire; and

5238 (h) The Department of Motor Vehicles’ motor vehicle registration fee, imposed by  
5239 section 3 of title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937  
5240 (50 Stat. 679; D.C. Official Code § 50-1501.03), for public vehicles-for-hire.

5241 Sec. 6024. Biennial corporate report fee forgiveness authority.

5242 Section 29-102.12 of the District of Columbia Official Code is amended by  
5243 adding a new subsection (e) to read as follows:

5244 “(e) The Mayor may implement fee forgiveness programs by rulemaking to encourage  
5245 entities to come into compliance with the entity filing requirements of this subchapter.”.

5246 **SUBTITLE D. SUSTAINABLE ENERGY TRUST FUND**

5247 Sec. 6031. Short title.

5248 This subtitle may be cited as the “Sustainable Energy Trust Fund Amendment Act of  
5249 2021”.

5250 Sec. 6032. Section 210(c)(16) of the Clean and Affordable Energy Act of 2008, effective  
5251 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)(16)), is amended to read  
5252 as follows:

5253 “(16) In Fiscal Years 2022, 2023, 2024, and 2025, transferring at least \$10  
5254 million, but no more than \$15 million, to the Green Finance Authority to support sustainable

5255 projects and programs; provided, that funding for such transfers is included in an approved  
5256 budget and financial plan; provided further, that the total amount of money transferred to the  
5257 Green Finance Authority from the Sustainable Energy Trust Fund in fiscal years 2020 through  
5258 2025 shall not exceed \$70 million; and”.

5259         Sec. 6033. Section 4(b) of the Energy Efficiency Standards Act of 2007, effective  
5260 December 11, 2007 (D.C. Law 17-64; D.C. Official Code § 8-1771.03(b)), is amended as  
5261 follows:

5262         (a) Paragraph (3B) is redesignated as paragraph (2D).

5263         (b) Paragraph (3C) is redesignated as paragraph (3B).

5264         (c) Paragraph (3D) is redesignated as paragraph (3C).

5265         (d) Paragraph (3E) is redesignated as paragraph (3D).

5266         (e) The newly redesignated paragraph (2D) is amended by striking the phrase  
5267 “Residential ventilating fans shall have a fan motor efficacy of no less than 2.8 cubic feet” and  
5268 inserting the phrase “In-line residential ventilating fans shall have a fan motor efficacy of no less  
5269 than 2.8 cubic feet” in its place.

5270         **SUBTITLE E. WMATA DEDICATED FUNDING**

5271         Sec. 6041. Short title.

5272         This subtitle may be cited as the “WMATA Dedicated Funding Amendment Act of  
5273 2021”.

5274           Sec. 6042. Section 6002 of the Dedicated WMATA Funding and Tax Changes Affecting  
5275   Real Property and Sales Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168;  
5276   D.C. Official Code § 1-325.401), is amended as follows:

5277           (a) Subsection (b)(3) is amended to read as follows:

5278                   “(3) In Fiscal Year 2021, and each successive year, \$178.5 million.”.

5279           (b) A new subsection (b-1) is added to read as follows:

5280                   “(b-1) Notwithstanding paragraph (3) of this subsection, the District may reduce its  
5281   dedicated funding payment to WMATA if Maryland or Virginia reduces its dedicated funding  
5282   payment below the amount required in its dedicated funding agreement with WMATA;  
5283   provided, that the District’s reduction shall be not be greater in proportion than the proportion by  
5284   which Maryland or the proportion by which Virginia, whichever is greater, reduces its  
5285   payment.”.

5286           **SUBTITLE F. URBAN AGRICULTURE FUNDING AND CLARIFICATION**

5287           Sec. 6051. Short title.

5288           This subtitle may be cited as the “Urban Agriculture Funding Amendment Act of 2021”.

5289           Sec. 6052. The Food Production and Urban Gardens Program Act of 1986, effective  
5290   February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as  
5291   follows:

5292           (a) Section 2(4) (D.C. Official Code § 48-401(4)) is amended as follows:

5293                   (1) Strike the word “produce” and insert the word “crops” in its place.

5294 (2) Strike the phrase “purposes.” and insert the phrase “purposes. The term “urban  
5295 farm” shall not include backyard or community gardens.” in its place.

5296 (b) Section 3b (D.C. Official Code § 48-402.02) is amended by striking the figure  
5297 “\$150,000” and inserting the figure “\$90,000” in its place.

5298 Sec. 6053. Section 47-868(d) of the District of Columbia Official Code is amended as  
5299 follows:

5300 (a) Paragraph (1) is amended by striking the phrase “shall, before the property is put to  
5301 use as an urban farm,” and inserting the word “shall” in its place.

5302 (b) Paragraph (2) is amended by striking the phrase “to object to the proposed annual  
5303 planting plan and request modifications to the annual planting plan” and inserting the phrase “to  
5304 determine eligibility for an abatement under this section” in its place.

5305 (c) Paragraph (3) is amended by striking the phrase “retain the annual planting plan for at  
5306 least 3 years” and insert the phrase “submit an annual planting plan for approval pursuant to this  
5307 subsection at the beginning of each fiscal year” in its place.

5308 (d) A new paragraph (4) is inserted to read as follows:

5309 “(4) The Department may establish additional requirements for eligibility by  
5310 rulemaking or by publication on its website.”.

5311 **SUBTITLE G. ZERO WASTE FUNDING AND CLARIFICATION**

5312 **AMENDMENT**

5313 Sec. 6061. Short title.

5314           This subtitle may be cited as the “Zero Waste Funding and Clarification Amendment Act  
5315 of 2021”.

5316           Sec. 6062. Title I of the Sustainable Solid Waste Management Amendment Act of 2014,  
5317 effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01 *et seq.*), is  
5318 amended as follows:

5319           (a) Section 103a (D.C. Official Code § 8-1031.03a) is amended as follows:

5320                   (1) Subsection (a) is amended as follows:

5321                           (i) Paragraph (1) is amended by striking the word “food” and inserting the  
5322 phrase “food to the extent practicable” in its place.

5323                           (ii) Paragraph (3) is amended by striking the word “employee work area”  
5324 and inserting the phrase “work area where employees are handling back-of-house commercial  
5325 food waste” in its place.

5326                   (2) Subsection (e)(1) is repealed.

5327           (b) Section 111(a) (D.C. Official Code § 8–1031.11(a)) is amended as follows:

5328                   (1) Paragraph (1) is amended by striking the phrase “facilities.” and inserting the  
5329 phrase “facilities. Beginning January 1, 2023, the minimum fee for transfer at District-owned  
5330 solid waste facilities shall be \$13.38 per ton.” in its place.

5331                   (2) Paragraph (2) is amended by striking the figure “\$1” and inserting the figure  
5332 “\$2” in its place.

5333           (c) Section 112b (D.C. Official Code § 8-1031.12b) is amended to read as follows:

5334           “112b. On-Site Composting.

5335 “Owners of commercial and residential properties in the District may engage in  
5336 composting on the property; provided, that the composting is conducted in a manner that does  
5337 not:

5338 “(1) Promote the development, attraction, or harborage of vectors; or

5339 “(2) Create a public nuisance.”.

5340 (d) Section 128(2)(B) (D.C. Official Code § 8-771.01(2)(B)) is amended to read as  
5341 follows:

5342 “(B) A product in which the only batteries used are supplied by a producer  
5343 that:

5344 “(i) Is a member of a battery stewardship organization that has an  
5345 approved battery stewardship plan pursuant to section 130(b) and is registered in accordance  
5346 with section 131(b); and

5347 “(ii) Has provided written certification of that membership to both  
5348 the producer of the covered battery-containing product and the battery stewardship organization  
5349 of which the battery producer is a member;”.

5350 (e) Section 130(a)(5) is amended to read as follows:

5351 “(5) A description of how the battery stewardship organization will arrange for  
5352 components of the discarded batteries to be recycled to the maximum extent economically and  
5353 technically feasible, in a manner that is environmentally sound and safe for waste management  
5354 workers;”.



(f) Section 132(a) (D.C. Official Code § 8-771.05(a)) is amended by striking the phrase “April 1” and inserting the phrase “June 1” in its place.

Sec. 6063. Section 3(e) of the Human and Environmental Health Protection Act of 2010, effective March 31, 2011 (D.C. Law 18-336; D.C. Official Code § 8-108.02(e)), is amended as follows:

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

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

“(2) There shall be a de minimis exemption for the sale of products containing 0.1% or less by mass of penta mixtures of polybrominated diphenyl ethers due to the presence of recycled raw materials.”.

Sec. 6064. Section 720.7 of Title 21 of the District of Columbia Municipal Regulations (21 DCMR § 720.7), is amended to read as follows:

“720.7 The applicable fees for the disposal of commodities included in the District's solid waste reduction and recycling program at the waste-handling facilities shall be fifty-one dollars and fifty-nine cents (\$51.59) for each ton disposed; Provided, that a minimum fee of twelve dollars and eighty-nine cents (\$12.89) shall be imposed on each load weighing five hundred pounds (500 lbs.) or less.”.

**SUBTITLE H. DEPARTMENT OF MOTOR VEHICLES KIOSKS FUND**

Sec. 6071. Short title.

This subtitle may be cited as the “Department of Motor Vehicles Kiosk Fund Amendment Act of 2021”.

5376           Sec. 6072. The Department of Motor Vehicles Establishment Act of 1998, effective  
5377   March 26, 1999 (D.C. Law 12–175; D.C. Official Code § 50-901 *et seq.*), is amended by adding  
5378   a new section 1825a to read as follows:

5379           “Sec. 1825a. Department of Motor Vehicles Kiosk Fund.

5380           “(a) There is established as a special fund the Department of Motor Vehicles Kiosk Fund  
5381   (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this  
5382   section.

5383           “(b) All convenience fees collected from the operation of the Department of Motor  
5384   Vehicles’ self-service kiosks shall be deposited in the Fund.

5385           “(c) Money in the Fund shall be used to pay the costs of installing, renting, operating,  
5386   maintaining, and providing supplies for the Department of Motor Vehicles’ self-service kiosks.

5387           “(d)(1) The money deposited in the Fund but not expended in a fiscal year shall not revert  
5388   to the unassigned fund balance of the General Fund of the District of Columbia at the end of a  
5389   fiscal year, or at any other time.

5390           “(2) Subject to authorization in an approved budget and financial plan, any funds  
5391   appropriated in the Fund shall be continually available without regard to fiscal year limitation.

5392           “(e) For the purposes of this section, the term “self-service kiosk” means a hardware  
5393   device with specialized integrated software that enables users to conduct transactions related to  
5394   the Department of Motor Vehicles’ services without the need for assistance from Department of  
5395   Motor Vehicles staff.”.

5396           **SUBTITLE I. DC CIRCULATOR FARE**

5397           Sec. 6081. Short title.

5398           This subtitle may be cited as the “DC Circulator Amendment Act of 2021”.

5399           Sec. 6082. Section 11d(b) of the Department of Transportation Establishment Act of 2002,  
5400 effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-921.34(b)), is amended to  
5401 read as follows:

5402           “(b) The base fare to ride the DC Circulator shall be at least \$1; except, that the Department  
5403 may provide discounts for:

5404                   “(1) Seniors, veterans, students, children, and disabled persons;

5405                   “(2) All riders during a public health emergency declared by the Mayor;

5406                   “(3) All riders during promotional periods; provided, that promotional periods may  
5407 not cumulatively total more than 2 months in a calendar year;

5408                   “(4) Transfers.”.

5409           **SUBTITLE J. LOW-INCOME WEATHERIZATION ASSISTSANCE**

5410           Sec. 6091. Short title.

5411           This subtitle may be cited as the “Low-Income Weatherization Assistance Amendment  
5412 Act of 2021”.

5413           Sec. 6092. Section 211(c) of the Clean and Affordable Energy Act of 2008, effective  
5414 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.11(c)), is amended to read as  
5415 follows:

5416 “(c)(1) Except as described in paragraph (2) of this subsection, the Energy Assistance  
5417 Trust Fund shall be used solely to fund the existing low-income program, and the Mayor shall  
5418 have the fund audited every 2 years to ensure that the assessment imposed pursuant to subsection  
5419 (b)(1) of this section is appropriately set to fund the low-income program funded by the EATF.

5420 “(2) In Fiscal Year 2022, the Energy Assistance Trust Fund may also be used to  
5421 fund weatherization assistance for low-income District residents.”.

5422 **SUBTITLE K. ATE SYSTEM REVENUE DESIGNATION**

5423 Sec. 6101. Short title.

5424 This subtitle may be cited as the “ATE System Revenue Designation Amendment Act of  
5425 2021”.

5426 Sec. 6102. The Department of Transportation Establishment Act of 2002, effective May  
5427 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a  
5428 new section 9r to read as follows:

5429 “Sec. 9r. ATE system revenue designation.

5430 “(a) There is established as a special fund, the Vision Zero Enhancement Omnibus  
5431 Amendment Act Implementation Fund (“Fund”), which shall be administered by the Director of  
5432 the District Department of Transportation (“Director”) in accordance with subsections (c) and (d)  
5433 of this section.

5434 “(b) There shall be deposited in the Fund the amount by which the projected local funds  
5435 revenue from fines generated from the automated traffic enforcement system, authorized by

section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01), for that fiscal year exceeds \$98,757,000; and

“(c)(1) Money in the Fund shall be used according to the following order of priority:

“(A) To implement the Vision Zero Enhancement Omnibus Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-158; 67 DCR 13057), including to pay recurring costs;

“(B) To enhance the safety and quality of pedestrian and bicycle transportation, including education, engineering, and enforcement efforts designed to calm traffic and provide safe routes.

“(2) The Director is authorized to enter into intra-District transfers from the Fund and other agreements with the Department of Health, Department of Motor Vehicles, Department of Public Works, and Metropolitan Police Department as necessary to implement provisions of the Vision Zero Enhancement Omnibus Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-158; 67 DCR 13057).

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

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

**SUBTITLE L. ELECTRIC MOBILITY DEVICE AMENDMENT**

Sec. 6111. Short title.

**ENGROSSED ORIGINAL**

5457 This subtitle may be cited as the “Electric Mobility Device Amendment Act of 2021”.

5458 Sec. 6112. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.  
5459 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

5460 (a) Section 2(6A)(A) (D.C. Official Code § 50-2201.02(6A)(A)) is amended as follows:

5461 (1) The lead-in language is amended by striking the number “60” and inserting the  
5462 number “75” in its place.

5463 (2) Sub-subparagraph (iv) is amended striking the number “48” and inserting the  
5464 number “55” in its place.

5465 (b) Section 6c(b) (D.C. Official Code § 50-2201.03c(b)) is amended by adding a new  
5466 paragraph (5) to read as follows:

5467 “(5) The Director shall fine a permitted operator \$100 per device that the permitted  
5468 operator represented to DDOT as an electronic mobility device and deployed that, when inspected  
5469 by DDOT, weighs greater than 75 pounds or is longer than 55 inches.”.

5470 **SUBTITLE M. GREEN BUILDING FUND SETF DISBURSEMENTS**

5471 Sec. 6121. Short title.

5472 This subtitle may be cited as the “Green Building Fund SETF Disbursement Amendment  
5473 Act of 2021”.

5474 Sec. 6122. Section 8 of the Green Building Act of 2006, effective March 8, 2007 (D.C.  
5475 Law 16-234; D.C. Official Code § 6-1451.07), is amended to read as follows:

5476 “Sec. 8. Green Building Fund.

5477           “(a) There is established as a special fund the Green Building Fund (“Fund”), which shall  
5478 be administered by the Mayor in accordance with subsection (c) of this section. The purpose of  
5479 the Fund is to streamline administrative green building processes, improve sustainability  
5480 performance outcomes, build capacity of development and administrative oversight professionals  
5481 in green building skills and knowledge, institutionalize innovation, overcome barriers to  
5482 achieving high-performance buildings, and continuously promote the sustainability of green  
5483 building practices in the District.

5484           “(b) Monies obtained pursuant to sections 6 and 9 shall be deposited into the Fund.

5485           “(c) Money in the Fund shall be used for the following:

5486                   “(1) The following amounts shall be transferred to the Sustainable Energy Trust  
5487 Fund (“SETF”) established by section 210 of the Clean and Affordable Energy Act of 2008,  
5488 effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10):

5489                           “(A) For each of Fiscal Years 2022, 2023, 2024, and 2025, a minimum of  
5490 \$900,000; and

5491                           “(B) For each fiscal year thereafter, 50% of monies in the Fund; and

5492                   “(2) Costs for at least 3 full-time employees at DCRA, or elsewhere as assigned  
5493 by the Mayor, whose primary job duties are devoted to technical assistance, plan review, and  
5494 inspections and monitoring of green buildings;

5495                   “(3) Additional staff and operating costs to provide training, technical assistance,  
5496 plan review, inspections and monitoring of green buildings, and green codes development;

5497                   “(4) Research and development of green building practices;

5498 “(5) Education, training, outreach, and other market transformation initiatives;

5499 “(6) Seed support for demonstration projects, their evaluation, and when

5500 successful, their institutionalization; and

5501 “(7) Costs incurred to make green building materials accessible to low-income

5502 residents.

5503 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not

5504 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of

5505 a fiscal year, or at any other time.

5506 “(2) Subject to authorization in an approved budget and financial plan, any funds

5507 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

5508 “(e) The Mayor may receive and administer grants for the purpose of carrying out the

5509 goals of this act.”.

5510 Sec. 6123. Section 210 of the Clean and Affordable Energy Act of 2008, effective

5511 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10), is amended as follows:

5512 (a) Subsection (a) is amended by striking the phrase “Fiscal Agent.” and inserting the

5513 phrase “Fiscal Agent. In addition, money transferred from the Green Building Fund, pursuant to

5514 section 8(c)(1) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234;

5515 D.C. Official Code § 6-1451.07(c)(1)), shall be deposited into the SETF; provided, that any such

5516 money shall be used solely for the purpose described in subsection (c)(18) of this section.” in its

5517 place.

5518 (b) Subsection (c) is amended as follows:



5519 (1) Paragraph (16) is amended by striking the phrase “; and” and inserting a semi-  
5520 colon in its place.

5521 (2) Paragraph (17) is amended by striking the period and inserting the phrase “;  
5522 and” in its place.

5523 (3) A new paragraph (18) is added to read as follows:

5524 “(18) Activities permitted under section 8(c)(2) through (7) of the Green Building  
5525 Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)-  
5526 (7)).”.

5527 **SUBTITLE N. LEAD PIPE REPLACEMENT ASSISTANCE PROGRAM**

5528 **SUBSIDY**

5529 Sec. 6131. Short title.

5530 This subtitle may be cited as the “Lead Pipe Replacement Assistance Program Subsidy  
5531 Amendment Act of 2021”.

5532 Sec. 6132. Section 6019b(b)(1) of the Lead Service Line Priority Replacement Assistance  
5533 Act of 2004, effective March 13, 2019 (D.C. Law 22-241; D.C. Official Code § 34-2159(b)(1)),  
5534 is amended as follows:

5535 (a) Subparagraph (A) is amended as follows:

5536 (1) Sub-subparagraph (i) is amended by striking the phrase “80% or” and  
5537 inserting the phrase “100% or” in its place.

5538 (2) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the  
5539 phrase “; and” in its place.

5540 (b) Subparagraph (B) is repealed.

5541 **SUBTITLE O. LEAD SERVICE LINE PLANNING TASK FORCE**

5542 Sec. 6141. Short title.

5543 This subtitle may be cited as the “Lead Service Line Planning Task Force Establishment  
5544 Act of 2021”.

5545 Sec. 6142. The Lead Service Line Priority Replacement Assistance Act of 2004, effective  
5546 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 *et seq.*), is amended by  
5547 adding new sections 6019d and 6019e to read as follows:

5548 “Sec. 6019d. Lead Service Line Planning Task Force establishment.

5549 “(a) There is established a Lead Service Line Planning Task Force (“Task Force”), to be  
5550 administered by the Department of Energy and Environment (“DOEE”), to develop an  
5551 interagency plan for the removal and replacement of all lead water service lines by 2030  
5552 (“Plan”).

5553 “(b) The Task Force shall consist of 6 members as follows:

5554 “(1) The Director of DOEE, or the Director’s designee;

5555 “(2) The General Manager of the District of Columbia Water and Sewer Authority  
5556 (“DC Water”); or the General manager’s designee;

5557 “(3) The Director of the District Department of Transportation, or the Director’s  
5558 designee;

5559 “(4) The Director of the Department of Consumer and Regulatory Affairs, or the  
5560 Director’s designee;

5561                   “(5) One representative appointed by the Chairperson of the Council committee  
5562 with oversight of DC Water; and

5563                   “(6) One representative appointed by the Chairperson of the Council committee  
5564 with oversight of DOEE.

5565                   “(c)(1) Within 2 months after the effective date of the Lead Free DC Planning Task Force  
5566 Establishment Act of 2021, as approved by the Committee of the Whole on July 20, 2021  
5567 (Committee print of Bill 24-185), the Task Force shall hold its first meeting. The Task Force  
5568 shall meet at least monthly.

5569                   “(2) The Task Force shall dissolve after submitting the report required by  
5570 subsection (d) of this section.

5571                   “(d)(1) Within 10 months after the effective date of this Act, the Task Force shall transit  
5572 the Plan to the Mayor, Council, and Chairperson of the DC Water Board of Directors.

5573                   “(2) The Plan shall include:

5574                               “(A) An account of the role of each District agency, including agencies  
5575 not part of the Task Force, in the removal and replacement of all lead water service lines by  
5576 2030;

5577                               “(B) An account of identified barriers to the District removing and  
5578 replacing all lead water services lines by 2030, and proposed solutions to reduce or eliminate  
5579 those barriers;

5580                               “(C) An account of opportunities for interagency coordination or  
5581 cooperation to accelerate or improve the efficiency and cost-effectiveness of lead water service

5582 line replacements;

5583 “(D) An interagency spending proposal;

5584 “(E) Recommended changes or clarifications to DC Water’s Lead Service  
5585 Line Replacement Plan, released on June 14, 2021;

5586 “(F) A list of potential funding sources to support lead water service line  
5587 replacements; and

5588 “(G) A list of legislative, regulatory, and policy changes to effectively and  
5589 efficiently complete and fund lead line replacement work by 2030, including draft language,  
5590 where appropriate.

5591 “(3)(A) The interagency spending proposal required by paragraph (2)(D) of this  
5592 subsection shall include an account of estimated spending, broken down by:

5593 “(i) Fiscal year;

5594 “(ii) Spending agency;

5595 “(iii) How the funds are intended to be used; and

5596 “(iv) Whether a funding source has been identified for the  
5597 expenditure.

5598 “(B) The spending proposal required by paragraph (2)(D) of this  
5599 subsection shall also include:

5600 “(i) Costs for recommendations identified pursuant to paragraph  
5601 (2)(B) and (C) of this subsection; and

5602 “(ii) A separate list of unfunded agency costs identified in the

5603 spending proposal, including the number of unfunded FTEs, by agency and the FTEs anticipated  
5604 responsibilities.

5605               “(4) At least 2 months before transmitting the Plan to the Council, the Task Force  
5606 shall make a draft version of the Plan available to the Mayor, the Council, and the public. The  
5607 Task Force shall accept public comments on the report for at least 4 weeks following the Plan  
5608 being made public.

5609               “(e) Nothing in this section shall be construed to limit the authority of DC Water or  
5610 DOEE to undertake lead water service line removal or replacements before the submission of the  
5611 Plan.

5612               “Sec. 6019e. Reporting on lead water service line replacement spending.

5613               “(a) The District of Columbia Water and Sewer Authority (“DC Water”) and the  
5614 Department of Energy and Environment (“DOEE”) shall separately provide the Council with a  
5615 report on agency spending of federal and local funds on lead water service line replacements,  
5616 broken down by spending of federal and local funds and by program. DC Water’s report shall  
5617 also include a breakdown of spending on lead line replacements, program management costs,  
5618 street restoration, water main replacements, and other costs.

5619               “(b) DC Water and DOEE shall transmit the reports required by subsection (a) of this  
5620 section twice a year, on:

5621               “(1) February 1st, for the period beginning July 1st and ending December 31st of  
5622 the immediately preceding year; and

5623               “(2) August 1st, for the period beginning January 1st and ending June 30<sup>th</sup> of the

5624 same year.”.

5625           **SUBTITLE P. PROTECT LOCAL WILDLIFE TAGS AND ANACOSTIA RIVER**  
5626 **CLEAN UP AND PROTECTION FUND ELIGIBLE USES**

5627           Sec. 6151. Short title.

5628           This subtitle may be cited as the “Protect Local Wildlife Specialty License Plate and Anacostia  
5629 River Clean Up and Protection Fund Eligible Use Amendment Act of 2021”.

5630           Sec. 6152. Title IV of the District of Columbia Revenue Act of 1937, approved August  
5631 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01 *et seq.*), is amended as follows:

5632           (a) A new section 21 is added to read as follows:

5633           “Sec. 21. Issuance of Protect Local Wildlife motor vehicle identification tags.

5634           “(a) The Mayor shall design and make available for issue one or more Protect Local Wildlife  
5635 vehicle identification tags to demonstrate support for the protection, rescue, and rehabilitation of native  
5636 wildlife placed at risk due to the encroaching urban environment.

5637           “(b)(1) A resident ordering a Protect Local Wildlife tag shall pay a one-time application fee and  
5638 a display fee each year thereafter. The application fee shall be \$25, and the display fee shall be \$20, or  
5639 such other amount as may be established by the Mayor by rule.

5640           “(2) The application fee and annual display fee shall be deposited into the Anacostia  
5641 River Clean Up and Protection Fund established by section 6 of the Anacostia River Clean Up and  
5642 Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-  
5643 102.05).”.

5644           (b) Section 3 (D.C. Official Code § 50-1501.03) is amended as follows:

5645 (1) Subsection (a)(1) is amended by adding a new subparagraph (P) to read as  
5646 follows:

5647 “(P) Any person ordering a Protect Local Wildlife identification tag shall  
5648 pay the fees set forth in section 2l(b)(1).”.

5649 (2) Subsection (d) is amended as follows:

5650 (A) Paragraph (12) is amended by striking the phrase “; and” and inserting  
5651 a semicolon in its place.

5652 (B) Paragraph (13) is amended by striking the period and inserting the  
5653 phrase “; and” in its place.

5654 (C) A new paragraph (14) to read as follows:

5655 “(14) The fees collected for the Protect Local Wildlife identification tags under  
5656 section 2l shall be deposited into Anacostia River Clean Up and Protection Fund, established by  
5657 section 6 of the Anacostia River Clean Up and Protection Act of 2009, effective September 23,  
5658 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05).”.

5659 Sec. 6153. Section 6 of the Anacostia River Clean Up and Protection Act of 2009,  
5660 effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05), is amended as  
5661 follows:

5662 (a) Subsection (a) is amended as follows:

5663 (1) Strike the phrase “Plates,” and insert the phrase “Plates, all fees collected  
5664 pursuant to section 2l(b)(1) of Title IV of the District of Columbia Revenue Act of 1937, as

5665 approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285),” in  
5666 its place.

5667 (2) Strike the phrase “District Department of the Environment” and insert the  
5668 phrase “Department of Energy and Environment (“DOEE”)” in its place.

5669 (b) Subsection (b) is amended as follows:

5670 (1) Paragraph (1A) is amended by striking the phrase “District Department of the  
5671 Environment” and inserting the phrase “DOEE” in its place.

5672 (2) Paragraph (3) is amended by striking the phrase “District Department of the  
5673 Environment” and inserting the phrase “DOEE” in its place.

5674 (3) New paragraphs (7A) and (7B) are added to read as follows:

5675 “(7A) Awarding an annual grant, on a competitive basis, in an amount not to  
5676 exceed \$200,000, to provide wildlife rehabilitation services;

5677 “(7B) In Fiscal Year 2022, at least \$50,000 to produce a report, which, upon its  
5678 completion, shall be published on DOEE’s website, analyzing the projected effects of banning  
5679 the sale of beverages packaged in single-use plastic containers in the District, including effects  
5680 on waterways, equity, and the local economy;”.

5681 **SUBTITLE Q. RAIL SAFETY AND SECURITY RULEMAKING**

5682 Sec. 6161. Short title.

5683 This subtitle may be cited as the “Rail Safety and Security Rulemaking Amendment Act  
5684 of 2021”.



5685           Sec. 6162. Section 110(c) of the District Department of the Environment Establishment  
5686   Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.10(c)), is  
5687   amended as follows:

5688           (a) Paragraph (1) is amended by striking the phrase “carriers.” and inserting the phrase  
5689   “carriers to cover the costs of administering and managing the expenses of the emergency  
5690   response, rail safety, and rail security programs for railroad operations in the District.” in its  
5691   place.

5692           (b) Paragraph (2) is amended to read as follows:

5693                   “(2) In issuing rules pursuant to this subsection, the Mayor shall consider any  
5694   recommendations submitted pursuant to section 203(b)(4) of the Rail Safety and Security  
5695   Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-  
5696   333(b)(4)).”.

5697           (c) Paragraph (3) is amended as follows:

5698                   (1) Strike the phrase “the Rail Advisory Board’s” and insert the word “any” in its  
5699   place.

5700                   (2) Strike the phrase “provide the Rail” and insert the phrase “provide the  
5701   Railroad” in its place.

5702           Sec. 6163. Section 203(b)(4) of the Rail Safety and Security Amendment Act of 2016,  
5703   effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-333(b)(4)) is amended to  
5704   read as follows:

5705 “(4) At least once per year, submit recommendations to the Mayor regarding rules  
5706 that have or should be adopted pursuant to pursuant to section 110(c) of the District Department  
5707 of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51;  
5708 D.C. Official Code § 8-151.10(c)).”.

5709 **SUBTITLE R. DOEE AND DDOT GRANTS**

5710 Sec. 6171. Short title.

5711 This subtitle may be cited as the “Grants Act of 2021”.

5712 Sec. 6172. In Fiscal Year 2022, the Department of Energy and the Environment shall  
5713 award grants, on a competitive basis, in an amount not to exceed \$50,000 for each grant and  
5714 \$150,000 for all grants awarded under this section, to community-based groups working to  
5715 remove trash and invasive species, maintain trails, and engage residents in the District’s  
5716 parklands.

5717 Sec. 6173. In Fiscal Year 2022, the District Department of Transportation shall award a  
5718 grant in an amount not to exceed \$200,000 for a local airport authority to study aircraft  
5719 operations and noise at Ronald Reagan Washington National Airport, and its impact on the  
5720 quality of life of residents along the Potomac River.

5721

5722 **TITLE VII. FINANCE AND REVENUE**

5723 **SUBTITLE A. UNCLAIMED PROPERTY**

5724 Part 1. Short Title; Definitions; Rules

5725 Sec. 7001. Short title.

5726 This subtitle may be cited as the “Revised Uniform Unclaimed Property Act of 2021”.

5727 Sec. 7002. Definitions.

5728 For the purposes of this subtitle, the term:

5729 (1) “Administrator” means the authorized representative of the Mayor.

5730 (2) “Administrator’s agent” means a person with which the Administrator  
5731 contracts to conduct an examination under Part 10 on behalf of the Administrator. The term  
5732 includes an independent contractor of the person and each individual participating in the  
5733 examination on behalf of the person or contractor.

5734 (3) “Apparent owner” means a person whose name appears on the records of a  
5735 holder as the owner of property held, issued, or owing by the holder.

5736 (4) “Attorney General” means the Attorney General for the District of Columbia.

5737 (5) “Business association” means a corporation, joint stock company, investment  
5738 company other than an investment company registered under the Investment Company Act of  
5739 1940, approved August 22, 1940 (54 Stat. 789;15 U.S.C. §§ 80a-1 *et seq.*), partnership,  
5740 unincorporated association, joint venture, limited liability company, business trust, trust  
5741 company, land bank, safe deposit company, safekeeping depository, financial organization,  
5742 insurance company, federally chartered entity, utility, sole proprietorship, or other business  
5743 entity, whether or not for profit.

5744 (6) “Confidential information” means records, reports, and information that are  
5745 confidential under section 7083.

5746 (7) “District” means the District of Columbia.

5747 (8) “Domicile” means:

5748 (A) For a corporation, the state of its incorporation;

5749 (B) For a business association whose formation requires a filing with a  
5750 state, other than a corporation, the state of its filing;

5751 (C) For a federally chartered entity or an investment company registered  
5752 under the Investment Company Act of 1940, approved August 22, 1940 (54 Stat. 789; 15 U.S.C.  
5753 §§ 80a-1 *et seq.*), the state of its home office; and

5754 (D) For any other holder, the state of its principal place of business.

5755 (9) “Electronic” means relating to technology having electrical, digital, magnetic,  
5756 wireless, optical, electromagnetic, or similar capabilities.

5757 (10) “Electronic mail” means a communication by electronic means which is  
5758 automatically retained and stored and may be readily accessed or retrieved.

5759 (11) “Financial organization” means a savings and loan association, building and  
5760 loan association, savings bank, industrial bank, bank, banking organization, or credit union.

5761 (12)(A) “Game-related digital content” means digital content that exists only in an  
5762 electronic game or electronic-game platform.

5763 (B) The term “game-related digital content” includes:

5764 (i) Game-play currency such as a virtual wallet, even if  
5765 denominated in United States currency; and

5766 (ii) The following if for use or redemption only within the game or  
5767 platform or another electronic game or electronic-game platform:

**ENGROSSED ORIGINAL**

5768 (I) Points, sometimes referred to as gems, tokens, gold, and  
5769 similar names; and

5770 (II) Digital codes; and

5771 (C) The term “game-related digital content” does not include an item that  
5772 the issuer:

5773 (i) Permits to be redeemed for use outside a game or platform for:

5774 (I) Money; or

5775 (II) Goods or services that have more than minimal value;

5776 or

5777 (ii) Otherwise monetizes for use outside a game or platform.

5778 (13)(A) “Gift card” means a stored-value card:

5779 (i) The value of which does not expire;

5780 (ii) That may be decreased in value only by redemption for  
5781 merchandise, goods, or services; and

5782 (iii) That, unless required by law, may not be redeemed for or  
5783 converted into money or otherwise monetized by the issuer; and

5784 (B) The term “gift card” includes a prepaid commercial mobile radio  
5785 service, as defined in 47 C.F.R. 20.3.

5786 (14) “Holder” means a person obligated to hold for the account of, or to deliver or  
5787 pay to, the owner, property subject to this subtitle.

5788 (15) “Insurance company” means an association, corporation, or fraternal or  
5789 mutual-benefit organization, whether or not for profit, engaged in the business of providing life  
5790 endowments, annuities, or insurance, including accident, burial, casualty, credit-life, contract-  
5791 performance, dental, disability, fidelity, fire, health, hospitalization, illness, life, malpractice,  
5792 marine, mortgage, surety, wage-protection, and worker-compensation insurance.

5793 (16) “Loyalty card” means a record given without direct monetary consideration  
5794 under an award, reward, benefit, loyalty, incentive, rebate, or promotional program which may  
5795 be used or redeemed only to obtain goods or services or a discount on goods or services. The  
5796 term does not include a record that may be redeemed for money or otherwise monetized by the  
5797 issuer.

5798 (17) “Mineral” means gas, oil, coal, oil shale, other gaseous liquid or solid  
5799 hydrocarbon, cement material, sand and gravel, road material, building stone, chemical raw  
5800 material, gemstone, fissionable and nonfissionable ores, colloidal and other clay, steam and other  
5801 geothermal resources, and any other substance defined as a mineral by law of the District other  
5802 than this subtitle.

5803 (18)(A) “Mineral proceeds” means an amount payable for extraction, production,  
5804 or sale of minerals, or, on the abandonment of the amount, an amount that becomes payable after  
5805 abandonment.

5806 (B) The term “mineral proceeds” includes an amount payable:

5807 (i) For the acquisition and retention of a mineral lease, including a  
5808 bonus, royalty, compensatory royalty, shut-in royalty, minimum royalty, and delay rental;

5809 (ii) For the extraction, production, or sale of minerals, including a  
5810 net revenue interest, royalty, overriding royalty, extraction payment, and production payment;  
5811 and

5812 (iii) Under an agreement or option, including a joint-operating  
5813 agreement, unit agreement, pooling agreement, and farm-out agreement.

5814 (19) “Money order” means a payment order for a specified amount of money,  
5815 including an express money order and a personal money order on which the remitter is the  
5816 purchaser.

5817 (20) “Municipal bond” means a bond or evidence of indebtedness issued by a  
5818 municipality or other political subdivision of a state.

5819 (21) “Net card value” means the original purchase price or original issued value  
5820 of a stored-value card, plus amounts added to the original price or value, minus amounts used  
5821 and any service charge, fee, or dormancy charge permitted by law.

5822 (22) “Non-freely transferable security” means a security that cannot be delivered  
5823 to the Administrator by the Depository Trust Clearing Corporation or similar custodian of  
5824 securities providing post-trade clearing and settlement services to financial markets or cannot be  
5825 delivered because there is no agent to effect transfer. The term includes a worthless security.

5826 (23) “Owner” means a person that has a legal, beneficial, or equitable interest in  
5827 property subject to this subtitle or the person’s legal representative when acting on behalf of the  
5828 owner, including:

5829 (A) A depositor, for a deposit;

5830 (B) A beneficiary, for a trust other than a deposit in trust;

5831 (C) A creditor, claimant, or payee, for other property; and

5832 (D) The lawful bearer of a record that may be used to obtain money, a  
5833 reward, or a thing of value.

5834 (24) "Payroll card" means a record that evidences a payroll-card account as  
5835 defined in Regulation E, 12 C.F.R. Part 1005.

5836 (25) "Person" means an individual, estate, business or nonprofit entity, public  
5837 corporation, government or governmental subdivision, agency, or instrumentality, or other legal  
5838 entity.

5839 (26)(A) "Property" means tangible property described in section 7009 or a fixed  
5840 and certain interest in intangible property held, issued, or owed in the course of a holder's  
5841 business or by a government, governmental subdivision, agency, or instrumentality.

5842 (B) The term "property" includes all income from or increments to the  
5843 property and includes property referred to as or evidenced by:

5844 (i) Money, virtual currency, interest, or a dividend, check, draft,  
5845 deposit, or payroll card;

5846 (ii) A credit balance, customer's overpayment, stored-value card,  
5847 security deposit, refund, credit memorandum, unpaid wage, unused ticket for which the issuer  
5848 has an obligation to provide a refund, mineral proceeds, or unidentified remittance;

5849 (iii) A security except for:

5850 (I) A worthless security; or



5851 (II) A security that is subject to a lien, legal hold, or  
5852 restriction evidenced on the records of the holder or imposed by operation of law, if the lien,  
5853 legal hold, or restriction restricts the holder's or owner's ability to receive, transfer, sell, or  
5854 otherwise negotiate the security;

5855 (iv) A bond, debenture, note, or other evidence of indebtedness;  
5856 (v) Money deposited to redeem a security, make a distribution, or  
5857 pay a dividend;

5858 (vi) An amount due and payable under an annuity contract or  
5859 insurance policy; and

5860 (vii) An amount distributable from a trust or custodial fund  
5861 established under a plan to provide health, welfare, pension, vacation, severance, retirement,  
5862 death, stock purchase, profit-sharing, employee-savings, supplemental-unemployment insurance,  
5863 or a similar benefit; and

5864 (C) The term "property" does not include:

5865 (i) Property held in a plan described in section 529A of the Internal  
5866 Revenue Code of 1986, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A);

5867 (ii) Game-related digital content; or  
5868 (iii) A loyalty card.

5869 (27) "Putative holder" means a person believed by the Administrator to be a  
5870 holder, until the person pays or delivers to the Administrator property subject to this subtitle or  
5871 the Administrator or a court makes a final determination that the person is or is not a holder.

5872 (28) “Record” means information that is inscribed on a tangible medium or that is  
5873 stored in an electronic or other medium and is retrievable in perceivable form.

5874 (29) “Security” means:

5875 (A) A security as defined in D.C. Official Code § 28:8-102(15);

5876 (B) A security entitlement as defined in D.C. Official Code § 28:8-

5877 102(17), including a customer security account held by a registered broker-dealer, to the extent

5878 the financial assets held in the security account are not:

5879 (i) Registered on the books of the issuer in the name of the person

5880 for which the broker-dealer holds the assets;

5881 (ii) Payable to the order of the person; or

5882 (iii) Specifically indorsed to the person; and

5883 (C) An equity interest in a business association not included in

5884 subparagraph (A) or (B) of this paragraph.

5885 (30) “Sign” means, with present intent to authenticate or adopt a record:

5886 (A) To execute or adopt a tangible symbol; or

5887 (B) To attach to or logically associate with the record an electronic

5888 symbol, sound, or process.

5889 (31) “State” means a state of the United States, the District of Columbia, the

5890 Commonwealth of Puerto Rico, the United States Virgin Islands, or any territory or insular

5891 possession subject to the jurisdiction of the United States.

5892 (32)(A) “Stored-value card” means a record evidencing a promise made for  
5893 consideration by the seller or issuer of the record that goods, services, or money will be provided  
5894 to the owner of the record to the value or amount shown in the record.

5895 (B) The term “stored-value card” includes

5896 (i) A record that contains or consists of a microprocessor chip,  
5897 magnetic strip, or other means for the storage of information, which is prefunded and whose  
5898 value or amount is decreased on each use and increased by payment of additional consideration;  
5899 and

5900 (ii) A gift card and payroll card; and

5901 (C) The term “stored-value card” does not include a loyalty card or game-  
5902 related digital content.

5903 (33) “Superior Court” means the Superior Court of the District of Columbia.

5904 (34) “Utility” means a person that owns or operates for public use a plant,  
5905 equipment, real property, franchise, or license for the following public services:

5906 (A) Transmission of communications or information;

5907 (B) Production, storage, transmission, sale, delivery, or furnishing of  
5908 electricity, water, steam, or gas; or

5909 (C) Provision of sewage or septic services, or trash, garbage, or recycling  
5910 disposal.

5911 (35) “Virtual currency” means a digital representation of value used as a medium  
5912 of exchange, unit of account, or store of value, which does not have legal tender status  
5913 recognized by the United States. The term “virtual currency” does not include:

5914 (A) The software or protocols governing the transfer of the digital  
5915 representation of value;

5916 (B) Game-related digital content; or

5917 (C) A loyalty card or gift card.

5918 (36) “Worthless security” means a security whose cost of liquidation and delivery  
5919 to the Administrator would exceed the value of the security on the date a report is due under this  
5920 subtitle.

5921 Sec. 7003. Inapplicability to foreign transaction.

5922 This subtitle does not apply to property held, due, and owing in a foreign country if the  
5923 transaction out of which the property arose was a foreign transaction.

5924 Sec. 7004. Rules.

5925 (a) The Mayor may, pursuant to Title I of the District of Columbia Administrative  
5926 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),  
5927 issue rules to implement this subtitle.

5928 (b) The rules issued pursuant to section 138 of the Uniform Disposition of Unclaimed  
5929 Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-138),  
5930 shall remain in effect, unless inconsistent with this subtitle, until repealed or amended pursuant  
5931 to this section.

5932 Part 2. Presumption of Abandonment.

5933 Sec. 7005. When property is presumed abandoned.

5934 Subject to section 7014, the following property is presumed abandoned if it is unclaimed  
5935 by the apparent owner during the period specified below:

5936 (1) A traveler's check, 15 years after issuance;

5937 (2) A money order, 7 years after issuance;

5938 (3) A state or municipal bond, bearer bond, or original-issue-discount bond, 3  
5939 years after the earliest of the date the bond matures or is called or the obligation to pay the  
5940 principal of the bond arises;

5941 (4) A debt of a business association, 3 years after the obligation to pay arises;

5942 (5) A payroll card or demand, savings, or time deposit, including a deposit that is  
5943 automatically renewable, 3 years after the maturity of the deposit, except a deposit that is  
5944 automatically renewable is deemed matured on its initial date of maturity unless the apparent  
5945 owner consented in a record on file with the holder to renewal at or about the time of the  
5946 renewal;

5947 (6) Money or a credit owed to a customer as a result of a retail business  
5948 transaction, 3 years after the obligation arose;

5949 (7) An amount owed by an insurance company on a life or endowment insurance  
5950 policy or an annuity contract that has matured or terminated, 3 years after the obligation to pay  
5951 arose under the terms of the policy or contract or, if a policy or contract for which an amount is

5952 owed on proof of death has not matured by proof of the death of the insured or annuitant, as  
5953 follows:

5954 (A) With respect to an amount owed on a life or endowment insurance  
5955 policy, 3 years after the earlier of the date:

5956 (i) The insurance company has knowledge of the death of the  
5957 insured; or

5958 (ii) The insured has attained, or would have attained if living, the  
5959 limiting age under the mortality table on which the reserve for the policy is based; and

5960 (B) With respect to an amount owed on an annuity contract, 3 years after  
5961 the date the insurance company has knowledge of the death of the annuitant.

5962 (8) Property distributable by a business association in the course of dissolution,  
5963 one year after the property becomes distributable;

5964 (9) Property held by a court, including property received as proceeds of a class  
5965 action, one year after the property becomes distributable;

5966 (10) Property held by a government or governmental subdivision, agency, or  
5967 instrumentality, including municipal bond interest and unredeemed principal under the  
5968 administration of a paying agent or indenture trustee, one year after the property becomes  
5969 distributable;

5970 (11) Wages, commissions, bonuses, or reimbursements to which an employee is  
5971 entitled, or other compensation for personal services, other than amounts held in a payroll card,  
5972 one year after the amount becomes payable;

5973                   (12) A deposit or refund owed to a subscriber by a utility, one year after the  
5974 deposit or refund becomes payable; and

5975                   (13) Property not specified in this section or sections 7006 through 7012, the  
5976 earlier of 3 years after the owner first has a right to demand the property and 3 years after the  
5977 obligation to pay or distribute the property arises.

5978               Sec. 7006. When tax-deferred retirement account presumed abandoned.

5979               (a) Subject to section 7014, property held in a pension account or retirement account that  
5980 qualifies for tax deferral under the income-tax laws of the United States is presumed abandoned  
5981 if it is unclaimed by the apparent owner 3 years after the later of:

5982                   (1) The following date:

5983                               (A) Except as otherwise provided in subparagraph (B) of this paragraph,  
5984 the date a second consecutive communication sent by the holder by first-class United States mail  
5985 to the apparent owner is returned to the holder undelivered by the United States Postal Service;  
5986 or

5987                               (B) If the second communication is sent later than 30 days after the date  
5988 the first communication is returned undelivered, the date the first communication was returned  
5989 undelivered by the United States Postal Service; and

5990                   (2) The earlier of the following dates:

5991                               (A) The date the apparent owner becomes 70.5 years of age, if  
5992 determinable by the holder; or

5993 (B) If the Internal Revenue Code of 1986, approved August 16, 1954 (68A  
5994 Stat. 3; 26 U.S.C. § 1 *et seq.*) requires distribution to avoid a tax penalty, 2 years after the date  
5995 the holder:

5996 (i) Receives confirmation of the death of the apparent owner in the  
5997 ordinary course of its business; or

5998 (ii) Confirms the death of the apparent owner under subsection (b)  
5999 of this section.

6000 (b) If a holder in the ordinary course of its business receives notice or an indication of the  
6001 death of an apparent owner and subsection (a)(2) of this section applies, the holder shall attempt  
6002 not later than 90 days after receipt of the notice or indication to confirm whether the apparent  
6003 owner is deceased.

6004 (c) If the holder does not send communications to the apparent owner of an account  
6005 described in subsection (a) of this section by first-class United States mail, the holder shall  
6006 attempt to confirm the apparent owner's interest in the property by sending the apparent owner  
6007 an electronic-mail communication not later than 2 years after the apparent owner's last indication  
6008 of interest in the property. However, the holder promptly shall attempt to contact the apparent  
6009 owner by first-class United States mail if:

6010 (1) The holder does not have information needed to send the apparent owner an  
6011 electronic mail communication or the holder believes that the apparent owner's electronic mail  
6012 address in the holder's records is not valid;



6013                   (2) The holder receives notification that the electronic-mail communication was  
6014 not received; or

6015                   (3) The apparent owner does not respond to the electronic-mail communication  
6016 not later than 30 days after the communication was sent.

6017                   (d) If first-class United States mail sent under subsection (c) of this section is returned to  
6018 the holder undelivered by the United States Postal Service, the property is presumed abandoned  
6019 three 3 years after the later of:

6020                   (1) Except as in paragraph (2) of this subsection, the date a second consecutive  
6021 communication to contact the apparent owner sent by first-class United States mail is returned to  
6022 the holder undelivered;

6023                   (2) If the second communication is sent later than 30 days after the date the first  
6024 communication is returned undelivered, the date the first communication was returned  
6025 undelivered; or

6026                   (3) The date established by subsection (a)(2) of this section.

6027                   Sec. 7007. When other tax-deferred account presumed abandoned.

6028                   Subject to section 7014 and except for property described in section 7006 and property  
6029 held in a plan described in section 529A of the Internal Revenue Code of 1986, approved  
6030 December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A) property held in an account or plan,  
6031 including a health savings account, that qualifies for tax deferral under the income-tax laws of  
6032 the United States is presumed abandoned if it is unclaimed by the apparent owner 3 years after  
6033 the earlier of:

(1) The date, if determinable by the holder, specified in the income-tax laws and regulations of the United States by which distribution of the property must begin to avoid a tax penalty, with no distribution having been made; or

(2) 30 years after the date the account was opened.

Sec. 7008. When custodial account for minor presumed abandoned.

(a) Subject to section 7014, property held in an account established under D.C. Official Code §§ 21-301 to 21-324, or another state's Uniform Gifts to Minors Act or Uniform Transfers to Minors Act, is presumed abandoned if it is unclaimed by or on behalf of the minor on whose behalf the account was opened 3 years after the later of:

(1) Except as otherwise provided in subparagraph (2) of this paragraph, the date a second consecutive communication sent by the holder by first-class United States mail to the custodian of the minor on whose behalf the account was opened is returned undelivered to the holder by the United States Postal Service;

(2) If the second communication is sent later than 30 days after the date the first communication is returned undelivered, the date the first communication was returned undelivered; or

(3) The date on which the custodian is required to transfer the property to the minor or the minor's estate in accordance with the Uniform Gifts to Minors Act or Uniform Transfers to Minors Act of the state in which the account was opened.

(b) If the holder does not send communications to the custodian of the minor on whose behalf an account described in subsection (a) of this section was opened by first-class United

6055 States mail, the holder shall attempt to confirm the custodian's interest in the property by sending  
6056 the custodian an electronic-mail communication not later than 2 years after the custodian's last  
6057 indication of interest in the property. However, the holder promptly shall attempt to contact the  
6058 custodian by first-class United States mail if:

6059 (1) The holder does not have information needed to send the custodian an  
6060 electronic mail communication or the holder believes that the custodian's electronic-mail-mail  
6061 address in the holder's records is not valid;

6062 (2) The holder receives notification that the electronic-mail communication was  
6063 not received; or

6064 (3) The custodian does not respond to the electronic-mail communication not later  
6065 than 30 days after the communication was sent.

6066 (c) If first-class United States mail sent under subsection (b) of this section is returned  
6067 undelivered to the holder by the United States Postal Service, the property is presumed  
6068 abandoned 3 years after the later of:

6069 (1) The date a second consecutive communication to contact the custodian by  
6070 first-class United States mail is returned to the holder undelivered by the United States Postal  
6071 Service; or

6072 (2) The date established by subsection (a)(3) of this section.

6073 (d) When the property in the account described in subsection (a) of this section is  
6074 transferred to the minor on whose behalf an account was opened or to the minor's estate, the  
6075 property in the account is no longer subject to this section.

6076           Sec. 7009. When contents of safe-deposit box presumed abandoned.

6077           Tangible property held in a safe-deposit box and proceeds from a sale of the property by  
6078 the holder permitted by law of the District other than this subtitle are presumed abandoned if the  
6079 property remains unclaimed by the apparent owner 3 years after the earlier of the:

6080                   (1) Expiration of the lease or rental period for the box; or

6081                   (2) Earliest date when the lessor of the box is authorized by law of the District  
6082 other than this subtitle to enter the box and remove or dispose of the contents without consent or  
6083 authorization of the lessee.

6084           Sec. 7010. When stored-value card presumed abandoned.

6085           (a) Subject to section 7014, the net card value of a stored-value card, other than a payroll  
6086 card or a gift card, is presumed abandoned on the latest of 3 years after:

6087                   (1) December 31 of the year in which the card is issued or additional funds are  
6088 deposited into it;

6089                   (2) The most recent indication of interest in the card by the apparent owner; or

6090                   (3) A verification or review of the balance by or on behalf of the apparent owner.

6091           (b) The amount presumed abandoned in a stored-value card is the net card value at the  
6092 time it is presumed abandoned.

6093           Sec. 7011. When gift card presumed abandoned.

6094           Subject to section 7014, a gift card is presumed abandoned if it is unclaimed by the  
6095 apparent owner 5 years after the later of the date of purchase or its most recent use.

6096           Sec. 7012. When security presumed abandoned.

6097 (a) Subject to section 7014, a security is presumed abandoned 3 years after:

6098 (1) The date a second consecutive communication sent by the holder by first-class  
6099 United States mail to the apparent owner is returned to the holder undelivered by the United  
6100 States Postal Service; or

6101 (2) If the second communication is made later than 30 days after the first  
6102 communication is returned, the date the first communication is returned undelivered to the holder  
6103 by the United States Postal Service.

6104 (b) If the holder does not send communications to the apparent owner of a security by  
6105 first-class United States mail, the holder shall attempt to confirm the apparent owner's interest in  
6106 the security by sending the apparent owner an electronic-mail communication not later than 2  
6107 years after the apparent owner's last indication of interest in the security. However, the holder  
6108 promptly shall attempt to contact the apparent owner by first-class United States mail if:

6109 (1) The holder does not have information needed to send the apparent owner an  
6110 electronic-mail communication or the holder believes that the apparent owner's electronic-mail  
6111 address in the holder's records is not valid;

6112 (2) The holder receives notification that the electronic-mail communication was  
6113 not received; or

6114 (3) The apparent owner does not respond to the electronic-mail communication  
6115 not later 30 days after the communication was sent.

6116 (c) If first-class United States mail sent under subsection (b) of this section is returned to  
6117 the holder undelivered by the United States Postal Service, the security is presumed abandoned 3  
6118 years after the date the mail is returned.

6119 Sec. 7013. When related property presumed abandoned.

6120 At and after the time property is presumed abandoned under this subtitle, any other  
6121 property right or interest accrued or accruing from the property and not previously presumed  
6122 abandoned is also presumed abandoned.

6123 Sec. 7014. Indication of apparent owner interest in property.

6124 (a) The period after which property is presumed abandoned is measured from the later of:

6125 (1) The date the property is presumed abandoned under this part; or

6126 (2) The latest indication of interest by the apparent owner in the property.

6127 (b) Under this subtitle, an indication of an apparent owner's interest in property includes:

6128 (1) A record communicated by the apparent owner to the holder or agent of the  
6129 holder concerning the property or the account in which the property is held;

6130 (2) An oral communication by the apparent owner to the holder or agent of the  
6131 holder concerning the property or the account in which the property is held, if the holder or its  
6132 agent contemporaneously makes and preserves a record of the fact of the apparent owner's  
6133 communication;

6134 (3) Presentment of a check or other instrument of payment of a dividend, interest  
6135 payment, or other distribution, or evidence of receipt of a distribution made by electronic or

6136 similar means, with respect to an account, underlying security, or interest in a business  
6137 association.

6138 (4) Activity directed by an apparent owner in the account in which the property is  
6139 held, including accessing the account or information concerning the account, or a direction by  
6140 the apparent owner to increase, decrease, or otherwise change the amount or type of property  
6141 held in the account;

6142 (5) A deposit into or withdrawal from an account at a financial organization,  
6143 including an automatic deposit or withdrawal previously authorized by the apparent owner other  
6144 than an automatic reinvestment of dividends or interest;

6145 (6) Subject to subsection (e) of this section, payment of a premium on an  
6146 insurance policy; and

6147 (7) Any other action by the apparent owner which reasonably demonstrates to the  
6148 holder that the apparent owner knows that the property exists.

6149 (c) An action by an agent or other representative of an apparent owner, other than the  
6150 holder acting as the apparent owner's agent, is presumed to be an action on behalf of the  
6151 apparent owner.

6152 (d) A communication with an apparent owner by a person other than the holder or the  
6153 holder's representative is not an indication of interest in the property by the apparent owner  
6154 unless a record of the communication evidences the apparent owner's knowledge of a right to the  
6155 property.

6156 (e) If the insured dies or the insured or beneficiary of an insurance policy otherwise  
6157 becomes entitled to the proceeds before depletion of the cash surrender value of the policy by  
6158 operation of an automatic-premium-loan provision or other nonforfeiture provision contained in  
6159 the policy, the operation does not prevent the policy from maturing or terminating.

6160 Sec. 7015. Knowledge of death of insured or annuitant.

6161 (a) In this section, "death master file" means the United States Social Security  
6162 Administration Death Master File or other database or service that is at least as comprehensive as  
6163 the United States Social Security Administration Death Master File for determining that an  
6164 individual reportedly has died.

6165 (b) With respect to a life or endowment insurance policy or annuity contract for which an  
6166 amount is owed on proof of death, but which has not matured by proof of death of the insured or  
6167 annuitant, the company has knowledge of the death of an insured or annuitant when:

6168 (1) The company receives a death certificate or court order determining that the  
6169 insured or annuitant has died;

6170 (2) Due diligence, performed as required under section 31 of Chapter V of the  
6171 Life Insurance Act, approved June 19, 1934 (48 Stat. 1128; D.C. Official Code § 31-4731), to  
6172 maintain contact with the insured or annuitant or determine whether the insured or annuitant has  
6173 died validates the death of the insured or annuitant;

6174 (3) The company conducts a comparison for any purpose between a death master  
6175 file and the names of some or all of the company's insureds or annuitants, finds a match that  
6176 provides notice that the insured or annuitant has died, and validates the death;



6177 (4) The Administrator or the Administrator's agent conducts a comparison for the  
6178 purpose of finding matches during an examination conducted under Part 10 between a death  
6179 master file and the names of some or all of the company's insureds or annuitants, finds a match  
6180 that provides notice that the insured or annuitant has died, and the company validates the death;  
6181 or

6182 (5) The company:

6183 (A) receives notice of the death of the insured or annuitant from an  
6184 administrator, beneficiary, policy owner, relative of the insured, or trustee or from a personal  
6185 representative or other legal representative of the insured's or annuitant's estate; and

6186 (B) validates the death of the insured or annuitant.

6187 (c) The following rules apply under this section:

6188 (1) A death-master-file match under subsection (b)(3) or (4) of this section occurs  
6189 if the criteria for an exact or partial match are satisfied as provided by:

6190 (A) Section 7093(d) of the Revised Uniform Unclaimed Property Act of  
6191 2021, as introduced on May 27, 2021; or

6192 (B) A rule or policy adopted by the Mayor under section 28 of the Life  
6193 Insurance Act, approved June 19, 1934 (48 Stat. 1125; D.C. Official Code § 31-4728), or a  
6194 policy of the Commissioner of the Department of Insurance, Securities, and Banking.

6195 (2) The death-master-file match does not constitute proof of death for the purpose  
6196 of submission to an insurance company of a claim by a beneficiary, annuitant, or owner of the  
6197 policy or contract for an amount due under an insurance policy or annuity contract.

6198                   (3) The death-master-file match or validation of the insured's or annuitant's death  
6199 does not alter the requirements for a beneficiary, annuitant, or owner of the policy or contract to  
6200 make a claim to receive proceeds under the terms of the policy or contract.

6201                   (d) This subtitle does not affect the determination of the extent to which an insurance  
6202 company before the effective date of this subtitle had knowledge of the death of an insured or  
6203 annuitant or was required to conduct a death-master-file comparison to determine whether  
6204 amounts owed by the company on a life or endowment insurance policy or annuity contract were  
6205 presumed abandoned or unclaimed.

6206                   Sec. 7016. Deposit account for proceeds of insurance policy or annuity contract.

6207                   If proceeds payable under a life or endowment insurance policy or annuity contract are  
6208 deposited into an account with check or draft-writing privileges for the beneficiary of the policy  
6209 or contract and, under a supplementary contract not involving annuity benefits other than death  
6210 benefits, the proceeds are retained by the insurance company or the financial organization where  
6211 the account is held, the policy or contract includes the assets in the account.

6212                   Part 3. Rules for Taking Custody of Property Presumed Abandoned

6213                   Sec. 7017. Address of apparent owner to establish priority.

6214                   In this part, the following rules apply:

6215                   (1) The last-known address of an apparent owner is any description, code, or other  
6216 indication of the location of the apparent owner which identifies the state, even if the description,  
6217 code, or indication of location is not sufficient to direct the delivery of first-class United States  
6218 mail to the apparent owner.

6219                   (2) If the United States postal zip code associated with the apparent owner is for a  
6220 post office located in the District, the District is deemed to be the state of the last-known address  
6221 of the apparent owner unless other records associated with the apparent owner specifically  
6222 identify the physical address of the apparent owner to be in another state.

6223                   (3) If the address under paragraph (2) of this subsection is in another state, the  
6224 other state is deemed to be the state of the last-known address of the apparent owner.

6225                   (4) The address of the apparent owner of a life or endowment insurance policy or  
6226 annuity contract or its proceeds is presumed to be the address of the insured or annuitant if a  
6227 person other than the insured or annuitant is entitled to the amount owed under the policy or  
6228 contract and the address of the other person is not known by the insurance company and cannot  
6229 be determined under section 7018.

6230                   Sec. 7018. Address of apparent owner in the District.

6231                   The Administrator may take custody of property that is presumed abandoned, whether  
6232 located in the District, another state, or a foreign country if:

6233                   (1) The last-known address of the apparent owner in the records of the holder is in  
6234 the District; or

6235                   (2) The records of the holder do not reflect the identity or last-known address of  
6236 the apparent owner, but the Administrator has determined that the last-known address of the  
6237 apparent owner is in the District.

6238                   Sec. 7019. If records show multiple addresses of apparent owner.

6239 (a) Except as otherwise provided in subsection (b) of this section, if records of a holder  
6240 reflect multiple addresses for an apparent owner and the District is the state of the most recently  
6241 recorded address, the District may take custody of property presumed abandoned, whether  
6242 located in the District or another jurisdiction.

6243 (b) If it appears from records of the holder that the most recently recorded address of the  
6244 apparent owner under subsection (a) of this section is a temporary address and the District is the  
6245 jurisdiction of the next most recently recorded address that is not a temporary address, the  
6246 District may take custody of the property presumed abandoned.

6247 Sec. 7020. Holder domiciled in the District.

6248 (a) Except as otherwise provided in subsection (b) of this section or section 7018 or 7019,  
6249 the Administrator may take custody of property presumed abandoned, whether located in the  
6250 District, another state, or a foreign country, if the holder is domiciled in the District or is the  
6251 District or a governmental subdivision, agency, or instrumentality of the District; and

6252 (1) Another state or foreign country is not entitled to the property because there is  
6253 no last-known address of the apparent owner or other person entitled to the property in the  
6254 records of the holder; or

6255 (2) The state or foreign country of the last-known address of the apparent owner  
6256 or other person entitled to the property does not provide for custodial taking of the property.

6257 (b) Property is not subject to custody of the Administrator under subsection (a) of this  
6258 section if the property is specifically exempt from custodial taking under the law of the District  
6259 or the state or foreign country of the last-known address of the apparent owner.

6260 (c) If a holder's state of domicile has changed since the time property was presumed  
6261 abandoned, the holder's state of domicile in this section is deemed to be the state where the  
6262 holder was domiciled at the time the property was presumed abandoned.

6263 Sec. 7021. Custody if transaction took place in the District.

6264 Except as otherwise provided in section 7018, 7019, or 7020, the Administrator may take  
6265 custody of property presumed abandoned whether located in the District or another state if:

6266 (1) The transaction out of which the property arose took place in the District;

6267 (2) The holder is domiciled in a state that does not provide for the custodial taking  
6268 of the property, except that if the property is specifically exempt from custodial taking under the  
6269 law of the state of the holder's domicile, the property is not subject to the custody of the  
6270 Administrator; and

6271 (3) The last-known address of the apparent owner or other person entitled to the  
6272 property is unknown or in a state that does not provide for the custodial taking of the property,  
6273 except that if the property is specifically exempt from custodial taking under the law of the state  
6274 of the last-known address, the property is not subject to the custody of the Administrator.

6275 Sec. 7022. Traveler's check, money order, or similar instrument.

6276 The Administrator may take custody of sums payable on a traveler's check, money order,  
6277 or similar instrument presumed abandoned to the extent permissible under 12 U.S.C. §§ 2501  
6278 through 2503.

6279 Sec. 7023. Burden of proof to establish Administrator's right to custody.

6280           If the Administrator asserts a right to custody of unclaimed property, the Administrator  
6281 has the burden to prove:

6282                   (1) The existence and amount of the property;

6283                   (2) That the property is presumed abandoned; and

6284                   (3) That the property is subject to the custody of the Administrator.

6285           Part 4. Report by Holder

6286           Sec. 7024. Report required by holder.

6287           (a) A holder of property presumed abandoned and subject to the custody of the  
6288 Administrator shall report in a record to the Administrator concerning the property. The  
6289 Administrator may not require a holder to file a paper report.

6290           (b) A holder may contract with a third party to make the report required under subsection  
6291 (a) of this section.

6292           (c) Whether or not a holder contracts with a third party under subsection (b) of this  
6293 section, the holder is responsible:

6294                   (1) For the complete, accurate, and timely reporting of property presumed  
6295 abandoned to the Administrator; and

6296                   (2) For paying or delivering to the Administrator property described in the report.

6297           Sec. 7025. Content of report.

6298           (a) The report required under section 7024 shall:

6299                   (1) Be signed by or on behalf of the holder and verified as to its completeness and  
6300 accuracy;

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6301                   (2) If filed electronically, be in a secure format approved by the Administrator  
6302    which protects confidential information of the apparent owner in the same manner as required of  
6303    the Administrator and the Administrator's agent under Part 14;

6304                   (3) Describe the property;

6305                   (4) Except for a traveler's check, money order, or similar instrument, contain the  
6306    name, if known, last-known address, if known, and Social Security number or taxpayer  
6307    identification number, if known or readily ascertainable, of the apparent owner of property with a  
6308    value of \$50 or more;

6309                   (5) For an amount held or owing under a life or endowment insurance policy or  
6310    annuity contract, contain the name and last-known address of the insured, annuitant or other  
6311    apparent owner of the policy or contract and of the beneficiary;

6312                   (6) For property held in or removed from a safe-deposit box, indicate the location  
6313    of the property, where it may be inspected by the Administrator, and any amounts owed to the  
6314    holder under section 7038;

6315                   (7) Contain the commencement date for determining abandonment under Part 2;

6316                   (8) State that the holder has complied with the notice requirements of section  
6317    7029;

6318                   (9) Identify property that is a non-freely transferable security and explain why it is  
6319    a non-freely transferable security; and

6320                   (10) Contain other information the Administrator prescribes by rules.

6321           (b) A report under section 7024 may include personal information as defined in section  
6322 7082(a) about the apparent owner or the apparent owner's property to the extent not otherwise  
6323 prohibited by federal law.

6324           (c) If a holder has changed its name while holding property presumed abandoned or is a  
6325 successor to another person that previously held the property for the apparent owner, the holder  
6326 shall include in the report under section 7024 its former name or the name of the previous holder,  
6327 if any, and the known name and address of each previous holder of the property.

6328           Sec. 7026. When report to be filed.

6329           (a) Except as otherwise provided in subsection (b) of this section and subject to  
6330 subsection (c) of this section, the report under section 7024 shall be filed before November 1 of  
6331 each year and cover the 12 months preceding July 1 of that year.

6332           (b) Subject to subsection (c) of this section, the report under section 7024 to be filed by  
6333 an insurance company shall be filed before May 1 of each year for the immediately preceding  
6334 calendar year.

6335           (c) Before the date for filing the report under section 7024, the holder of property  
6336 presumed abandoned may request the Administrator to extend the time for filing. The  
6337 Administrator may grant an extension. If the extension is granted, the holder may pay or make a  
6338 partial payment of the amount the holder estimates ultimately will be due. The payment or  
6339 partial payment terminates accrual of interest on the amount paid.

6340           Sec. 7027. Retention of records by holder.



A holder required to file a report under section 7024 shall retain records for 10 years after the later of the date the report was filed or the last date a timely report was due to be filed, unless a shorter period is provided by rule of the Administrator. The holder may satisfy the requirement to retain records under this section through an agent. The records shall contain:

- (1) The information required to be included in the report;
- (2) The date, place, and nature of the circumstances that gave rise to the property right;
- (3) The amount or value of the property;
- (4) The last address of the apparent owner, if known to the holder; and
- (5) If the holder sells, issues, or provides to others for sale or issue in the District traveler's checks, money orders, or similar instruments, other than third-party bank checks, on which the holder is directly liable, a record of the instruments while they remain outstanding indicating the state and date of issue.

Sec. 7028. Property reportable and payable or deliverable absent owner demand.

Property is reportable and payable or deliverable under this subtitle even if the owner fails to make demand or present an instrument or document otherwise required to obtain payment.

Part 5. Notice to Apparent Owner of Property Presumed Abandoned

Sec. 7029. Notice to apparent owner by holder.

(a) Subject to subsection (b) of this section, the holder of property presumed abandoned shall send to the apparent owner notice by first-class United States mail that complies with

section 7030 in a format acceptable to the Administrator not more than 180 days nor less than 60 days before filing the report under section 7024 if:

(1) The holder has in its records an address for the apparent owner which the holder's records do not disclose to be invalid and is sufficient to direct the delivery of first-class United States mail to the apparent owner; and

(2) The value of the property is \$50 or more.

(b) If an apparent owner has consented to receive electronic-mail delivery from the holder, the holder shall send the notice described in subsection (a) of this section both by first-class United States mail to the apparent owner's last-known mailing address and by electronic mail, unless the holder believes that the apparent owner's electronic-mail address is invalid.

Sec. 7030. Contents of notice by holder.

(a) Notice under section 7029 shall contain a heading that reads substantially as follows: "Notice. The District of Columbia requires us to notify you that your property may be transferred to the custody of the District of Columbia's Unclaimed Property Administrator if you do not contact us before (insert date that is 30 days after the date of this notice).".

(b) The notice under section 7029 shall:

(1) Identify the nature and, except for property that does not have a fixed value, the value of the property that is the subject of the notice;

(2) State that the property will be turned over to the Administrator;

(3) State that after the property is turned over to the Administrator an apparent owner that seeks return of the property must file a claim with the Administrator;

6383                   (4) State that property that is not legal tender of the United States may be sold by  
6384 the Administrator; and

6385                   (5) Provide instructions that the apparent owner must follow to prevent the holder  
6386 from reporting and paying or delivering the property to the Administrator.

6387           Sec. 7031. Notice by Administrator.

6388           (a) The Administrator shall make a reasonable effort to give notice to an apparent owner  
6389 that property of the owner that is presumed to be abandoned is held by the Administrator under  
6390 this subtitle. The Administrator shall use available resources, including information services, to  
6391 ascertain the mailing address of an apparent owner.

6392           (b) Subject to subsection (a) of this section, the Administrator shall:

6393                   (1) Except as otherwise provided in paragraph (2) of this subsection, send written  
6394 notice by first-class United States mail to each apparent owner of property valued at \$50 or more  
6395 held by the Administrator, unless the Administrator determines that a mailing by first-class  
6396 United States mail would not be received by the apparent owner, and, in the case of a security  
6397 held in an account for which the apparent owner had consented to receiving electronic mail from  
6398 the holder, send notice by electronic mail if the electronic-mail address of the apparent owner is  
6399 known to the Administrator instead of by first-class United States mail; or

6400                   (2) Send the notice to the apparent owner's electronic-mail address if the  
6401 Administrator does not have a valid United States mail address for an apparent owner, but has an  
6402 electronic-mail address that the Administrator does not know to be invalid.

6403           (c) In addition to the notice under subsection (b) of this section, the Administrator shall:

6404 (1) Publish every 6 months in at least one newspaper of general circulation in the  
6405 District a notice with the following information:

6406 (A) The total value of property received by the Administrator during the  
6407 preceding 6-month period, taken from the reports under section 7024;

6408 (B) The total value of claims paid by the Administrator during the  
6409 preceding 6-month period;

6410 (C) The Internet web address of the unclaimed property website  
6411 maintained by the Administrator;

6412 (D) A telephone number and electronic-mail address to contact the  
6413 Administrator to inquire about or claim property; and

6414 (E) A statement that a person may access the Internet by a computer to  
6415 search for unclaimed property and a computer may be available as a service to the public at a  
6416 local public library; and

6417 (2) Maintain a website or database that (i) is accessible by the public and  
6418 electronically searchable, (ii) contains the names reported to the Administrator of all apparent  
6419 owners for whom property is being held by the Administrator.

6420 (d) The website or database maintained under subsection (c) of this section must include  
6421 instructions for filing with the Administrator a claim to property and a printable claim form with  
6422 instructions for its use.

6423 (e) In addition to giving notice under subsections (b) and (c) of this section, the  
6424 Administrator may use other printed publication, telecommunication, the Internet, or other media  
6425 to inform the public of the existence of unclaimed property held by the Administrator.

6426 Sec. 7032. Cooperation among District officers and agencies to locate apparent owner.

6427 Unless prohibited by law of the District other than this subtitle, on request of the  
6428 Administrator, each officer, agency, board, commission, division, and department of the District  
6429 and any body politic and corporate created by the District for a public purpose shall make its  
6430 books and records available to the Administrator and cooperate with the Administrator to  
6431 determine the current address of an apparent owner of property held by the Administrator under  
6432 this subtitle.

6433 Part 6. Taking Custody of Property by Administrator

6434 Sec. 7033. Definition of good faith.

6435 In this part, payment or delivery of property is made in good faith if a holder:

6436 (1) Had a reasonable basis for believing, based on the facts then known, that the  
6437 property was required or permitted to be paid or delivered to the Administrator under this  
6438 subtitle; or

6439 (2) Made payment or delivery:

6440 (A) In response to a demand by the Administrator or Administrator's  
6441 agent; or

6442 (B) Under a guidance or ruling issued by the Administrator which the  
6443 holder reasonably believed required or permitted the property to be paid or delivered.

6444 Sec. 7034. Dormancy charge.

6445 (a) A holder may deduct a dormancy charge from property required to be paid or  
6446 delivered to the Administrator if:

6447 (1) A valid contract between the holder and the apparent owner authorizes  
6448 imposition of the charge for the apparent owner's failure to claim the property within a specified  
6449 time; and

6450 (2) The holder regularly imposes the charge and regularly does not reverse or  
6451 otherwise cancel the charge.

6452 (b) The amount of the deduction under subsection (a) of this section is limited to an  
6453 amount that is not unconscionable considering all relevant factors, including the marginal  
6454 transactional costs incurred by the holder in maintaining the apparent owner's property and any  
6455 services received by the apparent owner. A deduction of \$10 a year for maintaining property  
6456 valued at \$50 or less, or \$20 a year for maintaining property valued at more than \$50, or other  
6457 amounts established by the Administrator by rule, is not unconscionable, although a higher  
6458 charge, if permitted under subsection (a) of this section, may be proper considering all relevant  
6459 factors.

6460 Sec. 7035. Payment or delivery of property to Administrator.

6461 (a) Except as otherwise provided in this section, on filing a report under section 7024, the  
6462 holder shall pay or deliver to the Administrator the property described in the report.

6463 (b) If property in a report under section 7024 is an automatically renewable deposit and a  
6464 penalty or forfeiture in the payment of interest would result from paying the deposit to the

6465 Administrator at the time of the report, the date for payment of the property to the Administrator  
6466 is extended until a penalty or forfeiture no longer would result from payment, if the holder  
6467 informs the Administrator of the extended date.

6468 (c) Tangible property in a safe-deposit box may not be delivered to the Administrator  
6469 until 120 days after filing the report under section 7024.

6470 (d) If property reported to the Administrator under section 7024 is a security, the  
6471 Administrator may:

6472 (1) Make an endorsement, instruction, or entitlement order on behalf of the  
6473 apparent owner to invoke the duty of the issuer, its transfer agent, or the securities intermediary  
6474 to transfer the security; or

6475 (2) Dispose of the security under section 7044.

6476 (e) If the holder of property reported to the Administrator under section 7024 is the issuer  
6477 of a certificated security, the Administrator may obtain a replacement certificate in physical or  
6478 book-entry form under D.C. Official Code § 28:8-405. An indemnity bond is not required.

6479 (f) The Administrator shall establish procedures for the registration, issuance, method of  
6480 delivery, transfer, and maintenance of securities delivered to the Administrator by a holder.

6481 (g) An issuer, holder, and transfer agent or other person acting under this section under  
6482 instructions of and on behalf of the issuer or holder is not liable to the apparent owner for, and  
6483 shall be paid by the Administrator for the value of the property turned over to the Administrator  
6484 by the District against, a claim arising with respect to property after the property has been  
6485 delivered to the Administrator.

6486 (h) A holder is not required to deliver to the Administrator a security identified by the  
6487 holder as a non-freely transferable security. If the Administrator or holder determines that a  
6488 security is no longer a non-freely transferable security, the holder shall deliver the security on the  
6489 next regular date prescribed for delivery of securities under this subtitle. The holder shall make a  
6490 determination annually whether a security identified in a report filed under section 7024 as a  
6491 non-freely transferable security is no longer a non-freely transferable security.

6492 Sec. 7036. Effect of payment or delivery of property to Administrator.

6493 (a) On payment or delivery of property to the Administrator under this subtitle, the  
6494 Administrator as agent for the District assumes custody and responsibility for safekeeping the  
6495 property. A holder that pays or delivers property to the Administrator in good faith and  
6496 substantially complies with sections 7029 and 7030 is relieved of liability arising thereafter with  
6497 respect to payment or delivery of the property to the Administrator.

6498 (b) A holder is not liable for a claim against the holder resulting from the payment or  
6499 delivery of property to the Administrator made in good faith and after the holder substantially  
6500 complied with sections 7029 and 7030.

6501 Sec. 7037. Recovery of property by holder from Administrator.

6502 (a) A holder that under this subtitle pays money to the Administrator may file a claim for  
6503 reimbursement from the Administrator of the amount paid if the holder:

6504 (1) Paid the money in error; or

6505 (2) After paying the money to the Administrator, paid money to a person the  
6506 holder reasonably believed entitled to the money.



6507           (b) If a claim for reimbursement under subsection (a) of this section is made for a  
6508       payment made on a negotiable instrument, including a traveler's check, money order, or similar  
6509       instrument, the holder shall submit proof that the instrument was presented and payment was  
6510       made to a person the holder reasonably believed entitled to payment. The holder may claim  
6511       reimbursement even if the payment was made to a person whose claim was made after expiration  
6512       of a period of limitation on the owner's right to receive or recover property, whether specified by  
6513       contract, statute, or court order.

6514           (c) If a holder is reimbursed by the Administrator under subsection (a)(2) of this section,  
6515       the holder may also recover from the Administrator income or gain under section 7039 that  
6516       would have been paid to the owner if the money had been claimed from the Administrator by the  
6517       owner to the extent the income or gain was paid by the holder to the owner.

6518           (d) A holder that under this subtitle delivers property other than money to the  
6519       Administrator may file a claim for return of the property from the Administrator if:

6520                   (1) The holder delivered the property in error; or

6521                   (2) The apparent owner has claimed the property from the holder.

6522           (e) If a claim for return of property under subsection (d) of this section is made, the  
6523       holder shall include with the claim evidence sufficient to establish that the apparent owner has  
6524       claimed the property from the holder or that the property was delivered by the holder to the  
6525       Administrator in error.

6526 (f) The Administrator may determine that an affidavit submitted by a holder is evidence  
6527 sufficient to establish that the holder is entitled to reimbursement or to recover property under  
6528 this section.

6529 (g) A holder is not required to pay a fee or other charge for reimbursement or return of  
6530 property under this section.

6531 (h) Not later than 90 days after a claim is filed under subsection (a) or (d) of this section,  
6532 the Administrator shall allow or deny the claim and give the claimant notice of the decision in a  
6533 record. If the Administrator does not take action on a claim during the 90-day period, the claim  
6534 is deemed denied.

6535 (i) The claimant may bring an action in the Superior Court for review of the  
6536 Administrator's decision or the deemed denial under subsection (h) of this section not later than:

6537 (1) 30 days following receipt of the notice of the Administrator's decision; or

6538 (2) 120 days following the filing of a claim under subsection (a) or (d) of this  
6539 section in the case of a deemed denial under subsection (h) of this section.

6540 (j) A final decision in an action brought under subsection (i) of this section is subject to  
6541 review by the District of Columbia Court of Appeals.

6542 Sec. 7038. Property removed from safe-deposit box.

6543 (a) Property removed from a safe-deposit box and delivered under this subtitle to the  
6544 Administrator under this subtitle is subject to the holder's right to reimbursement for the cost of  
6545 opening the box and a lien or contract providing reimbursement to the holder for unpaid rent  
6546 charges for the box, provided that the holder makes a request under subsection (b) of this section.

6547 (b) The Administrator shall reimburse the holder from the proceeds remaining after  
6548 deducting the expense incurred by the Administrator in selling the property, if the holder makes a  
6549 request for reimbursement after property from the safe deposit box is delivered to the  
6550 Administrator.

6551 Sec. 7039. Crediting income or gain to owner's account.

6552 (a) If property other than money is delivered to the Administrator, the owner is entitled to  
6553 receive from the Administrator income or gain realized or accrued on the property before the  
6554 property is sold. If the property is an interest-bearing demand, savings, or time deposit that  
6555 continues to earn interest after delivery to the Administrator, the owner is entitled to that interest  
6556 before the property is sold. Interest begins to accrue when the property is delivered to the  
6557 Administrator and ends on the earlier of the expiration of 10 years after its delivery or the date on  
6558 which payment is made to the owner.

6559 (b) Interest on interest-bearing property is not payable under this section for any period  
6560 before the effective date of this subtitle, unless authorized by section 121 of the Uniform  
6561 Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C.  
6562 Official Code § 41-121).

6563 Sec. 7040. Administrator's options as to custody.

6564 (a) The Administrator may decline to take custody of property reported under section  
6565 7024 if the Administrator determines that:

6566 (1) The property has a value less than the estimated expenses of notice and sale of  
6567 the property; or

6568 (2) Taking custody of the property would be unlawful.

6569 (b) A holder may pay or deliver property to the Administrator before the property is  
6570 presumed abandoned under this subtitle if the holder:

6571 (1) Sends the apparent owner of the property notice required by section 7029 and  
6572 provides the Administrator evidence of the holder's compliance with this paragraph;

6573 (2) Includes with the payment or delivery a report regarding the property  
6574 conforming to section 7025; and

6575 (3) First obtains the Administrator's consent in a record to accept payment or  
6576 delivery.

6577 (c) A holder's request for the Administrator's consent under subsection (b)(3) of this  
6578 section shall be in a record. If the Administrator fails to respond to the request not later than 30  
6579 days after receipt of the request, the Administrator is deemed to consent to the payment or  
6580 delivery of the property and the payment or delivery is considered to have been made in good  
6581 faith.

6582 (d) On payment or delivery of property under subsection (b) of this section, the property  
6583 is presumed abandoned.

6584 Sec. 7041. Disposition of property having no substantial value; immunity from liability.

6585 (a) If the Administrator takes custody of property delivered under this subtitle and later  
6586 determines that the property has no substantial commercial value or that the cost of disposing of  
6587 the property will exceed the value of the property, the Administrator may return the property to  
6588 the holder or destroy or otherwise dispose of the property.

6589           (b) An action or proceeding may not be commenced against the District, an agency of the  
6590 District, the Administrator, another officer, employee, or agent of the District, or a holder for or  
6591 because of an act of the Administrator under this section, except for intentional misconduct or  
6592 malfeasance.

6593           Sec. 7042. Periods of limitation and repose.

6594           (a) Expiration, before, on, or after the effective date of this subtitle, of a period of  
6595 limitation on an owner's right to receive or recover property, whether specified by contract,  
6596 statute, or court order, does not prevent the property from being presumed abandoned or affect  
6597 the duty of a holder under this subtitle to file a report or pay or deliver property to the  
6598 Administrator.

6599           (b) The Administrator may not commence an action or proceeding to enforce this subtitle  
6600 with respect to the reporting, payment, or delivery of property more than 10 years after the  
6601 holder filed a non-fraudulent report under section 7024 with the Administrator. The parties may  
6602 agree in a record to extend the limitation in this subsection.

6603           (c) The Administrator may not commence an action, proceeding, or examination with  
6604 respect to a duty of a holder under this subtitle more than 10 years after the duty arose.

6605           Part 7. Sale of Property by Administrator

6606           Sec. 7043. Public sale of property.

6607           (a) Subject to section 7044, not earlier than one year after receipt of property presumed  
6608 abandoned, the Administrator may sell the property.

6609 (b) Before selling property under subsection (a) of this section, the Administrator shall  
6610 give notice to the public of:

6611 (1) The date of the sale; and

6612 (2) A reasonable description of the property.

6613 (c) A sale under subsection (a) of this section shall be to the highest bidder:

6614 (1) At public sale at a location in the District which the Administrator determines  
6615 to be the most favorable market for the property;

6616 (2) On the Internet; or

6617 (3) On another forum the Administrator determines is likely to yield the highest  
6618 net proceeds of sale.

6619 (d) The Administrator may decline the highest bid at a sale under this section and reoffer  
6620 the property for sale if the Administrator determines the highest bid is insufficient.

6621 (e) If a sale held under this section is to be conducted other than on the Internet, the  
6622 Administrator shall publish at least one notice of the sale, at least 3 weeks but not more than 5  
6623 weeks before the sale, in a newspaper of general circulation in the District of Columbia.

6624 Sec. 7044. Disposal of securities.

6625 (a) The Administrator may not sell or otherwise liquidate a security until 60 days after the  
6626 Administrator receives the security and gives the apparent owner notice under section 7031 that  
6627 the Administrator holds the security.

6628 (b) The Administrator may not sell a security listed on an established stock exchange for  
6629 less than the price prevailing on the exchange at the time of sale. The Administrator may sell a  
6630 security not listed on an established exchange by any commercially-reasonable method.

6631 Sec. 7045. Recovery of securities or value by owner.

6632 (a) If the Administrator sells a security before the expiration of 60 days after delivery of  
6633 the security to the Administrator, an apparent owner that files a valid claim under this subtitle of  
6634 ownership of the security before the 60-day period expires is entitled, at the option of the  
6635 Administrator, to receive:

6636 (1) Replacement of the security; or

6637 (2) The market value of the security at the time the claim is filed, plus dividends,  
6638 interest, and other increments on the security up to the time the claim is paid.

6639 (b) Replacement of the security or calculation of market value under subsection (a) of this  
6640 section shall take into account a stock split, reverse stock split, stock dividend, or similar  
6641 corporate action.

6642 (c) A person that makes a valid claim under this subtitle of ownership of a security after  
6643 expiration of 60 days after delivery of the security to the Administrator is entitled to receive:

6644 (1) The security the holder delivered to the Administrator, if it is in the custody of  
6645 the Administrator, plus dividends, interest, and other increments on the security up to the time  
6646 the Administrator delivers the security to the person; or

6647 (2) The net proceeds of the sale of the security, plus dividends, interest, and other  
6648 increments on the security up to the time the security was sold.

6649           Sec. 7046. Purchaser owns property after sale.

6650           A purchaser of property at a sale conducted by the Administrator under this subtitle takes  
6651 the property free of all claims of the owner, a previous holder, or a person claiming through the  
6652 owner or holder. The Administrator shall execute documents necessary to complete the transfer  
6653 of ownership to the purchaser.

6654           Sec. 7047. Military medal or decoration.

6655           (a) The Administrator may not sell a medal or decoration awarded for military service in  
6656 the armed forces of the United States.

6657           (b) The Administrator, with the consent of the respective organization under paragraph  
6658 (1) of this subsection, agency under paragraph (2) of this subsection, or entity under paragraph  
6659 (3) of this subsection, may deliver a medal or decoration described in subsection (a) of this  
6660 section to be held in custody for the owner, to:

6661                   (1) A military veterans organization qualified under section 501(c)(19) of the  
6662 Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. §  
6663 501(c)(19));

6664                   (2) The agency that awarded the medal or decoration; or

6665                   (3) A governmental entity.

6666           (c) On delivery under subsection (b) of this section, the Administrator is not responsible  
6667 for safekeeping the medal or decoration.

6668           Part 8. Administration of Property

6669           Sec. 7048. Deposit of funds by Administrator.



6670           (a) The Administrator shall deposit all funds received under this subtitle, including  
6671 proceeds from the sale of property under Part 7, into an account in the General Fund designated  
6672 the Unclaimed Property Account. For each fiscal year, the Administrator shall designate an  
6673 amount in the Unclaimed Property Account to be held for the payment of claims that reflects the  
6674 Administrator's reasonable estimate of the value of claims that will be asserted under this subtitle  
6675 during the fiscal year. Funds in the Unclaimed Property Account that exceed this designated  
6676 amount may be used to pay the costs of administering the unclaimed property program  
6677 established in this subtitle and to satisfy the District's cash flow needs during the fiscal year.

6678           (b) All assets, liabilities, and unexpended balances of funds in the trust fund created by  
6679 section 123 of the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5,  
6680 1981 (D.C. Law 3-160; D.C. Official Code § 41-123), shall be transferred to the Unclaimed  
6681 Property Account established under subsection (a) of this section on the applicability date of this  
6682 subtitle.

6683           Sec. 7049. Administrator to retain records of property.

6684           The Administrator shall:

6685                   (1) Record and retain the name and last-known address of each person shown on a  
6686 report filed under section 7024 to be the apparent owner of property delivered to the  
6687 Administrator;

6688                   (2) Record and retain the name and last-known address of each insured or  
6689 annuitant and beneficiary shown on the report;

6690 (3) For each policy of insurance or annuity contract listed in the report of an  
6691 insurance company, record and retain the policy or account number, the name of the company,  
6692 and the amount due or paid; and

6693 (4) For each apparent owner listed in the report, record and retain the name of the  
6694 holder that filed the report and the amount due or paid.

6695 Sec. 7050. Expenses and service charges of Administrator.

6696 Before making a deposit of funds received under this subtitle to the General Fund of the  
6697 District, the Administrator may deduct:

6698 (1) Expenses of disposition of property delivered to the Administrator under this  
6699 subtitle;

6700 (2) Costs of mailing and publication in connection with property delivered to the  
6701 Administrator under this subtitle;

6702 (3) Reasonable service charges; and

6703 (4) Expenses incurred in examining records of or collecting property from a  
6704 putative holder or holder.

6705 Sec. 7051. Administrator holds property as custodian for owner.

6706 Property received by the Administrator under this subtitle is held in custody for the  
6707 benefit of the owner and is not owned by the District.

6708 Part 9. Claim to Recover Property from Administrator

6709 Sec. 7052. Claim of another state to recover property.

6710 (a) If the Administrator knows that property held by the Administrator under this subtitle  
6711 is subject to a superior claim of another state, the Administrator shall:

6712 (1) Report and pay or deliver the property to the other state; or

6713 (2) Return the property to the holder so that the holder may pay or deliver the  
6714 property to the other state.

6715 (b) The Administrator is not required to enter into an agreement to transfer property to  
6716 the other state under subsection (a) of this section.

6717 Sec. 7053. When property subject to recovery by another state.

6718 (a) Property held under this subtitle by the Administrator is subject to the right of another  
6719 state to take custody of the property if:

6720 (1) The property was paid or delivered to the Administrator because the records of  
6721 the holder did not reflect a last-known address in the other state of the apparent owner and:

6722 (A) The other state establishes that the last-known address of the apparent  
6723 owner or other person entitled to the property was in the other state; or

6724 (B) Under the law of the other state, the property has become subject to a  
6725 claim by the other state of abandonment;

6726 (2) The records of the holder did not accurately identify the owner of the property,  
6727 the last-known address of the owner was in another state, and, under the law of the other state,  
6728 the property has become subject to a claim by the other state of abandonment;

6729                   (3) The property was subject to the custody of the Administrator of the District  
6730 under section 7021 and, under the law of the state of domicile of the holder, the property has  
6731 become subject to a claim by the state of domicile of the holder of abandonment; or

6732                   (4) The property:

6733                               (A) Is a sum payable on a traveler's check, money order, or similar  
6734 instrument that was purchased in the other state and delivered to the Administrator under section  
6735 7022; and

6736                               (B) Under the law of the other state, has become subject to a claim by the  
6737 other state of abandonment.

6738                   (b) A claim by another state to recover property under this section shall be presented in a  
6739 form prescribed by the Administrator, unless the Administrator waives presentation of the form.

6740                   (c) The Administrator shall decide a claim under this section not later than 90 days after it  
6741 is presented. If the Administrator determines that the other state is entitled under subsection (a)  
6742 of this section to custody of the property, the Administrator shall allow the claim and pay or  
6743 deliver the property to the other state.

6744                   (d) The Administrator may require another state, before recovering property under this  
6745 section, to agree to indemnify the District and its agents, officers, and employees against any  
6746 liability on a claim to the property.

6747                   Sec. 7054. Claim for property by person claiming to be owner.

6748 (a) A person claiming to be the owner of property held under this subtitle by the  
6749 Administrator may file a claim for the property on a form prescribed by the Administrator. The  
6750 claimant shall verify the claim as to its completeness and accuracy.

6751 (b) The Administrator may waive the requirement in subsection (a) of this section and  
6752 may pay or deliver property directly to a person if:

6753 (1) The person receiving the property or payment is shown to be the apparent  
6754 owner included on a report filed under section 7024;

6755 (2) The Administrator reasonably believes the person is entitled to receive the  
6756 property or payment; and

6757 (3) The property has a value of less than \$500.

6758 Sec. 7055. When Administrator must honor claim for property.

6759 (a) The Administrator shall pay or deliver property to a claimant under section 7054(a) if  
6760 the Administrator receives evidence sufficient to establish to the satisfaction of the Administrator  
6761 that the claimant is the owner of the property.

6762 (b) Not later than 90 days after a claim is filed under section 7054(a), the Administrator  
6763 shall allow or deny the claim and give the claimant notice in a record of the decision.

6764 (c) If the claim is denied under subsection (b) of this section:

6765 (1) The Administrator shall inform the claimant of the reason for the denial and  
6766 specify what additional evidence, if any, is required for the claim to be allowed;

6767 (2) The claimant may file an amended claim with the Administrator or commence  
6768 an action under section 7057; and

6769                   (3) The Administrator shall consider an amended claim filed under paragraph (2)  
6770 of this subsection as an initial claim.

6771                   (d) If the Administrator does not take action on a claim during the 90-day period  
6772 following the filing of a claim under section 7054(a), the claim is deemed denied.

6773                   Sec. 7056. Allowance of claim for property by the District.

6774                   (a) Not later than 45 days after a claim is allowed under section 7055(b), the  
6775 Administrator shall pay or deliver to the owner the property or pay to the owner the net proceeds  
6776 of a sale of the property, together with income or gain to which the owner is entitled under  
6777 section 7039. On request of the owner, the Administrator may sell or liquidate a security and  
6778 pay the net proceeds to the owner, even if the security had been held by the Administrator for  
6779 less than 60 days or the Administrator has not complied with the notice requirements under  
6780 section 7044.

6781                   (b) Property held under this subtitle by the Administrator is subject to a claim for the  
6782 payment of an enforceable debt the owner owes to the District for:

6783                           (1) Child-support arrearages, including any child-support collection costs and  
6784 child-support arrearages that are combined with maintenance;

6785                           (2) A civil or criminal fine or penalty, court costs, a surcharge, or restitution  
6786 imposed by a final order of an administrative agency or a final court judgment; or

6787                           (3) District taxes, penalties, and interest that have been determined to be  
6788 delinquent, including delinquent debts under Delinquent Debt Recovery Act of 2012, effective  
6789 September 20, 2012, (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), and collection

6790 fees owed to the Central Collection Unit under Chapter 38 of Title 9 of the District of Columbia  
6791 Municipal Regulations.

6792 (c) Before delivery or payment to an owner under subsection (a) of this section of  
6793 property or payment to the owner of net proceeds of a sale of the property, the Administrator first  
6794 shall apply the property or net proceeds to a debt under subsection (b) of this section the  
6795 Administrator determines is owed by the owner. The Administrator shall pay the amount to the  
6796 appropriate District agency and notify the owner of the payment, unless another District agency  
6797 is required to notify the owner of the payment.

6798 (d) The Administrator may make periodic inquiries of District agencies in the absence of  
6799 a claim filed under section 7054 to determine whether an apparent owner included in the  
6800 unclaimed-property records of the District has an enforceable debt described in subsection (b) of  
6801 this section. The Administrator first shall apply the property or net proceeds of a sale of property  
6802 held by the Administrator to a debt under subsection (b) of this section of an apparent owner  
6803 which appears in the records of the Administrator and deliver the amount to the appropriate  
6804 District agency. The Administrator shall notify the apparent owner of the payment, unless  
6805 another District agency is required to notify the owner of the payment.

6806 Sec. 7057. Action by person whose claim is denied.

6807 Not later than one year after filing a claim under section 7054(a), the claimant may  
6808 commence an action against the Administrator in the Superior Court to establish a claim that has  
6809 been denied or deemed denied under section 7054(d).

6810 Part 10. Verified Report of Property; Examination of Records

6811           Sec. 7058. Verified report of property.

6812           If a person does not file a report required by section 7024 or the Administrator believes  
6813 that a person may have filed an inaccurate, incomplete, or false report, the Administrator may  
6814 require the person to file a verified report in a form prescribed by the Administrator. The  
6815 verified report shall:

6816                   (1) State whether the person is holding property reportable under this subtitle;

6817                   (2) Describe property not previously reported or about which the Administrator  
6818 has inquired;

6819                   (3) Specifically identify property described under paragraph (2) of this subsection  
6820 about which there is a dispute about whether it is reportable under this subtitle; and

6821                   (4) State the amount or value of the property.

6822           Sec. 7059. Examination of records to determine compliance.

6823           The Administrator, at reasonable times and on reasonable notice, may:

6824                   (1) Examine the records of a person, including examination of appropriate records  
6825 in the possession of an agent of the person under examination, if the records are reasonably  
6826 necessary to determine whether the person has complied with this subtitle;

6827                   (2) Apply to the Superior Court for the issuance of a subpoena requiring the  
6828 person or agent of the person to make records available for examination; and

6829                   (3) Request that the Attorney General bring an action seeking judicial  
6830 enforcement of the subpoena.

6831           Sec. 7060. Rules for conducting examination.



(a) The Administrator shall adopt rules governing procedures and standards for an examination under section 7059, including rules for use of an estimation, extrapolation, and statistical sampling in conducting an examination.

(b) An examination under section 7059 shall be performed under rules adopted under subsection (a) of this section and with generally accepted examination practices and standards applicable to an unclaimed-property examination.

(c) If a person subject to examination under section 7059 has filed the reports required under sections 7024 and 7058 and has retained the records required by section 7027, the following rules apply:

(1) The examination shall include a review of the person's records.

(2) The examination may not be based on an estimate unless the person expressly consents in a record to the use of an estimate.

(3) The person conducting the examination shall consider the evidence presented in good faith by the person in preparing the findings of the examination under section 7064.

Sec. 7061. Records obtained in examination.

Records obtained and records, including work papers, compiled by the Administrator in the course of conducting an examination under section 7049:

(1) Are subject to the confidentiality and security provisions of Part 14 and are not public records;

(2) May be used by the Administrator in an action to collect property or otherwise enforce this subtitle;

6853                   (3) May be used in a joint examination conducted with another state, the United  
6854 States, a foreign country or subordinate unit of a foreign country, or any other governmental  
6855 entity if the governmental entity conducting the examination is legally bound to maintain the  
6856 confidentiality and security of information obtained from a person subject to examination in a  
6857 manner substantially equivalent to Part 14;

6858                   (4) Shall be disclosed, on request, to the person that administers the unclaimed  
6859 property law of another state for that state's use in circumstances equivalent to circumstances  
6860 described in this part, if the other state is required to maintain the confidentiality and security of  
6861 information obtained in a manner substantially equivalent to Part 14;

6862                   (5) Shall be produced by the Administrator under an administrative or judicial  
6863 subpoena or administrative or court order; and

6864                   (6) Shall be produced by the Administrator on request of the person subject to the  
6865 examination in an administrative or judicial proceeding relating to the property.

6866                   Sec. 7062. Evidence of unpaid debt or undischarged obligation.

6867                   (a) A record of a putative holder showing an unpaid debt or undischarged obligation is  
6868 prima facie evidence of the debt or obligation.

6869                   (b) A putative holder may establish by a preponderance of the evidence that there is no  
6870 unpaid debt or undischarged obligation for a debt or obligation described in subsection (a) of this  
6871 section or that the debt or obligation was not, or no longer is, a fixed and certain obligation of the  
6872 putative holder.

6873 (c) A putative holder may overcome prima facie evidence under subsection (a) of this  
6874 section by establishing by a preponderance of the evidence that a check, draft, or similar  
6875 instrument was:

- 6876 (1) Issued as an unaccepted offer in settlement of an unliquidated amount;  
6877 (2) Issued but later was replaced with another instrument because the earlier  
6878 instrument was lost or contained an error that was corrected;  
6879 (3) Issued to a party affiliated with the issuer;  
6880 (4) Paid, satisfied, or discharged;  
6881 (5) Issued in error;  
6882 (6) Issued without consideration;  
6883 (7) Issued but there was a failure of consideration;  
6884 (8) Voided not later than 90 days after issuance for a valid business reason set  
6885 forth in a contemporaneous record; or  
6886 (9) Issued but not delivered to the third-party payee for a sufficient reason  
6887 recorded within a reasonable time after issuance.

6888 (d) In asserting a defense under this section, a putative holder may present evidence of a  
6889 course of dealing between the putative holder and the apparent owner or of custom and practice.

6890 Sec. 7063. Failure of person examined to retain records.

6891 If a person subject to examination under section 7059 does not retain the records required  
6892 by section 7027, the Administrator may determine the value of property due using a reasonable  
6893 method of estimation based on all information available to the Administrator, including

6894 extrapolation and use of statistical sampling when appropriate and necessary, consistent with  
6895 examination procedures and standards adopted under section 7060(a) and in accord with section  
6896 7060(b).

6897       Sec. 7064. Report to person whose records were examined.

6898       At the conclusion of an examination under section 7059, the Administrator shall provide  
6899 to the person whose records were examined a complete and unredacted examination report that  
6900 specifies:

6901               (1) The work performed;

6902               (2) The property types reviewed;

6903               (3) The methodology of any estimation technique, extrapolation, or statistical  
6904 sampling used in conducting the examination;

6905               (4) Each calculation showing the value of property determined to be due; and

6906               (5) The findings of the person conducting the examination.

6907       Sec. 7065. Complaint to Administrator about conduct of person conducting examination.

6908       (a) If a person subject to examination under section 7059 believes the person conducting  
6909 the examination has made an unreasonable or unauthorized request or is not proceeding  
6910 expeditiously to complete the examination, the person in a record may ask the Administrator to  
6911 intervene and take appropriate remedial action, including countermanding the request of the  
6912 person conducting the examination, imposing a time limit for completion of the examination, or  
6913 reassigning the examination to another person.

6914 (b) If a person in a record requests a conference with the Administrator to present matters  
6915 that are the basis of a request under subsection (a) of this section, the Administrator shall hold  
6916 the conference not later than 30 days after receiving the request. The Administrator may hold  
6917 the conference in person, by telephone, or by electronic means.

6918 (c) If a conference is held under subsection (b) of this section, not later than 30 days after  
6919 the conference ends, the Administrator shall provide a report in a record of the conference to the  
6920 person that requested the conference.

6921 Sec. 7066. Administrator's contract with another to conduct examination.

6922 (a) In this section, "related to the Administrator" means an individual who is:

6923 (1) The Administrator's spouse, partner in a civil union, domestic partner, or  
6924 reciprocal beneficiary;

6925 (2) The Administrator's child, stepchild, grandchild, parent, stepparent, sibling,  
6926 step-sibling, half-sibling, aunt, uncle, niece, or nephew;

6927 (3) A spouse, partner in a civil union, domestic partner, or reciprocal beneficiary  
6928 of an individual under paragraph (2) of this subsection; or

6929 (4) Any individual residing in the Administrator's household.

6930 (b) The Administrator may contract with a person to conduct an examination under this  
6931 part.

6932 (c) If the person with which the Administrator contracts under subsection (b) of this  
6933 section is:

6934 (1) An individual, the individual may not be related to the Administrator; or

6935                   (2) A business entity, the entity may not be owned in whole or in part by the  
6936 Administrator or an individual related to the Administrator.

6937                   (d) At least 60 days before assigning a person under contract with the Administrator  
6938 under subsection (b) of this section to conduct an examination, the Administrator shall demand  
6939 in a record that the person to be examined submit a report and deliver property that is previously  
6940 unreported.

6941                   (e) If the Administrator contracts with a person under subsection (b) of this section:

6942                         (1) The contract may provide for compensation of the person based on a fixed fee,  
6943 hourly fee, or contingent fee;

6944                         (2) A contingent fee arrangement may not provide for a payment that exceeds 10  
6945 percent of the amount or value of property paid or delivered as a result of the examination,  
6946 except for contracts in force on the effective date of this subtitle; and

6947                         (3) On request by a person subject to examination by a contractor, the  
6948 Administrator shall deliver to the person a complete and unredacted copy of the contract and any  
6949 contract between the contractor and a person employed or engaged by the contractor to conduct  
6950 the examination.

6951                   (f) A contract under subsection (b) of this section is subject to public disclosure without  
6952 redaction under District of Columbia Freedom of Information Act, effective March 25, 1977

6953 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

6954                   Sec. 7067. Limit on future employment.

6955           The Administrator or an individual employed by the Administrator who participates in,  
6956 recommends, or approves the award of a contract under section 7066(b) is subject to the Code of  
6957 Conduct, or other ethical rules, applicable to employees in the Office of the Chief Financial  
6958 Officer concerning post-employment conflicts of interest.

6959           Sec. 7068. Report by Administrator at request of Mayor.

6960           (a) Pursuant to a request of the Mayor, the Administrator shall compile and submit a  
6961 report containing information about property presumed abandoned for the preceding fiscal year  
6962 for the District: The information requested may include:

6963                   (1) The total amount and value of all property paid or delivered under this subtitle  
6964 to the Administrator;

6965                   (2) The name of and amount paid to each contractor under section 7066 and the  
6966 percentage the total compensation paid to all contractors under section 7066 bears to the total  
6967 amount paid or delivered to the Administrator as a result of all examinations performed under  
6968 section 7066;

6969                   (3) The total amount and value of all property paid or delivered by the  
6970 Administrator to persons that made claims for property held by the Administrator under this  
6971 subtitle and the percentage the total payments made and value of property delivered to claimants  
6972 bears to the total amounts paid and value delivered to the Administrator; and

6973                   (4) The total amount of claims made by persons claiming to be owners.

6974 (b) The report under subsection (a) of this section is a public record subject to public  
6975 disclosure without redaction under the District of Columbia Freedom of Information Act,  
6976 effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

6977 Part 11. Determination of Liability; Putative Holder Remedies

6978 Sec. 7069. Determination of liability for unreported reportable property.

6979 If the Administrator determines from an examination conducted under section 7059 that a  
6980 putative holder failed or refused to pay or deliver to the Administrator property which is  
6981 reportable under this subtitle, the Administrator shall issue a determination of the putative  
6982 holder's liability to pay or deliver and give notice in a record to the putative holder of the  
6983 determination.

6984 Sec. 7070. Informal conference.

6985 (a) Not later than 30 days after receipt of a notice under section 7069, the putative holder  
6986 may request an informal conference with the Administrator to review the determination. Except  
6987 as otherwise provided in this section, the Administrator may designate an employee to act on  
6988 behalf of the Administrator.

6989 (b) If a putative holder makes a timely request under subsection (a) of this section for an  
6990 informal conference:

6991 (1) Not later than 20 days after the date of the request, the Administrator shall set  
6992 the time and place of the conference;

6993 (2) The Administrator shall give the putative holder notice in a record of the time  
6994 and place of the conference;



6995 (3) The conference may be held in person, by telephone, or by electronic means,  
6996 as determined by the Administrator;

6997 (4) The request tolls the 90-day period under section 7071 until notice of a  
6998 decision under paragraph (7) of this subsection has been given to the putative holder or the  
6999 putative holder withdraws the request for the conference;

7000 (5) The conference may be postponed, adjourned, and reconvened as the  
7001 Administrator determines appropriate;

7002 (6) The Administrator or Administrator's designee with the approval of the  
7003 Administrator may modify a determination made under section 7069 or withdraw it; and

7004 (7) The Administrator shall issue a decision in a record and provide a copy of the  
7005 record to the putative holder and examiner not later than 20 days after the conference ends.

7006 (c) A conference under subsection (b) of this section is not an administrative remedy and  
7007 is not a contested case subject to the District of Columbia Administrative Procedure Act,  
7008 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*). An oath is not  
7009 required and rules of evidence do not apply in the conference.

7010 (d) At a conference under subsection (b) of this section, the putative holder shall be given  
7011 an opportunity to confer informally with the Administrator and the person that examined the  
7012 records of the putative holder to:

7013 (1) Discuss the determination made under section 7069; and

7014 (2) Present any issue concerning the validity of the determination.

7015 (e) If the Administrator fails to act within the period prescribed in subsection (b)(1) or (7)  
7016 of this section, the failure does not affect a right of the Administrator, except that interest does  
7017 not accrue on the amount for which the putative holder was determined to be liable under section  
7018 7069 during the period in which the Administrator failed to act until the earlier of:

7019 (1) The date the putative holder requests a hearing under section 7071; or

7020 (2) 90 days after the putative holder received notice of the Administrator's  
7021 determination under section 7069 if the putative holder did not request a hearing under section  
7022 7071.

7023 (f) The Administrator may hold an informal conference with a putative holder about a  
7024 determination under section 7069 without a request at any time before the putative holder  
7025 requests a hearing under section 7071.

7026 (g) Interest and penalties under section 7075 continue to accrue on property not reported,  
7027 paid, or delivered as required by this subtitle after the initiation, and during the pendency, of an  
7028 informal conference under this section.

7029 Sec. 7071. Review of Administrator's determination.

7030 (a) Not later than 90 days after receiving notice of the Administrator's determination  
7031 under section 7069, a putative holder may request a hearing on the Administrator's determination  
7032 by the Office of Administrative Hearings, which shall make findings of fact and conclusions of  
7033 law and render a final order in accordance with the District of Columbia Administrative  
7034 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

7035 (b) A final decision in a proceeding under subsection (a) of this section is subject to  
7036 judicial review by the District of Columbia Court of Appeals.

7037 Part 12. Enforcement

7038 Sec. 7072. Judicial action to enforce liability.

7039 (a) If a determination under section 7069 becomes final and is not subject to  
7040 administrative or judicial review, the Administrator may request that the Attorney General bring  
7041 an action in the Superior Court or in an appropriate court of another state to enforce the  
7042 determination and secure payment or delivery of past due, unpaid, or undelivered property. The  
7043 action must be brought not later than one year after the determination becomes final.

7044 (b) In an action under subsection (a) of this section, if no court in the District has  
7045 jurisdiction over the defendant, the Attorney General may commence an action in any court  
7046 having jurisdiction over the defendant.

7047 Sec. 7073. Interstate and international agreement; cooperation.

7048 (a) Subject to subsection (b) of this section, the Administrator may:

7049 (1) Exchange information with another state or foreign country relating to  
7050 property presumed abandoned or relating to the possible existence of property presumed  
7051 abandoned; and

7052 (2) Authorize in a record another state or foreign country or a person acting on  
7053 behalf of the other state or country to examine its records of a putative holder as provided in Part  
7054 10.

(b) An exchange or examination under subsection (a) of this section may be done only if the state or foreign country has confidentiality and security requirements substantially equivalent to those in Part 14 or agrees in a record to be bound by the District's confidentiality and security requirements.

Sec. 7074. Action involving another state or foreign country.

(a) The Administrator may request that the Attorney General join another state or foreign country to examine and seek enforcement of this subtitle against a putative holder.

(b) On request of another state or foreign country, the Attorney General may commence an action on behalf of the other state or country to enforce, in the District, the law of the other state or country against a putative holder subject to a claim by the other state or country, if the other state or country agrees to pay costs incurred by the Attorney General in the action.

(c) The Administrator may request the official authorized to enforce the unclaimed property law of another state or foreign country to commence an action to recover property in the other state or country on behalf of the Administrator.

(d) The Administrator may request that the Attorney General pursue an action on behalf of the District to recover property subject to this subtitle but delivered to the custody of another state if the Administrator believes the property is subject to the custody of the Administrator.

(e) The Administrator, with the approval of the Attorney General, may retain an attorney in the District, another state, or a foreign country to commence an action to recover property on behalf of the Administrator and may agree to pay attorney's fees based in whole or in part on a fixed fee, hourly fee, or a percentage of the amount or value of property recovered in the action.

7076 (f) Expenses incurred by the District in an action under this section may be paid from  
7077 property received under this subtitle or the net proceeds of the property subject to appropriations.  
7078 Expenses paid to recover property may not be deducted from the amount that is subject to a  
7079 claim under this subtitle by the owner.

7080 Sec. 7075. Interest and penalty for failure to act in timely manner.

7081 (a) A holder that fails to report, pay, or deliver property within the time prescribed by this  
7082 subtitle shall pay to the Administrator interest at 10% per year on the property or value of the  
7083 property from the date the property should have been reported, paid, or delivered to the  
7084 Administrator until the date reported, paid, or delivered.

7085 (b) Except as otherwise provided in section 7076 or 7077, the Administrator may require  
7086 a holder that fails to report, pay, or deliver property within the time prescribed by this subtitle to  
7087 pay to the Administrator, in addition to interest included under subsection (a) of this section, a  
7088 civil penalty of \$200 for each day the duty is not performed, up to a cumulative maximum  
7089 amount of \$5,000.

7090 Sec. 7076. Other civil penalties.

7091 (a) If a holder enters into a contract or other arrangement for the purpose of evading an  
7092 obligation under this subtitle or otherwise willfully fails to perform a duty imposed on the holder  
7093 under this subtitle, the Administrator may require the holder to pay the Administrator, in addition  
7094 to interest as provided in section 7075(a), a civil penalty of \$1,000 for each day the obligation is  
7095 evaded or the duty is not performed, up to a cumulative maximum amount of \$25,000, plus 25

percent of the amount or value of property that should have been but was not reported, paid, or delivered as a result of the evasion or failure to perform.

(b) If a holder makes a fraudulent report under this subtitle, the Administrator may require the holder to pay to the Administrator, in addition to interest under section 7075(a), a civil penalty of \$1,000 for each day from the date the report was made until corrected, up to a cumulative maximum of \$25,000, plus 25 percent of the amount or value of any property that should have been reported but was not included in the report or was underreported.

Sec. 7077. Waiver of interest and penalty.

The Administrator:

(1) May waive, in whole or in part, interest under section 7075(a) and penalties under section 7075(b) or 7076; and

(2) Shall waive a penalty under section 7075(b) if the Administrator determines that the holder acted in good faith and without negligence.

Sec. 7078. Right to administrative hearing; entry of civil judgment by Superior Court.

(a) A holder is entitled to a hearing on the Administrator's imposition of a civil penalty or interest under section 7075 or a civil penalty under section 7076 by the Office of Administrative Hearings, which shall make findings of fact and conclusions of law and render a final order in accordance with the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1245; D.C. Official Code § 2-501 *et seq.*).

(b) The Administrator may cause a final order requiring a holder to pay a civil penalty, interest, or costs entered by the Office of Administrative Hearings under subsection (c) of this

7117 section as a judgment against the holder by requesting that the Attorney General file an action to  
7118 enter the civil penalty, interest, or costs to as a civil judgment.

7119 Part 13. Agreement to Locate Property of Apparent Owner Held by Administrator

7120 Sec. 7079. When agreement to locate property enforceable.

7121 An agreement by an apparent owner and another person, the primary purpose of which is  
7122 to locate, deliver, recover, or assist in the location, delivery, or recovery of property held by the  
7123 Administrator, is enforceable only if the agreement:

7124 (1) Is in a record that clearly states the nature of the property and the services to  
7125 be provided;

7126 (2) Is signed by or on behalf of the apparent owner; and

7127 (3) States the amount or value of the property reasonably expected to be  
7128 recovered, computed before and after a fee or other compensation to be paid to the person has  
7129 been deducted.

7130 Sec. 7080. When agreement to locate property void.

7131 (a) Subject to subsection (b) of this section, an agreement under section 7079 is void if it  
7132 is entered into during the period beginning on the date the property was paid or delivered by a  
7133 holder to the Administrator and ending 24 months after the payment or delivery.

7134 (b) If a provision in an agreement described in subsection (a) of this section applies to  
7135 mineral proceeds for which compensation is to be paid to the other person based in whole or in  
7136 part on a part of the underlying minerals or mineral proceeds not then presumed abandoned, the  
7137 provision is void regardless of when the agreement was entered into.

7138           (c) An agreement under subsection (a) of this section that provides for compensation in  
7139   an amount that is unconscionable is unenforceable except by the apparent owner. An apparent  
7140   owner that believes the compensation the apparent owner has agreed to pay is unconscionable  
7141   may file an action in the Superior Court to reduce the compensation to the maximum amount that  
7142   is not unconscionable.

7143           (d) An apparent owner may assert that an agreement described in this section is void on a  
7144   ground other than it provides for payment of unconscionable compensation.

7145           (e) This section does not apply to an apparent owner's agreement with an attorney to  
7146   pursue a claim for recovery of specifically identified property held by the Administrator or to  
7147   contest the Administrator's denial of a claim for recovery of the property.

7148           Sec.7081. Right of agent of apparent owner to recover property held by Administrator.

7149           (a) An apparent owner that contracts with another person to locate, deliver, recover, or  
7150   assist in the location, delivery, or recovery of property of the apparent owner which is held by  
7151   the Administrator may designate the person as the agent of the apparent owner. The designation  
7152   must be in a record signed by the apparent owner.

7153           (b) The Administrator shall give the agent of the apparent owner all information  
7154   concerning the property which the apparent owner is entitled to receive, including information  
7155   that otherwise is confidential information under section 7083.

7156           (c) If authorized by the apparent owner, the agent of the apparent owner may bring an  
7157   action against the Administrator on behalf of and in the name of the apparent owner.

7158           Part 14. Confidentiality and Security of Information



7159           Sec. 7082. Definitions; applicability.

7160           (a) In this part, “personal information” means:

7161                   (1) Information that identifies or reasonably can be used to identify an individual,  
7162 such as first and last name in combination with the individual’s:

7163                           (A) Social security number or other government-issued number or  
7164 identifier;

7165                           (B) Date of birth;

7166                           (C) Home or physical address;

7167                           (D) Electronic-mail address or other online contact information or Internet  
7168 provider address;

7169                           (E) Financial account number or credit or debit card number;

7170                           (F) Biometric data, health or medical data, or insurance information; or

7171                           (G) Passwords or other credentials that permit access to an online or other  
7172 account;

7173                   (2) Personally identifiable financial or insurance information, including nonpublic  
7174 personal information defined by applicable federal law; and

7175                   (3) Any combination of data that, if accessed, disclosed, modified, or destroyed  
7176 without authorization of the owner of the data or if lost or misused, would require notice or  
7177 reporting under D.C. Official Code §§ 28-3851 to 28-3864. and federal privacy and data security  
7178 law, whether or not the Administrator or the Administrator’s agent is subject to the law.

7179 (b) A provision of this part that applies to the Administrator or the Administrator's  
7180 records applies to an Administrator's agent.

7181 Sec. 7083. Confidential information.

7182 (a) Except as otherwise provided in this subtitle, the following are confidential and  
7183 exempt from public inspection or disclosure:

7184 (1) Records of the Administrator and the Administrator's agent related to the  
7185 administration of this subtitle;

7186 (2) Reports and records of a holder in the possession of the Administrator or the  
7187 Administrator's agent; and

7188 (3) Personal information and other information derived or otherwise obtained by  
7189 or communicated to the Administrator or the Administrator's agent from an examination under  
7190 this subtitle of the records of a person.

7191 (b) A record or other information that is confidential under law of the District other than  
7192 this subtitle, another state, or the United States continues to be confidential when disclosed or  
7193 delivered under this subtitle to the Administrator or Administrator's agent.

7194 Sec. 7084. When confidential information may be disclosed.

7195 (a) When reasonably necessary to enforce or implement this subtitle, the Administrator  
7196 may disclose confidential information concerning property held by the Administrator or the  
7197 Administrator's agent only to:

7198                   (1) An apparent owner or the apparent owner's personal representative, attorney,  
7199 other legal representative, relative, or agent designated under section 7081 to have the  
7200 information;

7201                   (2) The personal representative other legal representative, relative of a deceased  
7202 apparent owner, agent designated under section 7081 by the deceased apparent owner, or a  
7203 person entitled to inherit from the deceased apparent owner;

7204                   (3) Another department or agency of the District or the United States;

7205                   (4) The person that administers the unclaimed property law of another state, if the  
7206 other state accords substantially reciprocal privileges to the Administrator of the District if the  
7207 other state is required to maintain the confidentiality and security of information obtained in a  
7208 manner substantially equivalent to Part 14;

7209                   (5) A person subject to an examination as required by section 7061(6).

7210                   (b) Except as otherwise provided in section 7083(a), the Administrator shall include on  
7211 the website or in the database required by section 7031(c)(2) the name of each apparent owner of  
7212 property held by the Administrator. The Administrator may include in published notices, printed  
7213 publications, telecommunications, the Internet, or other media and on the website or in the  
7214 database additional information concerning the apparent owner's property if the Administrator  
7215 believes the information will assist in identifying and returning property to the owner and does  
7216 not disclose personal information except the home or physical address of an apparent owner.

7217 (c) The Administrator and the Administrator's agent may not use confidential  
7218 information provided to them or in their possession except as expressly authorized by this  
7219 subtitle or required by law other than this subtitle.

7220 Sec. 7085. Confidentiality agreement.

7221 A person to be examined under section 7059 may require, as a condition of disclosure of  
7222 the records of the person to be examined, that each person having access to the records disclosed  
7223 in the examination execute and deliver to the person to be examined a confidentiality agreement  
7224 that:

7225 (1) Is in a form that is reasonably satisfactory to the Administrator; and

7226 (2) Requires the person having access to the records to comply with the provisions of this  
7227 part applicable to the person.

7228 Sec. 7086. No confidential information in notice.

7229 Except as otherwise provided in sections 7029 and 7030, a holder is not required under  
7230 this subtitle to include confidential information in a notice the holder is required to provide to an  
7231 apparent owner under this subtitle.

7232 Sec. 7087. Security of information.

7233 (a) If a holder is required to include confidential information in a report to the  
7234 Administrator, the information must be provided by a secure means.

7235 (b) If confidential information in a record is provided to and maintained by the  
7236 Administrator or Administrator's agent as required by this subtitle, the Administrator or agent  
7237 shall:

7238                   (1) Implement administrative, technical, and physical safeguards to protect the  
7239 security, confidentiality, and integrity of the information required by D.C. Official Code §§ 28-  
7240 3851 to 28-3864 and federal privacy and data security law whether or not the Administrator or  
7241 the Administrator's agent is subject to the law;

7242                   (2) Protect against reasonably anticipated threats or hazards to the security,  
7243 confidentiality, or integrity of the information; and

7244                   (3) Protect against unauthorized access to or use of the information which could  
7245 result in substantial harm or inconvenience to a holder or the holder's customers, including  
7246 insureds, annuitants, and policy or contract owners and their beneficiaries.

7247           (c) The Administrator:

7248                   (1) After notice and comment, shall adopt and implement a security plan that  
7249 identifies and assesses reasonably foreseeable internal and external risks to confidential  
7250 information in the Administrator's possession and seeks to mitigate the risks; and

7251                   (2) Shall ensure that an Administrator's agent adopts and implements a similar  
7252 plan with respect to confidential information in the agent's possession.

7253           (d) The Administrator and the Administrator's agent shall educate and train their  
7254 employees regarding the plan adopted under subsection (c) of this section.

7255           (e) The Administrator and the Administrator's agent shall in a secure manner return or  
7256 destroy all confidential information no longer reasonably needed under this subtitle.

7257           Sec. 7088. Security breach.

7258 (a) Except to the extent prohibited by law other than this subtitle, the Administrator or  
7259 Administrator's agent shall notify a holder as soon as practicable of:

7260 (1) A suspected loss, misuse or unauthorized access, disclosure, modification, or  
7261 destruction of confidential information obtained from the holder in the possession of the  
7262 Administrator or an Administrator's agent; and

7263 (2) Any interference with operations in any system hosting or housing  
7264 confidential information which:

7265 (A) Compromises the security, confidentiality, or integrity of the  
7266 information; or

7267 (B) Creates a substantial risk of identity fraud or theft.

7268 (b) Except as necessary to inform an insurer, attorney, investigator, or others as required  
7269 by law, the Administrator and an Administrator's agent may not disclose, without the express  
7270 consent in a record of the holder, an event described in subsection (a) of this section to a person  
7271 whose confidential information was supplied by the holder.

7272 (c) If an event described in subsection (a) of this section occurs, the Administrator and  
7273 the Administrator's agent shall:

7274 (1) Take action necessary for the holder to understand and minimize the effect of  
7275 the event and determine its scope; and

7276 (2) Cooperate with the holder with respect to:

7277 (A) Any notification required by law concerning a data or other security  
7278 breach; and

7279 (B) A regulatory inquiry, litigation, or similar action.

7280 Sec. 7089. Indemnification for breach by agent.

7281 (a) If a claim is made or action commenced arising out of an event described in section

7282 7088(a) relating to confidential information possessed by an Administrator's agent, the

7283 Administrator's agent shall indemnify, defend, and hold harmless a holder and the holder's

7284 affiliates, officers, directors, employees, and agents as to:

7285 (1) Any claim or action and

7286 (2) A liability, obligation, loss, damage, cost, fee, penalty, fine, settlement,

7287 charge, or other expense, including reasonable attorney's fees and costs, established by the claim

7288 or action.

7289 (b) The Administrator shall require an Administrator's agent that will receive confidential

7290 information required under this subtitle to maintain adequate insurance for indemnification

7291 obligations of the Administrator's agent under subsection (a) of this section. The agent required

7292 to maintain the insurance shall provide evidence of the insurance to:

7293 (1) The Administrator not less frequently than annually; and

7294 (2) The holder on commencement of an examination and annually thereafter until

7295 all confidential information is returned or destroyed under section 7087(e).

7296 Part 15. Miscellaneous Provisions

7297 Sec. 7090. Uniformity of application and construction.

7298 In applying and construing this uniform act consideration must be given to the need to

7299 promote uniformity of the law with respect to its subject matter among states that enact it.

7300           Sec. 7091. Relation to electronic signatures in global and national commerce act.

7301           This subtitle modifies, limits, or supersedes the Electronic Signatures in Global and  
7302 National Commerce Act, 15 U.S.C. § 7001 *et seq.*, but does not modify, limit, or supersede  
7303 section 101(c) of that act, 15 U.S.C. § 7001(c), or authorize electronic delivery of any of the  
7304 notices described in section 103(b) of that act, 15 U.S.C. § 7003(b).

7305           Sec. 7092. Transitional provision.

7306           (a) An initial report filed under this subtitle for property that was not required to be  
7307 reported before the effective date of this subtitle, but that is required to be reported under this  
7308 subtitle, must include all items of property that would have been presumed abandoned during the  
7309 10-year period preceding the effective date of this subtitle as if this subtitle had been in effect  
7310 during that period.

7311           (b) This subtitle does not relieve a holder of a duty that arose before the effective date of  
7312 this subtitle to report, pay, or deliver property. Subject to section 7042(b) and (c), a holder that  
7313 did not comply with the law governing unclaimed property before the effective date of this  
7314 subtitle is subject to applicable provisions for enforcement and penalties in effect before the  
7315 effective date of this subtitle.

7316           Sec. 7093. Conforming amendments.

7317           (a) Upon the applicability of the Revised Uniform Unclaimed Property Act of 2021, as  
7318 approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285),  
7319 (“Revised Uniform Unclaimed Property Act of 2021”):



7320                   (1) The Uniform Disposition of Unclaimed Property Act of 1980, effective March  
7321   5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-101 *et seq.*), is repealed; and

7322

7323                   (2) All funds in the trust fund established under section 123 of the Uniform  
7324   Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C.  
7325   Official Code § 41-123), shall be transferred to the Unclaimed Property Account, established  
7326   under section 7048(a) of the Revised Uniform Unclaimed Property Act of 2021.

7327                   (b) Section 204(a) of Title II of the District of Columbia Administrative Procedure Act,  
7328   effective March 29, 1977 (D.C. Law 1-96; D. C. Official Code § 2-534(a)), is amended as  
7329   follows:

7330                   (1) The first paragraph (17), is amended by striking the period at the end and  
7331   inserting a semicolon in its place.

7332                   (2) The second paragraph (17), is redesignated as paragraph (18).

7333                   (3) The redesignated paragraph (18) is amended by striking the period and  
7334   inserting the phrase “; and” in its place.

7335                   (4) A new paragraph (19) is added to read as follows:

7336                   “(19) Information exempt from disclosure under Part 14 of the Revised Uniform  
7337   Unclaimed Property Act of 2021, approved by the Committee of the Whole on July 20, 2021  
7338   (Committee print of Bill 24-285).”.

7339 (c) Section 6 of the Office of Administrative Hearings Establishment Act of 2001,  
7340 effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by  
7341 adding a new subsection (b-29) to read as follows:

7342 “(b-29) This act shall apply to all adjudicated cases authorized by sections 7071 and 7073  
7343 of the Revised Uniform Unclaimed Property Act of 2021, as introduced on May 27, 2021.”.

7344 (d) Chapter V of the Life Insurance Act, approved June 19, 1934 (48 Stat. 1156; D.C.  
7345 Official Code § 31-4701 *et seq.*), is amended by adding a new section 31 to read as follows:

7346 “Sec. 31. Duty of insurers to compare names of insureds with death master file and to  
7347 locate beneficiaries.

7348 “(a) For purposes of this section:

7349 “(1) “Contract” means an annuity contract. The term “contract” does not include  
7350 an annuity used to fund an employment-based retirement plan or program if:

7351 “(A) The insurer does not perform the record keeping services; or

7352 “(B) The insurer is not committed by terms of the annuity contract to pay  
7353 death benefits to the beneficiaries of specific plan participants.

7354 “(2) “Death master file” means the United States Social Security Administration  
7355 Death Master File or other database or service that is at least as comprehensive as the United  
7356 States Social Security Administration Death Master File for determining that an individual  
7357 reportedly has died.

7358                   “(3) “Death master file match” means a search of the death master file that results  
7359 in a match of the Social Security number or the name and date of birth of an insured, annuity  
7360 owner, or retained asset account holder.

7361                   “(4) “Knowledge of death” means:

7362                               “(A) Receipt of an original or valid copy of a certified death certificate; or

7363                               “(B) A death master file match validated by the insurer in accordance with  
7364 subsection (b)(1)(A).

7365                   “(5) “Policy” means any policy or certificate of life insurance that provides a  
7366 death benefit. The term “policy” does not include:

7367                               “(A) A policy or certificate of life insurance that provides a death benefit  
7368 under an employee benefit plan:

7369                                       “(i) Subject to the Employee Retirement Income Security Act of  
7370 1974, approved September 2, 1974 (88 Stat. 832; 29 U.S.C. § 1001 *et seq.*); or

7371                                       “(ii) Under any federal employee benefit program;

7372                               “(B) A policy or certificate of life insurance that is used to fund a pre-need  
7373 funeral contract or prearrangement;

7374                               “(C) A policy or certificate of credit life or accidental death insurance; or

7375                               “(D) A policy issued to a group master policyholder for which the insurer  
7376 does not provide record keeping services.

7377                   “(6) “Record keeping services” means those services which the insurer has agreed  
7378 with a group policy or contract customer to be responsible for obtaining, maintaining, and

7379 administering in its own or its agents' systems information about each individual insured under  
7380 an insured's group insurance contract, or a line of coverage thereunder, at least the following  
7381 information:

7382                               “(A) Social Security number or name and date of birth;

7383                               “(B) Beneficiary designation information;

7384                               “(C) Coverage eligibility;

7385                               “(D) Benefit amount; and

7386                               “(E) Premium payment status.

7387                               “(7) “Retained asset account” means a mechanism whereby the settlement of  
7388 proceeds payable under a policy or contract is accomplished by the insurer or an entity acting on  
7389 behalf of the insurer depositing the proceeds into an account with check or draft writing  
7390 privileges, if those proceeds are retained by the insurer or its agent, pursuant to a supplementary  
7391 contract not involving annuity benefits other than death benefits.

7392                               “(b)(1) An insurer shall perform a comparison of its insureds' in-force policies, contracts,  
7393 and retained asset accounts against a death master file, on at least a semi-annual basis, by using  
7394 the full death master file once and thereafter using the death master file update files for future  
7395 comparisons to identify potential matches of its insureds. For those potential matches identified  
7396 as a result of a death master file match, the insurer shall within 90 days of a death master file  
7397 match:

7398                   “(A) Complete a good faith effort, which shall be documented by the  
7399 insurer, to confirm the death of the insured or retained asset account holder against other  
7400 available records and information;

7401                   “(B) Determine whether benefits are due in accordance with the applicable  
7402 policy or contract; and if benefits are due in accordance with the applicable policy or contract:

7403                   “(i) Use good faith efforts, which shall be documented by the  
7404 insurer, to locate the beneficiary or beneficiaries; and

7405                   “(ii) Provide the appropriate claims forms or instructions to the  
7406 beneficiary or beneficiaries to make a claim including the need to provide an official death  
7407 certificate, if applicable under the policy or contract.

7408                   “(2) With respect to group life insurance, insurers are required to confirm the  
7409 possible death of an insured when the insurers maintain at least the following information of  
7410 those covered under a policy or certificate:

7411                   “(A) Social Security number or name and date of birth;  
7412                   “(B) Beneficiary designation information;  
7413                   “(C) Coverage eligibility;  
7414                   “(D) Benefit amount; and  
7415                   “(E) Premium payment status.

7416                   “(3) Every insurer shall implement procedures to account for:

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7417                   “(A) Common nicknames, initials used in lieu of a first or middle name,  
7418 use of a middle name, compound first and middle names, and interchanged first and middle  
7419 names;

7420                   “(B) Compound last names, maiden or married names, and hyphens, blank  
7421 spaces or apostrophes in last names;

7422                   “(C) Transposition of the “month” and “date” portions of the date of birth;  
7423 and

7424                   “(D) Incomplete Social Security numbers.

7425                   “(4) To the extent permitted by law, the insurer may disclose minimum necessary  
7426 personal information about the insured or beneficiary to a person who the insurer reasonably  
7427 believes may be able to assist the insurer locate the beneficiary or a person otherwise entitled to  
7428 payment of the claims proceeds.

7429                   “(c) An insurer or its service provider shall not charge any beneficiary or other authorized  
7430 representative for any fees or costs associated with a death master file search or verification of a  
7431 death master file match conducted pursuant to this section.

7432                   “(d) The benefits from a policy, contract or a retained asset account, plus any applicable  
7433 accrued contractual interest shall first be payable to the designated beneficiaries or owners and in  
7434 the event said beneficiaries or owners cannot be found, shall be transferred to the Unclaimed  
7435 Property Administrator as unclaimed property pursuant to the Revised Uniform Unclaimed  
7436 Property Act of 2021, approved by the Committee of the Whole on July 20, 2021 (Committee

print of Bill 24-285) (“Revised Uniform Unclaimed Property Act of 2021”). Interest payable under District of Columbia Official Code § 28-3302 shall not be payable as unclaimed property.

“(e) Pursuant to section 7014 of the Revised Uniform Unclaimed Property Act of 2021, an insurer shall notify the Unclaimed Property Administrator upon the expiration of the statutory time period for abandoned property that:

“(1) A policy or contract beneficiary or retained asset account holder has not submitted a claim with the insurer; and

“(2) The insurer has complied with subsection (b) of this section and has been unable, after good faith efforts documented by the insurer, to contact the retained asset account holder, beneficiary or beneficiaries

“(f) Upon such notice, an insurer shall immediately submit the unclaimed policy or contract benefits or unclaimed retained asset accounts, plus any applicable accrued interest, to the Unclaimed Property Administrator pursuant section 7014 of to the Revised Uniform Unclaimed Property Act of 2021.

“(g) Failure to meet any requirement of this section with such frequency as to constitute a general business practice is a violation of a law of the District under section 6 of this act. Nothing herein shall be construed to create or imply a private cause of action for a violation of this section.”.

#### **SUBTITLE B. PAYGO CAPITAL FUNDING**

Sec. 7101. Short title.

This subtitle may be cited as the “Paygo Capital Funding Amendment Act of 2021”.

7458

7459           Sec. 7102. Section 47-392.02(f) of the District of Columbia Official Code is amended as  
7460 follows:

7461           (a) The lead-in language is amended by striking the phrase “Local funds revenue  
7462 transfer” and inserting the phrase “Transfer of local or dedicated funds” in its place.

7463           (b) Paragraph (2) is amended as follows:

7464                   (1) Strike the phrase “local funds transfer” and insert the phrase “transfer of local  
7465 or dedicated funds” in its place.

7466                   (2) Strike the phrase “Fiscal Year 2020” and insert the phrase “Fiscal Year 2020  
7467 (“minimum transfer amount”); except, that in Fiscal Year 2025, the minimum transfer amount  
7468 shall be \$206 million” in its place.

7469           (c) Paragraph (3) is amended by striking the phrase “minimum local funds transfer” both  
7470 times it appears and inserting the phrase “minimum transfer amount” in its place.

7471           **SUBTITLE C. MAKING UNEMPLOYMENT COMPENSATION NONTAXABLE**

7472           Sec. 7111. Short title.

7473           This subtitle may be cited as the “Making Unemployment Compensation Nontaxable  
7474 Amendment Act of 2021”.

7475           Sec. 7112. Section 47-1803.02(a)(2) of the District of Columbia Official Code is  
7476 amended by adding a new subparagraph (LL) to read as follows:

7477                   “(LL) For taxable years beginning after December 31, 2020, unemployment  
7478 insurance benefits provided by the District or any other state, including:



7479 (i) District-funded benefits paid pursuant to Subchapter I of Title 51 or a  
7480 similar program in another state, including any extension of such benefits;  
7481 (ii) Fully or partially federally funded benefits paid pursuant to temporary  
7482 or permanent unemployment benefits programs, including Federal Pandemic Unemployment  
7483 Compensation (15 U.S.C. § 9023); and  
7484 (iii) Benefits paid pursuant to special programs, including Disaster  
7485 Unemployment Assistance (42 U.S.C. § 5177) or Pandemic Unemployment Assistance (15  
7486 U.S.C. § 9021) to individuals who do not qualify for regular unemployment insurance benefits.”.

7487 **SUBTITLE D. DCRB EXECUTIVE LEADERSHIP**

7488 Sec. 7121. Short title.

7489 This subtitle may be cited as the “District of Columbia Retirement Board Executive  
7490 Leadership Amendment Act of 2021”.

7491 Sec. 7122. Section 121 of the District of Columbia Retirement Reform Act, approved  
7492 November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711), is amended as follows:

7493 (a) Subsection (c)(1) is amended as follows:

7494 (1) Strike the phrase “exceed \$10,000.” and insert the phrase “exceed:” in its  
7495 place.

7496 (2) New subparagraphs (A) and (B) are added to read as follows:

7497 “(A) Beginning in Fiscal Year 2021, \$25,000 for the Chairperson of the  
7498 Board; and

7499 “(B) Beginning in Fiscal Year 2021, \$15,000 for each member entitled to  
7500 compensation under this paragraph other than the Chairperson.”.

7501 (b) Subsection (g)(2) is amended by adding a new subparagraph (D) to read as follows:

7502 “(D) Notwithstanding any other provision of law, the annual salary of the  
7503 Executive Director shall be fixed by the Board as it considers necessary at a rate not to exceed  
7504 135% of the highest step of Grade E5 of the Executive Service.”.

7505 **SUBTITLE E. TAX ABATEMENTS FOR AFFORDABLE HOUSING**

7506 Sec. 7131. Short title.

7507 This subtitle may be cited as the “Tax Abatements for Affordable Housing in High-Need  
7508 Areas Amendment Act of 2021”.

7509 Sec. 7132. Section 2062(b) of the Fiscal Year 2021 Budget Support Act of 2020, effective  
7510 December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 47-859.06) is amended by striking  
7511 the phrase “and shall not exceed \$4 million annually thereafter” and inserting the phrase “and for  
7512 every fiscal year thereafter shall be a minimum of \$4 million, increased annually by 4% starting  
7513 in Fiscal Year 2026” in its place.

7514 **SUBTITLE F. EVENTS DC**

7515 Sec. 7141. Short title.

7516 This subtitle may be cited as the “Events DC Grant-Making Act of 2021”.

7517 Sec. 7142. National Cherry Blossom Festival Fundraising.

7518 (a) There is established a matching grant program to support the 2022 National  
7519 Cherry Blossom Festival (“Program”), which shall be administered by the Washington

7520 Convention and Sports Authority (“Events DC”). Under the Program, a matching grant  
7521 shall be awarded to a nonprofit organization that organizes and produces an event or  
7522 events as part of the official, month-long National Cherry Blossom Festival (“Festival”)  
7523 of up to \$1,000,000 for every dollar above \$1,000,000 that the organization has raised in  
7524 corporate donations by March 31, 2022.

7525 (b) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Account,  
7526 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by  
7527 subsection (a) of this section.

7528 (c) A grant awarded pursuant to this section shall be in addition to any other grant  
7529 awarded by Events DC in support of the Festival.

7530 Sec. 7143. Youth and Science Museum Grant.

7531 (a) The Washington Convention and Sports Authority (“Events DC”) shall  
7532 administer a grant to support a museum geared toward youth and science in the  
7533 Downtown Business Improvement District established by Section 201 of the Business  
7534 Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C.  
7535 Official Code § 2-1215.51).

7536 (b) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Account,  
7537 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by  
7538 subsection (a) of this section.

7539 (c) A grant awarded pursuant to this section shall be in addition to any other grant  
7540 awarded by Events DC in support of a museum geared toward youth and science.

7541           Sec. 7144. The lead-in language of section 204(m) of the Washington Convention Center  
7542 Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code §  
7543 10-1202.04(m)), is amended by striking the phrase “Fiscal Year 2020 or Fiscal Year 2021” and  
7544 inserting the phrase “Fiscal Year 2021 or Fiscal Year 2022” in its place.

7545           **SUBTITLE G. EXCLUDED WORKER PAYMENT**

7546           Sec. 7151. Short title.

7547           This subtitle may be cited as the “Excluded Worker Payment Amendment Act of 2021”.

7548           Sec. 7152. The lead-in language of section 203a(a) of the Washington Convention Center  
7549 Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code §  
7550 10-1202.03a(a)), is amended to read as follows:

7551           “(a) The Washington Convention and Sports Authority shall issue, subject to the  
7552 availability of funds, grants or contracts to nonprofit entities to use to provide cash assistance to  
7553 District residents who are otherwise excluded from District and federal aid related to COVID-19.  
7554 To qualify for cash assistance from grants or contracts awarded pursuant to this section, a  
7555 District resident shall:”.

7556           Sec. 7153. Section 47-1803.02(a)(2)(JJ) of the District of Columbia Official Code is  
7557 amended to read as follows:

7558                           “(JJ) Cash assistance for excluded workers given pursuant to grants  
7559 awarded by the Washington Convention and Sports Authority in 2020, 2021, and 2022.”.

7560           **SUBTITLE H. COUNCIL PERIOD 24 RULE 736 AND OTHER REPEALS**

7561           Sec. 7161. Short title.

7562           This subtitle may be cited as the “Council Period 24 Rule 736 and Other Repeals  
7563 Amendment Act of 2021”.

7564           Sec. 7162. Section 5(b)(1) of the District of Columbia Public Emergency Act of 1980,  
7565 effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(1)), is repealed.

7566           Sec. 7163. The Trash Compactor Tax Incentive Act of 2014, effective March 11, 2015  
7567 (D.C. Law 20-223; 62 DCR 227), is repealed.

7568           Sec. 7164. The Public School Health Services Amendment Act of 2017, effective  
7569 February 17, 2018 (D.C. Law 22-61; 65 DCR 127), is repealed.

7570           Sec. 7165. The Maternal Mental Health Task Force Act of 2018, effective July 17, 2018  
7571 (D.C. Law 22-139; 65 DCR 5966), is repealed.

7572           Sec. 7166. The Hearing Aid Assistance Program Act of 2018, effective July 27, 2018  
7573 (D.C. Law 22-151; 65 DCR 6123), is repealed.

7574           Sec. 7167. The Traffic and Parking Ticket Penalty Amendment Act of 2018, effective  
7575 October 30, 2018 (D.C. Law 22-175; 65 DCR 9546), is repealed.

7576           Sec. 7168. The Save Good Food Amendment Act of 2018, effective February 22, 2019  
7577 (D.C. Law 22-212; 65 DCR 12927), is repealed.

7578           Sec. 7169. The Rental Housing Smoke Free Common Area Amendment Act of 2018,  
7579 effective March 22, 2019 (D.C. Law 22-260; 66 DCR 1370), is repealed.

7580           Sec. 7170. The Paperwork Reduction and Data Collection Act of 2018, effective March  
7581 22, 2019 (D.C. Law 22-264; 66 DCR 1388), is repealed.

7582           Sec. 7171. The District Historical Records Advisory Board Amendment Act of 2018,  
7583 effective March 28, 2019 (D.C. Law 22-271; 66 DCR 1446), is repealed.

7584           Sec. 7172. The Language Access for Education Amendment Act of 2018, effective April  
7585 11, 2019 (D.C. Law 22-282; 66 DCR 1606), is repealed.

7586           Sec. 7173. The Disabled Veterans Homestead Exemption Act of 2018, effective April 11,  
7587 2019 (D.C. Law 22-283; 66 DCR 1615), is repealed.

7588           Sec. 7174. The Safe Disposal of Pharmaceuticals Amendment Act of 2018, effective  
7589 April 11, 2019 (D.C. Law 22-285; 66 DCR 1621), is repealed.

7590           Sec. 7175. The D.C. Healthcare Alliance Reform Amendment Act of 2019, effective  
7591 September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

7592           **SUBTITLE I. SUBJECT-TO-APPROPRIATIONS REPEALS AND**  
7593 **MODIFICATIONS**

7594           Sec. 7181. Short title.

7595           This subtitle may be cited as the “Subject to Appropriations Repeals and Modifications  
7596 Amendment Act of 2021”.

7597           Sec. 7182. Section 10(a) of the Campaign Finance Reform Amendment Act of 2018,  
7598 effective March 13, 2019 (D.C. Law 22-250; 66 DCR 985), is amended to read as follows:

7599           “(a) Sections 6(b)(4), (8), and (22), and (pp)(8) and (9) shall not apply to contracts, as  
7600 defined in section 101(10C)(A)(ii) of the Board of Ethics and Government Accountability

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7601 Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27,  
7602 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10C)(A)(ii)), including those contracts’  
7603 option periods or similar contract extensions or modifications, sought, entered into, or executed  
7604 before November 9, 2022.”.

7605       Sec. 7183. Section 5 of the Public Restroom Facilities Installation and Promotion Act of  
7606 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is repealed.

7607       Sec. 7184. Section 4 of the Care for LGBTQ Seniors and Seniors with HIV Amendment  
7608 Act of 2020, effective December 23, 2020 (D.C. Law 23-154; 67 DCR 13244), is repealed.

7609       Sec. 7185. Section 3 of the Autonomous Vehicles Testing Program Amendment Act of  
7610 2020, effective December 23, 2020 (D.C. Law 23-156; 67 DCR 13048), is repealed.

7611       Sec. 7186. Section 5 of the Dementia Training for Direct Care Workers Support  
7612 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-201; 67 DCR 14750), is  
7613 repealed.

7614       Sec. 7187. Section 3 of the Helping Children Impacted by Parental Incarceration  
7615 Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-278; 68 DCR 1154), is  
7616 repealed.

7617       Sec. 7188. Section 3 of the MLK Gateway Real Property Tax Abatement Amendment  
7618 Act of 2019, effective January 10, 2020 (D.C. Law 23-46; 66 DCR 15345), is repealed.

7619       Sec. 7189. Section 4 of the Postpartum Coverage Expansion Amendment Act of 2020,  
7620 effective October 20, 2020 (D.C. Law 23-132; 67 DCR 9887), is repealed.

7621           Sec. 7190. Section 3 of the Office for the Deaf, DeafBlind, and Hard of Hearing  
7622 Establishment Amendment Act of 2021, effective December 8, 2020 (D.C. Law 23-152; 67 DCR  
7623 12254), is repealed.

7624           Sec. 7191. Section 301 of the Commission on Poverty Establishment Amendment Act of  
7625 2020, effective March 16, 2021 (D.C. Law 23-184; 68 DCR 1220), is repealed.

7626           Sec. 7192. Section 5(A) of the Residential Housing Environmental Safety Amendment  
7627 Act of 2020, effective March 16, 2021 (D.C. Law 23-188; 68 DCR 1227), is amended as  
7628 follows:

7629           (a) Subsection (a) is amended by striking the phrase “This act” and inserting the phrase  
7630 “Sections 2 and 3” in its place.

7631           (b) Subsection (c)(2) is amended by striking the phrase “this act” and inserting the phrase  
7632 “the provisions identified in subsection (a) of this section” in its place.

7633           Sec. 7193. Section 3 of the Psychology Interjurisdictional Compact Act of 2020,  
7634 effective March 16, 2021 (D.C. Law 23-190; 68 DCR 16), is repealed.

7635           Sec. 7194. Section 301 of the Addressing Dyslexia and Other Reading Difficulties  
7636 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-191; 68 DCR 115), is  
7637 repealed.

7638           Sec. 7195. Section 4 of the Initiative and Referendum Process Improvement Amendment  
7639 Act of 2020, effective March 16, 2021 (D.C. Law 23-192; 68 DCR 1073), is repealed.

7640           Sec. 7196. Section 3 of the Energy Efficiency Standards Amendment Act of 2020,  
7641 effective March 16, 2021 (D.C. Law 23-195; 68 DCR 39), is amended as follows:



(a) Subsection (a) is amended by striking the phrase “one year after the date described in subsection (b) of this section” and inserting the phrase “October 1, 2022” in its place.

(b) Subsection (b) is repealed.

Sec. 7197. Section 4 of the Diverse Washingtonians Commemorative Works Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-196; 68 DCR 753), is repealed.

Sec. 7198. Section 301 of the Shared Fleet Devices Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-203; 67 DCR 13886), is repealed.

Sec. 7199. Section 12 of the Students’ Right to Home or Hospital Instruction Act of 2020, effective March 16, 2021 (D.C. Law 23-204; 67 DCR 14756), is repealed.

Sec. 7200. Section 302 of the Ban on Non-Compete Agreements Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-209; 68 DCR 782), is amended to read as follows:

“Section 302. Applicability.

“This act shall apply as of April 1, 2022.”.

Sec. 7201. Section 6(a) of the Zero Waste Omnibus Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-211; 68 DCR 68), is amended to read as follows:

“(a) Section 2(b)(2), the amendatory section 103(e) within 2(b)(3), 2(d)(2), amendatory sections 112c and 112e within 2(k), and 2(m)(1) shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.”.

Sec. 7202. Section 5 of the District of Columbia Water and Sewer Authority Omnibus Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-229; 68 DCR 1112), is repealed.

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7663           Sec. 7203. Section 4 of the Public Facilities Environmental Safety Amendment Act of  
7664 2020, effective March 16, 2021, (D.C. Law 23-233; 68 DCR 1128), is amended to read as follows:

7665           “Sec. 4. Applicability.

7666           “(a) Section 2(b)(2) of this act shall apply upon the date of inclusion of its fiscal effect in  
7667 an approved budget and financial plan.

7668           “(b) The Chief Financial Officer shall certify the date of inclusion of the fiscal effect in an  
7669 approved budget and financial plan and provide notice to the Budget Director of the Council of  
7670 the certification.

7671           “(c)(1) The Budget Director shall cause the notice of the certification to be published in  
7672 the District of Columbia Register.

7673           “(2) The date of publication of the notice of the certification shall not affect the  
7674 applicability of section 2(b)(2).”.

7675           Sec. 7204. Section 601 of the Department of Buildings Establishment Act of 2019,  
7676 effective April 5, 2021 (D.C. Law 23-269; 68 DCR 1490), is repealed.

7677           Sec. 7205. Section 301 of the Office of the Ombudsperson for Children Establishment  
7678 Amendment Act of 2020, effective April 5, 2021 (D.C. Law 23-270; 68 DCR 1510), is repealed.

7679           Sec. 7206. The Omnibus Public Safety and Justice Amendment Act of 2020, effective  
7680 April 27, 2021 (D.C. Law 23-274; 68 DCR 1034), is amended as follows:

7681           (a) Section 1101 is amended to read as follows:

7682           “Sec. 1101. Section 4902(a-1)(1) of the Department of Health Functions Clarification Act  
7683 of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731(a-1)(1)), is

7684 amended by striking the phrase “Central Detention Facility” and inserting the phrase “Central  
7685 Detention Facility, Correctional Treatment Facility, and Central Cell Block” in its place.”.

7686 (b) Section 1501 is repealed.

7687 Sec. 7207. Section 4 of the Medical Marijuana Program Patient Employment Protection  
7688 Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-276; 68 DCR 4794), is  
7689 repealed.

7690 Sec. 7208. Section 5 of the Restore the Vote Amendment Act of 2020, effective April 27,  
7691 2021 (D.C. Law 23-277; 67 DCR 13867), is repealed.

7692 Sec. 7209. Section 6 of the Bella Evangelista and Tony Hunter Panic Defense Prohibition  
7693 and Hate Crimes Response Amendment Act of 2020, effective May 15, 2021 (D.C. Law 23-283;  
7694 68 DCR 764), is repealed.

7695 Sec. 7210. Section 4 of the Green Food Purchasing Amendment Act of 2021, enacted on  
7696 June 7, 2021 (D.C. Act 24-93; 68 DCR 6015), is amended to read as follows:

7697 “Sec. 4. Applicability.

7698 “Section 3 shall apply as of January 1, 2023.”.

7699 Sec. 7211. Section 3 of the D.C. Central Kitchen, Inc. Tax Rebate Amendment Act of  
7700 2021, enacted on June 7, 2021 (D.C. Act 24-94; 68 DCR 6020), is repealed.

7701 Sec. 7212. Section 6(b)(1) of the Comprehensive Plan Amendment Act of 2021, enacted  
7702 July 7, 2021 (D.C. Act 24-110), is amended by striking the phrase “Sections 3 and 4” and  
7703 inserting the phrase “Section 3” in its place.

7704 Sec. 7213. Section 3 of the Certified Midwife Credential Amendment Act of 2021, as  
7705 approved by the Committee on Health on June 30, 2021 (Committee print of Bill 24-143), is  
7706 repealed.

7707 **SUBTITLE J. INCOME TAX FAIRNESS**

7708 Sec. 7221. Short title.

7709 This subtitle may be cited as the “Income Tax Fairness Amendment Act of 2021”.

7710 Sec. 7222. D.C. Official Code § 47-1806.03(a) is amended by adding a new paragraph  
7711 (11) to read as follows:

7712 “(11) In the case of taxable years beginning after December 31, 2021, there is  
7713 imposed on the taxable income of every resident a tax determined in accordance with the  
7714 following table:

Not over \$10,000	4% of the taxable income
Over \$10,000 but not over \$40,000	\$400, plus 6% of the excess over \$10,000
Over \$40,000 but not over \$60,000	\$2,200, plus 6.5% of the excess over \$40,000
Over \$60,000 but not over \$250,000	\$3,500, plus 8.5% of the excess over \$60,000
Over \$250,000 but not over \$500,000	\$19,650, plus 9.25% of the excess over \$250,000
Over \$500,000 but not over \$1,000,000	\$42,775, plus 9.75% of the excess over \$500,000

Over \$1,000,000	\$91,525, plus 10.75% of the excess over \$1,000,000
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7715 .”

7716 **SUBTITLE K. EARNED INCOME TAX CREDIT AS BASIC INCOME**

7717 Sec. 7231. Short title.

7718 This subtitle may be cited as the “Earned Income Tax Credit as Basic Income

7719 Amendment Act of 2021”.

7720 Sec. 7232. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as

7721 follows:

7722 (a) The table of contents is amended by adding a new section designation to read as

7723 follows:

7724 “47-1806.04a. Public outreach for earned income tax credit.”.

7725 (b) Section 47-1806.04 is amended as follows:

7726 (1) Subsection (f) is amended is amended as follows:

7727 (A) Paragraph (1) is amended by adding a new subparagraph (B-1) to read

7728 as follows:

7729 “(B-1) If a return is filed for a full calendar or fiscal year beginning after

7730 December 31, 2021, an individual with a qualifying child who is allowed an earned income tax

7731 credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against

7732 the tax imposed by this chapter for the taxable year in an amount equal to 55% of the earned

7733 income tax credit allowed under section 32 of the Internal Revenue Code of 1986.”.

7734 (B) Paragraph (3) is amended to read as follows:

7735 “(3)(A) The credit allowed under this subsection shall be refundable to the  
7736 individual claiming the credit.

7737 “(B)(i) For the taxable year ending December 31, 2022, the amount equal  
7738 to 40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of  
7739 1986 shall be paid to the individual in one lump sum payment with the remaining refund to be  
7740 paid in 11 equal monthly payments.

7741 “(ii) For taxable years beginning after December 31, 2022, the  
7742 entire amount of the earned income tax credit allowed shall be paid to the individual in 12 equal  
7743 monthly payments.

7744 “(iii) Notwithstanding sub-subparagraphs (i) and (ii) of this  
7745 subparagraph, any refunds to be paid for taxable years ending after December 31, 2021, for  
7746 credits totaling \$1,200 or less shall be paid in one lump sum payment.

7747 “(iv) No interest shall be allowed on any refund payments made  
7748 under this subparagraph.

7749 “(v) Notwithstanding sub-subparagraphs (ii) and (iii) of this  
7750 subparagraph, the entire amount of a credit to be refunded shall be immediately subject to the  
7751 offset provisions of subchapter III of chapter 44 of this title.

7752 “(vi) The Chief Financial Officer shall send a notice to every  
7753 individual whose refund, or any portion thereof, will be paid in monthly refund payments  
7754 pursuant to this sub-subparagraphs (ii) and (iii) of this subparagraph.”.

7755 (2) Subsection (g) is amended by adding a new paragraph (3) to read as follows:

7756 “(3) Any refunds paid pursuant to this subsection shall be paid in the manner  
7757 described in subsection (f)(3) of this section.”.

7758 (c) A new section 47-1806.04a is added to read as follows:

7759 “§ 47-1806.04a. Public outreach for earned income tax credit

7760 “(a) The Mayor may, subject to available funding, issue grants to a nonprofit organization  
7761 registered in the District, pursuant to Chapter 4 of Title 29 of the District of Columbia Official  
7762 Code, to provide outreach and education about the tax credit allowed pursuant to § 47-1806.04(f)  
7763 and (g).

7764 “(b) By January 1, 2025, the Mayor shall issue a grant of \$250,000 to a research  
7765 institution located in the District for the purpose of collecting data and issuing a report to the  
7766 Council describing the impact on eligible households of the payments required pursuant to § 47-  
7767 1806.04(f) and (g).”.

7768 **TITLE VIII. SPECIAL PURPOSE REVENUE, DEDICATED REVENUE, AND**  
7769 **CAPITAL**

7770 **SUBTITLE A. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

7771 Sec. 8001. Short title.

7772 This title may be cited as the “Designated Fund Transfer Act of 2021”.

7773 Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the  
7774 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year

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7775 2021 the following amounts from certified funds and other revenue in the identified accounts to  
 7776 the unassigned fund balance of the General Fund of the District of Columbia:

Agency Code	Fund Detail	Fund Name	FY21	FY22
AG0	602	Lobbyist Fund	235,063	
AM0	2225	West End Library/Firehouse Maintenance	222,678	
AT0	606	Recorder of Deeds Surcharge	1,587,489	
BG0	1111	Disability Compensation Fund	6,674,750	
CF0	619	DC Jobs Trust Fund	158,008	
CJ0	1121	Fair Elections Fund	668,173	
CR0	6008	Real Estate Guaranty and Education Fund	352,749	
CR0	6009	Real Estate Appraisal Fee	101,041	
DB0	602	HPAP-Repay	103,550	
EB0	609	Industrial Revenue Bond Program	455,646	
EN0	632	Small Business Access to Capital Access Fund	167,338	813,313
GA0	640	DC Non-Profit School Food Service	525,000	
GD0	618	Student Residency Verification	91,162	
GD0	620	Child Development Facilities	180,248	
HA0	602	Enterprise Fund Account	402,388	
HC0	649	Health Facility Fee	12,534	
HC0	673	DOH Regulatory Enforcement Fund	13,963	
HC0	612	Animal Control Dog License Fees	14,449	
HC0	612	Food Handlers Certification	183,887	
HC0	110	Nursing Home Quality of Care	318,190	
HC0	614	Adjudication Fines	32,840	
HC0	632	Pharmacy Protection	30,923	
HC0	643	Board of Medicine	2,487,363	
HC0	661	ICF/MR Fees and Fines	239,376	
HT0	631	Medicaid – Third Party Liability	129,101	
HT0	632	Bill of Rights – Grievance/Appeals	692,366	
KA0	6000	General O-Type Revenue Sources	331,180	
LQ0	110	MPD Reimbursable Subsidy Program	650,000	
RJ0	640	Subrogation Fund	350,987	
RJ0	640	Subrogation Fund	386,825	
RJ0	1240	Captive Insurance Fund	580,509	



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SRO	2350	Securities and Banking Fund	1,444,934	
TOO	602	DC Net Services Support	181,835	
TOO	1200	SERV US Program	48,761	
ULO	622	Universal Paid Leave Fund	54,886,145	
VAO	600	Office of Veterans Affairs Fund	15,000	

7777

7778 (c) The total amounts identified in subsections (a) and (b) of this section shall be made  
7779 available as set forth in the approved Fiscal Year 2022 Budget and Financial Plan.

7780 Sec. 8003. Applicability.

7781 This subtitle shall apply as of September 1, 2021.

7782 **SUBTITLE B. CAPITAL BUDGET ADJUSTMENTS**

7783 Sec. 8011. Short title.

7784 This subtitle may be cited as the “Fiscal Year 2022 Capital Project Reallocation Approval  
7785 Act of 2021”.

7786 Sec. 8012. In Fiscal Year 2021, the Chief Financial Officer shall rescind or adjust capital  
7787 project allotments as set forth in the following tabular array, with the savings to be used in  
7788 accordance with the Fiscal Year 2022 Local Budget Act of 2021, as approved by the Committee  
7789 of the Whole on July 20, 2021 (Committee print of Bill 24-285):

Owner Agency	Project No	Project Title	Fund Detail	Total
AM0	PL902C	CRITICAL SYSTEM REPLACEMENT	300	713,000
	PL901C	ENERGY RETROFITTING OF DISTRICT BUILDING	300	1,000,000
	PL602C	ROOF REPLACEMENT POOL	300	(401,000)
	PL601C	HVAC REPAIR RENOVATION POOL	300	(200)
	PL108C	BIG 3 BUILDINGS POOL	300	(56,004)
	PL105C	ARCHIVES RECORDER OF DEEDS	300	(24,562)

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	<b>PL104C</b>	ADA COMPLIANCE POOL	300	(34,287)
	<b>PL101C</b>	SHELTER AND TRANSITIONAL HOUSING POOL	300	(219,800)
	<b>DLY19C</b>	DALY BUILDING REHABILITATION - PHASE ONE	300	(1,000,000)
	<b>DCHSEC</b>	NEW HOSPITAL PROJECT PUBLIC PARKING STRU	309	(128,348)
	<b>BRM04C</b>	MARION S. BARRY, JR. BUILDING	300	(1,121)
	<b>BC101C</b>	FACILITY CONDITION ASSESSMENT	300	1,000,000
<b>CEO</b>	<b>LAR37C</b>	LAMOND RIGGS LIBRARY	300	250,000
<b>CF0</b>	<b>PFL08C</b>	PAID FAMILY LEAVE IT APPLICATION	304	(4,660,399)
	<b>PFL08C</b>	PAID FAMILY LEAVE IT APPLICATION	314	(339,601)
<b>EB0</b>	<b>SC216C</b>	CRUMMELL SCHOOL_ CONSTRUCTION- REDEVELOPM	300	(1,600,000)
	<b>EB015C</b>	LINCOLN HEIGHTS, RICHARDSON DWELLINGS	300	(850,346)
	<b>AWR01C</b>	SAINT ELIZABETHS E CAMPUS INFRASTRUCTURE	300	2,200,346
<b>FA0</b>	<b>PLT10C</b>	CRIME FIGHTING TECHNOLOGY	300	(838,997)
<b>FB0</b>	<b>20630C</b>	FIRE APPARATUS	300	(4,800)
<b>FR0</b>	<b>DIG19C</b>	FORENSIC EVIDENCE DIGITAL STORAGE	304	(1,000,000)
<b>GA0</b>	<b>YY1MLC</b>	MILITARY ROAD SCHOOL MODERNIZATION/RENO	300	(867)
<b>HA0</b>	<b>QG638C</b>	KENILWORTH PARKSIDE RECREATION CENTER	300	(1,269)
	<b>QE834C</b>	SMALL PARK IMPROVEMENTS	300	70,000
<b>HY0</b>	<b>DHA21C</b>	DEVELOPMENT AND REHABILITATION - DCHA	309	650,050
<b>JA0</b>	<b>THK22C</b>	SINGLES SHELTER REPLACEMENT/SEASONAL SHE	300	6,000,000
<b>KA0</b>	<b>MNT00A</b>	MAINTENANCE	385	14,499,408
	<b>LMEQUC</b>	EQUIPMENT	304	1,342,949
	<b>LMALLC</b>	ALLEYS	300	845,933
	<b>CE302C</b>	EQUIPMENT MAINTENENCE	300	(164,862)
	<b>CE302C</b>	EQUIPMENT MAINTENENCE	304	(406,034)
	<b>CE302C</b>	EQUIPMENT MAINTENENCE	330	(271,738)
	<b>BR005C</b>	H STREET BRIDGE	385	25,000,000
	<b>6EQ05C</b>	PARKING METERS	304	(500,000)
<b>KT0</b>	<b>CP201C</b>	COMPOSTING FACILITY	300	(315)
<b>PO0</b>	<b>DWB03C</b>	PROCUREMENT SYSTEMS	304	(164)
<b>RK0</b>	<b>RMS01C</b>	RISK MANAGEMENT IT SYSTEM	301	(91,131)
<b>TO0</b>	<b>ZB141C</b>	HUMAN RESOURCES APPLICATION SECURITY INI	300	(873)
	<b>ZB141C</b>	HUMAN RESOURCES APPLICATION SECURITY INI	303	(1,501)
	<b>ZB141C</b>	HUMAN RESOURCES APPLICATION SECURITY INI	304	(3)
	<b>ZA143C</b>	IT GIS MANAGEMENT	300	(109,911)
	<b>NMM17C</b>	ENTERPRISE NETWORK MONITORING MODERNIZAT	300	(2,284)

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	<b>N9001C</b>	NEXT GENERATION DATA CENTER ARCHITECTURE	300	(30,593)
	<b>N6002C</b>	TRANSPORTATION INFRASTRUCTURE MODERNIZAT	300	(326,104)
	<b>N6002C</b>	TRANSPORTATION INFRASTRUCTURE MODERNIZAT	304	(2,063)
	<b>N3802C</b>	PROCUREMENT SYSTEM	300	(372)
	<b>N3802C</b>	PROCUREMENT SYSTEM	304	(172)
	<b>N3102C</b>	DATA MANAGEMENT AND PUBLICATION PLATFORM	300	(41,319)
	<b>N2503C</b>	DATA CENTER RELOCATION-GO BOND	304	(7,129)
	<b>N1601B</b>	DCWAN	300	(4,402)
	<b>N1601B</b>	DCWAN	304	(11,220)
	<b>EQ103C</b>	CREDENTIALING AND WIRELESS	300	(108,696)
	<b>EAP20C</b>	PEOPLESFT ENTERPRISE DATA RECLAMATION	304	(276,786)
	<b>AB115C</b>	ARCHIVES BUILDING	300	(553,005)
	<b>Total</b>			<b>39,499,408</b>

7790 Sec. 8113. Applicability.

7791 This subtitle shall apply as of September 30, 2021.

7792 **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

7793 Sec. 9001. Applicability.

7794 Except as otherwise provided, this act shall apply as of October 1, 2021.

7795 Sec. 9002. Fiscal impact statement.

7796 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal  
7797 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
7798 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

7799 Sec. 9003. Effective date.

7800 This act shall take effect following approval by the Mayor (or in the event of veto by the  
7801 Mayor, action by the Council to override the veto), a 60-day period of congressional review as  
7802 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December

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7803 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
7804 Columbia Register.