

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-469

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JULY 31, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Fall
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To amend, on an emergency basis, the Anti-Drunk Driving Act of 1982 to revise the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vehicle; Title 25 of the District of Columbia Official Code to revise the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vessel or watercraft; the District of Columbia Government Comprehensive Merit Personnel Act of 1978; the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996; the Uniform Classification and Commercial Driver's License Act of 1990; the Motor Vehicle Safety Responsibility Act of the District of Columbia; the District of Columbia Traffic Act, 1925; and the District of Columbia Implied Consent Act to update the formula for determining a person's alcohol concentration as it pertains to the offense of driving while under the influence of liquor to reflect the measurements and ratios used by current technology; and to make conforming amendments to the District of Columbia Municipal Regulations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Anti-Drunk Driving Clarification Emergency Amendment Act of 2006".

Sec. 2. Section 2 of the Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law 4-145; D.C. Official Code § 50-2205.02), is amended to read as follows:

Note,
§ 50-2205.02

"If as a result of the operation or the physical control of a vehicle, a person is tried in any court of competent jurisdiction within the District of Columbia for operating or being in physical control of a vehicle while under the influence of intoxicating liquor in violation of section 10(b) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1124; D.C. Official Code § 50-2201.05(b)), negligent homicide in violation of section 802(a) of An Act To establish a code of law for the District of Columbia, approved June 17, 1935 (49 Stat. 385; D.C. Official Code § 50-2203.01), or manslaughter committed in the operation of a vehicle in violation of section 802 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1321; D.C. Official Code § 22-2105), and in the

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course of the trial there is received, based upon a chemical test, evidence of alcohol in the defendant's blood, urine, or breath, such evidence:

"(1) Shall, if at the time of testing, defendant's alcohol concentration was 0.05 grams or less per 100 milliliters of blood or per 210 liters of breath or 0.06 grams or less per 100 milliliters of urine, establish a rebuttable presumption that the defendant was not, at the time, under the influence of intoxicating liquor.

"(2) Shall not, if at the time of testing, defendant's alcohol concentration was more than 0.05 grams per 100 milliliters of blood or per 210 liters of breath or more than 0.06 grams per 100 milliliters of urine, but less than 0.08 grams per 100 milliliters of blood or per 210 liters of breath or less than 0.10 grams per 100 milliliters of urine, establish a presumption that the defendant was or was not, at the time, under the influence of intoxicating liquor, but it may be considered with other competent evidence in determining whether the defendant was under the influence of intoxicating liquor."

Sec. 3. Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-1004(a) is amended as follows:

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

"(1) The person's alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine; or"

(2) Paragraph (2) is repealed.

(b) Section 25-1008 is amended as follows:

(1) In the introductory language, strike the phrase "the following standards shall apply to competent evidence based upon a chemical test:" and insert the phrase "and in the course of the trial there is received, based upon a chemical test, evidence of alcohol in the defendant's blood, urine, or breath, such evidence:"

(2) Paragraphs (1) and (2) are amended to read as follows:

"(1) Shall, if at the time of testing, defendant's alcohol concentration was 0.05 grams or less per 100 milliliters of blood or per 210 liters of breath or 0.06 grams or less per 100 milliliters of urine, establish a rebuttable presumption that the defendant was not, at the time, under the influence of intoxicating liquor.

"(2) Shall not, if at the time of testing, defendant's alcohol concentration was more than 0.05 grams per 100 milliliters of blood or per 210 liters of breath or more than 0.06 grams per 100 milliliters of urine, but less than 0.08 grams per 100 milliliters of blood or per 210 liters of breath or less than 0.10 grams per 100 milliliters of urine, establish a presumption that the defendant was or was not, at the time, under the influence of intoxicating liquor, but it may be considered with other competent evidence in determining whether the defendant was under the influence of intoxicating liquor."

Note,
§ 25-1004

Note,
§ 25-1008

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Sec. 4. Technical amendments to the formula for determining alcohol concentration as it pertains to the offense of driving while under the influence of liquor.

(a) 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:

(1) Section 2024 (D.C. Official Code § 1-620.24) is amended by striking the phrase "breath contained .08% or more, by weight, of alcohol" and inserting the phrase "alcohol concentration was 0.08 grams or more per 210 liters of breath" in its place.

Note,
§ 1-620.24

(2) Section 2033 (D.C. Official Code § 1-620.33) is amended by striking the phrase "breath contains .08 percent or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more per 210 liters of breath" in its place.

Note,
§ 1-620.33

(b) Section 4 of the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996, effective September 20, 1996 (D.C. Law 11-158; D.C. Official Code § 24-211.23), is amended as follows:

Note,
§ 24-211.23

(1) Subsection (e) is amended by striking the phrase "breath contained .08% or more, by weight, of alcohol" and inserting the phrase "alcohol concentration was 0.08 grams or more per 210 liters of breath" in its place.

(2) Subsection (f) is amended by striking the phrase "1 milliliter of the employee's breath (consisting of substantially alveolar air) contains .38 micrograms or more of alcohol." and inserting the phrase "210 liters of the employee's breath contains 0.08 grams or more of alcohol." in its place.

(c) Section 7(a)(1) of the Uniform Classification and Commercial Driver's License Act of 1990, effective September 20, 1990 (D.C. Law 8-161; D.C. Official Code § 50-406(a)(1)), is amended by striking the phrase "a blood alcohol concentration at or above 0.04% as established under 12008(f) of the Commercial Motor Vehicle Safety Act (40 U.S.C.S. § 2707(f))." and inserting the phrase "an alcohol concentration of 0.04 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine." in its place.

Note,
§ 50-406

(d) Section 37(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954 (69 Stat. 130; D.C. Official Code § 50-1301.37(a)), is amended by striking the phrase "individual's blood contains .08% or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of defendant's breath, consisting substantially of alveolar air, or while defendant's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "person's alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

Note,
§ 50-1307.37

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

(1) Section 10(b) (D.C. Official Code § 50-2201.05(b)) is amended as follows:

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

Note,
§ 50-2201.05

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

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"(A)(i) No person shall operate or be in physical control of any vehicle in the District:

"(I) When the person's alcohol concentration at the time of testing is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine;

"(II) While under the influence of intoxicating liquor or any drug or any combination thereof; or

"(III) If under 21 years of age, when the person's blood, breath, or urine contains any measurable amount of alcohol.

"(ii) Any person violating any provision of this paragraph upon conviction for the first offense, unless the person has been previously been convicted for a violation of paragraph (2) of this subsection, shall be fined \$300 and may be imprisoned for not more than 90 days. In addition, if the person's alcohol concentration was at least 0.20 grams per 100 milliliters of blood or per 210 liters of breath, or was at least 0.25 grams per 100 milliliters of urine, but was not more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath, or was not more than 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for a mandatory minimum period of 5 days, or if the person's alcohol concentration was more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath or 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for an additional mandatory minimum period of 10 days, which mandatory minimum period shall not be suspended by the court."

(ii) Subparagraph (B) is amended by striking the sentences "In addition, if the individual's blood contains at least .20%, but not more than .25%, by weight, of alcohol, the individual shall be imprisoned for an additional mandatory minimum period of 10 days, or if the level is more than .25%, by weight, of alcohol, for an additional mandatory minimum period of 20 days. The additional mandatory minimum period shall not be suspended by the court." and inserting the sentence "In addition, if the person's alcohol concentration was at least 0.20 grams per 100 milliliters of blood or per 210 liters of breath, or was at least 0.25 grams per 100 milliliters of urine, but was not more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath, or was not more than 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for an additional minimum mandatory period of 10 days or if the person's alcohol concentration was more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath or more than 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for an additional mandatory minimum period of 20 days; which additional mandatory minimum periods shall not be suspended by the court." in its place.

(iii) Subparagraph (C) is amended by striking the sentences "In addition, if the individual's blood contains at least .20%, but not more than .25%, by weight, of alcohol, the individual shall be imprisoned for an additional minimum mandatory period of 15 days, or if the level is more than .25%, by weight, of alcohol volume, for an additional mandatory minimum period of 25 days. The additional mandatory minimum period shall not be suspended by the court." and inserting the sentence "In addition, if the person's alcohol

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concentration was at least 0.20 grams per 100 milliliters of blood or per 210 liters of breath, or was at least 0.25 grams per 100 milliliters of urine, but was not more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath, or was not more than 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for an additional minimum mandatory period of 15 days, or if the person's alcohol concentration was more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath or 0.32 grams per 100 milliliters of urine, the person shall be imprisoned for a mandatory minimum period of 25 days, which additional mandatory minimum periods shall not be suspended by the court." in its place.

(iv) Subparagraph (D) is amended by striking the word "individual" wherever it appears and inserting the word "person" in its place.

(B) Paragraph (2) is amended by striking the word "individual" wherever it appears and inserting the word "person" in its place.

(2) Section 13(a) (D.C. Official Code § 50-1403.01(a)) is amended by striking the phrase "individual's blood contains .08% or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of the individual's breath, consisting substantially of alveolar air, or while the individual's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "person's alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

Note,
§ 50-1403.01

(f) The District of Columbia Implied Consent Act, approved October 21, 1972 (86 Stat. 1016; D.C. Official Code § 50-1901 *et seq.*), is amended as follows:

(1) Section 2 (D.C. Official Code § 50-1902) is amended as follows:

Note,
§ 50-1902

(A) Subsection (a) is amended by striking the phrase "blood contains .08% or more, by weight, of alcohol, or .38 micrograms or more of alcohol are contained in 1 milliliter of that person's breath, consisting of substantially alveolar air, or that person's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(B) Subsection (b) is amended by striking the phrase "blood contains .08% or more, by weight, of alcohol, or .38 micrograms or more of alcohol are contained in 1 milliliter of that person's breath, consisting of substantially alveolar air, or that person's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(2) Section 5(a) (D.C. Official Code § 50-1905(a)) is amended by striking the phrase "individual's blood contains .08% or more, by weight, of alcohol, or .38 micrograms or more of alcohol are contained in 1 milliliter of that person's breath, consisting of substantially alveolar air, or that person's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "person's alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its

Note,
§ 50-1905

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place.

(3) Section 6(a)(1) (D.C. Official Code § 50-1906(a)(1)) is amended by striking the phrase "blood contains .08% or more, by weight, of alcohol, or .38 micrograms or more of alcohol are contained in 1 milliliter of that person's breath, consisting of substantially alveolar air, or that person's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

Note,
§ 50-1906

Sec. 5. Conforming amendments to the District of Columbia Municipal Regulations.

(a) Chapter 39 of Title 6 is amended as follows:

DCMR

(1) Subsection 3902.2(d) is amended by striking the phrase "breath contains .08 percent or more, by weight, of alcohol" and inserting the phrase "alcohol concentration was 0.08 grams or more per 210 liters of breath" in its place.

(2) Subsection 3905.4 is amended by striking the phrase "breath contains .08 percent or more, by weight, of alcohol" and inserting the phrase "alcohol concentration was 0.08 grams or more per 210 liters of breath" in its place.

(b) Title 18 is amended as follows:

(1) Chapter 3 is amended as follows:

DCMR

(A) Subsection 301.1(a) is amended by striking the phrase "blood contains eight one-hundredths of one percent (.08%) or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of the person's breath, consisting substantially of alveolar air, or while the person's urine contains ten one-hundredths of one percent (.10%) or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(B) Subsection 303.2(n) is amended by striking the phrase "blood contains eight one-hundredths of one percent (.08%) or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of the person's breath, consisting substantially of alveolar air, or while the person's urine contains ten one-hundredths of one percent (.10%) or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(C) Subsection 306.8 is amended by striking the phrase "blood contains eight one-hundredths of one percent (.08%) or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of the person's breath, consisting substantially of alveolar air, or while the person's urine contains ten one-hundredths of one percent (.10%) or more, by weight, of alcohol" and inserting the phrase "alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(D) Subsection 307.4 is amended by striking the phrase "individual's

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blood contains .08% or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of the person's breath, consisting substantially of alveolar air, or while the person's urine contains .10% or more, by weight, of alcohol" and inserting the phrase "person's alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine" in its place.

(2) Section 1034 of Chapter 10 is amended as follows:

(A) Subsection 1034.1 is amended as follows:

(i) Strike the phrase "blood alcohol content" and insert the phrase "alcohol concentration" in its place.

(ii) Add the sentence "These presumptions shall be rebuttable." after the first sentence.

(B) Subsection 1034.2 is amended to read as follows:

"1034.2 If at the time of testing, the operator's alcohol concentration was 0.05 grams or less per 100 milliliters of blood or per 210 liters of breath or 0.06 grams or less per 100 milliliters of urine, this evidence shall establish a presumption that the operator was not, at the time, under the influence of intoxicating liquor."

(C) Subsection 1034.3 is amended to read as follows:

"1034.3 If at the time of testing, the operator's alcohol concentration was more than 0.05 grams per 100 milliliters of blood or per 210 liters of breath or more than 0.06 grams per 100 milliliters of urine, but less than 0.08 grams per 100 milliliters of blood or per 210 liters of breath or less than 0.10 grams per 100 milliliters of urine, this evidence shall not establish a presumption that the operator was or was not, at the time, under the influence of intoxicating liquor, but it may be considered with other competent evidence in determining whether the operator was under the influence of intoxicating liquor."

(3) Chapter 13 is amended as follows:

(A) Subsection 1306.1(b) is amended to read as follows:

"(b) Having an alcohol concentration of 0.04 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine while operating a commercial vehicle;"

(B) Subsection 1319.3 is amended by striking the phrase "blood alcohol content was determined to be less than four hundredths of one percent (0.04%)." and inserting "alcohol concentration was determined to be less than 0.04 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine." in its place.

(C) Subsection 1320.3 is amended to read as follows:

"1320.3 If the person refuses testing in § 1320.1, or submits to a test that discloses an alcohol concentration of 0.04 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, the authorized law enforcement officer who has stopped or detained the driver shall submit a sworn report to the Department of Motor Vehicles certifying that the test was requested pursuant to § 1320.1 and that the person refused to submit to testing, or submitted to a test that disclosed an alcohol concentration of 0.04 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine."

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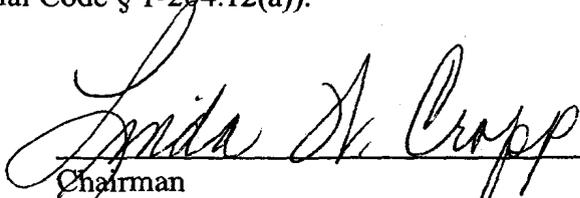
(D) Subsection 1399.1 is amended by striking the sentence "Chemical Test - a test of a person's blood urine or breath for the purpose of determining the blood-alcohol-content or blood-drug-content in accordance with D.C. Official Code §§ 50-1902 and 50-1903, except the blood-alcohol-content shall be four hundredths of one percent (0.04%) instead of one tenth percent (0.10%)." and inserting the sentence "Chemical Test - a test of a person's blood, urine, or breath for the purpose of determining the alcohol concentration or blood-drug-content in accordance with D.C. Official Code §§ 50-1902 and 50-1903, except the alcohol concentration shall be 0.04 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine instead of 0.10 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine." in its place.

Sec. 6. Fiscal impact statement.

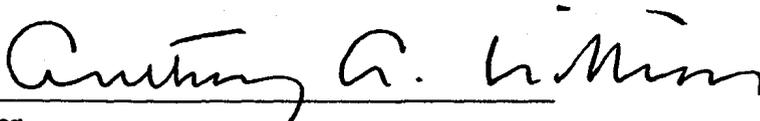
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 31, 2006

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AN ACT

D.C. ACT 16-470

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 31, 2006

Codification
District of
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To amend, on an emergency basis, the Rental Housing Act of 1985 to provide, as of August 4, 2006, for the elimination of rent ceilings and rent ceiling adjustments except for those approved pursuant to prior petitions, to allow the housing provider to increase the rent charged for a vacant rental unit by 10% of the current lawful amount of rent charged or to the highest lawful amount of rent charged for any substantially identical unit within that housing accommodation, but not more than 30% of the current rent charged for the vacant unit, to simplify and reduce filing burdens on the Rent Administrator and housing providers, to authorize and to limit the amount of any increase in the rent charged for an occupied unit, other than a petition-based increase, to 2% plus the adjustment of general applicability up to a maximum total of 10%, the total to be taken as percentage of the current lawful amount of rent charged, to authorize and to limit the amount of any increase in the rent charged for a unit occupied by an elderly or disabled person to the lesser of 5% or the adjustment of general applicability, to limit to one per year the number of increases in rent charged, to provide for disclosure of information, and to require the Mayor to report on the need for and the means of establishing an income qualified set-aside program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rent Control Reform Emergency Amendment Act of 2006".

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) Sections 202(a)(3), 206(a), (b), (c), and (f)(3), 205(a)(7)(C), 208, 209, 210(c) and (h), 211, 212(c), 214(a), 215(a)(1) and (c), 216(f) and 901(a) (D.C. Official Code §§ 42-3502.02, 42-3502.06(a), (b), (c), and (f)(3), 42-3502.08, 42-3502.09, 42-3502.10(c) and (h), 42-3502.11, 42-3502.12(c), 42-3502.14(a), 42-3502.15(a)(1) and (c), 42-3502.16(f), and 42-3509.01(a)) are amended by striking the phrase "rent ceiling" wherever it appears and inserting the phrase "rent charged" in its place.

Amend
§§42-3502.02,
42-3502.06,
42-3502.08 -
42-3502.12
42-3502.14 -
42-3502.16,
42-3509.01

(b) Section 205(g) (D.C. Official Code § 42-3502.05(g)) is amended to read as follows:
“(g)(1) A housing provider shall file the following notices with the Rent Administrator:

Amend
§ 42-3502.05

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“(A) A copy of the rent increase notice given to the tenant for a rent increase under section 208(h)(2), within 30 days after the effective date of the increase; provided, that if rent increases are given to multiple tenants with the same effective date, the housing provider shall file a sample rent increase notice and a list attached stating the unit number, tenant name, previous rent charged, new rent charged, and effective date for each rent increase;

“(B) A copy of the notice given to the tenant for an increase under section 213(d) stating the calculation of the initial rent charged in the lease (based on increases during the preceding 3 years) within 30 days of the commencement of the lease term;

“(C) A notice of a change in ownership or management of the housing accommodation, or change in the services and facilities included in the rent charged, within 30 days after the change.

“(2) Subject to appropriation, the Mayor shall establish an electronic database for the filing, storage, and retrieval of rent stabilization program documents.”

(c) Section 206(a) (D.C. Official Code § 42-3502.06(a)) is amended by adding three new sentences at the beginning of the text to read as follows:

Amend
§ 42-3502.06

“Rent ceilings are abolished, except that the housing provider may implement, in accordance with section 208(g), rent ceiling adjustments pursuant to petitions and voluntary agreements approved by the Rent Administrator prior to the effective date of the Rent Control Reform Amendment Act of 2006, signed by the Mayor on June 15, 2006 (D.C. Act 16-391; 53 DCR 4889). Petitions and voluntary agreements pending as of the effective date of the Rent Control Reform Amendment Act of 2006, signed by the Mayor on June 15, 2006 (D.C. Act 16-391; 53 DCR 4889), shall be decided pursuant to the provisions of this title in effect prior to the effective date and may be implemented in accordance with section 208(g). In considering a hardship petition pursuant to section 212, any unimplemented rent charged increase pursuant to a petition or voluntary agreement approved by the Rent Administrator shall be included in the maximum possible rental income.”

Repeal
§ 42-3502.07
Amend
§ 42-3502.08

(d) Section 207 (D.C. Official Code § 42-3502.07) is repealed.

(e) Section 208 (D.C. Official Code § 42-3502.08) is amended as follows:

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

“(g) The amount of rent charged for any rental unit subject to this title shall not be increased until a full 12 months have elapsed since any prior increase; provided, that:

“(1) An increase in the amount of rent charged shall not exceed the amount of any single adjustment pursuant to any one section of this title;

“(2) If the rental unit becomes vacant within 12 months of an increase in the amount of rent charged, other than a vacancy increase pursuant to section 213, the housing provider may increase the amount of rent charged pursuant to section 213; and

“(3) If the amount of rent charged is increased pursuant to paragraph (2) of this subsection, the amount of rent charged shall not be increased until a full 12 months have elapsed after the increase in the amount of rent charged, even if another vacancy occurs.”

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(2) Subsection (h) is amended to read as follows:

“(h)(1) Unless the increase in the amount of rent charged is implemented pursuant to section 210, 211, 212, 214, or 215, an increase in the amount of rent charged while the unit is vacant shall not exceed the amount permitted under section 213(a).

“(2) Unless the increase in the amount of rent charged is implemented pursuant to section 210, 211, 212, 214, or 215, an increase in the amount of rent charged while the unit is occupied shall not exceed, taken as a percentage of the current allowable amount of rent charged for the unit, 2% plus the adjustment of general applicability; provided, that the total increase shall not exceed 10%; provided further, that the amount of any such increase in the rent charged for a unit occupied by an elderly or disabled tenant without regard to income but otherwise as defined in section 206(f) shall not exceed the lesser of 5% or the adjustment of general applicability.”

(f) Section 213 (D.C. Official Code § 42-3502.13) is amended as follows:

Amend § 42-3502.13

(1) Subsection (a) is amended by striking the phrase “the rent ceiling may, at the election of the housing provider, be adjusted to either: (1) The rent ceiling which would otherwise be applicable to a rental unit under this title plus 12% of the ceiling once per 12-month period; or

(2) The rent ceiling of a substantially identical rental unit in the same housing accommodation” and inserting the phrase “the amount of rent charged may, at the election of the housing provider, be increased:

“(1) By 10% of the current allowable amount of rent charged for the vacant unit; or

“(2) To the amount of rent charged for a substantially identical rental unit in the same housing accommodation; provided, that the increase shall not exceed 30% of the current lawful amount of rent charged for the vacant unit” in its place.

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

“(d) Within 15 days after of the commencement of the new tenancy, the housing provider shall disclose to the tenant on a form published by the Rent Administrator (or in another suitable format until a form is published):

“(1) The applicable rent for the rental unit at the commencement of the tenancy;

“(2) The amount of the increases in the amount of rent charged for the rental unit during the preceding 3 years, including the basis for each increase and, if applicable, the identification of any substantially identical rental unit on which a vacancy increase is based, and the current increase in the rent charged; and

“(3) The identification of any substantially identical rental unit on which the vacancy increase is based.”

(g) New sections 222 and 223 are added to read as follows:

New § 42-3502.22

“Sec. 222. Disclosure to tenants.

“(a) At the written request of a tenant not more than one time each calendar year, a housing provider shall, within 10 business days on a form provided by the Rent Administrator

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(or in another suitable format until a form is published), provide the amount of each increase in the amount of rent charged for the tenant's rental unit during the preceding 3 years on which the current rent charged is based, including the basis for each increase and, if applicable, the identification of any substantially identical rental unit on which a vacancy increase was based.

“(b)(1) At the time a prospective tenant files an application to lease any rental unit, the housing provider shall provide on a disclosure form published by the Rent Administrator (or in another suitable format until a form is published) together with any documents corresponding to each item of information:

“(A) The applicable rent for the rental unit;

“(B) Any tenant petition or petition filed by the housing provider which is pending that could affect the rental unit, including petitions for further rent increases during the following 12 months;

“(C) Any surcharges on rent for the rental unit, including capital improvement surcharges and the expiration date of those surcharges;’

“(D) The frequency with which rent increases for the rental unit may be implemented;

“(E) The rent-controlled or exempt status of the housing accommodation, its business license, and a copy of the registration or claim of exemption together with the most recent notice filed pursuant to section 205(g)(1)(C);

“(F) All copies of housing code violation reports issued by the Department of Consumer and Regulatory Affairs for the housing accommodation or rental unit within the last 12 months, or previously issued reports for violations which have not been abated;

“(G) A pamphlet published by the Rent Administrator that explains in detail using lay terminology the laws and regulations governing the implementation of rent increases and petitions permitted to be filed by housing providers and by tenants;

“(H)(i) The amount of any nonrefundable application fee; and

“(ii) The amount of any initial security deposit, the interest rate on the security deposit, and the means by which the security deposit is returned to the tenant when the tenant vacates the unit;

“(I) Whether the housing accommodation is registered as, or in the process of converting to, a condominium or cooperative or a use that is not a housing accommodation; and

“(J) The disclosure of ownership information in the registration form required by section 205(f) and (g)(1)(C).

“(2) The housing provider shall:

“(A) Maintain in a publicly accessible area of the housing accommodation (such as a reception desk or management office) a compilation of disclosure forms and documents for each rental unit in the housing accommodation containing the information required by paragraph (1) of this section;

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“(B) Update the compilation within 30 days of any change in such information;

“(C) Give written notice to each tenant of the housing accommodation, on a form published by the Rent Administrator (or in another suitable format until a form is published), that the disclosure forms and documents for the tenant’s rental unit are available for inspection, which shall include the location of the disclosure forms in the housing accommodation and a table of contents enumerating the categories of information contained in the compilation required by paragraph (1) of this section;

“(D) Make available for the tenant’s inspection the disclosure forms and the documents for the tenant's rental unit; and

“(E) Within 10 business days after written request by any tenant once per year, provide to the tenant without charge a copy of the disclosure form and such documents for the tenant's rental unit .

“(c) The rent for any rental unit shall not be increased if the housing provider:

“(1) Willfully violates the provisions of this section; or

“(2) Fails to comply within 10 business days of written notice of any failure to comply with the provisions of this section.

“Sec. 223. Addition to Comprehensive Housing Strategy report.

New § 42-3502.23

“The Mayor shall include in the reports to the Council pursuant to section 5 of the Comprehensive Housing Strategy Act of 2003, effective March 10, 2004 (D.C. Law 15-73; D.C. Official Code § 6-1054), analyses of the need, means, and methods of further assisting income qualified elderly tenants, disabled tenants, teachers of the District of Columbia Public Schools or a District of Columbia Public Charter School, and low-income tenants to pay their rent. The report shall consider:

“(1) The income and any other criteria that shall be used to determine which tenants qualify for the program;

“(2) The rent that qualified households shall pay;

“(3) The number and the allocation of units to be included in any set-aside;

“(4) The extent to which the program should incorporate any District affordable housing program and any federal affordable housing program available in the District; and

“(5) The reporting requirements which should be imposed on housing providers subject to this title and on qualified tenants to ensure that the program is effective.”.

Sec. 3. Applicability.

This act shall apply as of August 4, 2006.

Note, §§ 42-3502.22, 42-3502.23

Sec. 4. Fiscal impact statement.

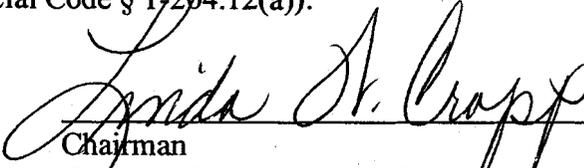
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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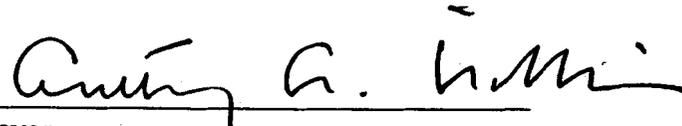
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Sec. 5. Effective date.

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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 31, 2006

AN ACT
D.C. ACT 16-471

*Codification
District of
Columbia
Official Code*

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JULY 31, 2006

To amend, on an emergency basis, subchapter II of Chapter 8 of Title 47 of the District of Columbia Official Code to authorize a certain tax exemption in order to facilitate the construction of a mixed-use, predominately residential building with retail in Square 2910, which is bounded by Kansas Avenue, Upshur Street, Georgia Avenue, and Taylor Street in Northwest Washington, D.C., in Ward 4; and to provide an exemption from permit fees and other financial impositions for a certain affordable housing and mixed-use project in Square 2910.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Square 2910 Residential Development Stimulus Emergency Act of 2006".

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

(a) Section 47-857.07 is amended by adding a new subsection (d) to read as follows:

Note,
§ 47-857.07

"(d) (1) Notwithstanding the provisions of § 47-857.02, there shall be allowed an exemption from all of the real property tax imposed by § 47-811 on the property in eligible area #4 owned by the 4100 Georgia Avenue developer and the Mayor shall issue to the 4100 Georgia Avenue developer certification letters stating that the property and buildings are eligible for the exemption and that the Mayor has reserved the exemption for the property and buildings in the allocated amounts; provided, that, with respect to the 4100 Georgia Avenue project:

"(A) The first level of concrete shall be laid by December 31, 2007;

"(B) A certificate of occupancy for the building shall have been issued within 36 months after the first level of concrete has been laid for the building; and

"(C) The building satisfies the provisions of § 47-857.06(a)(2), (3), and

(4).

"(2) For each deadline set forth in paragraph (1) of this subsection, one 6-month extension may be granted at the discretion of the Mayor.

"(3) The tax exemption allowed by this subsection shall be included in and subject to the annual \$3.5 million abatement limit set forth in § 47-857.09(c).

"(4) The tax exemption allowed by this subsection for eligible area #4 shall expire when the tax exemption allowed for eligible area #4 has cumulatively amounted to \$3.3 million.

"(5) For the purposes of this subsection, the term:

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“(A) “4100 Georgia Avenue developer” means the person (or any successor in interest) who will develop or has developed a residential property on Lots 35 and 803 (and any subsequent subdivision or division of those lots) and the alley between them in Square 2910, and any subsequent owner or assignee of or successor in interest to the 4100 Georgia Avenue project. The term “4100 Georgia Avenue developer” shall not include any owner or operator of the first-floor commercial space, if such first-floor commercial space is sold as a condominium to an entity or person other than the 4100 Georgia Avenue developer.

“(B) “4100 Georgia Avenue project” means the project constructed on Lots 35 and 803 (and any subsequent subdivision or division of those lots) and the alley in between them in Square 2910, consisting of affordable housing and first-floor retail space.

(b) Section 47-857.01(2) is amended by adding a new paragraph (4A) to read as follows:

Note,
§ 47-857.01

“(4A) “Eligible Area #4” means all real property in Square 2910 fronting on Georgia Avenue, N.W., Taylor Street, N.W., or Kansas Avenue, N.W.”.

(c) Section 47-857.02(b) is amended as follows:

Note,
§ 47-857.02

(1) Paragraph (2) is amended by striking the word “or” at the end.

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

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

“(4) December 31, 2008, if the property is located in eligible area #4.”.

(d) Section 47-857.09(c) is amended to read as follows:

Note,
§ 47-857.09

“(c) The Mayor may approve up to \$3.5 million in annual tax abatements under §§ 47-857.07 and 47-857.08; provided that \$500,000 of such money shall be reserved for properties in eligible area #4.”.

Sec. 3. Financial imposition exemption for the 4100 Georgia Avenue, N.W., project.

Note,
§ 47-857.07

(a) Notwithstanding any other provisions of law, no fees shall be charged to the 4100 Georgia Avenue developer or any other owners or developers of the 4100 Georgia Avenue project for any permits related to the construction of the 4100 Georgia Avenue project, including private space or public permit fees or building permit fees (involving vault space rental).

(b) For the purposes of this section, the term:

(1) “4100 Georgia Avenue developer” means the person (or any successor in interest) who will develop or has developed a residential property on Lots 35 and 803 (and any subsequent subdivision or division of those lots) and the alley between them in Square 2910.

(2) “4100 Georgia Avenue project” means the project constructed on Lots 35 and 803 (and any subsequent subdivision or division of those lots) and the alley between them in Square 2910, consisting of affordable housing and first-floor retail space.

Sec. 4. Inclusion in the budget and financial plan.

This act shall take effect subject to the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 5. 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)).

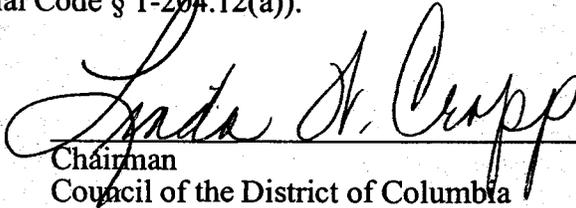
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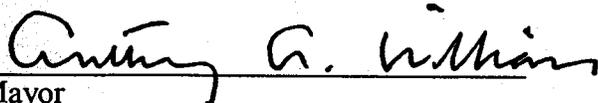
DISTRICT OF COLUMBIA REGISTER

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Sec. 6. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
July 31, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-472

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 31, 2006

*Codification
District of
Columbia
Official Code*

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Publisher

To amend, on an emergency basis, the Historic Landmark and Historic District Protection Act of 1978 to establish a program of grants to assist low- and moderate-income homeowners with qualified rehabilitation expenditures on a historic home, and to allow funds to be used for reasonable costs of administration.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Targeted Historic Preservation Assistance Emergency Amendment Act of 2006".

Sec. 2. The Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1101 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 6-1102) is amended by adding a new subsection (a-1) to read as follows:

Note,
§ 6-1102

"(a-1)(1) "Area median income" means:

"(A) For a household of 4 persons, the area median income for a household of 4 persons in the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the United States Department of Housing and Urban Development;

"(B) For a household of 3 persons, 90% of the area median income for a household of 4 persons;

"(C) For a household of 2 persons, 80% of the area median income for a household of 4 persons;

"(D) For a household of one person, 70% of the area median income for a household of 4 persons; and

"(E) For a household of more than 4 persons, the area median income for a household of 4 persons, increased by 10% of the area median income for a family of 4 persons for each household member exceeding 4 persons;

"(2) Any percentage referenced in paragraph (1) of this subsection shall be determined through a direct mathematical calculation not taking into account any adjustments

made by the U.S. Department of Housing and Urban Development for the purposes of the programs it administers.”.

(b) Section 11 (D.C. Official Code § 6-1110) is amended by adding a new subsection (d) to read as follows:

Note
§ 6-1110

“(d) An appeal of any enforcement action brought by the Historic Preservation Office shall be heard by the Office of Administrative Hearings.”.

(c) A new section 11b is added to read as follows:

“Section 11b. Targeted Homeowner Grant Program.

“(a) The Mayor may use authorized funds to establish a targeted homeowner grant program to assist homeowners with the rehabilitation of their historic property.

“(b) A grant under this program may be used to rehabilitate a structure that contributes to the character of one of the following historic districts:

- “(1) Anacostia Historic District;
- “(2) Blagden Alley/Naylor Court Historic District;
- “(3) Capitol Hill Historic District;
- “(4) Greater Fourteenth Street Historic District;
- “(5) Greater U Street Historic District;
- “(6) LeDroit Park Historic District;
- “(7) Mount Pleasant Historic District;
- “(8) Mount Vernon Square Historic District;
- “(9) Mount Vernon Triangle Historic District;
- “(10) Shaw Historic District;
- “(11) Strivers’ Section Historic District; or
- “(12) Takoma Park Historic District.

“(c) A grant shall be limited to structural repairs or work on the exterior of a qualified structure;

“(d) A grant shall not exceed \$25,000; except, that a grant may be a maximum of \$35,000 if the structure is located in the Anacostia Historic District.

“(e)(1) A grant may be made to a taxpayer, as defined in D.C. Official Code section 47-1801.04(7), who has a household income of 120% or less of the area median income; provided, that:

“(A) The grant is for rehabilitation of the taxpayer’s principal place of residence or a structure that will be the taxpayer’s principal place of residence within 60 days after the rehabilitation is completed;

“(B) The taxpayer submits an application showing that the taxpayer meets the applicable household income criteria and is listed on the Office of Tax and Revenue’s records as currently receiving the homestead deduction for property taxes, and includes written consent from each person in the applicant’s household to disclosure by Office of Tax and

ENROLLED ORIGINAL

Revenue to the Historic Preservation Office of his or her gross income; which disclosure shall be used solely for consideration of grant applications under this section.

"(2) The Office of Tax and Revenue shall report the gross income of each of the persons in the taxpayer's household at the time the grant application is made pursuant to subparagraph (B) of paragraph (1) based upon the most recent income tax return of each person to the Historic Preservation Office prior to the award of a grant.

"(f) A taxpayer who has a household income of more than 60% but no more than 90% of area median income shall be required to match the grant by contributing a minimum of 25% of the cost of the rehabilitation; except, that the match requirement shall be a minimum of 15% for a taxpayer in the Anacostia Historic District.

"(g) A taxpayer who has a household income of more than 90% of area median income shall be required to match the grant by contributing a minimum of 50% of the cost of the rehabilitation; except, that the match requirement shall be a minimum of 40% for a taxpayer in the Anacostia Historic District.

"(h) The Mayor shall:

"(1) Approve the scope of rehabilitation work prior to award of a grant;

"(2) Ensure that all work is consistent with the purposes of this act and implementing regulations; and

"(3) Award grants and disburse grant funds pursuant to rules and procedures the Mayor shall establish for this purpose.

"(i)(1) The taxpayer shall enter into a preservation covenant with the State Historic Preservation Officer against the property on which the structure is located. The covenant shall run with the land and shall require that the rehabilitation improvements be maintained in good repair satisfactory to the State Historic Preservation Officer for 5 years after the date on which the grant is fully disbursed.

"(2) If the taxpayer does not maintain the certified rehabilitation improvements in good repair for any period of time covered by the covenant, the Mayor may take any enforcement action authorized under this act and may assess the amount of the grant as a tax on the property, and shall:

(A) Carry the tax on the regular tax rolls; and

(B) Collect the tax in the same manner as real property taxes are collected provided; that a lien shall not be valid as against any bona fide purchaser, or holder of a security interest, mechanic's lien, or other such creditor interested in the property, without notice, until notice by filing the lien in the Recorder of Deeds.

"(j)(1) An action may be brought in the name of the District at any time within 3 years after the expiration of 60 days from the date that the tax was assessed to recover the amount of the unpaid tax.

"(2) A lien shall be satisfied by payment of the amount of the lien to the State Historic Preservation Officer.

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“(k)(1) The Mayor shall deposit in the HLP Fund established in section 11a any funds appropriated for the purposes of the Targeted Homeowner Grant Program.

“(2) The Mayor may expend up to \$1.25 million of appropriated funds for this purpose each fiscal year, beginning from fiscal year 2006 through fiscal year 2010. Any appropriated funds not expended during a fiscal year shall be used only for the same purpose in subsequent fiscal years.

“(3) In each applicable fiscal year, the Mayor may expend up to 5% of the amount of the funds authorized in that year for reasonable administrative costs.”.

Sec. 3. Conforming amendment.

Section 6(b) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(b)), is amended by adding a new paragraph (5) to read as follows:

Note
§ 2-1831.03

“(5) All adjudicated enforcement cases brought by the Historic Preservation Office within the Office of Planning.”.

Sec. 4. Applicability.

The implementation of the provisions of this act is subject to appropriations and nothing in this act shall be construed to create an entitlement.

Note,
§§ 6-1102,
6-1110

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Targeted Historic Preservation Assistance Amendment Act of 2006, passed on 2nd reading on July 11, 2006 (Enrolled version of Bill 16-300), 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. 6. Effective date.

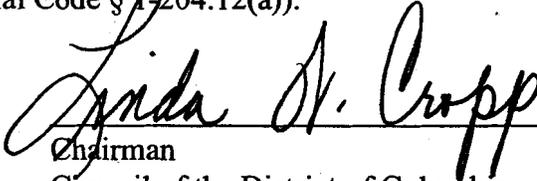
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

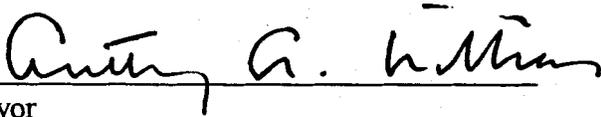
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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 31, 2006

AN ACT

D.C. ACT 16-473

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 31, 2006

*Codification
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To amend the Historic Landmark and Historic District Protection Act of 1978 to establish a program of grants to assist low- and moderate-income homeowners with qualified rehabilitation expenditures on a historic home, and to allow funds to be used for reasonable costs of administration.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Targeted Historic Preservation Assistance Amendment Act of 2006".

Sec. 2. The Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1101 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 6-1102) is amended by adding a new subsection (a-1) to read as follows:

Amend
§ 6-1102

"(a-1)(1) "Area median income" means:

"(A) For a household of 4 persons, the area median income for a household of 4 persons in the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the United States Department of Housing and Urban Development;

"(B) For a household of 3 persons, 90% of the area median income for a household of 4 persons;

"(C) For a household of 2 persons, 80% of the area median income for a household of 4 persons;

"(D) For a household of one person, 70% of the area median income for a household of 4 persons; and

"(E) For a household of more than 4 persons, the area median income for a household of 4 persons, increased by 10% of the area median income for a family of 4 persons for each household member exceeding 4 persons;

"(2) Any percentage referenced in paragraph (1) of this subsection shall be determined through a direct mathematical calculation not taking into account any adjustments made by the U.S. Department of Housing and Urban Development for the purposes of the programs it administers."

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(b) Section 11 (D.C. Official Code § 6-1110) is amended by adding a new subsection (d) to read as follows:

Amend
§ 6-1110

"(d) An appeal of any enforcement action brought by the Historic Preservation Office shall be heard by the Office of Administrative Hearings."

(c) A new section 11a is added to read as follows:

"Section 11a. Targeted Homeowner Grant Program.

"(a) The Mayor may use authorized funds to establish a targeted homeowner grant program to assist homeowners with the rehabilitation of their historic property.

"(b) A grant under this program may be used to rehabilitate a structure that contributes to the character of one of the following historic districts:

- "(1) Anacostia Historic District;
- "(2) Blagden Alley/Naylor Court Historic District;
- "(3) Capitol Hill Historic District;
- "(4) Greater Fourteenth Street Historic District;
- "(5) Greater U Street Historic District;
- "(6) LeDroit Park Historic District;
- "(7) Mount Pleasant Historic District;
- "(8) Mount Vernon Square Historic District;
- "(9) Mount Vernon Triangle Historic District;
- "(10) Shaw Historic District;
- "(11) Strivers' Section Historic District; or
- "(12) Takoma Park Historic District.

"(c) A grant shall be limited to structural repairs or work on the exterior of a qualified structure;

"(d) A grant shall not exceed \$25,000; except, that a grant may be a maximum of \$35,000 if the structure is located in the Anacostia Historic District.

"(e)(1) A grant may be made to a taxpayer, as defined in D.C. Official Code section 47-1801.04(7), who has a household income of 120% or less of the area median income; provided, that:

"(A) The grant is for rehabilitation of the taxpayer's principal place of residence or a structure that will be the taxpayer's principal place of residence within 60 days after the rehabilitation is completed;

"(B) The taxpayer submits an application showing that the taxpayer meets the applicable household income criteria and is listed on the Office of Tax and Revenue's records as currently receiving the homestead deduction for property taxes, and includes written consent from each person in the applicant's household to disclosure by Office of Tax and Revenue to the Historic Preservation Office of his or her gross income; which disclosure shall be used solely for consideration of grant applications under this section.

"(2) The Office of Tax and Revenue shall report the gross income of each of the

persons in the taxpayer's household at the time the grant application is made pursuant to subparagraph (B) of paragraph (1) based upon the most recent income tax return of each person to the Historic Preservation Office prior to the award of a grant.

"(f) A taxpayer who has a household income of more than 60% but no more than 90% of area median income shall be required to match the grant by contributing a minimum of 25% of the cost of the rehabilitation; except, that the match requirement shall be a minimum of 15% for a taxpayer in the Anacostia Historic District.

"(g) A taxpayer who has a household income of more than 90% of area median income shall be required to match the grant by contributing a minimum of 50% of the cost of the rehabilitation; except, that the match requirement shall be a minimum of 40% for a taxpayer in the Anacostia Historic District.

"(h) The Mayor shall:

"(1) Approve the scope of rehabilitation work prior to award of a grant;

"(2) Ensure that all work is consistent with the purposes of this act and implementing regulations; and.

"(3) Award grants and disburse grant funds pursuant to rules and procedures the Mayor shall establish for this purpose.

"(i)(1) The taxpayer shall enter into a preservation covenant with the State Historic Preservation Officer against the property on which the structure is located. The covenant shall run with the land and shall require that the rehabilitation improvements be maintained in good repair satisfactory to the State Historic Preservation Officer for 5 years after the date on which the grant is fully disbursed.

"(2) If the taxpayer does not maintain the certified rehabilitation improvements in good repair for any period of time covered by the covenant, the Mayor may take any enforcement action authorized under this act and may assess the amount of the grant as a tax on the property, and shall:

(A) Carry the tax on the regular tax rolls; and

(B) Collect the tax in the same manner as real property taxes are collected provided; that a lien shall not be valid as against any bona fide purchaser, or holder of a security interest, mechanic's lien, or other such creditor interested in the property, without notice, until notice by filing the lien in the Recorder of Deeds.

"(j)(1) An action may be brought in the name of the District at any time within 3 years after the expiration of 60 days from the date that the tax was assessed to recover the amount of the unpaid tax.

"(2) A lien shall be satisfied by payment of the amount of the lien to the State Historic Preservation Officer.

"(k)(1) The Mayor shall deposit in the HLP Fund established in section 11a any funds appropriated for the purposes of the Targeted Homeowner Grant Program.

"(2) The Mayor may expend up to \$1.25 million of appropriated funds for this

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purpose each fiscal year, beginning from fiscal year 2006 through fiscal year 2010. Any appropriated funds not expended during a fiscal year shall be used only for the same purpose in subsequent fiscal years.

“(3) In each applicable fiscal year, the Mayor may expend up to 5% of the amount of the funds authorized in that year for reasonable administrative costs.”.

Sec. 3. Conforming amendment.

Section 6(b) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(b)), is amended by adding a new paragraph (5) to read as follows:

Amend
§ 2-1831.03

“(5) All adjudicated enforcement cases brought by the Historic Preservation Office within the Office of Planning.”.

Sec. 4. Applicability.

The implementation of the provisions of this act is subject to appropriations and nothing in this act shall be construed to create an entitlement.

Note,
§§ 6-1102,
6-1110

Sec. 5. 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)).

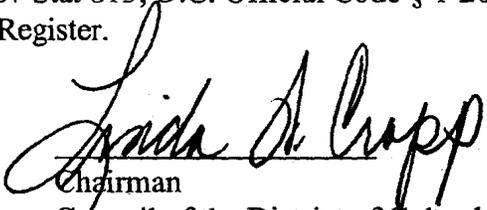
Sec. 6. Effective date.

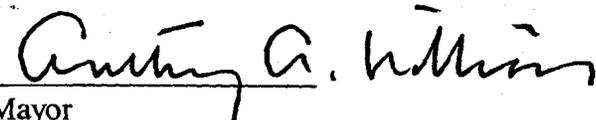
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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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.


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
July 31, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-474

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JULY 31, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Fall
Supp.

West Group
Publisher

To establish an emerging technology opportunity development task force to identify and assess emerging technologies and their economic development opportunities, and to encourage participation by universities, schools, government, and businesses in a comprehensive strategy to increase emerging technology.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Emerging Technology Opportunity Development Task Force Act of 2006".

Sec. 2. Establishment of Task Force.

There is established a Technology Opportunity Development Task Force ("Task Force") to serve as a collaborative body to identify knowledge-based economic opportunities, including emerging technology fields, that could provide research and economic development opportunities for the District of Columbia and create a comprehensive and coordinated strategy to enhance commercial activity in these fields.

Sec. 3. Duties.

(a) The Task Force shall conduct a detailed assessment of the emerging knowledge and technology cluster in the District of Columbia through the following:

- (1) A review of national best practices to develop and attract knowledge-based and technology-based companies;
- (2) Creation of a plan to promote the development of research-driven and innovative firms in the District; and
- (3) Creation of a way to market and identify the District as a center for creativity and innovation, capitalizing on established institutions such as museums, think tanks, universities, and media and communication industries.

(b) The Task Force shall explore means to increase economic activity within the District through knowledge-based activities, including technology commercialization, by encouraging the following:

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- (1) Development of the technology infrastructure such as fiber optics cable and research and incubator space needed by knowledge-based and technology-based companies;
- (2) The transfer and commercialization of university research;
- (3) Partnerships between businesses and universities to market university products and attract government and private investment for these products;
- (4) Creation of an entrepreneurial environment for new businesses to take advantage of emerging knowledge-based and technology development opportunities, especially in underserved communities and disadvantaged populations;
- (5) Relocation of businesses to the District to take advantage of these initiatives;
- (6) Investment by venture capital firms in emerging knowledge-based and technology-based companies in the District; and
- (7) Collaboration by universities, public schools, and small businesses to:
 - (A) Define the jobs that may be created through innovation-led and technology development initiatives and the skills that will be needed for these jobs;
 - (B) Integrate opportunities for students and employees to work across disciplines to obtain the skills necessary for enhanced job performance; and
 - (C) Help individuals without technical skills to participate in on-the-job training, in conjunction with public schools and local universities.

Sec. 4. Composition; compensation, procedure; sunset.

- (a) The Task Force shall be selected by the Mayor and the Chairman of the Council and be comprised of no more than 23 representatives from the following entities:
 - (1) University research and federal research communities;
 - (2) Business leaders including entrepreneurs;
 - (3) Real estate development;
 - (4) Banking, investment, and venture capital;
 - (5) Government and public policy;
 - (6) Public education;
 - (7) Community organizations; and
 - (8) Washington, D.C.-area grantmakers.
- (b) The chairperson shall be appointed by the Mayor from among the members.
- (c) The Mayor shall appoint at least 3 members from the Task Force to the Federal Comprehensive Economic Development Strategy ("CEDS") Committee.
- (d) Members shall serve without compensation; except, that members may receive reimbursement for documented expenses incurred in the service of the Task Force.
- (e) The Mayor shall provide staff support to the Task Force and the funds necessary to accomplish its duties and the purposes of this act.
- (f) The Task Force may meet as necessary to conduct its official business.

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(g) The Task Force may conduct hearings, receive testimony, and establish rules of procedure as may be necessary.

(h) The Task Force shall disband no later than one year after its initial meeting.

Sec. 5. Findings and recommendations.

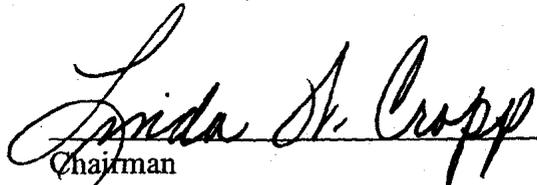
No later than 30 days prior to disbandment, the Task Force shall submit to the Mayor and the Council its findings and recommendations, including any proposed legislative changes and the estimated cost of the proposed legislation.

Sec. 6. Fiscal impact statement.

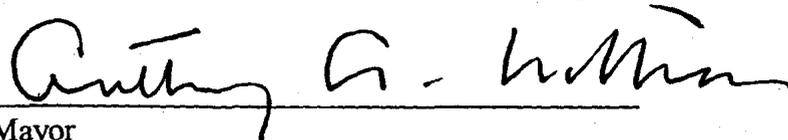
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 31, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-475

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 31, 2006

To amend the Workforce Investment Implementation Act of 2000 to rename the Workforce Investment Board; section 201 of the District of Columbia Public Postsecondary Education Reorganization Act to repeal a provision that conflicts with the Confirmation Act of 1978; section 47-1803.3(b-1) of the District of Columbia Official Code to correctly state the defined term "long-term care insurance"; the Fiscal Year 2006 Budget Submission Amendment Act of 2005 to correct and re-codify a provision regarding the revaluation of certain real property for triennial groups 1 and 2 for purposes of the real property tax cap; to amend An act providing a permanent form of government for the District of Columbia to reference the Department of Health to reflect the changes that occurred when the Department of Health became a distinct department separate from the Department of Human Services; to amend section 5 of the AIDS Health-Care Response Act of 1986 to reference the Department of Health to reflect the changes that occurred when the Department of Health became a distinct department separate from the Department of Human Services; to amend An Act to establish a code of law for the District of Columbia to reference the Department of Health to reflect the changes that occurred when the Department of Health became a distinct department separate from the Department of Human Services; the DC-USA Economic Development Act of 2006 to correct a cross reference and the effective date clause; the Freedom of Information Act to make conforming amendments; the Retail Incentive Act of 2004 to update the definition of LSDBE; the National Capital Revitalization Corporation Eminent Domain Clarification and Skyland Eminent Domain Approval Amendment Act of 2004 to correct a typographical error; the Business Improvement Districts and Anacostia Waterfront Corporation Clarification Amendment Act of 2004 to make a grammatical change and add a word that was inadvertently omitted; the Anacostia Waterfront Corporation Act of 2004 to allow the phrase "IRC" to be substituted for a full citation that appears several times in the text of the law, make a conforming amendment to change a reference from "subchapters" to "titles", change the designation of a subtitle, and make a conforming amendment to update the definition of LSDBE; the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to delete a redundant provision; the Office of Administrative Hearings Establishment Act of 2001 to make a

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conforming amendment to correct a cross reference; the Anesthesiologist Assistant Licensure Amendment Act of 2004 to make grammatical corrections and conform a term to our legislative drafting conventions; the Practice of Naturopathic Medicine Licensing Amendment Act of 2004 to add a term that was inadvertently omitted; the Nursing Facility Quality of Care Act of 2004 to replace a D.C. Official Code citation with an organic act citation; the Child in Need of Protection Amendment Act of 2004 to correct a paragraph designation; the Prevention of Child Abuse Investigations Amendment Act of 2002 to add a term to a section heading; the Adoption and Safe Families Amendment Act of 2000 to correct erroneous cross references; the Lead Service Line Priority Replacement Assistance Act of 2004 to correct a grammatical error by adding a period that was inadvertently omitted; the Millicent Allewelt Amendment Act of 2004 to add a phrase that was inadvertently omitted; the Federal Law Enforcement Officer Cooperation Act of 1999 to change a reference from the "Citizen Complaint Review Board" to the "Police Complaint Board"; the Fire and Police Medical Leave and Limited Duty Amendment Act of 2004 to correct a citation; the Policemen and Firemen's Retirement Disability Act to correct grammatical, typographical, and stylistic errors; the District of Columbia Housing Authority Act of 1999 to make a conforming amendment to change a reference from the "Citizen Complaint Review Board" to the "Police Complaint Board"; the Limited Liability Company Act of 1994 to update a cross reference to the Uniform Partnership Act; the Arena Tax Amendment Act of 1994 to clarify and provide the real property tax exemption of the MCI Arena in accordance with a certain executed and recorded ground lease; the District of Columbia Act on Aging to make grammatical changes; the Vital Records Act of 1981 to strike a reference that Intervention Services Sliding Fee Scale Establishment Act of 1996; to amend the Smoking Restrictions Act of 1979 to make stylistic changes; the Health Care Ombudsman Program Establishment Act of 2004 to correct the numbering for subsections; the Lead-Based Paint Abatement and Control Amendment Act of 2004 to correct typographical, grammatical, stylistic, and punctuation errors; the Government Facility Security Amendment Act of 2004 to correct cross references and repeal a paragraph; the Ballpark Omnibus Financing and Revenue Act of 2004 to correct a cross reference to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005; the Juvenile Protective Custody Act of 2004 to correct the numbering of paragraphs; section 16-2320.01(c)(1)(C) of the District of Columbia Official Code to correct a punctuation error; the Parental Participation and Accountability Act of 2004 to correct a typographical error; the Vacant and Abandoned Properties Community Development and Disapproval of Disposition of Certain Scattered Vacant and Abandoned Properties Act of 2002 to correct a cross reference to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005; section 16-2662 of the District of Columbia Official Code to provide a paragraph designation to an undesignated paragraph; the Consolidation of

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Financial Services Amendment Act of 2004 to strike an extraneous reference, and to correct the name of an agency; the Felony Sexual Assault Statute of Limitations Act of 2004 to make a stylistic change; the Incompetent Defendants Criminal Commitment Act of 2004 to make a grammatical correction; the Omnibus Alcoholic Beverage Amendment Act of 2004 to make grammatical, typographical, and stylistic changes; the Technical Amendments Act of 2005 to correct grammatical, typographical, cross reference, and stylistic errors; the 21st Century Financial Modernization Act of 2001 to make a grammatical correction; the Omnibus Utility Amendment Act of 2004 to correct a cross reference; the Continuing Care Retirement Communities Act to change a subsection designation to a paragraph designation; the Fire and Casualty Amendment Act of 2004 to add a word that was inadvertently omitted; the Captive Insurance Company Act of 2004 to correct subsection numbering, correct a citation, and to make a stylistic change; the Life Insurance Act to correct the name of the Department of Insurance, Securities, and Banking; the District of Columbia Workers' Compensation Act to correct a grammatical error; the Lead Service Line Priority Replacement Assistance Act of 2004 to correct a punctuation error; the Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004 to make stylistic and grammatical changes; the Public School Enrollment Integrity Clarification and Board of Education Honoraria Amendment Act of 2004 to repeal a paragraph; An Act for the retirement of public school teachers in the District of Columbia to correct a grammatical error and make a conforming amendment; the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 2004 to strike an unnecessary subsection reference; the Payments In Lieu of Taxes Act of 2004 to make a grammatical correction; the Housing Production Trust Fund Amendment Act of 2004 to conform the language to the Council's legislative drafting conventions; the Dog Park Establishment Amendment Act of 2005 to correct a typographical error; An Act To establish a code of law for the District of Columbia changing references from "Public Health" to the "Department of Health"; the Health Maintenance Organization Amendment Act of 2002 to correct subsection designations; the Continuing Care Retirement Communities Act of 2004 to correct a subchapter reference; the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983 to change paragraph designations to subparagraph designations, and to strike redundant language; the Healthcare Entity Conversion Act of 1997 to repeal the definition of "Corporation Counsel"; An Act To provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia, and for other purposes to strike a redundant phrase; the District of Columbia Child Support Enforcement Amendment Act of 1985 to correct a section reference; the Fiscal Year 2006 Budget Submission Act to add a section heading to the table of contents and text of Title 47 of the District of Columbia Official Code; the Greater Southeast Community Hospital and Hadley Memorial Hospital Tax Abatement Administration

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Clarification Act of 2004 to correct a punctuation error; the Lot 878 Square 456 Tax Exemption Clarification Act of 2004 to correct a typographical error; Title 47 of the District of Columbia Official Code to conform the language to the Council's legislative drafting conventions, strike a subsection designation, correct a grammatical error, and to strike a redundant term; to repeal the Heating Oil Clarification Act; to amend section 47-2763 of the District of Columbia Official Code to conform the language to the Council's legislative drafting conventions; Title 47 of the District of Columbia Official Code to correct grammatical and punctuation errors, change paragraph designations to subparagraph designations, to designate an undesignated paragraph, and to conform the language to the Council's legislative drafting conventions; the CareFirst Economic Assistance Act of 2004 to correct a typographical error; the Access RX Act of 2004 to correct a typographical error and to conform the language to the Council's legislative drafting conventions; the Department of Motor Vehicles Reform Amendment Act of 2004 to correct an internal cross reference and to add a citation that was inadvertently omitted; the District of Columbia Unemployment Compensation Act to correct subsection, paragraph, and sub-subparagraph designations, and to correct a punctuation error; the District of Columbia Public Assistance Act of 1982 to change the acronym "AFDC" to "TANF"; the Omnibus Trusts and Estates Amendment Act of 2000 to correct subsection designations; Title 47 of the District of Columbia Official Code to correct the text of a section heading; repeal section 47-2862(a)(9) of the District of Columbia Official Code; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to establish that District of Columbia Emancipation Day shall be observed on April 16th of each year and to add it to the list of legal public holidays for the District government; the District of Columbia Retirement Reform Act to correct the renumeration of certain members of the Retirement Board and to correct a drafting error; the District of Columbia Unemployment Compensation Act to correct a typographical error; the Housing Production Trust Fund Act of 1988 to clarify the authority of the RLA Revitalization Corporation; the Fiscal Year 2006 Budget Support Act of 2005 to correct typographical errors; section 28-3903(a) of the District of Columbia Official Code to make conforming amendments; section 2 of the Rental Housing Conversion and Sale Amendment Act of 2005 to correct typographical errors; section 47-863 of the District of Columbia Official Code to correct typographical errors; section 2(9) of the District of Columbia Health Professional Recruitment Program Act of 2005 to correct a typographical error; section 104(b) of the District Department of the Environment Establishment Act of 2005 to make a clarifying amendment; the Litter Control Administration Amendment Act of 1985 to clarify that the fund is associated with solid waste nuisance abatement efforts within the Department of Public Works; the Parkside Terrace Economic Development Act of 2006 to correct typographical errors; section 47-864 of the District of Columbia Official Code to make a clarifying amendment; Title

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47 of the District of Columbia Official Code to re-codify the limitation on deduction for royalty payments by corporations, which is currently codified in a subsection relating to individuals, estates, and trusts, to a new section; the Unsolicited Proposal Submitted by Washington Properties, Inc./Square 673 Partners for the Negotiated Disposition of 59 M Street, N.E., Resolution of 1994 to add a cross reference to the relevant sections of the D.C. Official Code that was inadvertently omitted; section 105 of the Living Wage Act of 2006 to clarify the application of federal wage level determinations to the act; to change the name of the Clean City Fund to the Solid Waste Nuisance Abatement Fund; the Department of Transportation Establishment Act of 2002 to provide that revenue from public space rental from sources not deposited into the Local Roads Construction and Maintenance Fund be deposited into the District Department of Transportation Operating Fund, and to provide that specified revenue from the sales and use taxes for parking and storing vehicles be directed for local roads construction and maintenance but providing that 50% of the amount may be used for debt servicing; to amend section 2(a) of the Pedestrian Protection Amendment Act of 1987 to clarify the jurisdiction of the Office of the Attorney General to prosecute pedestrian crosswalk violations; the Confirmation Act of 1978 to correct a grammatical error; the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to correct a grammatical error; the Office of the Chief Technology Officer Establishment Act of 1998 to correct a grammatical error; the Omnibus Utility Amendment Act of 2004 to correct subsection designations; the District of Columbia Procurement Practices Act of 1985 to conform with the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005; the Freedom of Information Legislative Records Clarification Amendment Act of 2004 to conform the language to the Council's legislative drafting convention; the Anacostia Waterfront Corporation Act of 2004 to correct subsection and sub-subparagraph designations; the Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006 to correct a typographical and a grammatical error; the Human Rights Clarification Amendment Act of 2005 to correct paragraph designations; the Nuisance Abatement Reform Amendment Act of 2006 to correct subparagraph designations; the Office of Administrative Hearings Establishment Act of 2001 to correct a grammatical error; the District of Columbia Stadium Act of 1957 to conform the language to the Council's legislative drafting conventions; the Nurse's Rehabilitation Program Act of 2000 to strike an errant subsection designation; the Construction Codes Approval and Amendments Act of 1986 to correct subparagraph designations; the Adult Protective Services Act of 1984 to correct a grammatical error; the Office of Property Management Establishment Act of 1998 to strike an errant subsection designation; the Domestic Partnership Equality Amendment Act of 2006 to correct a typographical error and clarify the language specifying the availability of relief; section 16-2332 of Title 16 of the District of Columbia Official Code to designate an undesignated paragraph; section 20-303 of Title

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20 of the District of Columbia Official Code to make the format of this subsection consistent with the other subsections of the section; the Health Maintenance Organization Amendment Act of 2002 to correct subsection designations; the Hotel Development Projects Labor Peace Agreements Act 2002 to correct paragraph designations; and the Drug-Related Nuisance Abatement Act of 1998 to correct a grammatical error.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Technical Amendments Act of 2006".

Sec. 2. The Workforce Investment Implementation Act of 2000 is amended as follows:

(a) Section 2 is amended as follows:

(1) Strike the word "Council" and insert the phrase "Council of the District of Columbia" in its place.

(2) Strike the word "Board" wherever it appears and insert the word "Council" in its place.

Sec. 3. Section 201(i) of the District of Columbia Public Postsecondary Education Reorganization Act is repealed.

Sec. 4. Section 47-1803.03(b-1) of the District of Columbia Official Code is amended by striking the phrase "long term-health care insurance" and inserting the phrase "long-term care insurance" in its place.

Sec. 5. The Fiscal Year 2006 Budget Support Act of 2005 is amended as follows:

(a) Section 1006(c) is amended by striking the phrase "the Government Managers Accountability Act of 1995, effective May 16, 1995 (D.C. Law 11-16; D.C. Official Code §1-614.05 et seq.)" and inserting the section designation "§ 1-614.13" in its place.

(b) Section 1039(a) is amended by adding a comma after the word "sales".

(c) Section 1046(b)(1) is amended by striking the period after the word "or".

(d) Section 1142(b) is amended as follows:

(1) Strike the phrase "A That" and insert the phrase "(A) That" in its place.

(2) Strike the phrase "B That" and insert the phrase "(B) That" in its place.

(3) Strike the phrase "C That" and insert the phrase "(C) That" in its place.

(4) Strike the phrase "D Wherein" and insert the phrase "(D) Wherein" in its place.

(e) Section 1172 is amended by striking the section designation "47-4607" wherever it appears and inserting the section designation "47-4605" in its place.

(f) Section 1182 is amended as follows:

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(1) The lead-in language is amended to read as follows:

"Section 47-3505 of the District of Columbia Official Code is amended by adding a new subparagraph (f) to read as follows:"

(2) Strike the phrase "(3)(A) Subject to" and insert the phrase "(f)(1) Subject to".

(3) Strike the phrase "subparagraphs (B) and (C) of this paragraph" and insert the phrase "paragraphs (2) and (3) of this subsection" in its place.

(4) Strike the phrase "(B) Recordation" and insert the phrase "(2) Recordation" in its place.

(5) Strike the phrase "subparagraph (A) of this paragraph" and insert the phrase "paragraph (1) of this subsection" in its place.

(6) Strike the phrase "(C) Real property" and insert the phrase "(3) Real property" in its place.

(g) Section 1263(a) is amended as follows:

(1) Strike the phrase "that condition" and insert the phrase "that the condition" in its place.

(2) Strike the phrase "this subsection" and insert the phrase "this section" in its place.

(h) Section 1272(a) is amended by striking the subsection designation "(d)" both times it appears and inserting the subsection designation "(e)" in its place.

(i) Section 1286 is amended to read as follows:

"Sec. 1286. Section 47-864(b)(1)(B)(I) of the District of Columbia Official Code is amended to read as follows:

"(i) For tax year 2006:

"(I) The current tax year's taxable assessment shall be determined by subtracting \$22,000 from 110% of the prior tax year's taxable assessment;

"(II) The prior tax year's taxable assessment for taxable real property located in triennial groups 1 and 2, as designated by the Office of Tax and Revenue, that has been owned and occupied continuously by the same owner since October 1, 2001, shall be recalculated by applying a 12% cap as of October 1, 2001; and

"(III) This sub-subparagraph shall apply as of October 1, 2005;"

(j) Section 2002 is amended by adding a period after the phrase "during that year".

(k) Section 2052 is amended as follows:

(1) Strike the section designation "3" both times it appears and insert the section designation "2a" in its place.

(2) Strike the phrase "problems areas" and insert the phrase "problem areas" in its place.

(l) Section 2070 is amended as follows:

(1) Strike the phrase "by adding a second sentence to read as follows:" and

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inserting the phrase "by adding a new subsection (a-1) to read as follows:" in its place.

(2) Strike the phrase "The fund" and insert the phrase "(a-1) The fund" in its place.

(m) Section 2112(b) is amended by striking the section designation "§ 47-240.20" and inserting the section designation "§ 47-340.20" in its place.

(n) Section 2172(b)(1)(C) is amended to read as follows:

"(C) Paragraph (10) is amended by striking the period at the end and inserting the phrase "; and" in its place."

(o) Subtitle N is amended as follows:

(1) The Table of Contents of Subtitle N of Title II is amended by striking the phrase "Sec. 2314. Reorganization of the Department."

(2) Section 2351 is amended by striking the word "title" wherever it appears and inserting the word "subtitle" in its place.

(3) Section 2354 is amended by striking the phrase "section 2352(b)" and inserting the phrase "section 2353(b)" in its place.

(p) Section 3012 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "Attorney General;" and inserting the phrase "Attorney General; or" in its place.

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

(A) Strike the phrase "Attorney General" and insert the phrase "Corporation Counsel" in its place.

(B) Strike the phrase "Corporation Counsel" and insert the phrase "Attorney General" in its place.

(3) Subsection (f) is amended by striking the phrase "section 855;" and inserting the phrase "section 855; or" in its place.

(q) Section 4002(a) is amended by striking the subsection designation "(d)" and inserting the subsection designation "(e)" in its place.

(r) Section 4045(b)(4) is amended by striking the word "Recreations" and inserting the word "Recreation" in its place.

(s) Section 5012 is amended as follows:

(1) Subsection (c)(1) is amended by striking the phrase "shall meet:" and inserting the phrase "shall:" in its place.

(2) Subsection (k)(2) is amended by striking the phrase "any laboratory or" and inserting the phrase "any clinical laboratory or clinical" in its place.

(t) Section 6062 is amended as follows:

(1) Strike the section designation "11a" both times it appears and insert the section designation "9b" in its place.

(2) Strike the section designation "11b" both times it appears and insert the section designation "9c" in its place.

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Sec. 6. Chapter 180 of An act providing a permanent form of government for the District of Columbia is amended as follows:

(a) Section 9 is amended by striking the phrase "health-officer" wherever it appears and inserting the phrase "Director of the Department of Health" in its place.

(b) Section 10 is amended by striking the phrase "health-officer" wherever it appears and inserting the phrase "Director of the Department of Health" in its place.

Sec. 7. Section 5(b) of the AIDS Health-Care Response Act of 1986 is amended by striking the phrase "Human Services" and inserting the word "Health" in its place.

Sec. 8. An Act to establish a code of law for the District of Columbia is amended as follows:

(a) Section 673 is amended by striking the phrase "Human Services" and inserting the word "Health" in its place.

(b) Section 674 is amended by striking the phrase "Human Services" and inserting the word "Health" in its place.

(c) Section 677 is amended by striking the phrase "Human Services" both times it appears and inserting the word "Health" in its place.

(d) Section 680 is amended by striking the phrase "Human Services" and inserting the word "Health" in its place.

Sec. 9. The DC-USA Economic Development Act of 2006 is amended as follows:

(a) Section 2 is amended by striking the section designation "47-4606" wherever it appears and inserting the section designation "47-4608" in its place.

(b) Section 4 is amended to read as follows:

"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."

Sec. 10. The Freedom of Information Act is amended as follows:

(a) Section 208 is amended as follows:

(1) Strike the number "10" and insert the number "15" in its place.

(2) Strike the phrase "between 11 and 20 days" and insert the phrase "between 16 and 25 days" in its place.

(3) Strike the phrase "21 days" and insert the phrase "26 days" in its place.

(b) Section 210 is amended to read as follows:

"Sec. 210. Short title.

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"This title may be cited as the Freedom of Information Act of 1976".

Sec. 11. Section 2((7) of the Retail Incentive Act of 2004 is amended to read as follows:

"(7) "LSDBE" means a local, small, or disadvantaged business enterprise certified by the Small and Local Business Opportunity Commission under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503)."

Sec. 12. Section 3(c)(2) of the National Capital Revitalization Corporation Eminent Domain Clarification and Skyland Eminent Domain Approval Amendment Act of 2004 is amended by striking the phrase "subchapter II 16" and inserting the phrase "subchapter" in its place.

Sec. 13. Section 3(a)(1)(A)(vi)(I) of the Business Improvement Districts and Anacostia Waterfront Corporation Clarification Amendment Act of 2004 is amended as follows:

- (a) Strike the comma before "including".
- (b) Add the word "land" after "privately-owned".

Sec. 14. The Anacostia Waterfront Corporation Act of 2004 is amended as follows:

- (a) Section 101(6) is amended by adding the phrase "or IRC" after the word "Code" the first time it appears.
- (b) Section 108(e) is amended by striking the word "subchapters" and inserting the word "titles" in its place.
- (c) Section 113(c) is amended by striking the word "Code" both times it appears and inserting the term "IRC" in its place.
- (d) Strike the phrase "SUBTITLE D. FINANCIAL AFFAIRS" and insert the phrase "SUBTITLE E. FINANCIAL AFFAIRS" in its place.
- (e) Section 120 is amended as follows:
 - (1) Strike the word "Corporation" and insert the word phrase "District government" in its place.
 - (2) Strike the phrase "District government" and insert the word "Corporation" in its place.
- (f) Section 124 is amended by striking the phrase "Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998, effective April 27, 1999 (D.C. Law 12-268; D.C. Official Code § 2-217.01 *et seq.*)" and inserting the phrase "Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503)" in its place.

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Sec. 15. Section 2302(1) of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 is amended by striking the phrase "commission, or instrumentality" and inserting the phrase "or commission" in its place.

Sec. 16. Section 5(e) of the Office of Administrative Hearings Establishment Act of 2001 is amended by striking the phrase "Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998, effective April 27, 1999 (D.C. Law 12-268; D.C. Official Code § 2-217.01 *et seq.*)" and inserting the phrase "Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503)" in its place.

Sec. 17. Section 2 of the Anesthesiologist Assistant Licensure Amendment Act of 2004 is amended as follows:

(a) Subsection (c)(2)(B)(ii) is amended by striking the phrase "Assistants." and inserting the phrase "Assistants;" in its place.

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

(A) Strike the word "exceeding" both times it appears and insert the phrase "to exceed" in its place.

(B) Strike the word "one" and insert the number "1" in its place.

Sec. 18. Section 2(h) of the Practice of Naturopathic Medicine Licensing Amendment Act of 2004 is amended as follows:

(a) Paragraph (5) is amended by striking the phrase "section 102(7A);" and inserting the phrase "section 102(7A); or" in its place.

(b) Paragraph (6) is amended by striking the phrase "District of Columbia);" and inserting the phrase "District of Columbia); or" in its place.

Sec. 19. Section 5211(3) of the Nursing Facility Quality of Care Act of 2004 is amended by striking the phrase "D.C. Official Code § 44-501(a)(3)" and inserting the phrase "Health-Care and Community Residence Facility Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(3)" in its place.

Sec. 20. Section 2(a)(2) of the Child in Need of Protection Amendment Act of 2004 is amended by striking the paragraph designation "(15A)" both times it appears and inserting the paragraph designation "(15B)" in its place.

Sec. 21. The heading of title I-A of the Prevention of Child Abuse Investigations Amendment Act of 2002 is amended by adding the phrase "; CONFIDENTIALITY" at the end.

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Sec. 22. Section 201 of the Adoption and Safe Families Amendment Act of 2000, effective June 27, 2000, is amended as follows:

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

(1) Strike the phrase "Title IIIA." and insert the phrase "Title V." in its place.
 (2) Strike the number "321" wherever it appears and insert the number "501" in its place.

(3) Strike the number "322" and insert the number "502" in its place.
 (4) Strike the number "323" and insert the number "503" in its place.
 (5) Strike the number "324" wherever it appears and insert the number "504" in its place.

(6) Strike the number "325" and insert the number "505" in its place.
 (7) Strike the number "326" and insert the number "506" in its place.
 (8) Strike the number "327" and insert the number "507" in its place.
 (9) Strike the number "328" and insert the number "508" in its place.
 (10) Strike the number "329" and insert the number "509" in its place.

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

(1) Strike the phrase "Title IIIB." and insert the phrase "Title VI." in its place.
 (2) Strike the number "341" and inserting the number "601" in its place.

Sec. 23. Section 6014(a)(2) of the Lead Service Line Priority Replacement Assistance Act of 2004, is amended by adding a period at the end.

Sec. 24. Section 302 of the Millicent Allewelt Amendment Act of 2004 is amended by adding the phrase "Title I" after "pursuant to".

Sec. 25. Section 4(b)(1) of the Federal Law Enforcement Officer Cooperation Act of 1999 is amended by striking the phrase "Citizen Complaint Review Board" and inserting the phrase "Police Complaint Board" in its place.

Sec. 26. The Fire and Police Medical Leave and Limited Duty Amendment Act of 2004 is amended by striking the phrase "the Police and Fire Minimum Standards Amendment Act of 2004, passed on 2nd reading on June 1, 2004 (Enrolled version of Bill 15-32)" wherever it appears and inserting the phrase "section 203a of the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.02a) and section 721 of the Police and Fire Minimum Standards Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-451)" in its place.

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Sec. 27. Section 12 of the Policemen and Firemen's Retirement Disability Act is amended as follows:

(a) Subsection (c)(12) is amended as by adding the phrase "section 1102 of" before the phrase "the Omnibus".

(b) Subsection (d)(1) is amended by striking the phrase "(as defined in section 102(6) of the District of Columbia Retirement Reform Act)".

(c) Subsection (e-1) is amended by striking the word "department" and inserting the word "Department" in its place.

(d) Subsection (h)(1) is amended by adding a comma before the word "upon" and adding a comma after the word "Board".

(e) Subsection (j) is amended by striking the phrase "of the District of Columbia" wherever it appears.

(f) Subsection (l)(3) is amended by striking the phrase "of the District of Columbia" wherever it appears.

Sec. 28. Section 24(j) of the District of Columbia Housing Authority Act of 1999 is amended as follows:

(a) Strike the phrase "Citizen Complaint Review Board ("CCRB")" in the first sentence and insert the phrase "Police Complaint Board".

(b) Strike the phrase "CCRB" in the second sentence and insert the phrase "Police Complaint Board" in its place.

Sec. 29. Section 14(j)(1) of the Limited Liability Company Act of 1994 is amended by striking the phrase "section 8 of the Uniform Partnership Act, approved September 27, 1962 (76 Stat. 637; D.C. Code § 41-107)" and inserting the phrase "the Uniform Partnership Act of 1996, effective April 9, 1997 (D.C. Law 11-234; D.C. Official Code § 33-101.01 *et seq.*)" in its place.

Sec. 30. (a) Section 3 of the Arena Tax Amendment Act of 1994 is amended to read as follows:

"(a) Notwithstanding any other law, that portion of the real property, described as lot 0047 in square 0455, in preparation for occupation and use, under construction for occupation or use, or occupied and used as a multi-purpose arena and related amenities shall be exempt from real property taxation, possessory interest taxation and business improvement district taxation.

"(b) The exemption provided by this section shall apply so long as the Land Disposition Agreement - Ground Lease, by and between The District of Columbia Redevelopment Land Agency, The District of Columbia, and DC Arena, LP, dated as of December 29, 1995 and recorded with the Recorder of Deeds on January 5, 1996 as instrument number 9600001285, remains in effect."

(b) This section shall apply as of September 28, 1994.

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Sec. 31. Section 303 of the District of Columbia Act on Aging is amended as follows:

(a) Paragraph (3) is amended by striking the phrase "community. This shall include," and inserting the phrase "community, including," in its place.

(b) Paragraph (6) is amended by striking the phrase "Columbia. The" and inserting the phrase "Columbia that" in its place.

Sec. 32. Section 11(a)(4) of the Vital Records Act of 1981 is amended by striking the phrase "or section 20 of the Uniform Reciprocal Enforcement of Support Act, approved July 10, 1957 (71 Stat. 288; D.C. Code, sec. 30-320)".

Sec. 33. The Early Intervention Services Sliding Fee Scale Establishment Act of 1996 is repealed.

Sec. 34. Section 10(4) of the District of Columbia Smoking Restrictions Act of 1979 is amended by striking the phrase "sections (q) and (w) of the District of Columbia Alcoholic Beverage Control Act, approved January 23, 1934 (48 Stat. 319; D.C. Code, sec. 25-103(17) & (23))," and inserting the phrase "D.C. Official Code § 25-101(52) and (33)" in its place.

Sec. 35. Section 3 of the Health Care Ombudsman Program Establishment Act of 2004 is amended as follows:

(a) Strike the second subsection designation "(c)" and insert the subsection designation "(d)" in its place.

(b) Strike the subsection designation "(d)" and insert the subsection designation "(e)" in its place.

(c) Strike the subsection designation "(e)" and insert the subsection designation "(f)" in its place.

Sec. 36. Section 2 of the Lead-Based Paint Abatement and Control Amendment Act of 2004 is amended as follow:

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

(1) Paragraph (2)(A) is amended by striking the phrase "a lead-based" and inserting the phrase "lead-based" in its place.

(2) Paragraph (3)(A) is amended by adding the word "project" after the phrase "activity or".

(b) Subsection (g) is amended by adding a semicolon after the phrase "section 15".

(c) Subsection (l) is amended by striking the phrase "sections 4, 6, 7, or 8" and inserting the phrase "section 4, section 6, section 7, or section 8" in its place.

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Sec. 37. Section 3102(a) of the Government Facility Security Amendment Act of 2004 is amended as follows:

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

(1) Strike the section designation "1804(a)(3)" and insert the section designation "1804(3)" in its place.

(2) Strike the section designation "10-1003(a)(3)" and insert the section designation "10-1003(3)" in its place.

(b) Subsection (b)(2) is repealed.

Sec. 38. Section 104 of the Ballpark Omnibus Financing and Revenue Act of 2004 is amended as follows:

(a) Subsection (b) is amended by striking the phrase "Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998, effective April 27, 1999 (D.C. Law 12-268; D.C. Official Code § 2-217.01 *et seq.*)" and inserting the phrase "Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503)" in its place.

(b) Subsection (c) is amended by striking the phrase "section 2 of the Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998, effective April 27, 1999 (D.C. Law 12-268; D.C. Official Code § 2-217.01)" wherever it appears and inserting the phrase "section 2302 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503)" in its place.

(c) Subsection (f) is amended by striking the phrase "section 2 of the Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998, effective April 27, 1999 (D.C. Law 12-268; D.C. Official Code § 2-217.01)" and inserting the phrase "section 2302 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503)" in its place.

Sec. 39. Section 402 of the Juvenile Protective Custody Act of 2004 is amended as follows:

(a) Subsection (a) is amended by striking the paragraph designation "(7)" and inserting the paragraph designation "(8)" in its place.

(b) Subsection (b) is amended by striking the paragraph designation "(8)" and inserting the paragraph designation "(9)" in its place.

(c) Subsection (a) is amended by striking the paragraph designation "(9)" both times it appears and inserting the paragraph designation "(10)" in its place.

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Sec. 40. Section 16-2320.01(c)(1)(C) of the District of Columbia Official Code is amended by striking the period at the end of the subparagraph and inserting a semicolon in its place.

Sec. 41. Section 1002(b)(1)(B) of the Parental Participation and Accountability Act of 2004 is amended by striking the phrase "order in" and inserting the phrase "order is" in its place.

Sec. 42. Section 4(a)(2) of the Vacant and Abandoned Properties Community Development and Disapproval of Disposition of Certain Scattered Vacant and Abandoned Properties Act of 2002 is amended by striking the phrase "Office of Local Business Development" wherever it appears and inserting the phrase "Department of Small and Local Business Development, established by section 2311 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503)" in its place.

Sec. 43. Section 16-2332 of the District of Columbia Official Code is amended by designating the undesignated paragraph in subsection (b) as subsection "(b-1)".

Sec. 44. Section 4 of the Consolidation of Financial Services Amendment Act of 2004 is amended as follows:

(a) Subsection (b)(2) is amended by striking the subsection designation "(d)".

(b) Subsection (g)(1) is amended by adding the word "Regulation" after the word "Securities".

(c) Subsection (h)(2) is amended by striking the word "Regulation".

Sec. 45. Section 3(b) of the Felony Sexual Assault Statute of Limitations Act of 2004 is amended by striking the phrase "Sec." and inserting the symbol "§" in its place.

Sec. 46. Section 109(a) of the Incompetent Defendants Criminal Commitment Act of 2004 is amended by striking the phrase "sections 105 or 106" and inserting in its place the phrase "section 105 or section 106".

Sec. 47. The Omnibus Alcoholic Beverage Amendment Act of 2004 is amended as follows:

(a) Section 101(x) is amended by adding the word "or" before the phrase "the transfer".

(b) Section 301(b)(4) is amended by striking the section designation "§ 25-101(43)" and inserting the phrase "this paragraph" in its place.

(c) Section 301(c)(5) is amended by striking the section designation "§ 25-113" and inserting the phrase "this section" in its place.

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(d) Section 401 is amended as follows:

(1) Subsection (e) is amended by striking the word "an" both time it occurs and inserting the word "An" in its place.

(2) Subsection (j) is amended by striking the figure "\$1000" and inserting the figure "\$1,000" in its place.

(e) Section 403 is amended by striking the section designations "402" and "403" and inserting the section designations "401" and "402", respectively, in their places.

Sec. 48. The Technical Amendments Act of 2005 is amended as follows:

(a) Section 33(a) is amended by striking the phrase "Title 28" and inserting the phrase "Title 21" in its place.

(b) Section 37(a) is amended by striking the word "duties" and inserting the word "Duties" in its place.

(c) Section 48 is amended by striking the subparagraph designation "(A-I)" and inserting the subparagraph designation "(A-i)" in its place.

(d) Section 52 is amended by striking the section designation "206(c)" and inserting the section designation "206c(b)(6)" in its place.

(e) Section 68 is amended by adding the phrase "of the District of Columbia" after the word "Counsel".

(f) Section 70 is amended by adding the phrase "of the District of Columbia" after the word "Counsel".

(g) Section 71 is amended by adding the phrase "of the District of Columbia" after the word "Counsel".

(h) Section 73 is amended as follows:

(1) Subsection (a)(3) is amended by adding the phrase "of the District of Columbia" after the word "Counsel".

(2) Subsection (f) is amended by adding the phrase "of the District of Columbia" after the word "Counsel".

(3) Subsection (l)(4) is amended by adding the phrase "of the District of Columbia" after the word "Counsel".

(4) Subsection (m) is amended by adding the phrase "of the District of Columbia" after the word "Counsel".

(5) Subsection (p) is amended by striking the section designation "47-4506" and inserting the section designation "47-4505" in its place.

(i) Section 77(d) is amended by striking the section designation "14" and inserting the section designation "9a" in its place.

(j) Section 79 is repealed.

(k) Section 85(f) is amended by striking the number "XXI" and inserting the number "XI" in its place.

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(l) Section 127(b) is amended to read as follows:

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

"(1) Paragraph (2)(B)(ii) is repealed.

"(2) Paragraph (5) is amended as follows:

"(A) Strike the subparagraph designation "(A)(i)" and insert the subparagraph designation "(A)" in its place.

"(B) Strike the sub-subparagraph designation "(ii)" and insert the subparagraph designation "(B)" in its place."

(m) Section 139 is amended by striking the section designation "2315" and inserting the section designation "2314" in its place.

Sec. 49. Section 223(a) of the 21st Century Financial Modernization Act of 2001 is amended by adding a period at the end.

Sec. 50. Section 303(c)(1) of the Omnibus Utility Amendment Act of 2004 is amended by striking the D.C. Official Code section designation "1-611.01" the second time it appears and inserting the section designation "1-608.01" in its place.

Sec. 51. Reserved.

Sec. 52. Section 201((b) of the Continuing Care Retirement Communities Act of is amended by striking the subsection designation "(c)" and inserting the paragraph designation "(3)" in its place.

Sec. 53. Section 2 of the Fire and Casualty Amendment Act of 2004 is amended by adding the word "with" after the word "accordance".

Sec. 54. The Captive Insurance Company Act of 2004 is amended as follows:

(a) Section 3(b)(2) is amended by striking the phrase "section 8" and inserting the phrase "section 9" in its place.

(b) Section 4(e) is amended by striking the phrase "effective September 10, 1992 (D.C. Law 9-144;" and inserting the phrase "approved June 8, 1954 (68 Stat. 179;" in its place.

(c) Section 13(k) is amended by striking the subsection designation "(b-3)" both times it appears and inserting the subsection designation "(b-1)" in its place.

(d) Section 24(b) is amended by striking the phrase "the Captive Insurance Company Act of 2004, effective October 21, 2000 (D.C. Law 13-192; D.C. Official Code § 31-3901 *et seq.*)," the second time it appears and inserting the phrase "this act" in its place.

(e) Section 25 is amended as follows:

(1) Strike the phrase "Except as otherwise provided in section 13(g), all" and

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insert the word "All" in its place.

(2) Strike the subsection designation "b-3)" and insert the subsection designation "(b-1)" in its place.

Sec. 55. Section 1(c) of Chapter II of the Life Insurance Act is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Sec. 56. Section 23 of the District of Columbia Workers' Compensation Act of is amended by striking the comma after the word "or" and after the section designation "21".

Sec. 57. Section 6014(a)(2) of the Lead Service Line Priority Replacement Assistance Act of 2004 is amended by adding a period at the end.

Sec. 58. Section 17 of the Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004 is amended as follows:

(a) Subsection (a)(3)(B) is amended by striking the phrase "of its building".

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

(1) Paragraph (2) is amended by striking the phrase "and electricity supplier" and inserting the phrase "electricity supplier," in its place.

(2) Paragraph (3) is amended by adding the word "and" before "electricity suppliers" the first time its appears and adding a comma before "natural".

Sec. 59. Section 102(c)(2) of the Public School Enrollment Integrity Clarification and Board of Education Honoraria Amendment Act of 2004 is repealed.

Sec. 60. Section 1(b) of An Act for the retirement of public school teachers in the District of Columbia is amended as follows:

(a) Add the phrase ", in" after "Retirement Board" the second time it appears.

(b) Strike the word "Council" and insert the word "Board" in its place.

Sec. 61. Section 4002(b) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 2004 is amended by striking the subsection designation "(a)" both times it appears.

Sec. 62. Section 12 of the Payments In Lieu of Taxes Act of 2004 is amended by striking the phrase "for recordation" both times it appears and inserting the phrase "of recordation" in its place.

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Sec. 63. Section 2012(b) of the Housing Production Trust Fund Amendment Act of 2004 is amended by adding the phrase "of this section " after the phrase "subsection (c)".

Sec. 64. Section 3 of the Dog Park Establishment Amendment Act of 2005 is amended by striking the phrase "substantial lease" and inserting the phrase "substantial leash" in its place both times it appears.

Sec. 65. Chapter 854 of the An Act To establish a code of law for the District of Columbia is amended as follows:

(a) Section 673 is amended by striking the phrase "health department" and inserting the phrase "Department of Health" in its place.

(b) Section 674 is amended by striking the phrase "health department" and inserting the phrase "Department of Health" in its place.

(c) Section 677 is amended by striking the phrase "Director of Public Health" both times it appears and inserting the phrase "Director of the Department of Health" in its place.

(d) Section 680 is amended by striking the phrase "Director of Public Health" and inserting the phrase "Director of the Department of Health" in its place.

Sec. 66. Section 2(b) of the Health Maintenance Organization Amendment Act of 2002 is amended as follows:

(a) Strike the subsection designation "(g)" both times it appears and insert the subsection designation "(h)" in its place.

(b) Strike the subsection designation "(h)" and insert the subsection designation "(i)" in its place.

(c) Strike the subsection designation "(i)" and insert the subsection designation "(j)" in its place.

Sec. 67. Section 102(g) of the Continuing Care Retirement Communities Act of 2004 is amended by striking the phrase "subchapter 1-A" and inserting the phrase "subchapter I-A" in its place.

Sec. 68. The Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983 is amended as follows:

(a) Section 8(b) is amended as follows:

(1) The lead-in language is designated as paragraph (1).

(2) Paragraph (1) is designated as subparagraph (A).

(3) Paragraph (2) is designated as subparagraph (B).

(4) Paragraph (3) is designated as subparagraph (C).

(5) Paragraph (4) is designated as subparagraph (D).

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(6) Paragraph (5) is designated as subparagraph (E).

(7) Paragraph (6) is designated as subparagraph (F).

(8) The undesignated paragraph is designated as paragraph (2).

(b) Section 10(f)(2) is amended by striking the phrase "for the District of Columbia for the District of Columbia" and inserting the phrase "for the District of Columbia" in its place.

Sec. 69. Section 3(4) of the Healthcare Entity Conversion Act of 1997 is repealed.

Sec. 70. Section 13(c) of An Act To provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia, and for other purposes is amended by striking the phrase "for the District of Columbia of the District of Columbia" and inserting the phrase "for the District of Columbia" in its place.

Sec. 71. Section 3a(d) of the District of Columbia Child Support Enforcement Amendment Act of 1985 is amended by striking the section designation "27(j)" and inserting the section designation "27j" in its place.

Sec. 72. Section 1042(a) of the Fiscal Year 2006 Budget Submission Act of is amended to read as follows:

"(a) Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

"(1) The table of contents is amended by adding a new designation "47-138.01a. Mayoral budget submission required; consistency of budget submission with previous fiscal year spending." after the section designation "47-318.01. Mayoral budget submission required; accounting of expenditures."

"(2) A new section 47-318.01a is added to read as follows:

"47-138.01a. Mayoral budget submission required; consistency of budget submission with previous fiscal year spending.

"For each fiscal year, the Mayor shall submit a budget to the Council of which the local funds shall be consistent with the amount projected in spending for the previous fiscal year by the Council in the Council Committee of the Whole report on the Budget Request Act."

Sec. 73. Section 1242(a) of the Greater Southeast Community Hospital and Hadley Memorial Hospital Tax Abatement Administration Clarification Act of 2004 is amended by striking the semicolon and inserting the phrase "." in its place.

Sec. 74. Section 2(a)(2) of the Lot 878 Square 456 Tax Exemption Clarification Act of 2004 is amended by striking the word "company" the first time it appears and inserting the phrase "of the type" in its place.

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Sec. 75. Section 47-1054(b) of the District of Columbia Official Code is amended by adding the phrase "of this title" after the phrase "Chapters 9 or 14".

Sec. 76. Section 47-1060 of the District of Columbia Official Code is amended by striking the section designation "(a)".

Sec. 77. Section 47-1806.09(4) of the District of Columbia Official Code is amended by striking the word "shall" and by striking the phrase "gross income," and inserting the phrase "gross income;" in its place.

Sec. 78. Section 47-2425(d) of the District of Columbia Official Code is amended by striking the phrase "Spanish," the second time it appears.

Sec. 79. The Heating Oil Clarification Act of 2004 is repealed.

Sec. 80. Section 47-2763 of the District of Columbia Official Code is amended by adding the phrase "of this title" after the phrase "Chapter 43".

Sec. 81. Section 47-2862(a) of the District of Columbia Official Code is amended as follows:

- (a) Paragraph (5) is amended by striking the word "or" at the end.
- (b) Paragraph (6) is amended by striking the period at the end and inserting a semi-colon in its place.
- (c) Paragraph (7) is amended by striking the period at the end and inserting a semi-colon in its place.
- (d) Paragraph (8) is amended by striking the period at the end and inserting the phrase "; or" in its place.

Sec. 82. Section 47-3406.02 of the District of Columbia Official Code is amended as follows:

- (a) The lead-in language in subsection (b) is designated as paragraph (1).
- (b) Paragraph (1) is redesignated as subparagraph (A).
- (c) Paragraph (2) is redesignated as subparagraph (B).
- (d) The undesignated paragraph is designated as paragraph (2).

Sec. 83. Section 47-4601 of the District of Columbia Official Code is amended by adding the phrase "of this title" after the phrase "Chapter 22".

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Sec. 84. Section 2(a) of the CareFirst Economic Assistance Act of 2004 is amended by adding the phrase "for construction" after the phrase "tax exemption".

Sec. 85. Section 47-4602 of the District of Columbia Official Code is amended by adding the phrase "of this title" after the phrase "Chapter 20".

Sec. 86. Section 47-4603 of the District of Columbia Official Code is amended as follows:

(a) Subsection (d) is amended by adding the phrase "of this title" after the phrase "Chapter 8".

(b) Subsection (f) is amended by adding the phrase "of this title" after the phrase "Chapter 38".

Sec. 87. Section 47-4604 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a) is amended by adding the phrase "of this title" after the phrase "Chapter 15".

(b) Subsection (b) is amended by adding the phrase "of this title" after the phrase "Chapter 20".

Sec. 88. The Access RX Act of 2004 is amended as follows:

(a) Section 110(b)(1) is amended by striking the phrase "pursuant to 133" and inserting the phrase "pursuant to section 133" in its place.

(b) Section 203 is amended by striking the phrase "the District of Columbia Consumer Protection Procedures Act, effective July 22, 1976 (D.C. Law 1-76; D.C. Official Code § 28-3901 *et seq.*)," and inserting the phrase "Chapter 39 of Title 28" in its place.

Sec. 89. Section 402 of the Department of Motor Vehicles Reform Amendment Act of 2004 is amended as follows:

(a) Subsection (a) is amended by striking the phrase "this part" and inserting the phrase "this act" in its place.

(b) Subsection (b) is amended by adding the phrase "of the Department of Motor Vehicles Reform Amendment Act of 2004, passed on 2nd reading December 4, 2004 (Enrolled Version of Bill 15-1011)" after the phrase "Title F".

Sec. 90. Section 7(b) of the District of Columbia Unemployment Compensation Act is amended as follows:

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

(1) The subsection is redesignated as subsection (b)(1).

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- (2) Paragraph (3) is redesignated as paragraph (2).
- (b) Subsection (g)(8)(C)(ii)(II) is amended as follows:
 - (1) Sub-sub-subparagraph (I) is redesignated as sub-sub-sub-subparagraph (aa).
 - (2) Sub-sub-subparagraph (II) is redesignated as sub-sub-sub-subparagraph (bb).
 - (3) Sub-sub-subparagraph (III) is redesignated as sub-sub-sub-subparagraph (cc).
- (c) Subsection (i)(1)(B) is as follows:
 - (1) Sub-subparagraph (i) is amended by striking the phrase "the average" and inserting the phrase "The average" in its place.
 - (2) Sub-subparagraph (ii) is amended by striking the phrase "the average" and inserting the phrase "The average" in its place.

Sec. 91. The District of Columbia Public Assistance Act of 1982 is amended as follows:

- (a) The section heading to section 511 is amended by striking the acronym "AFDC" and inserting the acronym "TANF" in its place.
- (b) Section 1705(b) is amended as follows:
 - (1) The lead-in language is amended by striking the acronym "AFDC" and inserting the acronym "TANF" in its place.
 - (2) Paragraph (5) is amended by striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

Sec. 92. Section 801 of the Omnibus Trusts and Estates Amendment Act of 2000 is amended as follows:

- (a) The second subsection (c) is designated as subsection (d).
- (b) Subsection (d) is redesignated as subsection (e).
- (c) Subsection (e) is redesignated as subsection (f).
- (d) Subsection (f) is redesignated as subsection (g).

Sec. 93. The section heading to § 47-2501 of the District of Columbia Official Code is amended to read as follows:

"§ 47-2501. Gas, electric lighting, telephone, telecommunications, and heating oil companies."

Sec. 94. Section 47-2862(a)(9) of the District of Columbia Official Code is repealed.

Sec. 95. Section 1202 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 is amended as follows:

- (a) Subsection (a) is amended as follows:
 - (1) Paragraph (9) is amended by striking the phrase "each year; and" and inserting the phrase "each year:" in its place.

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(2) Paragraph (10) is amended by striking the phrase "each year." and inserting the phrase "each year; and" in its place.

(3) Add a new paragraph (11) to read as follows:

"(11) Beginning in the year 2007, District of Columbia Emancipation Day, April 16th of each year."

(b) Subsection (c)(1) is designated as subsection (c).

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

Sec. 96. Section 121(c)(1) of the District of Columbia Retirement Reform Act is amended by striking phrase " , except that in the case of the Chairman of the Board and the Chairman of the Investment Committee of the Board, such amount may not exceed \$7,500 (beginning with 2000)".

Sec. 97. Section 3(m)(1) of the District of Columbia Unemployment Compensation Act is amended by striking the phrase "of 2%" and inserting the phrase "of .2%" in its place.

Sec. 98. Section 4(b)(1) of the Housing Production Trust Fund Act of 1988 is amended by striking the phrase "District of Columbia Redevelopment Land Agency ("RLA") and inserting the phrase "RLA Revitalization Corporation" in its place.

Sec. 99. The Fiscal Year 2005 Budget Support Act of 2004 is amended as follows:

(a) Section 1152 is amended by striking the word "Board" wherever it appears and inserting the word "Council" in its place.

(b) Section 1153 is amended as follows:

(1) Strike the word "Council" wherever it appears and insert the phrase "Council of the District of Columbia" in its place.

(2) Strike the word "Board" wherever it appears and insert the word "Council" in its place.

Sec. 100. Section 28-3903(a) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (13)(D) is amended by striking the period at the end.

(b) Paragraph (14) is amended by striking the period at the end and inserting the phrase " ; and" in its place.

Sec. 101. Section 2 of the Rental-Housing Conversion and Sale Amendment Act of 2005 is amended as follows:

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

(1) Paragraph (1) is amended by striking the colon after the word "following".

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(2) Paragraph (2) is amended by striking the section designation "503(a)" and inserting the section designation "503a" in its place.

(3) Paragraph (3) is amended by striking the phrase "section 503 or 503a" wherever it appears and inserting the phrase "section 503 or section 503a" in its place.

(b) Subsection (c) is amended by striking the section designation "402b" both times it appears and inserting the section designation "402a" in its place.

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

(A) Strike the phrase "(5) The Task Force" and insert the phrase "(e) The Task Force" in its place.

(B) Strike the phrase "(6) The Task Force" and insert the phrase "(f) The Task Force" in its place.

Sec. 102. Section 47-863 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a)(1A)(B) is amended by striking the sub-sub-subparagraph designation "(I)" and inserting the sub-sub-subparagraph designation "(i)" in its place.

(b) Strike the phrase "a eligible" wherever it appears and insert the phrase "an eligible" in its place.

Sec. 103. Section 2(9) of the District of Columbia Health Professional Recruitment Program Act of 2005 is amended by striking the word "Service" and inserting the word "Shortage" in its place.

Sec. 104. Section 104(b) of the District Department of the Environment Establishment Act of 2005 is amended by adding the phrase "Title X-A of" after the phrase "pursuant to".

Sec. 105. Section 8a(a) of the Litter Control Administration Amendment Act of 1985 is amended by striking the phrase "Clean City" and inserting the phrase "Solid Waste Nuisance Abatement" in its place.

Sec. 106. Section 3 of the Parkside Terrace Economic Development Act of 2006 is amended as follows:

(a) Subsection (a) is amended by striking the section designation "2(b)" and inserting the section designation "47-4607(b)" in its place.

(b) Subsection (b) is amended by striking the section designation "2(d)" and inserting the section designation "47-4607(d)" in its place.

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Sec. 107. Section 47-864 of the District of Columbia Official Code is amended to read as follows:

“§ 47-864. Owner-occupant residential tax credit.

“(a)(1) For real property tax year 2002, real property receiving the homestead deduction under § 47-850, and valued under § 47-820(b-2), shall receive an owner-occupant residential tax credit. This paragraph shall apply as of October 1, 2001.

“(2) For real property tax year 2003 real property receiving the homestead deduction under § 47-850 or § 47-850.01, and valued under § 47-820(b-2), shall receive an owner-occupant residential tax credit.

“(b) The credit under subsection (a) of this section shall be calculated as follows:

“(1) Subtract the amount of the homestead deduction from the prior tax year's taxable assessment;

“(2) Multiply that amount by 125%;

“(3) Subtract the amount of the homestead deduction from the current tax year's taxable assessment;

“(4) Subtract the amount computed under paragraph (2) of this subsection from the amount in paragraph (3) of this subsection; and

“(5) If the difference is a positive number, multiply the difference by the applicable property tax rate for the current year.

“(c) The credit under subsection (a) of this section shall not apply if:

“(1) During the prior tax year:

“(A) The real property was transferred for consideration to a new owner;

“(B) The value of the real property was increased due to a change in the zoning classification of the real property initiated or requested by the homeowner or anyone having an interest in the real property; or

“(C) The assessment of the real property was clearly erroneous due to an error in calculation or measurement of improvements on the real property; or

“(2) During the prior calendar year, the real property was assessed under § 47-829.

“(d)(1) In accordance with section 47-864.01, for real property tax year 2004, and subsequent years, real property receiving the homestead deduction under § 47-850 or § 47-850.01, and valued under § 47-820(b-2), shall receive an owner-occupant residential tax credit.

“(2) The credit shall be calculated as follows:

“(A)(i) In the case of a real property that did not receive the credit under this section in the prior tax year:

“(I) Subtract the prior tax year's homestead deduction from the prior tax year's assessed value; provided that for tax year 2006, the prior tax year's homestead deduction shall be deemed to be \$60,000; and

“(II) Multiply the amount in sub-sub-subparagraph (I) of

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this sub-subparagraph by 112% to determine the current tax year's taxable assessment; or

“(ii) In the case of a real property that did receive the credit under this section in the prior tax year, multiply the prior tax year's taxable assessment by 112% to determine the current tax year's taxable assessment; provided, that:

“(I) For tax year 2006, the current tax year's taxable assessment shall be determined by subtracting \$22,000 from 112% of the prior year's taxable assessment; and

“(II) For the tax year 2007, the amount determined in sub-sub-subparagraph (I) of this sub-subparagraph shall be the prior year's taxable assessment;

“(B) Subtract the current tax year's homestead deduction from the current tax year's assessed value;

“(C) Subtract the current tax year's taxable assessment determined under subparagraph (A) of this paragraph from the amount determined in subparagraph (B) of this paragraph; and

“(D) If the amount determined under subparagraph (C) of this paragraph is a positive number, multiply the difference by the applicable real property tax rate to determine the credit for the current tax year.

“(3) The credit shall not apply if:

“(A) During the prior tax year:

“(i) The real property was transferred for consideration to a new owner; and

“(ii) The return required by §§ 42-1103(d) and 47-903(d) was due;

“(iii) The value of the real property was increased due to a change in the zoning classification of the real property initiated or requested by the homeowner or anyone having an interest in the real property; or

“(iv) The assessment of the real property was clearly erroneous due to an error in calculation or measurement of improvements on the real property; or

“(B) During the prior calendar year, the real property was assessed under § 47-829.

“(C) During the tax year, qualifying and current homestead deduction applications are on file for less than 50% of the dwelling units in a cooperative housing association, or such applications are not filed in time for the homestead deduction to apply to the entire tax year.

“(4) The credit under this subsection shall be nonrefundable, and the credit shall be apportioned equally between each installment during the tax year and shall not be carried forward or carried back.

“(5) This subsection shall apply as of October 1, 2003.

“(e) This section shall sunset as of October 20, 2005, if § 47-864.01 takes effect on or

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before October 20, 2005 .”.

Sec. 108. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding the section designation "47-864.01. Owner-occupant residential tax credit (conditional)." after the section designation "47-864. Owner-occupant residential tax credit."

(b) A new section 47-864.01 is added to read as follows:

“§ 47-864.01. Owner-occupant residential tax credit (conditional).

“(a) Real property receiving the homestead deduction under § 47-850 shall receive an owner-occupant residential tax credit.

“(b) The credit shall be calculated as follows:

“(1)(A) In the case of a real property that did not receive the credit under this section in the prior tax year:

“(i) In accordance with § 47-864.01, for tax year 2006:

“(I) The current tax year's taxable assessment shall be determined by subtracting \$22,000 from 110% of the prior tax year's taxable assessment; and

“(II) The prior tax year's taxable assessment for taxable real property located in triennial groups 1 and 2, as designated by the Office of Tax and Revenue, that has been owned and occupied continuously by the same owner since October 1, 2001, shall be recalculated by applying a 12% cap as of October 1, 2001; and

“(ii) Multiply the amount determined in sub-subparagraph (i) of this subparagraph by 110% to determine the current tax year's taxable assessment; or

“(B) In the case of a real property that did receive the credit under this section in the prior tax year, multiply the prior tax year's taxable assessment by 110% to determine the current tax year's taxable assessment; provided, that:

“(i) For tax year 2006:

“(I) The current tax year's taxable assessment shall be determined by subtracting \$22,000 from 110% of the prior tax year's taxable assessment;

“(II) The prior tax year's taxable assessment for taxable real property located in triennial groups 1 and 2, as designated by the Office of Tax and Revenue, that has been owned and occupied continuously by the same owner since October 1, 2001, shall be recalculated by applying a 12% cap as of October 1, 2001;

“(ii) For tax year 2007, the amount determined in sub-subparagraph (i) of this subparagraph shall be the prior tax year's taxable assessment;

“(2) Subtract the current tax year's homestead deduction from the current tax year's assessed value;

“(3) Subtract the current tax year's taxable assessment determined under paragraph (1) of this subsection from the amount determined in paragraph (2) of this subsection;

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and

“(4) If the amount determined under paragraph (3) of this subsection is a positive number, multiply the difference by the applicable real property tax rate to determine the credit for the current tax year.

“(c) The credit shall not apply if:

“(1) During the prior tax year:

“(A) The real property was transferred for consideration to a new owner and the return required by section 303(d) of the District of Columbia Deed Recordation Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1103(d)), and § 47-903(d) was due;

“(B) The value of the real property was increased due to a change in the zoning classification of the real property initiated or requested by the homeowner or anyone having an interest in the real property; or

“(C) The assessment of the real property was clearly erroneous due to an error in calculation or measurement of improvements on the real property;

“(2) During the prior calendar year, the real property was assessed under § 47-829;

or

“(3) During the current tax year, qualifying homestead deduction applications for dwelling units in a cooperative housing association are:

“(A) Filed for less than 50% of the dwelling units; or

“(B) Not filed timely for the entire tax year.

“(d) The credit shall:

“(1) Be nonrefundable;

“(2) Be apportioned equally between each installment during the tax year; and

“(3) Not be carried forward or carried back.

“(e)(1) This section shall apply for taxable years beginning after September 30, 2005; provided, that the condition of paragraph (2) of this paragraph is met prior to February 15, 2006; provided further, that this section shall apply for the second half of Fiscal Year 2006 if the condition of paragraph (2) of this subsection is met after February 14, 2006 and prior to August 5, 2006.

“(2) This section shall not apply unless the amount of revenue in a revised quarterly revenue estimate of the Chief Financial Officer exceeds the annual revenue estimate incorporated in the approved fiscal year 2006 budget and financial plan by an amount sufficient to account for its fiscal effect.

“(f) If this section takes effect as of October 20, 2005, § 47-864 shall sunset as of October 20, 2005.

“(g) This section shall expire on August 5, 2006, if this section has not taken effect under subsection (e) of this section.”

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Sec. 109. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-857.04(b)(3)(A) is amended to read as follows:

"(A) Five years after receipt by the eligible project of a final certificate of occupancy issued for the entirety of the project; or"

(b) The table of contents for Chapter 10 of Title 47 of the District of Columbia Official Code is amended by striking the phrase "lots 34" and inserting the phrase "lots 33" in its place.

(c) Section 47-1065 is amended by striking the phrase "lots 34" wherever it appears and inserting the phrase "lots 33" in its place.

(d) Section 47-1803.03 of the District of Columbia Official Code is amended as follows:

(1) Subsection (a) is amended by adding a new paragraph (19) to read as follows:

"(19) Royalty payments. ---

"(A) Royalty payments, if the royalty payments are directly or indirectly paid, accrued, or incurred to a related member during the taxable year and deductible in calculating federal taxable income.

"(B) The disallowance of the deduction under subparagraph (A) of this paragraph shall not apply if and to the extent that the payments satisfy any of the following conditions:

"(i) The related member during the same taxable year directly or indirectly paid, received, accrued, or incurred the amount of the obligation to or from a person or entity that is not a related member, and the transaction was done for a valid business purpose and the payments are made at arm's length;

"(ii) The related member receiving the royalty payments acquired the intangible assets for which royalty payments are being made from a person or entity that was not a related member, the transaction was done for a valid business purpose, and the royalty payments are made at arm's length;

"(iii) The royalty payments are paid or incurred to a related member organized under the laws of a country other than the United States, and the country has entered into a comprehensive income tax treaty with the United States; or

"(iv) The related member receiving the royalty payments is subject to a tax measured by its net income or receipts in a state or possession of the United States imposing a statutory tax rate of at least 4.5%; provided, that a related member receiving the royalty payment shall not be considered to be subject to a tax merely by virtue of the related member's inclusion in a combined or consolidated return in one or more states.

"(C) For the purposes of this paragraph, the term:

"(i) "Majority interest" means:

"(I) In the case of a corporation, more than 50% of the total combined voting power of all classes of stock of the corporation, or more than 50% of the capital, profits, or beneficial interest in the voting stock of the corporation; or

"(II) In the case of a partnership, association, trust or other

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entity, more than 50% of the capital, profits, or beneficial interest in the partnership, association, trust or other entity.

"(ii) "Related entity" means:

"(I) a stockholder who is an individual, or a member of the stockholder's family enumerated in section 318 of the Internal Revenue Code of 1986, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least 50% of the value of the taxpayer's outstanding stock;

"(II) a stockholder, or a stockholder's partnership, limited liability company, estate, trust, or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts, and corporations own directly, indirectly, beneficially or constructively, in the aggregate, at least 50% of the value of the taxpayer's outstanding stock; or

"(III) a corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of section 318 of the Internal Revenue Code of 1986, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least 50% of the value of the corporation's outstanding stock. The attribution rules of section 318 of the Internal Revenue Code of 1986 shall apply for purposes of determining whether the ownership requirements of this paragraph have been met.

"(iii) "Related member" means:

"(I) A person that, with respect to the taxpayer any time during the taxable year, is a related entity;

"(II) A component member, as defined in section 1563(b) of the Internal Revenue Code of 1986;

"(III) A controlled group of which the taxpayer is also a component; or

"(IV) Is a person to or from whom there is attribution of stock ownership in accordance with section 1563(e) of the Internal Revenue Code of 1986.

"(iv) "Royalty payments" mean payments directly connected to the use, maintenance, or management of licenses, trademarks, copyrights, trade names, trade dress, service marks, mask works, trade secrets, patents, and any other similar types of intangible assets as are set forth in regulations promulgated by the Chief Financial Officer, including amounts allowable as interest deductions under § 47-1803.02(a)(2), to the extent that such amounts are directly or indirectly for, related to, or in connection with the use, maintenance, or management of such intangible assets.

"(v) "State" shall include the District of Columbia.

"(vi) "Valid business purpose" means one or more business purposes, other than the avoidance or reduction of taxation, which, alone or in combination, constitute the primary motivation for some business activity or transaction, which activity or

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transaction changes in a meaningful way, apart from tax effects, the economic position of the taxpayer."

(2) Subsection (b)(7) is repealed.

(c) Section 47-3701(4) is amended as follows:

(1) Subparagraph (B) is amended to read as follows:

"(B) For a decedent whose death occurs on or after January 1, 2002:

"(i) The maximum amount of credit for state death taxes allowed by section 2011 of the Internal Revenue Code;

"(ii) Any scheduled increase in the unified credit provided in section 2010 of the Internal Revenue Code or thereafter shall not apply and the amount of the unified credit shall be \$220,550; and

"(iii) An estate tax return shall not be required to be filed if the decedent's gross estate does not exceed \$675,000."

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

"(C) For a decedent whose death occurs on or after January 1, 2003:

"(i) The maximum amount of credit for state death taxes allowed by section 2011 of the Internal Revenue Code;

"(ii) Any scheduled increase in the unified credit provided in section 2010 of the Internal Revenue Code or thereafter shall not apply and the amount of the unified credit shall be \$345,800; and

"(iii) An estate tax return shall not be required to be filed if the decedent's gross estate does not exceed \$1 million."

(f) Subsections (b) and (c) of this section shall apply as of April 1, 2004.

Sec. 110. (a) Section 2 of the Unsolicited Proposal Submitted by Washington Properties, Inc./Square 673 Partners for the Negotiated Disposition of 59 M Street, N.E., Resolution of 1994, effective December 6, 1994 (Res. 10-475; 41 DCR 8157), is amended by striking the phrase "pursuant to the District Owned Surplus Real Property Amendment Act of 1989, effective March 14, 1990 (D.C. Law 8-96; D.C. Code § 9-401)" and inserting the phrase "pursuant to section 1(b)(3) and (6) of An Act authorizing the sale of certain real estate in the District of Columbia no longer needed for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 9-401(b)(3) and (6))" in its place.

(b) This section shall apply as of December 6, 1994.

Sec. 111. Section 105(1) of the Living Wage Act of 2006 is amended by adding the word "higher" before the phrase "wage level determinations".

Sec. 112. Section 2(5) of the Drug-Related Nuisance Abatement Act of 1998 is amended as follows:

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(a) Subparagraph (A) is amended by striking the word "or" at the end.

(b) Subparagraph (B) is amended by striking the period at the end and inserting the phrase "; or" in its place.

Sec. 113. Section 9b of the Department of Transportation Establishment Act of 2002 is amended as follows:

(a) Subsection (a)(2) is amended by striking the phrase "Excluding monies collected in the current year, any money deposited in the DDOT Fund in the year prior to the current year and the interest earned on that money remaining" and inserting the phrase "Excluding revenues collected in the current year, any revenue, including accrued revenue, deposited in the DDOT Fund in the year prior to the current year and the interest earned on those revenues remaining" in its place.

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

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

"(A) One hundred percent of revenue collected by the District for rental of public space that is derived from:

"(i) Sidewalk cafes;

"(ii) Surface and subsurface fuel oil space; and

"(iii) Vaults;

(2) Subparagraph (B) is repealed.

(3) Subparagraph (C) is amended by striking the word "proceeds" and inserting the word "revenue" in its place.

Sec. 114. Section 2(a) of the Pedestrian Protection Amendment Act of 1987 is amended by adding a new subsection (e) to read as follows:

"(e) Prosecution for violations under this section shall be conducted in the name of the District of Columbia by the Attorney General for the District of Columbia, or his or her assistants, in the Superior Court of the District of Columbia."

Sec. 115. Section 2 of the Confirmation Act of 1978 is amended as follows:

(a) Paragraph (42) is amended by striking the word "and" at the end.

(b) Paragraph (43) is amended by striking the period at the end and inserting the phrase "; and" in its place.

Sec. 116. Section 301(q) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 is amended as follows:

(a) Paragraph (53) is amended by striking the word "and" at the end.

(b) Paragraph (54) is amended by striking the period at the end and inserting the phrase "; and" in its place.

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Sec. 117. Section 1814(8) of the Office of the Chief Technology Officer Establishment Act of 1998 is amended by adding the word "and" at the end.

Sec. 118. Section 301 of the Omnibus Utility Amendment Act of 2004 is amended by striking the subsection designation "(r)" wherever it appears and inserting the subsection designation "(q)" in its place.

Sec. 119. The District of Columbia Procurement Practices Act of 1985 is amended as follows:

(a) Section 105a(c)(2)(B) is amended to read as follows:

"(B) Small business enterprise" has the same meaning as provided in section 2302(16) of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(16))."

(b) Section 804(a)(1) is amended by striking the period at the end of the lead-in language and inserting a semi-colon in its place.

Sec. 120. Section 2(c)(1) of the Freedom of Information Legislative Records Clarification Amendment Act of 2004 is amended by adding the phrase "of this section" after the phrase "subsection (a-1)".

Sec. 121. The Anacostia Waterfront Corporation Act of 2004 is amended as follows:

(a) Section 101(1)(A) is amended by striking the sub-subparagraph designation "(xiii)" and inserting the sub-subparagraph designation "(xii)" in its place.

(b) Section 106 is amended by striking the subsection designation "(e)" and inserting the subsection designation "(d)" in its place.

Sec. 122. The Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of is amended as follows:

(a) Section 2(1) is amended by striking the phrase "Office Gay" and inserting the phrase "Office of Gay" in its place.

(b) Section 4(b)(9) is amended by adding the word "and" at the end.

Sec. 123. Section 2(b) of the Human Rights Clarification Amendment Act of 2005 is amended by striking the paragraph designation "(12A-1)" and inserting the paragraph designation "(12A-i)" in its place.

Sec. 124. Section 2(a)(2) of the Nuisance Abatement Reform Amendment Act of 2006 is amended by striking the paragraph designations "(1)" and "(2)" and inserting the subparagraph

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designations "(A)" and "(B)" in their places.

Sec. 125. Section 11(c)(1) of the Office of Administrative Hearings Establishment Act of 2001 is amended by adding a comma after the date "2005".

Sec. 126. Section 7(e)(2) of the District of Columbia Stadium Act of 1957 is amended by adding the phrase "of this subsection" after the phrase "paragraph (1)".

Sec. 127. Section 15 of the Nurse's Rehabilitation Program Act of 2000 is amended by striking the subsection designation "(a)".

Sec. 128. Section 7a(b) of the Construction Codes Approval and Amendments Act of 1986 is amended as follows:

(a) Paragraph (2) is amended by striking the sub-subparagraph designation "(i)" and inserting the subparagraph designation "(I)" in its place.

(b) Paragraph (3) is amended by striking the sub-subparagraph designation "(i)" and inserting the subparagraph designation "(I)" in its place.

Sec. 129. Section 10(a) of the Adult Protective Services Act of 1984 is amended by striking the phrase "and pursuant" and inserting the word "pursuant" in its place.

Sec. 130. Section 1801a of the Office of Property Management Establishment Act of 1998 is amended by striking the subsection designation "(a)".

Sec. 131. The Domestic Partnership Equality Amendment Act of 2006 is amended as follows

(a) Section 3 is amended by striking the phrase "os sale" and inserting the phrase "of sale" in its place.

(b) Section 4 is amended as follows:

(1) Strike the phrase "relief under" wherever it appears and insert the phrase "relief available under" in its place.

(2) Strike the phrase "spouse or domestic partner's" and insert the phrase "spouse's or domestic partner's" in its place.

Sec. 132. Section 16-2332 of Title 16 of the District of Columbia Official Code is amended as follows:

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

(1) The lead-in language is designated as paragraph "(1)".

(2) The existing paragraphs (1) through (10) are designated as subparagraphs (A)

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through (J).

(3) The undesignated paragraph is designated as paragraph "(2)".

Sec. 133. Section 20-303 of Title 20 of the District of Columbia Official Code is amended by striking the phrase "For the purposes" and inserting the phrase "*Definitions.* – For the purposes" in its place.

Sec. 134. Section 2(b) of the Health Maintenance Organization Amendment Act of 2002 is amended as follows:

(a) Strike the subsection designation "(g)" wherever it appears and insert the subsection designation "(h)" in its place.

(b) Strike the subsection designation "(h)" wherever it appears and insert the subsection designation "(i)" in its place.

(c) Strike the subsection designation "(i)" wherever it appears and insert the subsection designation "(j)" in its place.

Sec. 135. Section 5 of the Hotel Development Projects Labor Peace Agreements Act 2002 is amended by designating subsections (a) through (h) as paragraphs (1) through (8).

Sec. 136. 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)).

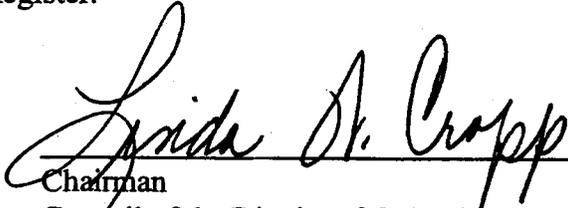
Sec. 137. Effective date.

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

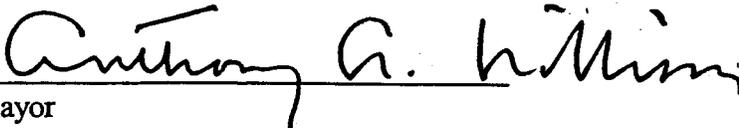
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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 31, 2006

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RE-ENROLLED ORIGINAL

A RESOLUTION

16-657

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 6, 2006

To approve an eligible project and related matters pursuant to section 490 of the District of Columbia Home Rule Act and the Payments in Lieu of Taxes Act of 2004.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Payment in Lieu of Taxes Revenue Bonds Department of Transportation Project Approval Resolution of 2006".

Sec. 2. Definitions.

For the purpose of this resolution, the term:

(1) "Anacostia Waterfront Initiative Infrastructure" means public infrastructure associated with public improvement projects of AWC in the following areas: Hilleast Waterfront/ Reservation 13, Poplar Point, Ward 7 Waterfront and Marvin Gaye Park, Anacostia Metro, Kingman Island and Heritage Island, South Capitol Street Waterfront, and Southwest Waterfront. For purposes of this paragraph, the foregoing project areas shall be defined as follows:

(A) Anacostia Metro means the rights in and around the existing Anacostia Metrorail Station, which includes the planned construction of a 500,000 square foot office building above the existing station.

(B) Hilleast Waterfront/Reservation 13 means the area bounded by 19th Street, S.E., Independence Avenue, S.E., the Congressional Cemetery, and the Anacostia River.

(C) Kingman Island and Heritage Island means Kingman Island and Heritage Island, both located in the Anacostia River, and any bridges, walkways, roads, or other transportation infrastructure that connect either island with each other or the shores of the Anacostia River.

(D) Ward 7 Waterfront and Marvin Gaye Park means the areas in Ward 7 bounded by Benning Road, the Anacostia Freeway, the District of Columbia boundary with the State of Maryland, and the Anacostia River, and Marvin Gaye Park, which runs along the main tributary for the Anacostia River in Ward 7 (Watts Branch).

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(E) Poplar Point means the area located on the eastern shore of the Anacostia River bounded by the 11th Street Bridges, the Anacostia Freeway, Frederick Douglass Bridge, and the Anacostia River, which land will be transferred from the federal government to the District of Columbia for redevelopment by AWC.

(F) South Capitol Street Waterfront means the following areas:

(i) The land bounded by M Street, S.E., First Street, S.E., South Capitol Street, and the Anacostia River;

(ii) All land currently occupied by the District of Columbia Water and Sewer Authority that abut the Anacostia River; and

(iii) All land bounded by Potomac Avenue, S.W., South Capitol Street, Fort McNair and the Anacostia River, except the area bounded by N Street, S.E., South Capitol Street S.E., Potomac Avenue, S.E., and First Street, S.E.

(G) Southwest Waterfront means the area bounded by Maine Avenue, S.W., the CSX rail line, the Washington Channel, Fourth Street, S.W., and Fort McNair.

(2) "AWC" means the Anacostia Waterfront Corporation.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized and directed to be issued from time to time pursuant to this resolution.

(4) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia.

(5) "Council" means the Council of the District of Columbia.

(6) "DOT PILOT" means a PILOT derived from the DOT PILOT Area.

(7) "DOT PILOT Agreement" means the written agreement to be entered into by the District and the owner providing for payments in lieu of taxes for financing the project and for any other purposes authorized by the PILOT Act.

(8) "Development Costs" shall have the same meaning as in section 2(2) of the PILOT Act.

(9) "District" means the District of Columbia.

(10) "Financing costs" means issuance costs as defined in D.C. Official Code § 47-340.01(14).

(11) "Financing Documents" means the documents that relate to the financing, refinancing, or reimbursement of the costs of the project, as the term "financing documents" is defined in D.C. Official Code § 47-340.01(11), including any offering document, and any required amendments or supplements to any such documents.

(12) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq.*).

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(13) "Infrastructure" means any public parks, waterfront amenities, streets, sidewalks, walkways, parking facilities, streetscapes, curbs and gutters, gas, electric, and water utilities, and other publicly owned infrastructure authorized to be financed pursuant to section 490 of the Home Rule Act.

(14) "Owner" means JBG Federal Center L.L.C., or any other person to which any portion of the DOT PILOT Area is transferred.

(15) "Payments in Lieu of Taxes" or "PILOT" shall have the same meaning as given the term in section 2(5) of the PILOT Act.

(16) "PILOT Act" means the Payments In Lieu of Taxes Act of 2004, effective April 5, 2005 (D.C. Law 15-293; D.C. Official Code § 1-308.01 *et seq.*).

(17) "PILOT Note" means a bond in an amount not to exceed \$140 million, as provided in section 5(a), to be issued to AWC to finance, refinance, and reimburse AWC for the costs of the project.

(18) "PILOT Period" means the period of time described in section 4(b).

(19) "Project" means:

(A) The Waterfront Park; and

(B) The Anacostia Waterfront Initiative Infrastructure.

(20) "Waterfront Park" means a waterfront park of approximately 5 acres and the infrastructure for public access to the waterfront park from Water Street, S.E., 2nd Street, S.E., and 4th Street, S.E.

Sec. 3. Findings.

(a) The issuance of bonds is the most desirable financing mechanism for the project and the project is deemed to contribute to the health, education, safety and welfare of, or the creation of jobs for, the residents of the District, or to economic development of the District.

(b) The project will not be operated or held for profit and will be dedicated to the District. The project fulfills the public policy goals of the PILOT Act by attracting tourism and by improving the community, economy, and environment for the residents of the District. An ownership interest or profit participation is not practicable or desirable because the District would be forced to forego the benefits of the construction of public parks and infrastructure.

(c) Conventional or other forms of financing are not readily available for the project. While best efforts have been made to secure conventional and other alternative forms of financing, the costs to finance the project given the public infrastructure needs and historical uses of the land within the DOT PILOT Area render the project financially infeasible and impracticable.

(d) The PILOT payments to be made by the owner for the DOT PILOT Area shall be equal to the amounts that the owner would have paid in real estate taxes if the DOT PILOT Agreement not been executed.

Sec. 4. Establishment of DOT PILOT area; allocation of DOT PILOT; terms of DOT PILOT Agreement; approval of the execution of the DOT PILOT Agreement.

(a) There is hereby established the DOT PILOT Area, which shall consist of an 8-acre parcel of land in the southeast quadrant of the District that is currently under the control and jurisdiction of the United States of America, acting by and through the General Services Administration, is under contract to be sold to the owner, and is known for tax and assessment purposes as lots 801, 802, and 804, square 770.

(b) The DOT PILOT Area shall be exempt from real property taxes during the PILOT Period, which shall begin on the effective date of this resolution and continue through the later of:

- (i) The end of the fiscal year 2022;
- (ii) The final maturity date of the bonds issued to finance or otherwise assist the project; or
- (iii) The date on which all of the bonds issued hereunder are paid or fully defeased and are no longer outstanding.

(c) During the PILOT Period, the owner shall make annual payments in lieu of taxes to the District with respect to the real property in the DOT PILOT Area in such amount as would have been paid in real property taxes under Chapter 8 of Title 47 of the District of Columbia Official Code based on assessments of the DOT PILOT Area conducted in accordance with the provisions of Chapter 8 of Title 47 of the District of Columbia Official Code as if such real property were subject to real property tax. Notwithstanding anything to the contrary herein, the owner shall have the right to challenge any assessment or reassessment of the DOT PILOT Area in accordance with the provisions of Chapter 8 of Title 47 of the District of Columbia Official Code and applicable PILOT Payments shall reflect the result of any such challenge. At the end of the PILOT Period, the DOT PILOT Area shall no longer be exempt from the District real property taxes and any real property within the DOT PILOT Area shall be subject to taxation in accordance with District law.

(d) The DOT PILOT Agreement provides as follows:

(1) The owner shall pay to the District as PILOT payments an amount equal to the amount of real estate taxes that the owner would be obligated to pay for the DOT PILOT Area in the absence of the DOT PILOT Agreement.

(2) The District shall issue bonds secured by the DOT PILOT to AWC.

(e) The DOT PILOT Agreement is hereby approved in substantially the form attached to this resolution and the DOT PILOT shall be paid in accordance with provisions of the DOT PILOT Agreement. The Mayor is hereby authorized to execute and deliver the DOT PILOT Agreement on behalf of the District. The Mayor is further authorized to execute and deliver on behalf of the District any amendments or supplements to the DOT PILOT Agreement that do not constitute a material change in the terms of the DOT PILOT Agreement

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Sec. 5. Bond terms.

(a) The terms of the bonds are as follows:

(1) The bonds shall be issued in the form of a PILOT Note from the District to AWC, which bonds shall secure revenue bonds issued by AWC or otherwise applied to finance, refinance, or reimburse the project.

(2) The bonds shall be issued pursuant to the provisions of the Financing Documents.

(3)(A) The aggregate principal amount of the bonds shall not exceed \$140 million.

(B) The aggregate principal amount of the bonds, other than refunding bonds, to be issued hereunder, may be used as follows:

(i) The amount of \$40 million in 2006 dollars adjusted for inflation in net proceeds to fund a portion of the costs for the Waterfront Park and access to the Waterfront Park;

(ii) The amount of \$75 million in 2006 dollars adjusted for inflation in net proceeds to fund the portion of the costs for the Anacostia Waterfront Initiative Infrastructure; and

(iii) Financing costs for any series of bonds.

(C) Any portion of the DOT PILOT in excess of the amounts needed to fund either (i) principal, interest, reserves, redemption payments, premium, if any, and other costs associated with the bonds, or (ii) the costs of the project (as permitted pursuant to the DOT PILOT Agreement), shall be deposited annually into the General Fund of the District of Columbia.

(4) The final maturity of the bonds shall not exceed 15 years for any series of the bonds and the debt service on the bonds required to be paid in any year shall be structured in such manner that the debt service will not exceed in any year the amount of the DOT PILOT payment projected by the District to be received by the District during such year.

(b) The bonds may have any other terms and conditions consistent with this resolution, the PILOT Act, and the Financing Documents.

(c) The bonds shall contain a legend, which shall provide that the bonds shall be special obligations of the District, shall be nonrecourse to the District, shall not be a pledge of and shall not involve, the faith and credit or taxing power of the District (other than the PILOT or any other security authorized by the PILOT Act), shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(d) The bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor. The Mayor's execution and delivery of the bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of final form and content of the same. The official seal of the District, or a facsimile of it, shall be

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impressed, printed, or otherwise reproduced on the bonds.

(e) The bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Payment and security.

(a) For the purpose of securing the payment of the bonds, the Chief Financial Officer shall establish an account to be designated as the DOT PILOT Fund. The Chief Financial Officer shall deposit into the DOT PILOT Fund all receipts from the DOT PILOT and from any taxes identified by any provision of District of Columbia law to be deposited into the DOT PILOT Fund.

(b) The District is hereby authorized and directed to pledge the funds on deposit in the DOT PILOT Fund as security for the payment of principal of, and premium, if any, on the bonds.

(c) The bonds shall be payable solely from the funds on deposit in the DOT PILOT Fund.

Sec. 7. Financial analysis.

The financial analyses attached to, and made a part of, this resolution, prepared by the Office of the Chief Financial Officer, is the financial analysis required by section 4(a)(1) (H) of the PILOT Act.

Sec. 8. Fiscal impact statement.

The Council adopts the fiscal impact statement contained 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. 9. Effective date.

This resolution shall take effect immediately.