(1) Office of Administrative Hearings, up to $130,000 for security costs;

(2) Department of Corrections, up to $5,964,801 for nonpersonal services costs;

(3) DC Emergency Management Agency, up to $755,000 for relocation costs to move to the Office of Unified Communications building;

(4) Department of Youth Rehabilitation Services, up to $2,120,282 for personal and nonpersonal services;

(5) The Wilson Building, up to $491,911 for maintenance contract costs;

(6) Child and Family Services Agency, up to $1 million to support increased hiring;

(7) District of Columbia Public Schools, up to $1 million to fund an initiative to provide computers to McKinley Technology High School, Ballou High School, and other high schools in DCPS, to be used as matching funds; and

(8) Office of the Mayor, up to $1 million to support public education initiatives regarding voting rights in the District of Columbia.

(b) Any funds not used for its stated purpose shall revert to the Pay-As-You-Go Capital fund.

(c)(1) The Mayor shall transmit a request for funds in the form of a proposed resolution to the Council for its approval, which the Council may approve in whole or in part. The transmittal shall include CFO certification that the funds are needed for the stated purpose and the CFO's independent analysis that led to the certification. If no written notice of disapproval of the proposed resolution is filed with the Secretary to the Council within 14 calendar days of the receipt of a request from the Mayor or no oral notice of disapproval is given during a meeting of the Council during the 14 calendar day period, which review period shall begin on the 1st day following its receipt by the Office of the Secretary, the proposed resolution shall be deemed to be approved. If a notice of disapproval is given during the 14 calendar day review period, the Council may approve or disapprove, in whole or in part, the request by resolution within 30 calendar days of the receipt of the request from the Mayor, or such request shall be deemed to be approved.

(2) No request may be submitted to the Council under this subsection during such time as the Council is on recess, according to its rules, nor shall any time period provided in this subsection or in the Council's rules with respect to a request continue to run during such time as the Council is on recess.

Sec. 1012. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE D. APPROPRIATION OF ADDITIONAL REVENUE

Sec. 1015. Short title.

This subtitle may be cited as the "Appropriation of Additional Revenue Emergency Act of 2005".

Sec. 1016. If the Chief Financial Officer of the District of Columbia certifies, through a revised quarterly revenue estimate for fiscal year 2006, that local funds exceed the annual revenue estimates incorporated in the approved Fiscal Year 2006 budget and financial plan, a minimum of $21 million in those additional revenues shall be allocated to human services needs as follows:

(1) An amount of $5.12 million for the Office of Early Childhood Development to support quality improvements, reimbursement rates, and an increased number of subsidized slots in the child day care program;

(2) An amount of $6.9 million for the D.C. Housing Authority, provided that such funds shall be used only to enhance the ability of the Authority to provide housing for low income and very low income residents;

(3) An amount of $1 million for the Office of Victim Services, Deputy Mayor for Public Safety to expand shelter assistance for victims of domestic violence;

(4) An amount of $3 million for the Department of Human Services for homeless services, of which $2 million shall be for the expansion of emergency shelter and transitional and permanent housing facilities for homeless families with children, and $1 million shall fund the Continuum of Care for homeless persons;

(5) An amount of $2 million for the Addiction Prevention and Recovery Administration for the expansion of substance abuse treatment and prevention;

(6) An amount of $780,000 for the Child and Family Services Agency for Healthy Families B Healthy Communities Collaborative; and

(7) An amount of$2.2 million for the Child and Family Services Agency, $100,000 of which shall be used to fund children's advocacy programs; and $ 2.1 million of which shall be used to fund mental health services for children in foster care, contingent upon the submission to the Council of a plan to minimize the use of non-Medicaid-certified providers.

Sec. 1017. Conditional applicability.

(a) Section 1016 shall apply for taxable years beginning after September 30, 2005; provided, that the condition in subsection (b) of this section is met prior to September 30, 2006.

(b) Section 1016 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 in accordance with the priorities set forth in this subtitle and subtitle J of this title.

Sec. 1018. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE E. COLLECTIVE BARGAINING AMENDMENT

Sec. 1020. Short title:

This subtitle may be cited as the "Collective Bargaining Agreements Emergency Amendment Act of 2005".

Sec. 1021. Section 1717(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-617.17(b)), is amended by striking the phrase "compensation matters." and inserting the phrase "compensation matters. No subordinate agency shall negotiate a collective bargaining agreement." in its place.

Sec. 1022. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE F. SUPPORT FOR VOTING RIGHTS EDUCATIONAL AND INFORMATIONAL ACTIVITIES

Sec. 1025. Short title.

This subtitle may be cited as the "Support for Voting-Rights Educational and Informational Activities Emergency Act of 2005".

Sec. 1026. Expenditures for Educational and Informational Activities Supporting Voting Rights.

(a) There is hereby appropriated to the Executive Office of the Mayor, solely from local funds, $1 million to promote educational and informational activities to apprise the general public of the lack of voting rights in the United States Congress for District residents. The Mayor may expend these funds directly or award them as one or more subgrants to non-governmental organizations for this purpose.

(b) Notwithstanding the provisions of subsection (a) of this section, none of the funds shall be expended to carry on lobbying in support of voting rights in Congress for District of Columbia residents in violation of section 305 of the District of Columbia Appropriations Act, 2005, approved October 18, 2004 (Pub. L. No. 108-335; 118 Stat. 1322). Any audio or video production financed in whole or in part by the funds appropriated in subsection (a) of this section shall contain a voice-over, or in the case of a video production, a printed notice prominently stating, "Sponsored by the Government of the District of Columbia."

(c) The Mayor shall adopt written procedures to ensure compliance with the provisions of this section. The Mayor may make one or more grants or subgrants of the funds appropriated under this section; provided, that these grants or subgrants comply with the requirements of Title 1, Chapter 50 of the District of Columbia Municipal Regulations.

(d) The expenditures in this subtitle shall be consistent with the requirements of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.)*, 1 DCMR 5000 *et seq.*, or the terms and conditions of the federal funding source, whichever is applicable.

Sec. 1027. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE G. LEASING FEES WORKING FUND AMENDMENT

Sec. 1030. Short title.

This subtitle may be cited as the "Leasing Fees Working Fund Emergency Amendment Act of 2005".

Sec. 1031. Section 5 of the District of Columbia Appropriations Act, 1955, approved July 1, 1954 (68 Stat. 393; D.C. Official Code § 10-701), is amended to read as follows:

"Sec. 5. Establishment of working fund.

"(a) There is established within the General Fund of the District of Columbia a nonlapsing working fund to be known as the District of Columbia Leasing Fees Working Fund ("Fund"). All rents and fees received by the District government from the lease of real property owned by the District shall be deposited into the Fund.

"(b) The monies in the Fund may be used by the District subject to authorization by Congress in an appropriations act for the maintenance, repair, and improvement to buildings owned by the District.

"(c) All monies deposited in the Fund, excluding monies collected in the year of deposit, along with moneys deposited in a preceding year occurring after the Fund is established, and the interest earned on that money remaining in the Fund after the payment of costs accrued in that preceding year for the purposes under subsection (b) of this section, less 10% of the remainder amount that shall be retained as a reserve operation balance, shall be transferred or revert to the fund balance of the General Fund of the District.

"(d) The Mayor shall provide the Council with an annual accounting of the receipts of and the expenditures from the Fund.".

Sec. 1032. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200,

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(c)(3)).

SUBTITLE H. TOBACCO SETTLEMENT TRUST FUND BOARD MEETINGS

Sec. 1035. Short title.

This subtitle may be cited as the "Tobacco Settlement Trust Fund Board of Trustees Meetings Emergency Amendment Act of 2005".

Sec. 1036. Section 2302a(d) of the Tobacco Settlement Trust Fund Establishment Act of 1999, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 7-1811.02(d)), is amended by striking the phrase "The Board shall meet" and inserting the phrase "Once funds are deposited into the Fund, the Board shall meet" in its place.

Sec. 1037. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE I. SURPLUS PERSONAL PROPERTY SALES OPERATING FUND

Sec. 1038. Short title.

This subtitle may be cited as the "Surplus Personal Property Sales Operating Fund Emergency Amendment Act of 2005".

Sec. 1039. The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D. C. Law 6-85; D. C. Official Code § 2-301.01 *et seq.*), is amended as follows:

(a) Section 701(2) (D.C. Official Code § 2-307.01(2)) is amended by adding the phrase "competitive electronic sales" after the phrase "competitive sealed bidding,".

(b) Section 702 (D. C. Official Code § 2-307.02) is repealed.

(c) A new section 703 is added to read as follows:

"Sec. 703. District of Columbia Surplus Personal Property Sales Operating Fund.

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

"(1) "Collected funds" means all funds collected pursuant to subsection (b) of this section in a current fiscal year and all interest earned on those funds.

"(2) "Surplus personal property sales" means the sales of surplus supplies described in section 701(2).

"(b) There is established a fund designated as the District of Columbia Surplus Personal Property Sales Operating Fund ("Fund") that shall be a segregated account within the General Fund of the District of Columbia.

"(c) The Chief Procurement Officer may collect and deposit in the Fund established pursuant to subsection (b) of this section the proceeds from surplus personal property sales.

"(d) All collected funds shall be deposited into the Fund without regard to fiscal year limitation pursuant to an act of Congress, and except as provided in this section, shall not be transferred or revert to the fund balance of the General Fund of the District.

"(e) The Chief Procurement Officer shall use collected funds to pay the costs of conducting surplus personal property sales and operating and maintaining the Personal Property Division, an existing entity of the Office of Contracting and Procurement.

"(f) All monies deposited in the Fund, excluding monies collected in the year of deposit, along with moneys deposited in a preceding year occurring after the Fund is established, and the interest earned on that money remaining in the Fund after the payment of costs accrued during that preceding year for the purposes under subsection (e) of this section, less 10% of the remainder amount that shall be retained as a reserve operation balance, shall be transferred or revert to the General Fund of the District.

"(g) Nothing in this section shall be construed as prohibiting or limiting the allocation of funds from the revenues of the District of Columbia for the purposes designated in subsection (e) of this section.

"(h) The Chief Procurement Officer shall transmit to the Council a quarterly report providing detailed information on sale, lease or disposal transactions made under section 701.

"(i) Upon the effective date of the Surplus Personal Property Sales Operating Fund Emergency Amendment Act of 2005, any monies collected in fiscal year 2005 pursuant to subsection (c) of this section shall be deposited into the Fund and used to cover costs associated with fees owed to a contractor for conducting sales of surplus personal property, and operating and maintaining the Personal Property Division of the Office of Contracting and Procurement.".

Sec. 1040. Fiscal impact statement.

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

SUBTITLE J. REVENUE AND ALLOCATION PRIORITY CLARIFICATION

Sec. 1041. Short title.

This subtitle may be cited as the "Revenue and Allocation Priority Clarification Emergency Act of 2005".

Sec. 1042. Following a certification by the CFO through a revised quarterly revenue estimate for fiscal year 2006 that local funds exceed the annual revenue estimates incorporated in the approved fiscal year 2006 budget and financial plan, allocation of additional revenues or of tax relief shall be in the order of priority as follows:

(1) Residential Property Tax Rate and Cap Reduction Act of 2005;

(2) Limited-Equity Cooperative Tax Fairness Act of 2005;
(3) Affordable Housing Preservation Tax Assessment Act of 2005;
(4) Appropriation of Additional Revenue Act of 2005;
(5) Triennial Group Taxable Assessment Disparity Correction Act of 2005;
(6) Disabled Persons Tax Reduction Act of 2005; and
(7) Disabled Property Owners Tax Reduction Act of 2005.

Sec. 1043. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE K. STANDARD DEDUCTION AND PERSONAL EXEMPTION INCREASE

Sec. 1045. Short title.

This subtitle may be cited as the "Increase in the Standard Deduction and Personal Exemption Emergency Act of 2005".

Sec. 1046. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1801.04(26) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase "$2,000" and inserting the phrase "$2,500" in its place.

(2) Subparagraph (B) is amended by striking the phrase "$1,000" and inserting the phrase "$1,250" in its place.

(b) Section 47-1806.02 is amended as follows:

(1) Subsection (f)(1)(A) is amended to read as follows:

"(A) Whose gross income for the calendar year in which the year of the taxpayer begins is less than $1,500; or.".

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

"(i) For purposes of this section, the deduction for personal exemptions shall be $1,500.".

Sec. 1047. Applicability.

Section 1046 shall apply as of January 1, 2006.

Sec. 1048. Fiscal impact statement.

The Council adopts the fiscal impact statement of the committee report for Bill 16-200, 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)).

SUBTITLE L. EXPANSION OF THE EARNED INCOME TAX CREDIT

Sec. 1051. Short title.

This subtitle may be cited as the "Expansion of the Earned Income Tax Credit Emergency Act of 2005".

Sec. 1052. Section 47-1806.04 of the District of Columbia Official Code is amended as follows:

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

"(f)(1) If a return is filed for a full calendar or fiscal year beginning after December 31, 2004, an individual who is allowed an earned income tax credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against the tax imposed by this chapter for the taxable year in an amount equal to 35% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986; provided, that the credit shall not be allowed to a resident who has elected to claim the low income tax credit provided for in subsection (e) of this section.

"(2) If a return is filed for a period of less than a full calendar or fiscal year beginning after December 31, 2004, the credit allowed under this subsection shall be reduced to the amount that bears the same ratio to the credit computed under the provisions of paragraph (1) of this subsection as the number of months in the period for which the return is made bears to 12 months.

"(3) The credit allowed under this subsection shall be refundable to the resident claiming the credit.".

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

"(g)(1) A taxpayer described in paragraph (2) of this subsection, and who otherwise would not qualify for the earned income tax credit under subsection 32(b) of the Internal Revenue Code of 1986, shall be allowed a credit equal to the credit allowed in subsection (f) of this section.

"(2) To qualify for a credit as described in subsection (f) of this section, a taxpayer shall satisfy all the following requirements during the entire period for which the taxpayer seeks the credit:

"(A) The taxpayer shall be a District resident taxpayer;

"(B) The taxpayer shall be between the ages of 18 and 30;

"(C) The taxpayer shall be the parent of a minor child with whom the taxpayer does not reside;

"(D) A court order shall require the taxpayer to make child support payments, which are payable through a government-sponsored support collection unit, which

order must have been in effect for at least one-half of the taxable year for which the taxpayer is seeking the credit; and

"(E) The taxpayer shall have paid an amount in child support in the taxable year at least equal to the amount of current child support due during the taxable year for which the taxpayer is seeking the credit.".

Sec. 1053. Applicability.

Section 1052(b) shall apply for taxable years beginning after December 31, 2005.

Sec. 1054. Fiscal impact statement.

The Council adopts the fiscal impact statement of the committee report for Bill 16-200, 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)).

SUBTITLE M. ASSESSMENT OF COLLECTION FEES ACT OF 2005

Sec. 1061. Short title.

This subtitle may be cited as the "Assessment of Collection Fees Emergency Act of 2005".

Sec. 1062. Section 47-4405 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a) is amended by striking the phrase "owing for a period longer than 6 months" and inserting the phrase "owing for a period longer than 90 days" in its place.

(b) Subsection (b)(3) is amended by striking the phrase "excluding penalties and interest" and inserting the phrase "including penalties and interest" in its place.

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

"(d) If the Mayor does not contract with a collection agency inside or outside the District of Columbia, for the collection of delinquent taxes due from a taxpayer, a collection fee not in excess of 25% may be charged by the District as set forth in subsection (b)(3) of this section.".

Sec. 1063. Fiscal impact statement.

The Council adopts the fiscal impact statement of the committee report for Bill 16-200, 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)).

SUBTITLE N. ESTABLISHMENT OF COMPLIANCE AND REAL PROPERTY TAX ADMINISTRATION FUND ACT OF 2005

Sec. 1071. This subtitle may be cited as the "Establishment of Compliance and Real Property Tax Administration Fund Emergency Act of 2005".

Sec. 1072. Chapter 3 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 designations "47-317.08 Compliance and Real Property Tax Administration Fund." after the section designation "47-317.07. SHARE Data Center.".

(b) A new section 47-317.08 is added to read as follows:

"§ 47-317.08. Compliance and Real Property Tax Administration Fund.

"(a) There is established a fund designated as the Compliance and Real Property Tax Administration Fund, which shall be a segregated account within the General Fund of the District of Columbia. All funds shall be deposited into the Fund without regard to fiscal year limitation and shall not revert to the fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section, subject to authorization by Congress; provided, that excluding funds collected in the current year, those funds deposited in the Fund in the year prior to the current year and the interest earned on that money remaining in the Fund after the payment of costs accrued in the prior year, less 10% of that remaining amount, to be retained as a reserve operating balance, shall be transferred or revert to the fund balance of the General Fund of the District of Columbia. The Fund shall be administered by the Chief Financial Officer of the District of Columbia.

"(b) The funds deposited into the Fund shall be placed in 2 separate accounts, one to be used solely for the expenditures of the Compliance Administration of the Office of Tax and Revenue ("CA") for the costs of compliance activities of the CA ("CA Account") and one to be used solely for the expenditures of the Real Property Tax Administration of the Office of Tax and Revenue ("RPTA") for the costs of tax sale activities of the RPTA ("RPTA Account"). All fees collected by the CA for the costs of collection of delinquent taxes shall be deposited in the CA Account and all revenues collected by the RPTA from fees for the costs of tax sales shall be shall be deposited in the RPTA Account.

"(c) Pursuant to § 47-4405(d), the CA may assess fees for the costs of collection of delinquent taxes and the RPTA may assess fees for the costs of tax sales.".

(c) Section 47-368.01(a) is amended by striking the phrase "and Alcoholic Beverage Regulation Administration" and inserting the phrase "Alcoholic Beverage Regulation Administration; and Compliance and Real Property Tax Administration Fund" in its place.

Sec. 1073. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE O. HOMESTEAD DEDUCTION INCREASE

Sec. 1081. Short title.

This subtitle may be cited as the "Real Property Tax Relief Emergency Act of 2005".

Sec. 1082. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-850(a) is amended as follows:

(1) Strike the phrase "$38,000" and insert the phrase "$60,000" in its place.

(2) Strike the phrase "estimated market value" and insert the phrase "assessed value" in its place.

(b) Section 47-850.01 is amended by striking the phrase "$38,000" and inserting the phrase "$60,000" in its place.

(c) Section 47-863(c)(2) is amended by adding a new subparagraph (C) to read as follows:

"(C) The deduction shall be passed on to the senior's household by the cooperative housing association during the corresponding tax year.".

(d) Section 47-864(d) is amended as follows:

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

"(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 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.".

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

(A) Subparagraph (A)(i) is amended by striking the phrase "new owner" and inserting the phrase "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" in its place.

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

"(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.".

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

"(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.".

Sec. 1083. Applicability.

Section 1082(a)(1), (b), (d)(1), and (d)(2)(B) shall apply for taxable years beginning after September 30, 2005.

Sec. 1084. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE P. ESTABLISHMENT OF THE COMMODITIES COST RESERVE FUND

Sec. 1091. Short title.

This subtitle may be cited as the "Establishment of the Commodities Cost Reserve Fund Emergency Act of 2005".

Sec. 1092. Chapter 3 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 "47-368.04. Commodities Cost Reserve Fund ." after the section designation "47-368.03 . Reduction in rates for certain excise taxes.".

(b) A new section 47-368.04 is added to read as follows:

"§ 47-368.04. Commodities Cost Reserve Fund.

"(a) There is established a fund designated as the Commodities Cost Reserve Fund,

which shall be a segregated account within the General Fund of the District of Columbia. All funds shall be deposited into the Fund without regard to fiscal year limitation pursuant to an act and shall not revert to the fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section, subject to authorization by Congress in an appropriations act. The Fund shall be administered by the Mayor.

"(b) At the end of each fiscal year, the Chief Financial Officer shall transfer into the Fund from the General Fund of the District of Columbia the unobligated and unexpended annual appropriation, identified after the end of the fiscal year, for the District of Columbia's costs for all consumption-driven commodities including electricity, fuel, water, steam, natural gas, postage, telephone, custodial, security, occupancy, and rent. The funds deposited in the Fund shall be used for the unbudgeted expenses caused by unanticipated increases in consumption-driven commodity costs.".

Sec. 1093. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE Q. DISHONORED CHECK FEE COLLECTION

Sec. 1101. Short title.

This subtitle may be cited as the "Dishonored Check Fee Collection Fund Establishment Emergency Act of 2005".

Sec. 1102. Section 1 of An Act To authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks, approved September 28, 1965 (79 Stat. 844; D.C. Official Code § 1-333.11), is amended by adding a new subsection (g) to read as follows:

"(g) There is hereby established within the General Fund of the District of Columbia a segregated, nonlapsing fund to be known as the Dishonored Check Fee Collection Fund ("Fund"); provided, that any funds deposited in the Fund in the year prior to a current year and the interest earned on that money remaining in the Fund after the payment of the costs accrued in the prior year, less 10% of the remainder amount that shall be retained as a reserve operating balance, shall be transferred or revert to the General Fund of the District of Columbia. All funds obtained from the fees authorized by this section, shall be deposited into the Fund and shall be used, subject to authorization by Congress in an appropriations act, to pay the costs of operating and maintaining the office or offices responsible for processing the fees authorized by this section.".

Sec. 1103. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE R. REPROGRAMMING AMENDMENT

Sec. 1131. Short title.

This subtitle may be cited as the "Reprogramming Emergency Act of 2005".

Sec. 1132. Section 47-363(c) of the District of Columbia Official Code is amended by striking the figure "$25,000", and inserting the figure "$860,000" in its place.

Sec. 1133. Fiscal impact statement.

This legislation does not affect the District of Columbia's budget or financial plan and, therefore, has no fiscal impact.

SUBTITLE S. TAX DEFERRAL FOR LOW-INCOME PROPERTY OWNERS

Sec. 1141. Short title.

This subtitle may be cited as the "Tax Deferral for Low-income Property Owners Emergency Act of 2005".

Sec. 1142. 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 designations "47-845.02. Tax deferral – Low-income property owners. 47-845.03. Tax deferral – Low-income senior property owners." after the section designation "47-845.01. Tax deferral – Bureau of National Affairs.".

(b) New sections 47-845.02 and 47-845.03 are added to read as follows:

"§ 47-845.02. Tax deferral – Low-income property owners.

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

"(1) "Eligible owner" means an owner (or owners):

"(A) Who resides in the District in a house or condominium; and

"(B) Whose household adjusted gross income is less than $50,000.

"(2) "Household adjusted gross income" means the adjusted gross income of all persons residing in a household, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.

"(b) Except as provided in subsection (d) of this section, an eligible owner may defer for each tax year any real property tax in excess of the real property tax for the prior tax year.

"(c) Real property tax deferred under this section shall bear interest at the rate of 8% per annum.

"(d) Real property tax shall not be deferred if the aggregate amount of the deferred real

property tax, including interest thereon, under this section and § 47-845, is equal to or greater than 25% of the assessed value of the real property for the tax year (or half tax year for which the deferral would otherwise continue).

"(e) To qualify to receive the deferral, the eligible owner shall complete and file with the Mayor an application in a form prescribed by the Mayor. The eligible owner shall certify, under penalty of perjury, the information provided on the application form and the application form shall be filed in the manner prescribed by the Mayor. The Mayor may require the eligible owner to provide any information which the Mayor considers necessary, including all taxpayer identification numbers of the eligible owner, any other owner, any person with legal or equitable title, and any person in the household of the eligible owner. The Mayor may also require eligible owner, any person with legal or equitable title, and any person in the household of the individual to submit information after the deferral has been granted to determine whether the eligible owner continues to be entitled to the deferral.

"(f) If a properly completed and approved application is filed during the period October 1 through March 31 of the tax year, the eligible owner shall receive the deferral for the entire tax year. Notwithstanding subsection (b) of this section, if a properly completed and approved application is filed during the period April 1 through September 30, the eligible household shall receive ½ of the deferral, which shall be applied to the second installment only.

"(g) The application form filed by the individual, shareholder, or member shall apply to the initial tax year or initial second-half tax year, and to any succeeding tax year thereafter, for which the deferral is granted.

"(h)(1) If the eligible owner no longer qualifies for the deferral, the eligible owner shall notify the Mayor of the date of the change in eligibility within 30 days after the change in eligibility and the amount of the deferred tax, plus interest at the rate provided in subsection (c) of this section, for the tax year in which the change in eligibility occurred shall be paid within 30 days of the change in eligibility. If the applicant fails to notify the Mayor timely, the amount of the deferred tax, plus interest thereon, shall bear interest at the rate provided for the payment of delinquent real property taxes, plus applicable penalties thereon.

"(2) Notwithstanding paragraph (1) of this subsection, if the real property of the eligible owner is transferred and continues to qualify for the deferral 30 days or less before the date of execution of the deed of transfer, the eligible owner shall not be required to notify the Mayor of the change in eligibility.

"(3) If the change in eligibility occurs during the period October 1 through March 31 of the tax year, the deferral shall be disallowed for the entire tax year.

"(4) If the change in eligibility occurs during the period April 1 through September 30, the deferral shall be disallowed for ½ of the tax year.

"(i)(1) There shall be a lien on the real property in the amount of the deferred real property tax, at the rate as provided in subsection (c) of this section or subsection (h) of this section, as applicable, and any penalties.

"(2) Deferred real property tax, interest thereon, and any penalties, shall be

payable upon the transfer of the real property. Real property that is not transferred within one year from the date of death of the eligible owner shall be deemed transferred. Real property tax together, and interest thereon, that is not paid within 5 days of the date of transfer shall be deemed delinquent real property tax.

"(j) The eligibility of an eligible owner for the deferral shall not be affected by the transfer of the real property into a revocable trust if the transfer is without consideration and the real property remains the residence of the eligible owner before and after the transfer.

"(k) If an eligible owner claims a deferral for more than one real property in the same tax year, and has not timely notified the Mayor of all changes in eligibility, the Mayor shall disallow the deferral for each real property claimed by the eligible owner.

"(l) Section 47-863(k) shall apply in the case of a deferral under this section.

"(m) The real property tax bill shall indicate whether the real property is receiving the deferral under this section.

"(n) Any taxpayer who is 65 years of age or older and who applies for real property tax deferral under this section shall have undergone counseling as described in section 255 of the National Housing Act, approved February 5, 1988 (101 Stat. 1908; 12 U.S.C. § 1715z-20), relating to insurance on home equity conversion mortgages for elderly homeowners.

"§ 47-845.03 Tax deferral – Low-income senior property owners.

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

"(1) "Adjusted gross income" shall have the same meaning as in section 62 of the Internal Revenue Code of 1986, approved August 16, 1954 (68 Stat. 17; 26 U.S.C. § 62).

"(2) "Household adjusted gross income" means the adjusted gross income of all persons residing in a household, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.

"(3) "Residence" means the principal place of residence in the District of an individual who is domiciled in the District.

"(4) "Senior's household" means a house or condominium which is an individual's residence:

"A That comprises a dwelling unit;

"B That is Class 1 Property, as defined in § 47-813, and contains not more than 5 dwelling units therein;

"C That is owned at least 50%, in whole or in part, by the individual who is 65 years of age or older; and

"D Wherein the household adjusted gross income is less than $50,000.

"(b) Except as provided in subsection (d) of this section, a senior's household may defer each year any real property tax owed.

"(c) Taxes deferred under this section shall bear interest at the rate charged on underpayments of federal income taxes under section 6621 of Internal Revenue Code of 1986, approved January 3, 1975 (88 Stat. 2114; 26 U.S.C. § 6621), on the date the first installment of

the real property tax to be deferred under this section is originally due to be paid to the District of Columbia; provided, that the rate of interest shall not exceed 8% per year.

"(d) No further deferrals of real property tax shall be granted to a senior's household if the aggregate amount of the deferred tax, plus interest, from previous tax years, under this section and § 47-845, is equal to or greater than 25% of the assessed value of the property for the tax year for which the deferral is requested.

"(e)(1) There shall be a lien on the real property in the amount of the deferred real property tax, plus interest, at the rate as provided in subsection (c) of this section or subsection (j) of this section, as applicable, and any penalties.

"(2) Deferred real property tax, interest thereon, and any penalties, shall be payable upon the transfer of the real property. Real property that is not transferred within one year from the date of death of the eligible owner shall be deemed transferred. Real property tax together, and interest thereon, that is not paid within 5 days of the date of transfer shall be deemed delinquent real property tax.

"(f) To qualify the senior's household to receive the deferral, the individual shall complete and file with the Mayor an application in a form prescribed by the Mayor. The individual shall certify, under penalty of perjury, the information provided on the application form and the application form shall be filed in the manner prescribed by the Mayor. The Mayor may require the individual to provide any information which the Mayor considers necessary, including all taxpayer identification numbers of the individual, any other owner, any person with legal or equitable title, and any person in the household of the individual. The Mayor may also require the individual, any other owner, any person with legal or equitable title, and any person in the household of the individual to submit information after the deferral has been allowed to determine whether the real property remains a senior's household and entitled to the deferral.

"(g) If a properly completed and approved application is filed during the period October 1 through March 31 of the tax year, the senior's household shall receive the deferral for the entire tax year. If a properly completed and approved application is filed during the period April 1 through September 30, the senior's household shall receive the deferral for only ½ of the property taxes for the year.

"(h) The application form filed by the individual shall apply to the initial tax year and to any succeeding tax year thereafter for which the deferral is allowed.

"(i)(1) If the senior's household no longer qualifies for the deferral, the eligible owner shall notify the Mayor of the date of the change in eligibility within 30 days after the change in eligibility and the amount of the deferred tax, plus interest at the rate provided in subsection (c) of this section, for the tax year in which the change in eligibility occurred shall be paid within 30 days of the change in eligibility. If the applicant fails to notify the Mayor timely, the amount of the deferred tax, plus interest thereon, shall bear interest at the rate provided for the payment of delinquent real property taxes, plus applicable penalties thereon.

"(2) Notwithstanding paragraph (1) of this subsection, if the real property of the

senior's household is transferred and continued to qualify for the deferral 30 days or less before the date of execution of the deed of transfer, the individual, shareholder, or member shall not be required to notify the Mayor of the change in eligibility.

"(3) If the change in eligibility occurs during the period October 1 through March 31 of the tax year, the deferral shall be disallowed for the entire tax year.

"(4) If the change in eligibility occurs during the period April 1 through September 30, the deferral shall be disallowed for only ½ of the property taxes for the year.

"(j) If real property tax is owing as a result of an erroneous or improper deferral, the following shall apply:

"(1)(A) If the senior's household was transferred, the individual shall be personally liable for the amount of the delinquent real property tax which was not paid timely during the period when the individual had an ownership interest in the senior's household, together with interest at the same rate as provided in this chapter for the late payment of real property tax.

"(B) The tax shall be considered due on the date that the total amount of real property tax was due but unpaid and shall be collected in the manner prescribed under Chapter 44.

"(2) Notwithstanding paragraph (1) of this subsection, if the senior's household was transferred and the grantee failed to timely record a deed under § 47-1431, there shall be a lien on the real property in the amount of the delinquent real property tax which was not timely paid, together with interest as provided in this chapter for the late payment of real property tax.

"(3) In all other cases, there shall be a lien on the real property in the amount of the delinquent real property tax which was not paid timely, together with interest as provided in this chapter for the late payment of real property tax.

"(k) The eligibility of a senior's household for the deferral shall not be affected by the transfer of the senior's household into a revocable trust if the transfer is without consideration and the senior's household remains the residence of the individual-grantor before and after the transfer.

"(l) Only one individual in a household and that individual's spouse, if any, shall claim a deferral for a senior's household in the District.

"(m) If an individual claims more than one senior's household in the same tax year, and has not timely notified the Mayor of all changes in eligibility, the Mayor shall disallow the deferral for all senior's households claimed by the individual.

"(n) Section 47-863(k) shall apply in the case of deferral under this section.

"(o) The real property tax bill shall indicate whether the real property is receiving the deferral under this section.

"(p) Any taxpayer who is 65 years of age or older, who applies for property tax deferral under this section shall have undergone counseling as described in section 255 of the National Housing Act, approved February 5, 1988 (101 Stat. 1908; 12 U.S.C. § 1715z-20), relating to insurance on home equity conversion mortgages for elderly homeowners.".

Sec. 1143. Conforming amendments.

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

(a) Section 47-405 is amended by adding a new subsection (c-1) to read as follows:

"(c-1) This section shall not apply to real property taxes deferred under §§ 47-845, 47-845.01, 47-845.02, and 47-845.03.".

(b) Section 47-831(b) is amended by striking the phrase "or exemption" and inserting the phrase "exemption, or deferral" in its place.

(c) Section 47-845(d) is amended to read as follows:

"(d) No further deferrals of real property tax shall be granted to a taxpayer when the aggregate amount of the deferred real property tax plus interest from previous tax years, under this section, § 47-845.02, and § 47-845.03, is equal to or greater than 25% of the assessed value of the real property for the tax year for which the deferral is requested.".

Sec. 1144. Applicability.

Sections 1142 and 1143 shall apply to tax periods beginning after September 30, 2005.

Sec. 1145. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE T. FEE COLLECTION INCENTIVE

Sec. 1151. Short title.

This subtitle may be cited as the "Fee Collection Incentive Emergency Act of 2005".

Sec. 1152. Fee Collection Incentive Fund.

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

(1) "Agency" means any District agency, except the Office of the Chief Financial Officer, involved in the collection of fees or fines on behalf of the District.

(2) "Base year" means the fiscal year in which supplementary revenue is collected.

(3) "Disbursal year" means the fiscal year after the base year.

(4) "Fees and fines" includes all collections subject to general appropriations, but shall not include funds which are earmarked for special purposes and accounted for or deposited in a special fund for such purposes.

(5) "Fund" means the Fee Collection Incentive Fund established under this section.

(6) "Supplementary revenue" means the amount of revenue from all fees and fines collected by an agency in the base year which exceeds the estimate of revenue from fees and fines for the agency in the base year budget and financial plan.

(b) There is established a fund designated as the Fee Collection Incentive Fund, which shall be a segregated account within the General Fund of the District of Columbia. All funds shall be deposited into the Fund without regard to fiscal year limitation and shall not revert to the fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall be continually available for the uses and purposes set forth in subsection (c) of this section, subject to authorization by Congress in an appropriations act.

(c) Five percent of supplementary revenue collected by an agency in the base year shall be deposited on an annual basis at the beginning of the disbursal year in the Fund in an account established for the agency. The funds in the agency account may be expended for any authorized use in the disbursal year; provided, that the funds shall not be used by the agency for employee bonuses; provided further, that the expenditure of funds shall directly enhance the agency's efficiency. Any balance of funds in an account in the Fund at the end of the disbursal year shall be transferred to the General Fund of the District of Columbia.

Sec. 1153. Applicability.

This subtitle shall apply as of October 1, 2005.

Sec. 1154. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE U. THE CATHOLIC UNIVERSITY OF AMERICA TAX EXEMPTION

Sec. 1161. Short title.

This subtitle may be cited as the "Catholic University of America Real Property Tax Exemption and Equitable Real Property Tax Relief Emergency Act of 2005".

Sec. 1162. Chapter 10 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 "47-1066. The Catholic University of America's Soldiers and Airmen's Home, parcel No. 121/29." at the end.

(b) A new section 47-1066 is added to read as follows:

"§ 47-1066. The Catholic University of America's Soldiers and Airmen's Home, parcel No. 121/29.

"The Catholic University of America's Soldiers' and Airmen's Home, parcel No. 121/29, located in the Northeast quadrant of the District of Columbia and comprising approximately 49 acres of land generally bounded by North Capitol Street, Irving Street, Michigan Avenue, Harewood Road, and the Pope John Paul II Cultural Center, together with the improvements thereon and owned by The Catholic University of America, shall be exempt from all taxation so long as it is owned and planned for use by, or actually used by, The Catholic

University of America for its purposes and activities, and is not used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009, as if the exemption were granted administratively.".

Sec. 1163. Real property taxes, transfer and recordation taxes, interest, penalties, fees, and other related charges assessed against the real property known as the Soldiers' and Airmen's Home, parcel No. 121/29, located in the Northeast quadrant of the District of Columbia and comprising approximately 49 acres of land generally bounded by North Capitol Street, Irving Street, Michigan Avenue, Harewood Road, and the Pope John Paul II Cultural Center, for the period of April 29, 2004 through the effective date of this subtitle, shall be forgiven, and any payments made for such period shall be refunded.

Sec. 1164. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE V. CARVER 2000 LOW-INCOME AND SENIOR HOUSING TAX EXEMPTION

Sec. 1171. Short title.

This subtitle may be cited as the "Carver 2000 Low-Income and Senior Housing Project Emergency Act of 2005".

Sec. 1172. Chapter 46 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 "47-4607. Carver 2000 Low-Income and Senior Housing Project–tax exemptions." at the end.

(b) A new section 47-4607 is added to read as follows:

"§ 47-4607. Carver 2000 Low-Income and Senior Housing Project –tax exemptions.

"(a) For the purposes of this section, the term "Carver 2000 Low-Income and Senior Housing Project" means the financing, refinancing, or reimbursing of costs incurred for the acquisition, development, construction, installation, and equipping of the mixed-use 176 units of apartment and town homes for senior citizens and low-income residents of the District of Columbia, located in the following lots and squares: 5140-0819; 5140-0820; 5140-0821; 5140-0822; 5140-0823; 5140-0824; 5140-0825; 5140-0826; 5190-0806; 5190-0807; 5190-0808; 5348-0001; 5348-0002; 5348-0003; 5348-0004; 5348-0005; 5348-0006; 5348-0007; 5348-0008, and consisting of:

"(1) Land and improvements that are to be renovated into approximately 176 units of apartments and town homes for senior citizens and low-income families; and

"(2) All common areas and ancillary improvements identified in any pre-existing

financing agreements supporting the development of low-income and senior housing in the lots and squares identified in this subsection.

"(b) The Carver 2000 Low-Income and Senior Housing Project shall be exempt from the tax imposed by §§ 42-1102 and 47-903.

"(c) The sales and rental of tangible personal property to be incorporated in or consumed in the Carver 2000 Low-Income and Senior Housing Project, whether or not the sale, rental, or nature of the material or tangible personal property is incorporated as a permanent part of the Carver 2000 Low-Income and Senior Housing Project or the Carver 2000 Low-Income and Senior Housing Project property, shall be exempt from the tax imposed by § 47-2002.

"(d)(1) The Carver 2000 Low-Income and Senior Housing Project property shall be exempt from the tax imposed by Chapter 8.

"(2) The real property tax exemption granted by paragraph (1) of this subsection shall only apply for the 8 consecutive real property tax years beginning with Tax Year 2003.

"(e) The exemptions pursuant to subsections (c) and (d) of this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the Carver 2000 Low-Income and Senior Housing Project or the Carver 2000 Low-Income and Senior Housing Project.".

Sec. 1173. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE W. DUPONT COMMONS LOW-INCOME HOUSING TAX EXEMPTION

Sec. 1181. Short title.

This subtitle may be cited as the "Dupont Commons Low-Income Housing Tax Relief Emergency Act of 2005".

Sec. 1182. Section 47-3505(f) of the District of Columbia Official Code is amended by adding a new paragraph (3) to read as follows:

"(3)(A) Subject to the requirements of subparagraphs (B) and (C) of this paragraph any nonprofit organization that has been denied exemption from District of Columbia real property taxes pursuant to § 47-1002 and has acquired property to develop more than 10 units of housing for affordable or lower income homeownership households in the District of Columbia and subdivides the acquired property into more than 10 units shall have 2 years from the date of the subdivision of the property to hold the property as exempt from the recordation, transfer, and real property taxes associated with the acquisition and development of the property for low-income or affordable housing.

"(B) Recordation, transfer, and real property tax assessments associated

with the acquisition of a property under subparagraph (A) of this paragraph shall not be assessed against a nonprofit organization that acquires property and subdivides it for resale into more than 10 units to low-income home owners when the first low-income home owner purchases a home within 2 years of the subdivision of the real property into lots on the records and cadastral maps of the Office of Tax and Revenue.

"(C) Real property owned or acquired by a nonprofit organization shall be exempt from recordation, transfer and real property taxes if the nonprofit organization subdivides the property into more than 10 units of low-income housing and completes the sale of all units of low-income housing on the property within 4 years from the date of acquisition.".

Sec. 1183. Applicability.

Section 1182 shall apply to real property exemption applications filed on or after January 1, 2001.

Sec. 1184. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE X. THE WAY OF THE CROSS CHURCH OF CHRIST TAX EXEMPTION

Sec. 1191. Short title.

This subtitle may be cited as the "Way of the Cross Church of Christ Real Property Tax Exemption and Equitable Real Property Tax Relief Emergency Act of 2005".

Sec. 1192. Chapter 10 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 "47-1067. Way of the Cross Church of Christ; lots 918, 7, 9, 11, 118, 119, 120,121, 122, 123, 124, 125, 126, 800, 801, 861, 863, 865, 867, 869, and 871 in square 5730.".

(b) A new section 47-1067 is added to read as follows:

"§ 47-1067. Way of the Cross Church of Christ; lots 918, 7, 9, 11, 118, 119, 120, 121, 122, 123, 124, 125, 126, 800, 801, 861, 863, 865, 867, 869, and 871 in square 5730.

"The real property located at square 5730, lots 918, 7, 9, 11, 118, 119, 120, 121, 122, 123, 124, 125, 126, 800, 801, 861, 863, 865, 867, 869, and 871, shall be exempt from all taxation so long as the property is owned by the Way of the Cross Church of Christ and the property located on square 5730, lot 918 is used as the principal residence of the pastor of the church.".

Sec. 1193. Equitable real property tax relief; exemption from penalties, interest, or fees.

The Council orders that all unpaid real property taxes, interest, penalties, fees, and other related charges assessed against real property located at square 5730, lots 918, 7, 9, 11, 118, 119, 120, 121, 122, 123, 124, 125, 126, 800, 801, 861, 863, 865, 867, 869, and 871, since January 1, 2004 through the first day of the month following the effective date of this subtitle, be forgiven, and that any payment already made for this period be refunded.

Sec. 1194. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE Y. APPALACHIAN STATE UNIVERSITY TAX EXEMPTION

Sec. 1201. Short title.

This subtitle may be cited as the "Appalachian State University Real Property Tax Exemption and Equitable Real Property Tax Relief Emergency Act of 2005".

Sec. 1202. Chapter 10 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 "47-1068. Appalachian State University, lot 42 in square 871." at the end.

(b) A new section 47-1068 is added to read as follows:

"§ 47-1068. Appalachian State University, lot 42 in square 871.

"The property located in the Southeast quadrant of the District of Columbia and described as lot 42 in square 871, comprising land located adjacent to North Carolina Avenue, S.E., together with the improvements thereon and owned by The Board of Trustees of the Endowment Fund of Appalachian State University, shall be exempt from all taxation so long as it is owned by The Board of Trustees of the Endowment Fund of Appalachian State University and planned for use by the Appalachian State University for its purposes and activities, and is not used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009.".

Sec. 1203. Real property taxes, recordation taxes, interest, penalties, fees, and other related charges assessed against the real property known as lot 42 in square 871 for the period of October 31, 2003 through the effective date of this subtitle, shall be forgiven, and any payments made for the period shall be refunded.

Sec. 1204. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE Z. FAMILY PROPERTY RECORDATION AND TRANSFER TAX EXEMPTION

Sec. 1211. Short title.

This subtitle may be cited as the "Family Property Recordation and Transfer Tax Exemption Emergency Act of 2005".

Sec. 1212. Section 302(7) of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102(7)), is amended by striking the phrase "or parent and child, or domestic partners" and inserting the phrase "parent and child, grandparent and grandchild, or domestic partners," in its place.

Sec. 1213. Section 47-902(5) of the District of Columbia Official Code is amended by striking the phrase "or parent and child, or domestic partners" and inserting the phrase "parent and child, grandparent and grandchild, or domestic partners," in its place.

Sec. 1214. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE AA. AMERICAN PSYCHOLOGICAL ASSOCIATION TAX EXEMPTION CONTINUATION

Sec. 1221. Short title.

This subtitle may be cited as the "American Psychological Association Partial Real Property Tax Exemption Continuation Emergency Act of 2005".

Sec. 1222. Chapter 10 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 "§ 47-1069. American Psychological Association, lot 146, square 677." at the end.

(b) A new section 47-1069 is added to read as follows:

"§ 47-1069. American Psychological Association, lot 146, square 677.

"The real estate described for assessment and taxation purposes as lot 146, square 677, in the District of Columbia, and the buildings located thereon, owned by APA 750 LLC, a wholly- owned subsidiary of the American Psychological Association, a District of Columbia nonprofit corporation, is hereby exempt from taxation for that portion of property owned by APA 750 LLC and occupied and used by the American Psychological Association to the extent

that the property continues to be so owned and occupied, and not used for commercial purposes, subject to the provisions of §§ 47-1007 and 47-1009.".

Sec. 1223. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE BB. RECYCLABLE MATERIAL SALES TAX CLARIFICATION

Sec. 1231. Short title.

This subtitle may be cited as the "Recyclable Material Sales Tax Clarification Emergency Act of 2005".

Sec. 1232. Section 47-2001(n)(1)(M)(i) of the District of Columbia Official Code is amended as follows:

(a) The existing text is designated as sub-sub-subparagraph (I).

(b) A new sub-sub-subparagraph (II) is added to read as follows:

"(II) The term "real property maintenance" shall not include the exterior or interior trash removal of recyclable material. For the purposes of this sub-sub-subparagraph, the term "recyclable material" means material that would otherwise become municipal solid waste and is shown by the provider of the interior or exterior trash removal that the material has been collected, separated, or processed to be returned into commerce as a raw material or product, or has been sold to a company in the business of separating or processing recyclable materials.".

Sec. 1233. Consolidated Waste Industries shall not be liable for taxes and interest on recyclable material owed for the period of August 1, 1999 through the effective date of this subtitle and any payments made for the period, in an amount not to exceed $273,000, shall be refunded.

Sec. 1234. Section 1232 shall apply as of October 1, 2005.

Sec. 1235. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE CC. NURSING HOME PROVIDER TAX TECHNICAL AMENDMENTS

Sec. 1241. Short title.

This subtitle may be cited as the "Nursing Home Provider Tax Technical Amendments

Emergency Act of 2005".

Sec. 1242. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1263 is amended as follows:

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

"(b) Except for fiscal year 2005, the Mayor shall require each nursing facility to provide to the Office of Tax and Revenue a self-assessment of the amount owed based on net resident revenue as provided in subsection (a) of this section for the ensuing fiscal year of the District no later than September 1.".

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

"(d) The Chief Financial Officer may determine the manner in which payments are made under this chapter, including whether payments owed by each nursing facility under subsection (a) of this section shall be paid electronically.".

(b) Section 47-1264 is amended as follows:

(1) Subsection (a) is amended by striking the second sentence.

(2) Subsection (c) is amended by striking the phrase, "of not more than $1,000" and inserting the phrase "equal to the tax owed." in its place.

Sec. 1243. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE DD. WASHINGTON CONVENTION CENTER MARKETING FUND AMENDMENT

Sec. 1251. Short title.

This subtitle may be cited as the "Washington Convention Center Authority Marketing Fund Emergency Amendment Act of 2005".

Sec. 1252. Section 208a(b) of the Washington Convention Center Authority Act of 1994, effective August 12, 1998 (D.C. Law 12-142; D.C. Official Code § 10-1202.08a(b)), is amended by striking the phrase "District, except as provided in section 213." and inserting the phrase "District. The Marketing Fund shall be audited at least once each year and a report of the audit shall be published by the Authority." in its place.

Sec. 1253. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE EE. RESIDENTIAL PROPERTY TAX RATE AND CAP REDUCTION

Sec. 1261. Short title.

This subtitle may be cited as the "Residential Property Tax Rate and Cap Reduction Emergency Act of 2005".

Sec. 1262. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-812 is amended by adding a new subsection (b-7) to read as follows:

"(b-7) Notwithstanding the provisions of subsection (a) of this section, the sum of the real property tax rates and special real property tax rates for taxable real property in the District of Columbia for the tax year beginning October 1, 2005, shall be:

"(1) $0.92 for each $100 of assessed value for Class 1 Property;

"(2) $1.85 for each $100 of assessed value for Class 2 Property; and

"(3) $5.00 for each $100 of assessed value for Class 3 Property.".

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

(1) Subsection (a) is amended by adding a new paragraph (5) to read as follows:

"(5) "Taxable assessment" means the assessed value of the real property, reduced, if applicable, by the credit under § 47-864 or the deduction under § 47-850.".

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

"(b)(1) In the case of a house or condominium, a senior's household shall be eligible for a 50% deduction in computing real property tax liability. The deduction shall be computed by multiplying the tax rate by 50% of an amount equal to the current tax year's taxable assessment. The deduction shall be apportioned equally between each installment during a tax year and shall not be carried forward or carried back.

"(2)(A) In the case of a cooperative housing association, the deduction shall be computed by multiplying the tax rate by 50% of an amount equal to the current tax year's taxable assessment attributable to the senior's household. The deduction shall be apportioned equally between each installment during a tax year and shall not be carried forward or carried back.

"(B) The taxable assessment attributable to the senior's household shall be determined in the same manner as the cooperative housing association was assessed under § 47-820.01, including any prorations thereunder.".

(c) Section 47-864 is amended to read as follows:

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

"(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) 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 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, 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) 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; 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.".

Sec. 1263. Applicability; conditional effect.

(a) Section 1262 shall apply for taxable years beginning after September 30, 2005; provided, that condition of subsection (b) of this subsection is met prior to February 15, 2006; provided further, that section 1262 shall apply for the second half of Fiscal Year 2006 if the condition of subsection (b) of this subsection is met after February 14, 2006 and prior to August 5, 2006.

(b) Section 1262 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 and the Revised Revenue Estimate Contingency Priority of the Fiscal Year 2006 Budget Request Act of 2005 by an amount sufficient to account for its fiscal effect.

(c) If section 1262 takes effect as of the effective date of this title, section 1082(d) shall be void.

Sec. 1264. Sunset.

This subtitle shall expire on August 5, 2006 if this subtitle has not taken effect under section 1263.

Sec. 1265. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE FF. CALCULATED RESIDENTIAL PROPERTY TAX RATE ESTABLISHMENT

Sec. 1271. Short title.

This subtitle may be cited as the "Calculated Residential Property Tax Rate Establishment Emergency Act of 2005".

Sec. 1272. Section 47-812 is amended by adding a new subsection (b-8) to read as follows:

"(b-8)(1)(A) Notwithstanding the provisions of subsection (a) of this section, the sum of the real property tax rates and special real property tax rates for taxable Class 1 Property in the District of Columbia for the tax year beginning October 1, 2006, and each tax year thereafter, shall be established as follows:

"(i)(I) For the tax year beginning October 1, 2006, the Mayor shall compute the real property tax rate (rounded up to the nearest penny) for Class 1 Properties calculated to yield in the tax year the same amount of taxes estimated to be collected, as certified in the latest revenue estimate, during the tax year beginning October 1, 2005, plus 9%.

"(II) Before September 16, 2006, the Mayor shall submit to the Council the real property tax rate computed under sub-sub-subparagraph (I) of this sub-subparagraph.

"(ii)(I) For the tax year beginning October 1, 2007, the Mayor shall compute the real property tax rate (rounded up to the nearest penny) for Class 1 Properties calculated to yield in the tax year the same amount of taxes estimated to be collected, as certified in the latest revenue estimate, during the tax year beginning October 1, 2006, plus 8%.

"(II) Before September 16, 2007, the Mayor shall submit to the Council the real property tax rate computed under sub-sub-subparagraph (I) of this sub-subparagraph.

"(iii)(I) For the tax year beginning October 1, 2008, the Mayor shall compute the real property tax rate (rounded up to the nearest penny) for Class 1 Properties calculated to yield in the tax year the same amount of taxes estimated to be collected, as certified in the latest revenue estimate, during the tax year beginning October 1, 2007, plus 7%.

"(II) Before September 16, 2008, the Mayor shall submit to the Council the real property tax rate computed under sub-sub-subparagraph (I) of this sub-subparagraph.

"(iv)(I) For the tax year beginning October 1, 2009, and each tax year thereafter, the Mayor shall compute the real property tax rate (rounded up to the nearest penny) for Class 1 Properties calculated to yield in the tax year the same amount of taxes estimated to be collected, as certified in the latest revenue estimate, during the preceding tax year, plus the lesser of :

"(aa) Seven percent; or

"(bb) The percentage increase in the total aggregate assessment of taxable real property for Class 1 Properties.

"(II) Before September 16, 2009, and each anniversary thereafter, the Mayor shall submit to the Council the real property tax rate computed under sub-sub-subparagraph (I) of this sub-subparagraph.

"(B) Notwithstanding the provisions of subparagraph (A) of this paragraph, if, for the current tax year, the total aggregate assessment of taxable real property for Class 1 Properties is estimated to decrease, the real property tax rate for Class 1 Properties shall be the real property tax rate for the prior tax year.

"(2) Notwithstanding the provisions of subsection (a) of this section, the sum of the real property tax rates and special real property tax rates for taxable Class 2 and 3 Properties in the District of Columbia for the tax year beginning October 1, 2006, and each tax year thereafter, shall be:

"(A) $1.85 for each $100 of assessed value for Class 2 Property; and
"(B) $5.00 for each $100 of assessed value for Class 3 Property.".

Sec. 1273. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE GG. LIMITED-EQUITY COOPERATIVE TAX FAIRNESS

Sec. 1275. Short title.

This subtitle may be cited as the "Limited-Equity Cooperative Tax Fairness Emergency Act of 2005".

Sec. 1276. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-802 is amended by adding new paragraphs (11) and (12) to read as follows:

"(11) The term "limited-equity cooperative" means a cooperative required by a government agency or nonprofit organization to limit the resale price of membership shares for the purposes of keeping the housing affordable to incoming members that are low and moderate income.

"(12) The term "carrying charge subsidies" means any payment, originating directly or indirectly, with a federal or local government housing agency, used to supplement the monthly housing payments of individual cooperative members.".

(b) Section 47-820.01(a)(1) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(2) Subparagraph (B) is amended by striking the semicolon and inserting the phrase "; or" in its place.

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

"(C) In the case of limited-equity cooperatives, the lesser of the assessed value determined under subparagraph (A) of this paragraph, subparagraph (B) of this paragraph, or the annual amount residents are paying in carrying charges, excluding carrying charge subsidies, divided by an appropriate capitalization rate as determined by the Office of Tax and Revenue; provided, that if a property ceases to be a limited-equity cooperative, it shall be assessed under subparagraph (A) or subparagraph (B) of this paragraph.".

Sec. 1277. Applicability; conditional effect.

(a) Section 1276 shall apply for taxable years beginning after September 30, 2005; provided, that condition of subsection (b) of this subsection is met prior to February 15, 2006; provided further, that section 1276 shall apply for the second half of Fiscal Year 2006 if the condition of subsection (b) of this subsection is met after February 14, 2006 and prior to August 5, 2006.

(b) Section 1276 shall not take effect 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 and the fiscal effect of Subtitles I-C and I-EE.

Sec. 1278. Sunset.

This act shall expire on August 5, 2006 if this act has not taken effect under section 1277.

Sec. 1279. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE HH. AFFORDABLE HOUSING PRESERVATION TAX ASSESSMENT

Sec. 1280. Short title.

This subtitle may be cited as the "Affordable Housing Preservation Tax Assessment Emergency Act of 2005".

Sec. 1281. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 8 is amended as follows:

(1) The table of contents is amended by adding the section designation " 47.820.02. Residential real property subject to certain affordability and resale restrictions; Mayor to issue rules." after the section designation "§ 47-820.01. Same -- Improved residential real property owned by cooperative housing association; reports by association; Mayor to issue rules.".

(2) Section 47-813(c-6)(2) is amended by adding a new subparagraph (E) to read as follows:

"(E) Real property owned by a qualifying nonprofit housing organization under § 47-3505(a) shall be classified as Class 1 property.".

(3) A new section 47-820.02 is added to read as follows:

"§ 47.820.02. Residential real property subject to certain affordability and resale restrictions; Mayor to issue rules.

"(a) Except as otherwise provided in subsection (b) of this section, the assessed value of resale restricted properties (as defined in subsection (c) of this section) shall be:

"(1)(A) First determined for the year in which the current property owner received the property.

"(B) The base assessment amount shall be the amount paid by the current property owner in exchange for the property, not including any grants or other amounts received by the property owner from government agencies, housing organizations, and other entities that are not likely to be repaid (absent a violation of the terms of the limitations, encumbrances, or other restrictions attached to the sale).

"(2) For subsequent years in which the limitations, encumbrances, or restrictions remain in effect, the property shall be assessed at the base assessment amount, adjusted by the consumer price inflation index for the Washington-Baltimore Metropolitan Area as reported by the Bureau of Labor Statistics, United States Department of Labor.

"(b) If the purchase price is not ascertainable or the property has been transferred from a government entity or tax-exempt organization to a property owner without significant consideration, the property shall be assessed taking into account all limitations, encumbrances, and restrictions and shall be assessed in its initial year at a value not to exceed the price the property owner would receive under a sale under the terms of the limitations, encumbrances, and restrictions associated with the property. In any subsequent year in which the limitations, encumbrances, or restrictions remain in effect, the property's assessed value shall be calculated under subsection (a)(2) of this section.

"(c) For the purposes of this section, the term "resale restricted properties" means any properties for which a United States or District of Columbia government entity, or a charitable organization with tax-exempt status under section 501(c)(3) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 501(c)(3)), directly or indirectly, imposes limitations, encumbrances, or restrictions upon the properties' subsequent sale or transfer that are intended to preserve or promote the affordability of housing for low- and moderate-income owners, for a period of not less than 5 years.

"(d) The Mayor shall promulgate rules for the administration of this section within one year of the effective date of the Affordable Housing Preservation Tax Assessment Emergency Act of 2005.

(b) Section 47-3502(c) is amended by striking the phrase "$250,000" and inserting the phrase "80% of the median sale price for homes within the District of Columbia in the prior year" in its place.

(c) Section 47-3505 is amended as follows:

(1) Subsection (b)(1) is amended by striking the phrase "within 1 year" and inserting the phrase "within 36 months" in its place.

(2) Subsection (c)(1) is amended by striking the phrase "within 1 year" and inserting the phrase "within 36 months" in its place.

(3) Subsection (d) is amended by striking the phrase "first tax year" and inserting the phrase "third tax year" in its place.

(d) Section 47-3506(a) is amended as follows:

(1) Strike the phrase "within 1 year" and insert the phrase "within 36 months" in its place.

(2) Paragraph (1)(C) is amended as follows:

(A) Strike the phrase "90 days" and insert the phrase "6 months" in its place.

(B) Strike the phrase "1-year period" and insert the phrase " 36-month period" in its place.

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

(A) Strike the phrase "within 1 year" and insert the phrase "within 36 months" in its place.

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

(i) Strike the phrase "90 days" and insert the phrase "6 months" in its place.

(ii) Strike the phrase "1-year period" and insert the phrase "36-month period" in its place.

Sec. 1282. Applicability; conditional effect.

(a) Section 1281 shall apply for taxable years beginning after September 30, 2005; provided, that condition of subsection (b) of this subsection is met prior to February 15, 2006; provided further, that section 1281 shall apply for the second half of Fiscal Year 2006 if the condition of subsection (b) of this subsection is met after February 14, 2006 and prior to August 5, 2006.

(b) Section 1281 shall not take effect 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 and the fiscal effect of Subtitles I-C, I-EE, and Subtitle GG.

Sec. 1283. Sunset.

This act shall expire on August 5, 2006 if this act has not taken effect under section 1282.

Sec. 1284. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE II. TRIENNIAL GROUP DISPARITY CORRECTION

Sec. 1285. Short title.

This subtitle may be cited as the "Triennial Group Taxable Assessment Disparity

Correction Emergency Act of 2005".

Sec. 1286. Section 47-864(b)(1)(A)(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; 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;".

Sec. 1287. Conditional applicability.

(a) Section 1286 shall apply for taxable years beginning after September 30, 2005; provided, that the condition of subsection (b) of this section is met prior to February 15, 2006; provided further, that section 1286 shall apply for the second half of fiscal year 2006 if the condition of subsection (b) of this section is met after February 14, 2006 and prior to August 5, 2006.

(b) Section 1286 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 in accordance with the priorities set forth in subtitle I and J.

Sec. 1288. Sunset.

This act shall expire on August 5, 2006 if this act has not taken effect under section 1287.

Sec. 1289. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE JJ. INCOME EXCLUSION FOR DISABLED PERSONS

Sec. 1290. Short title.

This subtitle may be cited as the "Disabled Persons Tax Reduction Emergency Act of 2005".

Sec. 1291. Section 47-1803.02(a)(2) is amended by adding a new subparagraph (V) to read as follows:

"(V) Income derived from any source, not to exceed $10,000, for a person

who has been determined to be permanently and totally disabled by the Social Security Administration, is receiving Supplemental Security Income or Social Security Disability, is receiving railroad retirement disability benefits, or is receiving federal or District of Columbia government disability payments; and, whose household adjusted gross income, as defined in § 47-863(a)(2), is less than $100,000.".

Sec. 1292. Conditional applicability.

(a) Section 1291 shall apply for taxable years beginning after September 30, 2005.

(b) Section 1291 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 in accordance with the priorities set forth in subtitles I-D and I-J.

Sec. 1293. Sunset.

This act shall expire on August 5, 2006 if this act has not taken effect under section 1291.

Sec.1294. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE KK. REDUCED TAX LIABILITY FOR DISABLED PROPERTY OWNERS

Sec. 1295. Short title.

This subtitle may be cited as the "Disabled Property Owners Tax Reduction Emergency Act of 2005".

Sec. 1296. Section 302 of the District of Columbia Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows:

(a) Paragraph (27) is amended by striking the phrase "; and" at the end of the paragraph and inserting a semicolon in its place.

(b) Paragraph (28) is amended by striking the period at the end of the paragraph and inserting the phrase "; and" in its place.

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

"(29)(A) A deed to residential real property, without consideration for the transfer, to the trustee of a special needs trust established for the benefit of a trust beneficiary who is disabled, as defined in section 1614(a)(3) of the Social Security Act, approved October 30, 1972 (86 Stat. 1471; 42 U.S.C. §1382c(a)(3)), or from the trustee of a special needs trust that, by its terms, terminates upon the death of the disabled trust beneficiary.

"(B) For the purposes of subparagraph (A) of this paragraph, a trust is a special needs trust if the trust instrument:

"(i) States, among its purposes, that the trust assets are not intended to be counted in determining the beneficiary's eligibility for needs-based governmental benefits; and

"(ii)(I) Names the disabled beneficiary as the sole trust beneficiary during his or her lifetime; and

"(II) Provides that the disabled beneficiary shall not serve as trustee.".

Sec. 1297. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 8 is amended as follows:

(1) The table of contents is amended by striking the section designation "§ 47-863. Reduced tax liability for property owners over age 65; rules." and inserting the section designation "§ 47-863. Reduced tax liability for property owners over age 65 and for disabled property owners; rules." in its place.

(1) Section 47-802(5) is amended as follows:

(A) Subparagraph (C) is amended by striking the phrase "; or" at the end of the subparagraph and inserting a semicolon in its place.

(2) Subparagraph (D) is amended by striking the period at the end of the subparagraph and inserting the phrase "; or" in its place.

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

"(E)(i) A trust beneficiary who occupies real property owned of record by the trustee, as sole owner, of an irrevocable special needs trust if the trust beneficiary is a disabled person as defined in section 1614(a)(3) of the Social Security Act, approved October 30, 1972 (86 Stat. 1471; 42 U.S.C. §1382c(a)(3)).

"(ii) For the purposes of sub-subparagraph (i) of this subparagraph, a trust is a special needs trust if the trust instrument:

"(I) States, among its purposes, that the trust assets are not intended to be counted in determining the beneficiary's eligibility for needs-based governmental benefits; and

"(II)(aa) Names the disabled beneficiary as the sole trust beneficiary during his or her lifetime; and

"(bb) Provides that the disabled beneficiary shall not serve as trustee.".

(2) Section 47-849(2) is amended as follows:

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

"(iii)(I) Is owned in whole or in part by the individual; or

"(II) Is owned in whole by trustee under a special needs trust for the benefit of a beneficiary who is deemed to be the owner under § 47-802(5)(E).".

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

"(B)(i) In the case of real property owned by a cooperative housing association that is Class 1 Property, as defined under § 47-813, a shareholder's or member's residence that:

"(I) Comprises a dwelling unit; and

"(II) By reason of his ownership of stock or membership certificate, a proprietary lease, or other evidence of membership, is occupied by right by the shareholder or member.

"(ii) For purposes of sub-subparagraph (i) of this subparagraph, a shareholder or member shall include the beneficiary of a special needs trust who is deemed to be the owner under § 47-802(5)(E).".

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

(1) The section heading is amended to read as follows "§ 47-863. Reduced tax liability for property owners over age 65 and for disabled property owners; rules."

(2) Strike the word "senior's" wherever it appears and insert the word "eligible" in its place.

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

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

(1A) "Eligible household" means:

"(A) In the case of a house or condominium, an individual's residence:

"(i) That comprises a dwelling unit;

"(ii) That is Class 1 Property, as defined in § 47-813, and contains not more than 5 dwelling units therein;

"(iii) That is owned at least 50%, in whole or in part, by the individual who:

"(I)(aa) Is 65 years of age or older; and

"(bb) Whose household adjusted gross income is less than $ 100,000; or

"(II)(aa) Has been determined to be permanently and totally disabled by the Social Security Administration, is receiving Supplemental Security Income or Social Security Disability, is receiving railroad retirement disability benefits, or is receiving federal or District of Columbia government disability payments; and

"(bb) Whose household adjusted gross income is less than $ 100,000.

"(B) In the case of a cooperative housing association that is Class 1 Property, as defined in § 47-813, a shareholder's or member's residence:

"(I) That comprises a dwelling unit;

"(ii) That is owned at least 50%, in whole or in part, by the individual who:

"(I)(aa) Is 65 years of age or older; and

"(bb) Whose household adjusted gross income is less than $ 100,000; or

"(II)(aa) Has been determined to be permanently and totally disabled by the Social Security Administration, is receiving Supplemental Security Income or Social Security Disability, is receiving railroad retirement disability benefits, or is receiving federal or District of Columbia government disability payments; and;

"(bb) Whose household adjusted gross income is less than $ 100,000; and

"(iii) That, by reason of his or her ownership of stock or membership certificate, a proprietary lease, or other evidence of membership, is occupied by right by the shareholder or member with at least a 50% interest which permits the occupation of the dwelling unit.".

(B) Paragraph (4) is repealed.

(f) Section 47-902 is amended as follows:

(1) Paragraph (20) is amended by striking the phrase "; and" at the end of the paragraph and inserting a semicolon in its place.

(2) Paragraph (21) is amended by striking the period at the end of the paragraph and inserting the phrase "; and" in its place.

(3) A new paragraph (22) is added to read as follows:

"(22)(A) Transfers of residential real property, without consideration for the transfer, to the trustee of a special needs trust established for the benefit of a trust beneficiary who is disabled, as defined in section 1614(a)(3) of the Social Security Act, 86 Stat.1471; 42 U.S.C. §1382c(a)(3)), or from the trustee of a special needs trust that, by its terms, terminates upon the death of the disabled trust beneficiary.

(B) For the purposes of subparagraph (A) of this paragraph, a trust is a special needs trust if the trust instrument:

"(i) States, among its purposes, that the trust assets are not intended to be counted in determining the beneficiary's eligibility for needs-based governmental benefits; and

"(ii)(I) Names the disabled beneficiary as the sole trust beneficiary during his or her lifetime; and

"(II) Provides that the disabled beneficiary may not serve as trustee.".

Sec. 1298. Conditional applicability.

(a) Sections 1296 and 1297 shall apply for taxable years beginning after September 30, 2005; provided, that condition of subsection (b) of this section is met prior to February 15, 2006; provided further, that section 1296 shall apply for the second half of Fiscal Year 2006 if the condition of subsection (b) of this section is met after February 14, 2006 and prior to August 5, 2006.

(b) Sections 1296 and 1297 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 in accordance with the priorities set forth in subtitles I-D and I-J.

Sec. 1299. Sunset.

This act shall expire on September 30, 2006 if this act has not taken effect under section 1296.

Sec. 1300. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. OFFICE OF PEOPLE'S COUNSEL AMENDMENT

Sec. 2001. Short title.

This subtitle may be cited as the "Office of People's Counsel Amendment Emergency Act of 2005".

Sec. 2002. Paragraph 42(a)(3) of section 8 of AN ACT Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 974; D.C. Official Code § 34-912(a)(3)), is amended by striking the phrase "special franchise tax deposits in any one year of more than one-twentieth of one percent of the jurisdictional valuation of each public utility which is the subject of one or more investigations during that year" and inserting the phrase "special franchise tax deposits in any one year of more than one-twentieth of one percent of the jurisdictional valuation of each public utility which is the subject of one or more investigations during that year; provided, that the Office may seek special franchise tax deposits of not more than one-quarter of one percent of the jurisdictional valuation of the public utility which is the subject of the proceeding in any instance where the public utility alleges in a proceeding before a federal court or federal agency that the bankruptcy of a company with whom it has contracts may have adverse consequences to ratepayers of the District of Columbia." in its place.

Sec. 2003. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE B. T.I.F. RE-AUTHORIZATION

Sec. 2011. Short title.

This subtitle may be cited as the "Tax Incremental Financing Re-Authorization Emergency Act of 2005".

Sec. 2012. Section 4(b) of the Tax Increment Financing Authorization Act of 1998, effective September 11, 1998 (D.C. Law 12-143; D.C. Official Code § 2-1217.02), is amended by striking the phrase "January 1, 2003" and inserting the phrase "August 1, 2006" in its place.

Sec. 2013. Applicability.

Section 2012 shall apply as of January 1, 2003.

Sec. 2014. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE C. DISTRICT OF COLUMBIA SUPPORT FOR PUBLIC HOUSING

Sec. 2021. Short title.

This subtitle may be cited as the "District Support for Public Housing Emergency Amendment Act of 2005".

Sec. 2022. Section 3 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-202), is amended by adding a new subsection (d) to read as follows:

"(d) Notwithstanding subsection (c) of this section, or any other provision of this act, any funds provided to the Authority from the local revenues of the District shall be held separate and apart from the Fund and shall be held and expended for the use and benefit of the District for the purposes and uses provided in the approved budget and financial plan. The Authority shall expend, and account for the expenditure of, funds in the same manner as all other agencies of the District government. At the end of each fiscal year, the unexpended amount of such funds shall revert to the fund balance of the General Fund of the District of Columbia.".

Sec. 2023. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE D. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

CONSUMER PROTECTION REVITALIZATION ACT

Sec. 2031. Short title.

This subtitle may be cited as the "Department of Consumer and Regulatory Affairs Consumer Protection Revitalization Emergency Act of 2005".

Sec. 2032. Chapter 39 of Title 28 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding the section designations "28-3912. Submissions to the Council. 28-3913. Rules." at the end.

(b) Section 28-3901(12) is amended to read as follows:

"(12) "Office of Consumer Protection" means the Department's Office of Consumer Protection which is responsible for carrying out the statutory requirements set forth in § 28-3906; and".

(c) Section 28-3903(a)(10) and (15) are repealed.

(d) Section 28-3905(b) is amended to read as follows:

"(b)(1) Except as provided in paragraph (2) of this subsection, the Director shall investigate each such complaint and determine:

"(A) What trade practice actually occurred; and

"(B) Whether the trade practice which occurred violates any statute, regulation, rule of common law, or other law of the District of Columbia.

"(2) The Director may, in his or her discretion, decline to prosecute certain cases as necessary to manage the Department's caseload and control program costs.".

(e) Section 28-3906 is amended to read as follows:

"§ 28-3906. Consumer education and information.

"(a) The Office of Consumer Protection is established within the Department. The Office of Consumer Protection shall:

"(1) Inform the public and the business community of existing laws, regulations, and guidelines concerning consumer rights and standards of fair treatment;

"(2) Coordinate consumer education programs with, and use consumer education programs to help carry out, the consumer protection programs of the Department, including enforcement options through the Department and the Office of the Attorney General and before the courts;

"(3) Handle publicity for the Department concerning cases under § 28-3905 when the Director requests;

"(4) Aid the Director in the formulation of consumer protection plans and recommend legislation and regulations related to consumer education;

"(5) Cooperate with consumer-related agencies, groups, and individuals in the District of Columbia metropolitan area to improve consumer education efforts; and

"(6) Perform the functions of the Department under § 28-3903(7) and (8).

"(b) The Chief of the Office of Consumer Protection shall be appointed by the Director.

"(c) In fiscal year 2006, the Office of Consumer Protection shall focus on investigation and mediation in the areas of auto repair and home improvement.".

(f) New sections 28-3912 and 28-3913 are added to read as follows:

"§ 28-3912. Submissions to the Council.

"The Department shall, in coordination with the Office of the Attorney General, submit 2 plans to the Council:

"(1) A detailed plan for fiscal year 2006 on the steps that the Department shall take in providing consumer protection education in the District, including the dissemination of information regarding legal options through the Department and before the Office of the Attorney General and the Courts, to be submitted by September 1, 2005; and

"(2) A plan to fully implement this subchapter in fiscal year 2007, including any recommended amendments to this subchapter, to be submitted by February 1, 2006, in anticipation of the fiscal year 2007 budget.

"§ 28-3913. Rules.

"The Mayor may issue rules necessary to carry out this chapter. Rules proposed pursuant to this section shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution, within this 45-day review period, the proposed rules shall be deemed disapproved.".

Sec. 2033. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE E. UNEMPLOYMENT COMPENSATION ADMINISTRATIVE FUNDING ASSESSMENT

Sec. 2041. Short title.

This subtitle may be cited as the "Unemployment Compensation Administrative Funding Assessment Emergency Amendment Act of 2005".

Sec. 2042. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 947; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 51-103) is amended by adding a new subsection (m) to read as follows:

"(m)(1) Commencing January 1, 2006, an administrative funding assessment of 2% of all wages as defined in subsection (e)(6) of this section shall be paid by all employers liable for contributions required by subsections (b) and (c) of this section and by all employers liable for payments in lieu of contributions required by subsection (h) of this section. The administrative

funding assessment shall be paid quarterly, but shall be separate and distinct from contributions or payments in lieu of contributions.

"(2) All administrative funding assessment payments collected shall be deposited into the Administrative Assessment Account established by section 14(d) and shall not be credited to the accounts of individual employers.

"(3) If the amount collected from the administrative funding assessment exceeds $4 million in any calendar year, the assessment rate for the calendar year commencing after January 1 of the following calendar year shall be adjusted so as to yield tax revenue not exceeding $4 million.".

(b) Section 14 (D.C. Official Code § 51-114) is amended by adding a new subsection (d) to read as follows:

"(d)(1) There is created a special fund in the General Revenue Fund of the District of Columbia government that shall be separate and distinct from the District Unemployment Fund, to be known as the Administrative Assessment Account.

"(2) Notwithstanding any contrary provisions of this act:

"(A) All administrative assessment payments collected from employers shall be deposited into the Administrative Assessment Account.

"(B) All funds deposited into the Administrative Assessment Account shall be used exclusively for the improvement of benefit claim eligibility determinations, the expansion of reemployment services to individuals determined to be likely to exhaust their benefit entitlements, fraud prevention, and the costs of collecting and administering the administrative funding assessment.

"(C) The services and improvements shall include:

"(i) Increasing the number of referrals to intensive reemployment services;

"(ii) Providing job coaches, job clubs, and weekly reemployment workshops;

"(iii) Increasing the number of eligibility review interviews;

"(iv) Increasing the number of fraud investigations;

"(v) Increasing the number of staff to perform these expanded services; and

"(vi) Other activities that may increase the likelihood of reemployment prior to the exhaustion of a benefit claim.".

Sec. 2043. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE F. YOUTH EMPLOYMENT SERVICES INITIATIVE

Sec. 2051. Short title.

This subtitle may be cited as the "Youth Employment Services Initiative Emergency Amendment Act of 2005".

Sec. 2052. The Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-40; D.C. Official Code § 32-241), is amended by adding a new section 3 to read as follows:

"Sec. 3. (a) Commencing 30 days after the effective date of the Youth Employment Services Initiative Emergency Amendment Act of 2005, and subject to the annual appropriation of funds, the Mayor shall establish and operate a year round program to provide domiciliaries of the District of Columbia between the ages of 16 and 24 years with training and work experience in both the public and private sectors of the economy. The Mayor shall target the services of this program to those youth residing in persistent problem areas of the District where such factors as crime, lack of economic development, and high unemployment create a particular need for the services of this program.

"(b) Youth participants shall be certified by the Department of Employment Services as to residence and income. Priority in the selection of participants shall be given to hard-to-serve youth residing in persistent problems areas of the District that the Mayor may further identify by executive order.

"(c) Youth participants shall be assessed for work experience placement suitability at the time of entry into the program and shall receive case management services during their period of participation in the program.

"(d) Based upon the initial assessment, youth participants may be referred to and shall successfully complete employment counseling, leadership and life skills training, pre-employment training, or occupational skills training in demand occupations prior to placement in paid work.

"(e) After participants have been assessed and determined to be ready for placement in work experience, they shall be placed in available work positions that pay stipends, training wages or wages in such amounts as the Mayor may determine to be appropriate for the work position and participant.

"(f) The Mayor shall also provide participants with job development services, job retention counseling, and unsubsidized job placement assistance.".

Sec. 2053. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE G. OFFICE OF THE CHIEF TENANT ADVOCATE ESTABLISHMENT

ACT

Sec. 2061. Short title.

This subtitle may be cited as the "Office of the Chief Tenant Advocate Establishment Emergency Act of 2005".

Sec. 2062. Purpose.

The purpose of this subtitle is to establish the Office of the Tenant Advocate as an office within the Department of Consumer and Regulatory Affairs to advocate on behalf of the education of, and outreach to, tenants and the people of the District.

Sec. 2063. Findings.

The Council finds that, despite the fact that the District has some of the most comprehensive pro-tenant laws in the United States:

(1) Tenants in the District are under-informed of their rights.

(2) It is difficult for tenants to obtain information.

(3) Tenants cannot usually afford legal representation.

(4) Tenants are under-informed about dispute mediation and adjudication options available to tenants in the District through the courts and through the Office of the Attorney General.

(5) Few tenants have time for self-advocacy because of their full-time employment.

(6) Tenants in the District need an office at the Department of Consumer and Regulatory Affairs to act on their behalf as repository of information and resources to help guide tenants through the landlord-tenant system in the District.

(7) The establishment of an Office of the Tenant Advocate within the Department of Consumer and Regulatory Affairs will provide a valuable resource for the government and residents of the District.

Sec. 2064. Definitions.

For the purposes of this subtitle, the term:

(1) "Chief" means Chief Tenant Advocate established by section 2066.

(2) "Office" means the Office of the Tenant Advocate established by section 2065.

(3) "TAC" means Tenant Advisory Council.

(4) "Tenant" and "tenant organization" shall have the same meaning as in section 103(17) and (18) of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.03(17) and (28)), and shall include any other tenant organization.

Sec. 2065. Establishment of Office of the Tenant Advocate.

The Office of the Tenant Advocate is established as an office within the Department of Consumer and Regulatory Affairs.

Sec. 2066. Chief Tenant Advocate of the Office of the Tenant Advocate.

(a) There shall be a Chief Tenant Advocate who shall be responsible for the administration of the Office and implementation of the duties of the Office.

(b) The Chief shall be appointed by the Mayor with the advice and consent of the Council. The Chief shall report directly to the Director of the Department of Consumer and Regulatory Affairs.

(c)(1) The Chief shall be a statutory officeholder in the Excepted Service pursuant to section 908 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.08), and shall receive annual compensation equivalent to that received by a District employee compensated at the grade of 15 of the District schedule established under title XI thereunder ("District schedule"). No other employee of the Office shall receive annual compensation above the level of that received by a District employee at a grade 14 pursuant to the District schedule.

(2) The Chief shall be a resident of the District of Columbia or become a resident not more than 180 days after the date of appointment, and shall remain a resident, unless temporarily or permanently exempted from these requirements by the Mayor or for good cause.

(d) The Office shall employ the staff necessary to assist the Chief in carrying out his or her duties.

Sec. 2067. Duties of the Office of the Tenant Advocate.

The Office shall:

(1) Provide education and outreach to tenants and the community about laws, rules, and other policy matters involving rental housing, including tenant rights under the petition process and formation of tenant organizations;

(2) Represent the interest of tenants in legislative, executive, and judicial issues, including advocating changes in laws and rules and reviewing landlord petitions on behalf of tenants;

(3) Advise tenants on filing complaints and petitions, including petitions in response to disputes with landlords;

(4) Advise and assisting tenants at conciliation meetings;

(5) Represent tenants in court or administrative proceedings;

(6) Organize tenant participation in building-wide inspections; and

(7) Operate a Tenant Phone Hotline and Tenant Center.

Sec. 2068. Establishment, purpose, and membership of the Tenant Advisory Council.

(a) Within 60 days of the effective date of this subtitle, the Mayor shall establish a Tenant Advisory Council to review the progress of the Office in fulfilling its mandate from its inception and to make recommendations for improving the services of the Office.

(b) The TAC shall be composed of tenant organizers, representatives of tenant associations, and other tenant advocates with no connection to commercial real estate interests.

(c) The TAC shall monitor and report on the progress of the Office.

(d) Members of the TAC shall receive no compensation for service as members of the TAC.

Sec. 2069. Section 908 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.08), is amended as follows:

(a) Paragraph (14) is amended by striking the phrase "; and" at the end of the paragraph and inserting a semicolon in its place.

(b) Paragraph (15) is amended by striking the period at the end of the paragraph and inserting the phrase "; and" in its place.

(c) A new paragraph (16) is added to read as follows:

"(16) The Chief Tenant Advocate of the Office of the Tenant Advocate.".

Sec. 2070. Section 307 of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3403.07), is amended by adding a second sentence to read as follows:

"The fund shall be administered and managed on behalf of the Mayor by the Office of Tenant Advocate, established by section 2065 of the Fiscal Year 2006 Budget Support Emergency Act of 2005, passed on an emergency basis on July 6, 2005 (Enrolled version of Bill 16-375).".

Sec. 2100. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE H. TRANSITIONAL EMPLOYMENT PROGRAM AND APPRENTICESHIP INITIATIVE

Sec. 2101. Short title.

This subtitle may be cited as the "Transitional Employment Program and Apprenticeship Initiative Establishment Emergency Act of 2005".

Sec. 2102. Transitional Employment Program.

(a) The Mayor shall establish and implement a program, subject to the annual appropriation of funds, to provide transitional employment for District of Columbia residents residing in persistent problem areas who face barriers to employment due to deficiencies in education, work experience, work training, work skills, prior incarceration, or the loss of certain occupations or industries from the economy of the District or the Washington Metropolitan Area.

(b) For purposes of this section "persistent problem area" shall mean those areas of the District where such factors as crime, lack of economic development, and high unemployment create a particular need for the services of this program and which the Mayor may further identify by executive order.

(c) At the time of entry into the program, participants shall be certified as to residence by the Department of Employment Services and assessed as to their readiness for placement in paid work positions. Based upon that assessment, a comprehensive service and case management plan shall be developed for each participant. Plans may include supportive services such as health care, childcare, counseling, financial management services, remedial education, and placement into wage paying jobs.

(d) All jobs into which participants are placed shall pay stipends, training wages, or wages as the Mayor may determine are appropriate for the job and participant and shall last for a maximum of 12 months. Placements shall be made into jobs that provide participants the opportunity to obtain needed work experience and gain job skills, with the goal of a successful transition to unsubsidized employment.

(e) All jobs into which participants are placed shall be the subject of an agreement between the Department of Employment Services and the worksite host providing that no regular employee will be displaced by program participants.

(f) Program participants placed in jobs shall participate in placement activities during their work experience including periodic job search requirements, participation in peer support groups, job coaching, and other activities and services directed to placing participants in unsubsidized employment.

(g) Participants may be provided with additional placement and supportive services for up to 6 months after the conclusion of their work experience jobs if these services are found to enhance the participants' chances of obtaining or continuing in unsubsidized employment.

Sec. 2103. Pre-Apprenticeship Program.

(a) The Mayor, subject to the annual appropriation of funds, shall establish and administer a pre-apprenticeship program to assist District residents in meeting the requirements for registered apprenticeship programs.

(b) This program may include academic remediation, classroom-related instruction, other educational training, and on-the-job training in occupational skills necessary for entry into existing or registered new apprenticeship programs.

(c) The Mayor may enter into agreements with local unions and employers to provide pre-apprenticeship assistance. In selecting participants for pre-apprenticeship programs, the Mayor may give priority to residents of persistent problem areas.

Sec. 2104. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE I. GREAT STREETS DEVELOPMENT

Sec. 2111. Short title.

This subtitle may be cited as the "Great Streets Development Emergency Act of 2005".

Sec. 2112. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-131(c)(4) is amended to read as follows:

"(4) The administration, operating, and marketing of the industrial revenue bond program established pursuant to section 490 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 877; D.C. Official Code § 1-204.90) and the costs of operating and administering economic development programs pursuant to § 47-340.23.".

(b) Sections 47-340.21, 47-340.22, and 47-340.23 are amended to read as follows:

"§ 47-340.21. Deposit of fees and other monies.

"Fees authorized under § 47-340.20 and the earnings thereon, capital, and other funds appropriated by Council, and such additional monies that may be contributed from any lawful source shall be deposited in an account to be known as the District of Columbia Great Streets Development Account ("Account"), that shall be a sub-account of the special account established under § 47-131(c)(4).

"§ 47-340.22. Allocation of funds.

"Monies credited to the Account established under § 47-340.21 shall be allocated annually to the Office of the Deputy Mayor for Planning and Economic Development in an aggregate amount that is equal to the total deposits and earnings that have accrued during the immediately preceding fiscal year. Monies remaining in the Account at the end of any fiscal year shall not revert to the General Fund, but shall remain in the Account.

"§ 47-340.23. Use of funds allocated.

"(a) Account monies allocated to the Office of the Deputy Mayor for Planning and Economic Development as provided in § 47-340.22 may be used to pay the costs of operating and administering economic development programs, including the provision of credit support or enhancement, loans, grants, contacts, and the implementation of other initiatives that are consistent with and in furtherance of the purposes of this subtitle or § 47-340.20. The Mayor

shall report to the Council the details of how these monies are used in accordance with this subtitle or § 47-240.20.

"(b)(1) Prior to the expenditure of funds from the Account, the Mayor shall transmit legislation to the Council to :

"(A) Foster increased commercial, residential, cultural, and industrial development to promote the health, safety, and general welfare of the citizens of the District, and to help expand the tax base through the use of loans, the abatement or forgiveness of District taxes, the award of grants and employment tax credits, and the provision of other direct and indirect forms of economic assistance;

"(B) Provide economic assistance to enable the District to leverage its limited financial resources more efficiently and effectively assist in financing the costs of capital improvements that are essential to the development or redevelopment of certain commercial areas; and

"(C) Provide a means to defray the costs of enhancing economic value and public enjoyment; to attract and retain businesses; stimulate the development of commercial, residential, recreational, and cultural projects; increase employment; promote and expand trade, tourism, and other industries, and contribute to community betterment.

"(2) No funds shall be expended from the Account until the Council has approved legislation to authorize their expenditure.".

Sec. 2113. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE J. HOUSING PRODUCTION TRUST FUND AND NEW COMMUNITIES FINANCING

Sec. 2171. Short title.

This subtitle may be cited as the "Housing Production Trust Fund and New Communities Financing Amendment Emergency Act of 2005".

Sec. 2172. The Housing Production Trust Fund Act of 2005, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801 *et seq.*), is amended as follows:

(a) Sections 2 through 5 are designated as Title I.

(b) Section 3 (D.C. Official Code § 42-2802) is amended as follows

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

(A) Paragraph (8B) is amended by striking the word "and".

(B) Paragraph (9) is amended by striking the word "and".

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

(D) A new paragraph (11) is added to read as follows:

"(11)(A) Funds for the New Communities Initiative as that term is defined in subparagraph (B) of this paragraph; provided, that the use of the funds for the initiative is consistent with the provisions and purposes of this section and meets the requirements of section 203(d) and the rules promulgated pursuant to this act.

"(B) For the purposes of this paragraph, the term "New Communities Initiative" means a large scale and comprehensive plan, submitted by the Mayor to the Council for approval, that provides housing infrastructure with a special focus on public housing, provides critical social support services, decreases the concentration of poverty and crime, enhances access to education, and provides training and employment education to neighborhoods where crime, unemployment, and truancy converge to create intractable physical and social conditions.".

(2) Subsection (b-1) is amended by redesignating paragraphs (A), (B), and (C) as (1), (2), and (3).

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

"(b-2)(1) An amount not to exceed $6 million of the funds deposited into the Fund may be used by the Mayor to secure bonds issued for the benefit of the Sursum Corda New Community Initiative pursuant to subsection (b)(11) of this section.

"(2) Council authorization by act shall be required for:

"(A) Any amount above $6 million in the Fund to secure financing for the Sursum Corda New Community Initiative; and

"(B) Any amount of funds in the Fund to secure financing for any other New Community Initiative.".

(c) A new title II is added to read as follows:

"TITLE II. BOND AUTHORIZATION.

"Sec. 201. Definitions.

"For the purpose of this title, the term:

"(1) "Allocated Fund" means the portion of the Fund established pursuant to section 3 that equals the amount that is deposited in the Fund from the real property transfer tax imposed by D.C. Official Code § 47-903 and the deed recordation tax imposed by section 303 of the District of Columbia Recordation Tax Act, approved March 2, 1962 (76 Stat. 112; D.C. Official Code § 42-1103).

"(2) "Authorized Delegate" means the City Administrator, the Chief Financial Officer, the Treasurer, or any officer or employee of the executive office of the Mayor to whom the Mayor has delegated any of the Mayor's functions under this act pursuant to section 422(6) of the Home Rule Act.

"(3) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

"(4) "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 to be issued pursuant to this title.

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

"(6) "Chief Financial Officer" means the Chief Financial Officer established pursuant to section 424(a)(1) of the Home Rule Act.

"(7) "City Administrator" means the City Administrator established pursuant to section 422(7) of the Home Rule Act.

"(8) "Closing Documents" means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the bonds contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

"(9) "Department" means the Department of Housing and Community Development.

"(10) "Financing Documents" means the documents other than Closing Documents that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the bonds, including any offering document, and any required supplements to any such documents.

"(11) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

"(12) "New Communities Initiative" shall have the same meaning as in section 3(b)(11(B)).

"Sec. 202. Findings.

"The Council finds that:

"(1) Section 490 of the Home Rule Act provides that the Council may, by resolution, authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse and to assist in the financing, refinancing, or reimbursing of undertakings in certain areas designated in section 490 where the ultimate obligation to repay the revenue bonds, notes, or other obligations is that of one or more governmental persons or entities.

"(2) Under section 3, the Council established the Housing Production Trust Fund as a permanent proprietary revolving fund to be administered by the Department to provide assistance in housing production for targeted populations.

"(3) The Mayor wishes to issue bonds for the benefit of the Fund and to pledge to repayment of the bonds a portion of the monies deposited into the Fund and to use the proceeds of the bonds to accomplish certain of the purposes of this act.

"(4) Section 490 of the Home Rule Act provides that bonds may be issued to assist in undertakings in the area of housing.

"(5) The authorization, issuance, sale, and delivery of the bonds are desirable, are in the public interest, and will promote the purposes and intent of section 490 of the Home Rule Act and of this act.

"Sec. 203. Bond authorization for New Community Initiative neighborhoods, including Sursum Corda.

"(a) Pursuant to section 490 of the Home Rule Act and this title, the Mayor is authorized to issue bonds to assist in financing, refinancing, or reimbursing costs of undertakings by the District to accomplish the purposes of the New Communities Initiative. Subject to Council approval by resolution submitted by the Mayor in accordance with subsection (d) of this section, the Mayor is authorized to issue bonds to assist in financing, refinancing, or reimbursing costs of developing mixed income and mixed use projects situated in:

"(1) The vicinity of an area known as Northwest One/Sursum Corda Cooperative, located between K Street, N.W., M Street, N.W., New Jersey Avenue, N.W., and North Capitol Street, N.W., in the District; or

"(2) Any other area that has been approved by the Council pursuant to the New Communities Initiative.

"(b) The bonds, which may be issued from time to time, in one or more series, which shall be tax-exempt or taxable as the Mayor shall determine, shall be payable solely from and secured by monies deposited in the Allocated Fund; provided, that the total amount of funds allocated annually to pay debt service on the bonds shall not exceed $6 million.

"(c) The Mayor is authorized to pay from the proceeds of the bonds the costs and expenses of issuing and delivering the bonds, including, but not limited to, underwriting, legal, accounting, financial advisory, bond insurance or other credit enhancement, marketing and selling the bonds, and printing costs and expenses.

"(d) The Mayor shall submit and the Council shall approve, by resolution, the amount of bonds that shall be issued at any one time for a project authorized by subsection (a) of this section. Each approval resolution shall state the aggregate principal amount of bonds to be issued, and shall be accompanied by a preliminary development plan that describes the projected construction plan, and includes the following:

"(1) A plan that provides for the one-to-one replacement of existing subsidized units, minimizes the displacement of current residents, relocates displaced residents to suitable interim housing within the general neighborhood, and provides the opportunity and the means for the return of the residents to the redeveloped community;

"(2) Evidence that the poverty rate in the community is 20% or more;

"(3) An executed agreement between the Mayor, or his Authorized Delegate, and one or more designated representatives of the community that acknowledges the immediate and recognizable need for redevelopment of the community;

"(4) A plan by which local, community-based developers of affordable housing may be able to achieve at least 40% participation in the redevelopment project;

"(5) A preliminary financing plan that includes a financial feasibility analysis that sets forth the proposed sources and uses of funds;

"(6) Evidence that 500 or more new or rehabilitated housing units will be developed in the proposed New Communities Initiative neighborhood, and which specifies the total number and the distribution of planned housing units by level of household income; and

"(7) An analysis of the synergies to be achieved through the allocation of public and private investments in human and physical capital, and their combined contribution to enhancement of the project's economic feasibility.

"Sec. 204. Bond details.

"(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this title in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the bonds of each series, including, but not limited to, determinations of:

"(1) The final form, content, designation, and terms of the bonds, including a determination that the bonds may be issued in certificated or book-entry form;

"(2) The principal amount of the bonds to be issued and denominations of the bonds;

"(3) The rate or rates of interest or the method for determining the rate or rates of interest on the bonds;

"(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the bonds, and the maturity date or dates of the bonds;

"(5) The terms under which the bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

"(6) Provisions for the registration, transfer, and exchange of the bonds and the replacement of mutilated, lost, stolen, or destroyed bonds;

"(7) The creation of any reserve fund, sinking fund, or other fund with respect to the bonds;

"(8) The time and place of payment of the bonds;

"(9) Procedures for monitoring the use of the proceeds received from the sale of the bonds to ensure that the proceeds are properly applied and used to accomplish the purposes of the Home Rule Act and this act;

"(10) Actions necessary to qualify the bonds under blue sky laws of any jurisdiction where the bonds are marketed; and

"(11) The terms and types of credit enhancement under which the bonds may be secured.

"(b) The bonds shall contain a legend, which shall provide that the bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District (other than real property transfer taxes and deed recordation taxes allocated to the Allocated Fund), do not constitute a debt of the District, and

do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

"(c) The bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary's manual or facsimile signature. The Mayor's execution and delivery of the bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the bonds.

"(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the bonds.

"(e) The bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

"(f) 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. 205. Sale of the bonds.

"(a) The bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interests of the District.

"(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters, and may authorize the distribution of the documents in connection with the sale of the bonds.

"(c) The Mayor is authorized to deliver the executed and sealed bonds, on behalf of the District, for authentication, and, after the bonds have been authenticated, to deliver the bonds to the original purchasers of the bonds upon payment of the purchase price.

"(d) The bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the bonds of such series and, if the interest on the bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

"(e) The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), and the Financial Institutions Deposit and Investment Amendment Act of 1998, effective March 18, 1998 (D.C. Law 12-56; D.C. Official Code § 47-351.01 *et seq.*), shall not apply to any contract the Mayor may from time to time enter into for purposes of this title or the Mayor may determine to be necessary or appropriate for purposes of this title to place, in whole or in part:

"(1) An investment or obligation of the District as represented by the bonds;

"(2) An investment or obligation of program of investment; or

"(3) A contract or contracts based on the interest rate, currency, cash flow, or other basis, including, without limitation, interest rate swap agreements; currency swap agreements; insurance agreements; forward payment conversion agreements; futures contracts providing for payments based on levels of, or changes in, interest rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a series of payments; and contracts to hedge payment, currency, rate, spread or similar exposure, including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts or other arrangements may also be entered into by the District in connection with, or incidental to, entering into or maintaining any agreement that secures the bonds. The contracts or other arrangements shall contain whatever payment security, terms, and conditions as the Mayor may consider appropriate and shall be entered into with whatever party or parties the Mayor may select, after giving due consideration, where applicable, to the creditworthiness of the counterparty or counterparties, including any rating by a nationally recognized rating agency or any other criteria as may be appropriate. In connection with, or incidental to, the issuance or holding of the bonds, or entering into any contract or other arrangement referred to in this section, the District may enter into credit enhancement or liquidity agreements, with payment, interest rate, termination date, currency, security, default, remedy, any other terms and conditions as the Mayor determines. Proceeds of the bonds and any money set aside and pledged to secure payment of the bonds or any contract or other arrangement entered into pursuant to this section may be pledged to and used to service any contract or other arrangement entered into pursuant to this section.

"Sec. 206. Payment and security.

"(a) Except as otherwise provided in section 203(b), the principal of, premium, if any, and interest on, the bonds shall be payable solely from proceeds received from the sale of the bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Allocated Fund, income realized from the temporary investment of those receipts and revenues prior to payment to the bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the bonds, and other sources of payment (other than the District), all as provided for in the Financing Documents.

"(b) Payment of the bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the bonds pursuant to the Financing Documents.

"(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the bonds pursuant to the Financing Documents.

"Sec. 207. Financing and Closing Documents.

"(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the bonds. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

"(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

"(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the bonds, the Financing Documents, and the Closing Documents to which the District is a party.

"(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents, including those Financing Documents and Closing Documents to which the District is not a party.

"(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

"Sec. 208. Authorized delegation of authority.

"To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this title.

"Sec. 209. Limited liability.

"(a) The bonds shall be special obligations of the District. The bonds shall be without recourse to the District. The bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District (other than real property transfer taxes and deed recordation taxes), 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.

"(b) The bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the bonds.

"(c) Nothing contained in the bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the bonds from sources other than those listed for that purpose in section 203.

"(d) All covenants, obligations, and agreements of the District contained in this title, the bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this title.

"(e) No person, including, but not limited to any bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District to perform any covenant, undertaking, or obligation under this title, the bonds, the Financing Documents, or the Closing Documents, or as a

result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

"Sec. 210. District officials.

"(a) Except as otherwise provided in section 209(e), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the bonds or be subject to any personal liability by reason of the issuance of the bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this act, the bonds, the Financing Documents, or the Closing Documents.

"(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the bonds, the Financing Documents, or the Closing Documents.

"Sec. 211. Maintenance of documents.

"Copies of the specimen bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

"Sec. 212. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.".

Sec. 2173. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE K. NATURAL GAS FUND

Sec. 2190. Short title.

This subtitle may be cited as the "Natural Gas Fund Emergency Amendment Act of 2005".

Sec. 2191. Section 101(a)(3) of the Omnibus Utility Amendment Act of 2004, effective April 12, 2005 (D.C. Law 15-342; to be codified at D.C. Official Code § 34-1651(a)(3)), is amended by striking the phrase "subsection (c)" and inserting the phrase "subsections (c) and (d)" in its place.

Sec. 2192. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE L. INSURANCE REGULATORY TRUST FUND ENHANCEMENT

Sec. 2201. Short title.

This subtitle may be cited as the "Insurance Regulatory Trust Fund Enhancement Emergency Act of 2005".

Sec. 2202. Section 3(a) of the Insurance Regulatory Trust Fund Act of 1993, effective October 10, 1993 (D.C. Law 10-40; D.C. Official Code § 31-1202 (a)), is amended by striking the phrase "this act" and inserting the phrase "this act and the Certified Capital Companies Act of 2003, effective March 10, 2004 (D.C. Law 15-87; D.C. Official Code § 31-5231 *et seq.*)," in its place.

Sec. 2203. The Certified Capital Companies Act of 2003, effective March 10, 2004 (D.C. Law 15-87; D.C. Official Code § 31-5231 *et seq.*), is amended by adding a new section 9a to read as follows:

"Sec. 9a. Fees deposited in Insurance Regulatory Trust Fund.

"All fees collected pursuant to this act shall be deposited in the Insurance Regulatory Trust Fund established by section 3 of the Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C. Official Code § 3-1202), and expended for the purposes authorized by the Fund.".

Sec. 2204. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE M. TARGETED HISTORIC HOUSING TAX CREDIT ACT

Sec. 2211. Short title.

This subtitle may be cited as the "Targeted Historic Housing Tax Credit Emergency Act of 2005".

Sec. 2212. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the section designation "§ 47-1806.08f. Tax on residents and nonresidents - Credits -Targeted historic housing credit." and inserting the section designation "§ 47-1806.08f. Tax on residents and nonresidents - Credits -Targeted historic housing credit - Cap; administrative costs." in its place.

(b) Section 47-1806.08f is amended to read as follows:

"§ 47-1806.08f. Tax on residents and nonresidents - Credits -Targeted historic housing credit - Cap; administrative costs.

"(a) The Mayor may approve an amount not to exceed $1,250,000 of credits under § 47-1806.08a each fiscal year.

"(b) In each applicable fiscal year, the Mayor may expend an amount not to exceed 5% of the annual amount appropriated for credits authorized under subsection (a) of this section for reasonable administrative costs.".

Sec. 2213. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for Bill 16-200, 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)).

SUBTITLE N. SMALL, LOCAL, AND DISADVANTAGED BUSINESS ENTERPRISE DEVELOPMENT AND ASSISTANCE

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