ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-178

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 16, 2007

Codification District of Columbia Official Code

2001 Edition

2008 Winter Supp.

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To amend the Advisory Neighborhood Commissions Act of 1975 to clarify that an Advisory Neighborhood Commission may provide reimbursement for an authorized purchase made with a personal credit or debit card, or cashier's check.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Advisory Neighborhood Commissions Clarification Amendment Act of 2007".

Amend § 1-309.13

Sec. 2. Section 16(f) of the Advisory Neighborhood Commissions Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.13(f)), is amended to read as follows:

"(f)(1) Any expenditure of funds by a Commission shall be recorded by the treasurer in the Commission's books of accounts. No expenditure of any amount shall be made without the specific authorization of the Commission. The depository in which the Commission maintains a checking account shall be immediately notified of any change in Commission officers.

"(2)(A) An expenditure made by check shall:

"(i) Be signed by at least 2 officers of the Commission, one of whom shall be the treasurer or Chairperson;

"(ii) Be pre-numbered;

"(iii) Be issued in consecutive order; and

"(iv) Bear the name of the Commission and "District of Columbia Government" on its face.

"(B) Before signature, the check shall contain the:

"(i) Date of payment;

"(ii) Name of the payee; and

"(iii) Amount of the payment.

"(C) No check may be made payable to cash.

"(3) A Commission may provide reimbursement for an authorized purchase made with a personal credit card, debit card, or cashier's check that is documented with a

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receipt, a copy of which shall be submitted to the Commission.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

Vincent C. Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
November 16, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-179

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 19, 2007

Codification District of Columbia Official Code

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To amend the District of Columbia Traffic Act, 1925 to provide for double fines, or increased criminal penalties, for traffic moving infractions when committed in a work zone, and to require the display of signs alerting drivers to the increased fines and penalties.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Doubled Fines in Construction or Work Zones Amendment Act of 2007".

Note, § 50-2202

Sec. 2. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 50-2202) is amended by adding a new paragraph (o) to read as follows:

"(o) The term "work zone" means the area of a highway or roadway that is affected by construction, maintenance, or utility work activities, including the area delineated by and within all traffic control devices erected or installed to guide vehicular, pedestrian, and bicycle traffic.".

(b) A new section 9c is added to read as follows:

"Sec. 9c. Motor vehicle moving infractions in work zones; signage required.

"(a) For any motor vehicle moving infraction, as defined in Chapter 26 of Title 18 of the District of Columbia Municipal Regulations, committed by the driver within a work zone, during any time when traffic is regulated or restricted through or around the zone, when work is actually being performed in the zone by workers acting in their official capacity, the civil fine shall be double the amount otherwise prescribed and, in a criminal infraction case, the fine shall be one category higher than the penalty prescribed by law.

"(b) Signs or notices shall be affixed at the point of ingress of constriction or work zones alerting drivers of doubled fines and increased penalties for moving infractions within the zone.".

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Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

Vincent C Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
November 19, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-180

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 19, 2007

Codification District of Columbia Official Code

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To amend section 28-3911 of the District of Columbia Official Code to increase the maximum amount that may be maintained in the District of Columbia Consumer Protection Fund.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Consumer Protection Fund Act of 2007".

Sec. 2. Section 28-3911(a) of the District of Columbia Official Code is amended by striking the phrase "$1,490,000" both times it appears and inserting the phrase "$3 million" in its place.

Amend § 28-3911

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Vincent C. Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
November 19, 2007

ENROLLED ORIGINAL

Codification District of Columbia Official Code

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AN ACT

D.C. ACT 17-181

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 19, 2007

To enact the Uniform Prudent Management of Investment Funds Act in the District, to establish guidelines for management, investment, and expenditures of funds held by charitable institutions for charitable purposes, to establish standards of conduct in managing and investing institutional funds, to establish guidelines for the appropriation for expenditure or accumulation of an endowment fund, to permit the delegation of management and investment functions, to provide a procedure for the release or modification of restrictions on management, investment, or purpose of a fund, and to establish a standard for reviewing compliance with the act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Uniform Prudent Management of Institutional Funds Act of 2007".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Charitable purpose" means the relief of poverty, the advancement of education or religion, the promotion of health, the promotion of a governmental purpose, or any other purpose the achievement of which is beneficial to the community.

(2) "Endowment fund" means an institutional fund or part thereof that, under the terms of a gift instrument, is not wholly expendable by the institution on a current basis. The term "endowment fund" does not include assets that an institution designates as an endowment fund for its own use.

(3) "Gift instrument" means a record or records, including an institutional solicitation, under which property is granted to, transferred to, or held by an institution as an institutional fund.

(4) "Institution" means:

(A) A person, other than an individual, organized and operated exclusively for charitable purposes;

(B) A government or governmental subdivision, agency, or instrumentality, to the extent that it holds funds exclusively for a charitable purpose; or

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(C) A trust that had both charitable and noncharitable interests, after all noncharitable interests have terminated.

(5) "Institutional fund" means a fund held by an institution exclusively for charitable purposes. The term "institutional fund" does not include:

(A) Program-related assets;

(B) A fund held for an institution by a trustee that is not an institution; or

(C) A fund in which a beneficiary that is not an institution has an interest, other than an interest that could arise upon violation or failure of the purposes of the fund.

(6) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(7) "Program-related asset" means an asset held by an institution primarily to accomplish a charitable purpose of the institution and not primarily for investment.

(8) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

Sec. 3. Standard of conduct in managing and investing institutional fund.

(a) Subject to the intent of a donor expressed in a gift instrument, an institution, in managing and investing an institutional fund, shall consider the charitable purposes of the institution and the purposes of the institutional fund.

(b) In addition to complying with the duty of loyalty imposed by law other than this act, each person responsible for managing and investing an institutional fund shall manage and invest the fund in good faith and with the care an ordinarily prudent person in a like position would exercise under similar circumstances.

(c) In managing and investing an institutional fund, an institution:

(1) May incur only costs that are appropriate and reasonable in relation to the assets, the purposes of the institution, and the skills available to the institution; and

(2) Shall make a reasonable effort to verify facts relevant to the management and investment of the fund.

(d) An institution may pool 2 or more institutional funds for purposes of management and investment.

(e) Except as otherwise provided by a gift instrument, the following rules shall apply:

(1) In managing and investing an institutional fund, the following factors, if relevant, shall be considered:

(A) General economic conditions;

(B) The possible effect of inflation or deflation;

(C) The expected tax consequences, if any, of investment decisions or

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strategies;

(D) The role that each investment or course of action plays within the overall investment portfolio of the fund;

(E) The expected total return from income and the appreciation of investments;

(F) Other resources of the institution;

(G) The needs of the institution and the fund to make distributions and to preserve capital; and

(H) An asset's special relationship or special value, if any, to the charitable purposes of the institution.

(2) Management and investment decisions about an individual asset shall be made not in isolation but rather in the context of the institutional fund's portfolio of investments as a whole and as a part of an overall investment strategy having risk and return objectives reasonably suited to the fund and to the institution.

(3) Except as otherwise provided by law other than this act, an institution may invest in any kind of property or type of investment consistent with this section.

(4) An institution shall diversify the investments of an institutional fund unless the institution reasonably determines that, because of special circumstances, the purposes of the fund are better served without diversification.

(5) Within a reasonable time after receiving property, an institution shall make and carry out decisions concerning the retention or disposition of the property or to rebalance a portfolio to bring the institutional fund into compliance with the purposes, terms, and distribution requirements of the institution as necessary to meet other circumstances of the institution and the requirements of this act.

(6) A person that has special skills or expertise, or is selected in reliance upon the person's representation that the person has special skills or expertise, has a duty to use those skills or that expertise in managing and investing institutional funds.

Sec. 4. Appropriation for expenditure or accumulation of endowment fund; rules of construction.

(a)(1) Subject to the intent of a donor expressed in the gift instrument, an institution may appropriate for expenditure or accumulate so much of an endowment fund as the institution determines is prudent for the uses, benefits, purposes, and duration for which the endowment fund is established.

(2) Unless stated otherwise in the gift instrument, the assets in an endowment fund are donor-restricted assets until appropriated for expenditure by the institution.

(3) In making a determination to appropriate or accumulate, the institution shall act in good faith, with the care that an ordinarily prudent person in a like position would exercise under similar circumstances, and shall consider, if relevant, the following factors:

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(A) The duration and preservation of the endowment fund;
(B) The purposes of the institution and the endowment fund;
(C) General economic conditions;
(D) The possible effect of inflation or deflation;
(E) The expected total return from income and the appreciation of investments;
(F) Other resources of the institution; and
(G) The investment policy of the institution.

(b) To limit the authority to appropriate for expenditure or accumulate under subsection (a) of this section, a gift instrument shall specifically state the limitation.

(c) Terms in a gift instrument designating a gift as an endowment, or a direction or authorization in the gift instrument to use only "income", "interest", "dividends", or "rents, issues, or profits", or "to preserve the principal intact", or words of similar import:

(1) Create an endowment fund of permanent duration unless other language in the gift instrument limits the duration or purpose of the fund; and

(2) Do not otherwise limit the authority to appropriate for expenditure or accumulate under subsection (a) of this section.

Sec. 5. Delegation of management and investment functions.

(a) Subject to any specific limitation set forth in a gift instrument or in law other than this act, an institution may delegate to an external agent the management and investment of an institutional fund to the extent that an institution could prudently delegate under the circumstances. An institution shall act in good faith, with the care that an ordinarily prudent person in a like position would exercise under similar circumstances, in:

(1) Selecting an agent;

(2) Establishing the scope and terms of the delegation, consistent with the purposes of the institution and the institutional fund; and

(3) Periodically reviewing the agent's actions in order to monitor the agent's performance and compliance with the scope and terms of the delegation.

(b) In performing a delegated function, an agent owes a duty to the institution to exercise reasonable care to comply with the scope and terms of the delegation.

(c) An institution that complies with subsection (a) of this section is not liable for the decisions or actions of an agent to which the function was delegated.

(d) By accepting delegation of a management or investment function from an institution that is subject to the laws of the District of Columbia, an agent submits to the jurisdiction of the courts of the District of Columbia in all proceedings arising from or related to the delegation or the performance of the delegated function.

(e) An institution may delegate management and investment functions to its committees, officers, or employees as authorized by law of the District of Columbia other than

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this act.

Sec. 6. Release or modification of restrictions on management, investment, or purpose.

(a) If the donor consents in a record, an institution may release or modify, in whole or in part, a restriction contained in a gift instrument on the management, investment, or purpose of an institutional fund. A release or modification may not allow a fund to be used for a purpose other than a charitable purpose of the institution.

(b)(1) The court, upon application of an institution, may modify a restriction contained in a gift instrument regarding the management or investment of an institutional fund if:

(A) The restriction has become impracticable or wasteful;

(B) The restriction impairs the management or investment of the fund; or

(C) Because of circumstances not anticipated by the donor, a modification of a restriction will further the purposes of the fund.

(2) The institution shall notify the Attorney General for the District of Columbia of the application, and the Attorney General for the District of Columbia shall be given an opportunity to be heard.

(3) To the extent practicable, any modification shall be made in accordance with the donor's probable intention.

(c)(1) If a particular charitable purpose or a restriction contained in a gift instrument on the use of an institutional fund becomes unlawful, impracticable, impossible to achieve, or wasteful, the court, upon application of an institution, may modify the purpose of the fund or the restriction on the use of the fund in a manner consistent with the charitable purposes expressed in the gift instrument.

(2) The institution shall notify the Attorney General for the District of Columbia of the application, and the Attorney General for the District of Columbia shall be given an opportunity to be heard.

(d) If an institution determines that a restriction contained in a gift instrument on the management, investment, or purpose of an institutional fund is unlawful, impracticable, impossible to achieve, or wasteful, the institution, 60 days after notification to the Attorney General for the District of Columbia, may release or modify the restriction, in whole or part, if:

(1) The institutional fund subject to the restriction has a total value of less than $50,000, subject to adjustment pursuant to subsection (e) of this section;

(2) More than 20 years have elapsed since the fund was established; and

(3) The institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

(e) The dollar amount specified in subsection (d)(1) of this section shall be adjusted to reflect changes in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor ("Index"), using 2007 as the base year, as follows:

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(1) The dollar amount shall be adjusted as of January 1st of each year if the cumulative percentage of change in the Index, from the base year or from a later year that was the basis of an adjustment of this amount pursuant to this subsection, rounded to the nearest whole percentage point, is in excess of 10%.

(2) The amount of any adjustment shall be rounded to the nearest $5,000.

(3) The dollar amount shall not be reduced below $50,000.

(4) No adjustment to the dollar amount shall occur before January 1, 2009.

Sec. 7. Reviewing compliance.

Compliance with this act is determined in light of the facts and circumstances existing at the time a decision is made or action is taken.

Sec. 8. Application to existing institutional funds.

This act applies to institutional funds existing on or established after the effective date of this act. As applied to institutional funds existing on the effective date of this act, this act governs only decisions made or actions taken on or after that date.

Sec. 9. Relation to Electronic Signatures in Global and National Commerce Act.

This act modifies, limits, and supersedes the Electronic Signatures in Global and National Commerce Act, approved June 30, 2000 (114 Stat. 467; 15 U.S.C. § 7001 *et seq.*), but does not modify, limit, or supersede section 101(a) of that act (15 U.S.C. § 7001(a)) or authorize electronic delivery of any of the notices described in section 103(b) of that act (15 U.S.C. § 7003(b)).

Sec. 10. Uniformity of application and construction.

In applying and construing this uniform act, consideration shall be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Sec. 11. Repeal.

The Uniform Management of Institutional Funds Act, effective April 6, 1977 (D.C. Law 1-103; D.C. Official Code § 44-1601 *et seq.*), is repealed.

Sec. 12. Fiscal impact statement.

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

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Sec. 13. Effective date.

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

Vincent C. Gray

Chairman
Council of the District of Columbia

Adrian Fenty

Mayor
District of Columbia
APPROVED
November 19, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-182

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 19, 2007

Codification District of Columbia Official Code

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To amend, on a temporary basis, the Establishment of the Office of the Chief Medical Examiner Act of 2000 to authorize the Mayor to waive, until October 1, 2008, the requirement that the Chief Medical Examiner for the District of Columbia be certified in forensic pathology by the American Board of Pathology or be eligible for such certification, and to clarify that a Chief Medical Examiner appointed pursuant to the waiver must meet the requirement by October 1, 2008 to continue to be eligible to hold the office.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Appointment of the Chief Medical Examiner Temporary Amendment Act of 2007".

Sec. 2. Section 2903(c) of the Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1402(c)), is amended to read as follows:

Note, § 5-1402

"(c)(1) The CME, the Deputy CME, and any medical examiners appointed pursuant to subsection (b) of this section shall be physicians licensed to practice medicine in the District of Columbia.

"(2) Except as provided in paragraph (3) of this subsection, the CME, the Deputy CME, and any medical examiners appointed after October 19, 2000, shall be certified in forensic pathology by the American Board of Pathology or be eligible for such certification.

"(3) The certification requirement of paragraph (2) of this subsection may be waived by the Mayor until October 1, 2008 for the CME. Any individual appointed as the CME to fill the term beginning on May 1, 2007 and ending on April 30, 2013 pursuant to this waiver shall not be eligible to serve as CME after October 1, 2008, and shall not be eligible to serve in a holdover status, unless he or she meets the certification requirement.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule

ENROLLED ORIGINAL

Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.

Vincent C. Gray

Chairman
Council of the District of Columbia

Adrian Fenty

Mayor
District of Columbia
APPROVED
November 19, 2007

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AN ACT

D.C. ACT 17-183

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 16, 2007

To amend, on a temporary basis, the Community Access to Health Care Amendment Act of 2006 to authorize the Mayor to capitalize a public-private partnership in an amount not to exceed $79 million; and to amend the Health Services Planning Program Re-Establishment Act of 1996 to limit certificate of need application fees paid by Specialty Hospitals of America, LLC, or certain of its subsidiary entities.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "East of the River Hospital Revitalization Temporary Amendment Act of 2007".

Note, § 7-1932

Sec. 2. Section 102 of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1932), is amended as follows:

(a) Subsection (b)(1) is amended by striking the phrase "*et seq.*);" and inserting the phrase "*et seq.*). Notwithstanding the preceding provisions of this paragraph, the Mayor may invest, subject to approval by the Council, up to $79 million to capitalize a public-private partnership by non-competitive negotiations with Specialty Hospitals of America, LLC, or certain of its subsidiary entities, to acquire, improve, and operate Greater Southeast Community Hospital;" in its place.

(b) Subsection (c)(3) is amended by striking the phrase "and the findings of the comprehensive assessment described in subsection (b)(7) of this section".

Note, § 44-420

Sec. 3. Section 21 of the Health Services Planning Program Re-Establishment Act of 1996, effective April 19, 1997 (D.C. Law 11-191; D.C. Official Code § 44-420), is amended as follows:

(a) Designate the existing text as subsection (a).

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

"(b) Notwithstanding the provisions of subsection (a) of this section, the maximum application fee that may be collected from Specialty Hospitals of America, LLC, or certain of its subsidiary entities, for facilities located in Lots 3 and 4, Square 5919, related to the acquisition of Greater Southeast Community Hospital shall be $300,000.".

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Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.

Vincent C Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
November 16, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-184

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 19, 2007

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To amend, on a temporary basis, Chapter 8 of Title 47 of the District of Columbia Official Code to provide that the owner of a property that is receiving erroneously the homestead deduction and senior/disabled real property tax relief has a duty to inform the Chief Financial Officer that the benefits and those available to low-income property owners shall be rescinded prospectively on the sale of real property to a non-qualifying purchaser, and that a former owner that received the benefits shall be personally liable for the amount of benefits improperly received.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Real Property Tax Benefits Revision Temporary Act of 2007".

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

(a) Section 47-845.02(m) is amended by adding 2 new sentences at the end to read as follows:

Note, § 47-845.02

"Any tax certificate shall indicate whether the real property is receiving the deferral under this section and the amount of deferred real property tax, interest thereon, and penalties. If a tax certificate does not contain the foregoing information, the eligible owner, and not the real property, shall be personally liable for the amount of deferred real property tax, interest thereon, and penalties.".

(b) Section 47-845.03(o) is amended by adding 2 new sentences at the end to read as follows:

Note, § 47-845.03

"Any tax certificate shall indicate whether the real property is receiving the deferral under this section and the amount of deferred real property tax, interest thereon, and penalties. If a tax certificate does not contain the foregoing information, the eligible owner, and not the real property, shall be personally liable for the amount of deferred real property tax, interest thereon, and penalties.".

(c) Section 47-850.02 is amended as follows:

Note, § 47-850.02

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

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(A) Paragraph (1) is amended by striking the word "applicant" wherever it appears and inserting the phrase "applicant (or current owner if there is no applicant)" in its place.

(B) Paragraphs (4) and (5) are amended by striking the phrase "(for which notification is required under this subsection)".

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

"(6)(A) Notwithstanding the rescission of the deduction pursuant to paragraphs (4) and (5) of this subsection, if all of the applicant's ownership interest in the real property is transferred to a new owner, shareholder, or member who does not apply or qualify for the deduction, the real property shall be entitled to the apportioned amount of the deduction applicable to the installment payable during the half tax year during which the ownership interest was transferred. At the end of such half tax year, the deduction shall cease.

"(B) If the applicant purchases another real property or interest in a housing cooperative for which he or she shall make application for the deduction, and the application and purchase occurs during the same half tax year when the transfer occurred, §§ 47-850(d), 47-850.01(b), and 47-850.04 shall not apply to the extent that both real properties may benefit from the deduction during that half tax year and, thereafter, only the newly purchased real property or housing cooperative in which the applicant acquired newly an interest shall benefit from the applicant's deduction.

"(C) Notwithstanding the foregoing, a real property shall not benefit from more than one deduction in any half tax year; provided, that in the case of a housing cooperative, the real property shall not benefit from more than one deduction related to a dwelling unit in any half tax year.".

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

(A) Strike the word "applicant" the first time it appears and insert the phrase "applicant or former owner, and not the real property" in its place.

(B) Strike the word "applicant" the second time it appears and insert the phrase "applicant or former owner" in its place.

(d) Section 47-850.03 is amended by striking the phrase "47-850.01" and inserting the phrase "47-850.01 and for the credit provided in § 47-864.01" in its place.

Note, § 47-850.03

(e) Section 47-863 is amended as follows:

Note, § 47-863

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

(A) Paragraph (1) is amended by striking the word "applicant" wherever it appears and inserting the phrase "applicant (or former owner if there is no applicant)" in its place.

(B) Paragraphs (4) and (5) are amended by striking the phrase "(for which notification is required under this subsection)".

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

"(6)(A) Notwithstanding the rescissions of the deduction pursuant to paragraphs

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(4) and (5) of this subsection, if the applicant's required ownership interest in the real property is transferred to a new owner, shareholder, or member who does not apply or qualify for the deduction, the real property shall nevertheless be entitled to the apportioned amount of the deduction applicable to the installment payable during the half tax year during which such ownership interest was transferred. At the end of the half tax year, the deduction shall cease.

"(B) If the applicant purchases another real property or interest in a housing cooperative for which he or she shall make application for the deduction, and the application and purchase occurs during the same half tax year when the transfer occurred, subsections (i) and (j) of this section shall not apply to the extent that both real properties may benefit from the deduction during that half tax year and, thereafter, only the newly purchased real property or housing cooperative in which the applicant acquired newly an interest shall benefit from the applicant's deduction.

"(C) Notwithstanding the foregoing, a real property shall not benefit from more than one deduction in any half tax year; provided, that in the case of a housing cooperative, the real property shall not benefit from more than one deduction related to an eligible household in any half tax year.".

(2) Subsection (g)(1) is amended as follows:

(A) Strike the word "applicant" the first time it appears and insert the phrase "applicant or former owner, and not the real property" in its place.

(B) Strike the word "applicant" the second time it appears and insert the phrase "applicant or former owner" in its place.

(3) Subsection (l) is amended by striking the word "decrease" and inserting the word "deduction" in its place.

(f) Section 47-864.01 is amended as follows:

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

Note, § 47-864.01

"(c-1) Notwithstanding any other provision of this section, if the entire interest in the real property is transferred to a new owner and the real property no longer qualifies as a homestead pursuant to § 47-850 or § 47-851, the real property shall be entitled to the credit applicable to the installment payable during the half tax year during which the ownership interest was transferred. At the end of the half tax year, the credit shall cease.".

(2) Subsection (d)(3) is amended striking the word "back" and inserting the phrase "back, except as set forth in subsection (c-1) of this section" in its place.

Sec. 3. Applicability.

(a) Section 2(c)(1)(A) and (B), 2(c)(2), 2(e)(1)(A) and (B), and 2(e)(2) shall apply for tax years beginning after September 30, 2001.

(b) Section 2(c)(1)(C) and 2(e)(1)(C) shall apply as of January 2, 2007.

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Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.

Vincent C Gray

Chairman
Council of the District of Columbia

Adrian Fenty

Mayor
District of Columbia
APPROVED
November 19, 2007

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Codification District of Columbia Official Code

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AN ACT

D.C. ACT 17-185

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 19, 2007

To amend, on a temporary basis, section 47-4403 of the District of Columbia Official Code to allow the Office of Tax and Revenue to enter into a closing agreement for any taxable period.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing Agreement Temporary Act of 2007".

Note, § 47-4403

Sec. 2. Section 47-4403 of the District of Columbia Official Code is amended by striking the phrase "for a period ending before the date of the agreement" and inserting the phrase "for any taxable period" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

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December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
November 19, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-186

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 19, 2007

Codification District of Columbia Official Code

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To amend, on a temporary basis, the Washington Convention Center Authority Act of 1994 to continue the terms of the current appointees of the Washington Convention Center Authority Advisory Committee.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Washington Convention Center Authority Advisory Committee Continuity Temporary Amendment Act of 2007".

Note, § 10-1202.18

Sec. 2. Section 218 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.18), is amended as follows:

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

(1) The lead-in text is amended by striking the number "12" and inserting the number "17" in its place.

(2) Paragraph (2) is amended by striking the word "Operations" and inserting the phrase "Operations (or successor officer)" in its place.

(3) Paragraph (4) is amended by striking the phrase "Committee on Economic Development" and inserting the phrase "committee with oversight over the Washington Convention Center Authority" in its place.

(4) Paragraph (7) is amended to read as follows:

"(4) Two members appointed by the Chairperson of the Council's committee with oversight over the Washington Convention Center Authority;".

(5) Paragraph (8) is amended by striking the phrase "One member" and inserting the phrase "Two members" in its place.

(6) Paragraph (10) is amended by striking the word "and".

(7) Paragraph (11) is amended by striking the period at the end and inserting a semicolon in its place.

(8) Paragraphs (12), (13), and (14) are added to read as follows:

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"(12) One member chosen by the local chapter of the Metropolitan Washington Council, AFL-CIO;

"(13) One member chosen by the local chapter of the American Institute of Architects; and

"(14) One member chosen by the local chapter of the American Planning Association.".

(b) Subsection (e) is amended by striking the phrase "Committee on Economic Development" and inserting the phrase "committee with oversight over the Washington Convention Center Authority" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.

Vincent C Gray

Chairman
Council of the District of Columbia

Adrian Fenty

Mayor
District of Columbia
APPROVED
November 19, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-187

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 19, 2007

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To amend, on a temporary basis, the Youth Employment Act of 1979 to ensure that participants in the in-school program are working at least 10 hours per week, to clarify that the in-school and out-of-school, year-round employment programs are not to be limited to students considered at risk of dropping out of school or economically disadvantaged, and to authorize the Mayor to fund this measure through the $3.5 million in available funds previously allocated for job training in the Fiscal Year 2008 Budget Support Act of 2007.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Access to Youth Employment Programs Temporary Amendment Act of 2007".

Sec. 2. Section 2(a) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)), is amended as follows:

Note, § 32-241

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

(1) Strike the word "basis" and insert the phrase "basis, with a minimum of 10 hours per week," in its place.

(2) Strike the word "disadvantaged" and insert the phrase "disadvantaged, but those students not falling within the aforementioned category shall still be given consideration" in its place.

(b) Paragraph (3) is amended by striking the word "residents" and inserting the phrase "residents, but those students not falling within the aforementioned category shall still be given consideration" in its place.

Sec. 3. Funding.

The Mayor may fund the costs associated with the amendments made by section 2 using the $3.5 million in available funds previously allocated for job training in the Fiscal Year 2008 Budget Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; 54 DCR 7052).

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The Mayor may not use more than 10% of these funds for administrative costs for the program. The Mayor may not use more than 10% of these funds to cover vendor costs.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.

Vincent C. Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
November 19, 2007

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AN ACT

D.C. ACT 17-188

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 19, 2007

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To amend, on a temporary basis, the District of Columbia Recordation Tax Act to exempt from the deed recordation tax the transfer of Lots 3 and 4, Square 5919 to Specialty Hospitals of America, LLC; to amend Title 47 of the District of Columbia Official Code to exempt from taxation the land and improvements located in Lots 3 and 4, Square 5919, and from the deed transfer tax, the transfer of Lots 3 and 4, Square 5919 to Specialty Hospitals of America, LLC; to direct the Chief Financial Officer to credit all loan payments received from Greater Southeast Investment, L.P., relating to loans to Specialty Hospitals of America, LLC, and the District's share of proceeds arising from a disposition of any land or improvements in Lots 3 and 4, Square 5919 to the Community Health Care Financing Fund; to require an agreement that addresses cultural competency; and to repeal section 4 of the East of the River Hospital Revitalization Emergency Amendment Act of 2007.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "East of the River Hospital Revitalization Tax Exemption Temporary Amendment Act of 2007".

Sec. 2. Section 302 of the District of Columbia Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows: **Note, § 42-1102**

(a) Paragraph (27) is amended by striking the word "and" at the end.

(b) Paragraph (28) is amended by striking the phrase "as trustee." and inserting the phrase "as trustee; and" in its place.

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

"(29) A deed to Lots 3 and 4, Square 5919 transferred to Specialty Hospitals of America, LLC, or certain of its subsidiary entities.".

Sec. 3. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-902 is amended by adding a new paragraph (24) to read as follows: **Note, § 47-902**

"(24) Transfer of Lots 3 and 4, Square 5919 to Specialty Hospitals of America,

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LLC, or certain of its subsidiary entities.".

(b) Section 47-1002 is amended by adding a new paragraph (30) to read as follows: Note, § 47-1002

"(30) The land and improvements located in Lots 3 and 4, Square 5919. This exemption shall commence on the date Specialty Hospitals of America, LLC, or certain of its subsidiary entities, takes title to Lots 3 and 4, Square 5919, and shall terminate upon one of the following dates, whichever occurs first:

"(A) The date the Mayor certifies to the District of Columbia Treasurer that Specialty Hospitals of America, LLC, or certain of its subsidiaries, or any party that subsequently acquires by purchase, lease, or exchange Lots 3 and 4, Square 5919, or any part thereof, failed to comply with the terms of an agreement between Specialty Hospitals of America, LLC, or certain of its subsidiaries, with Greater Southeast Investment, L.P., to pay an amount equal to the real property taxes that the owner of Lots 3 and 4, Square 5919 would be obligated to pay on Lots 3 and 4, Square 5919, or any part thereof, in the absence of the exemption provided by this paragraph; or

"(B) The date that the Mayor certifies to the District of Columbia Treasurer that the Acquisition Loan in the maximum principal amount of $29 million by Greater Southeast Investment, L.P., to Capitol Medical Center, LLC, and CMC Realty, LLC, has been paid in full.".

Sec. 4. The Chief Financial Officer of the District of Columbia shall credit to the Community Health Care Financing Fund, established by section 101 of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1931): Note, § 7-1931

(1) All payments received from Greater Southeast Investment, L.P., relating to its loans of approximately $49 million to Specialty Hospitals of America, LLC, or certain of its subsidiaries; and

(2) The District's share of any proceeds arising from a disposition of all, or any part thereof, the land or improvements in Lots 3 and 4, Square 5919.

Sec. 5. As a condition of approval by the Council, Specialty Hospitals of America, LLC, shall enter into an agreement approved by the Mayor that addresses the issue of cultural competency.

Sec. 6. Section 4 of the East of the River Hospital Revitalization Emergency Amendment Act of 2007, effective October 19, 2007 (D.C. Act 17-168; 54 DCR ___), is repealed.

Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the

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fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 8. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
November 19, 2007

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AN ACT

D.C. ACT 17-189

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 19, 2007

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To amend, on a temporary basis, the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996 to require the Water and Sewer Authority, in collaboration with the Fire and Emergency Medical Services Department, to develop a plan for inspecting, repairing, and maintaining public fire hydrants, and the provision of adequate water pressure levels to all locations in the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fire Hydrant Inspection, Repair, Maintenance, and Fire Preparedness Temporary Amendment Act of 2007".

Sec. 2. The Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2201.01 *et seq.*), is amended as follows:

Note, § 34-2202.03

(a) Section 203 (D.C. Official Code § 34-2202.03) is amended by adding a new paragraph (33) to read as follows:

"(33) To inspect, repair, and maintain all District fire hydrants in collaboration with the Fire and Emergency Medical Services Department pursuant to section 205(i).".

Note, § 34-2202.05

(b) Section 205 (D.C. Official Code § 34-2202.05) is amended by adding a new subsection (i) to read as follows:

"(i)(1) Within 30 days of the effective date of the Fire Hydrant Inspection, Repair, Maintenance, and Fire Preparedness Emergency Amendment Act of 2007, passed on emergency basis on October 23, 2007 (Enrolled version of Bill 17-465):

"(A) The Board, in collaboration and pursuant to a memorandum of understanding with the Fire and Emergency Medical Services Department ("FEMS"), shall develop a plan:

"(i) To regularly inspect, repair, and maintain all public fire hydrants, which shall include recommendations on the frequency of individual hydrant inspections, and the provision of adequate water pressure levels to all locations in the District of Columbia; and

"(ii) To use National Fire Protection Association Standards to color code fire hydrants with dual-reflective bands based on water volume, as follows:

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"(I) Blue bands for greater than 1,499 gallons of water flow per minute;

"(II) Yellow bands for 1,000 - 1,499 gallons of water flow per minute;

"(III) Orange bands for 500-999 gallons of water flow per minute; and

"(IV) Red bands for less than 500 gallons of water flow per minute; and

"(B) The Board and FEMS each shall designate a current staff person to act as a liaison with the other agency.

"(2) The Board shall submit the plan to the Council for its approval by resolution.

"(3) The Board shall implement the plan within 90 days of its approval by the Council.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
November 19, 2007