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SUBTITLE R. HEALTHY DC.

Sec. 5040. Short title.

This subtitle may be cited as the "Healthy DC Act of 2008".

Sec. 5041. Definitions.

For the purposes of this subtitle, the term "health insurer" means any person that provides one or more health benefit plans or insurance in the District of Columbia, including an insurer, a hospital and medical services corporation, a fraternal benefit society, a health maintenance organization, a multiple employer welfare arrangement, or any other person providing a plan of health insurance subject to the authority of the Commissioner of the Department of Insurance, Securities, and Banking.

Sec. 5042. Establishment of Healthy DC Program; administration.

(a) There is established the Healthy DC Program ("Program"), which shall provide affordable health benefits to eligible individuals.

(b) The Program shall be administered by the Department of Health Care Finance, established by the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; 55 DCR 216).

(c) The Program shall be funded through the Healthy DC Fund, established by section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02).

(d)(1) The Program shall be subject to the availability of funding.

(2) Nothing in this subtitle shall be construed to create or constitute an entitlement to health insurance or health or medical benefits.

Sec. 5043. Program eligibility.

(a) An individual shall be eligible for the Program if the individual:

(1) Has resided in the District for at least 6 months at the time of application to the Program;

(2) Resides in a household having a gross household income between 200% and 400% of the federal poverty guidelines as updated periodically in the Federal Register by the United States Department of Health and Human Services under the authority of 42 U.S.C. § 9902(2); and

(3) Does not qualify for:

(A) The DC HealthCare Alliance;

(B) Medicare;

(C) Medicaid; or

(D) Other federal health-benefits programs; and

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(4)(A) Has not had health insurance during the 6-month period prior to application to the Program;

(B) Has had health insurance during the 6-month period prior to application to the Program but the insurance was terminated due to:

- (i) The loss of employment;
- (ii) A death of a spouse, domestic partner, or family member who maintained the individual as a beneficiary on a health-insurance plan;
- (iii) Changes in student status, including graduation, a leave of absence, or reduction to part-time study;
- (iv) A change of employment to a new employer who does not provide group health insurance;
- (v) A legal annulment, separation, divorce, or the dissolution of a domestic partnership;
- (vi) The loss of financial eligibility under Medicaid or the DC HealthCare Alliance;
- (vii) The cancellation or discontinuation of a group health insurance contract by a health insurer; or
- (viii) Any other reason as determined by the Mayor; or

(C) Has employer-based health insurance but the annual premium cost to the individual is deemed unaffordable, as determined by the Mayor.

(b) Eligibility for the Program shall not be subject to any pre-existing condition exclusions.

Sec. 5044. Program benefits; affordability.

(a) The Program shall provide, at a minimum, health and medical benefits that are equal to those provided to individuals enrolled in the DC HealthCare Alliance.

(b) The Program shall limit annual premium costs to 3% or less of a Program participant's gross income.

Sec. 5045. Program implementation.

(a) The Mayor shall make the Program available to eligible individuals by July 1, 2009.

(b) To meet the deadline set forth in subsection (a) of this section, the Mayor is authorized to enter into a contract with one or more health insurers to administer the Program.

(c) Any contract entered into pursuant to this section shall require annual reporting of clinical-quality measurements and utilization data to the Mayor.

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Sec. 5046. Prohibitions.

It shall be unlawful for a health insurer to eliminate or restrict the availability of a health insurance plan offered in the District with the intent of shifting beneficiaries to the Program. An entity found to be in violation of this section shall be subject to a fine of not less than \$10,000.

Sec. 5047. Disposition of fines and penalties.

Fines and penalties collected pursuant to this act shall be deposited in the Healthy DC Fund, established by section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02).

Sec. 5048. Rules.

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

SUBTITLE S. HEALTHY DC FUND.

Sec. 5049. Short title.

This subtitle may be cited as the "Hospital and Medical Services Corporation Regulatory Act Amendment Act of 2008".

Sec. 5050. Section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02.), is amended to read as follows:

"Sec. 15b. Establishment of Healthy DC Fund.

"(a) There is established as a nonlapsing fund the Healthy DC Fund ("Fund"). All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available to support the Healthy DC Program, established by the Healthy DC Act of 2008, passed on 2nd reading on June 3, 2008 (Enrolled version of Bill 17-678)("Healthy DC Act") without regard to fiscal year limitation, subject to authorization by Congress.

"(b) There shall be deposited into the Fund:

"(1) All tax revenue generated pursuant to section 15a;

"(2) Any other local funds, including any fees, penalties, or other tax revenue required by District law, including a portion of the premium tax imposed on health maintenance organizations, as required by the Health Maintenance Organization

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Act of 1996, effective April 9, 1997 (D.C. Law 11-235; D.C. Official Code § 31-3401 *et seq.*);

“(3) Annual appropriations, if any;

“(4) Federal grant funds;

“(5) All fines and penalties collected pursuant to the Healthy DC Act;

and

“(6) Grants, gifts, or subsidies from public or private sources.”.

SUBTITLE T. MEDICAID STATE PLAN AMENDMENT.

Sec. 5051. Short title.

This subtitle may be cited as the “Medicaid Fee-For-Service State Plan Amendment Act of 2008”.

Sec. 5052. Medicaid fee-for-service rate increases.

By October 1, 2008, the Mayor shall submit to the Council a Medicaid state plan amendment that will increase the specialty physician and primary care physician reimbursement rates under the District Medicaid fee-for-service program to match the specialty physician and primary care physician reimbursement rates under the federal Medicare program.

SUBTITLE U. HEALTHY DC REVENUE.

Sec. 5053. Short title.

This subtitle may be cited as the “Healthy DC Revenue Amendment Act of 2008”.

Sec. 5054. The Health Maintenance Organization Act of 1996, effective April 9, 1997 (D.C. Law 11-235; D.C. Official Code § 31-3401 *et seq.*), is amended by adding a new section 4a to read as follows:

“Sec. 4a. Premium tax.

“(a) Effective January 1, 2009, all health maintenance organizations shall pay to the District of Columbia, for each calendar year, a sum of money as taxes equal to 2% of their policy and membership fees and net premium receipts or consideration received in such calendar year, excluding those fees, receipts, or consideration received pursuant to the District Medicaid program, the DC HealthCare Alliance, any federal employee health-benefit program or Medicare, on all policies or contracts in the District of Columbia. The premium tax shall be in lieu of all other taxes except:

“(1) Taxes upon real estate; and

“(2) Fees and charges provided for pursuant to this act.

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“(b) The certificate of authority of any health maintenance organization may be revoked for failure to pay the required premium tax.

“(c) All revenues generated pursuant to this section shall be collected in a manner prescribed by the Mayor.

“(d) Seventy-five percent of the revenue generated pursuant to this section shall be deposited in the Healthy DC Fund, established by section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Code § 31-3514.02). The remaining 25% shall be deposited in the General Fund of the District of Columbia.”.

Sec. 5055. Chapters 24 and 26 of Title 47 of the District of Columbia Official Code is amended as follows:

(a)(1) Section 47-2402(a) is amended by striking the phrase “\$.05 for each cigarette.” and inserting the phrase “\$.10 for each cigarette.” in its place.

(2) This subsection shall apply as of October 1, 2008.

(b) Section 47-2608(a) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “All such companies” and inserting the phrase “Except as provided in paragraph (1A), all such companies” in its place.

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

“(1A)(A) All companies that issue contracts of insurance against accident and loss of health shall pay to the District of Columbia, for each calendar year, a sum of money as taxes equal to 2% of their policy and membership fees and net premium receipts or consideration received in that calendar year on all policies or contracts in the District of Columbia. Such tax shall be in lieu of all other taxes except:

“(i) Taxes upon real estate; and

“(ii) Fees and charges provided for by the insurance

laws of the District.

“(B) This paragraph shall apply as of October 1, 2008.”.

TITLE VI. PUBLIC WORKS

SUBTITLE A. ENVIRONMENTAL HEALTH PROTECTION.

Sec. 6001. Short title.

This subtitle may be cited as the “Transfer of the Lead Poison Prevention Program to the District Department of the Environment Amendment Act of 2008”.

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Sec. 6002. Section 103(b)(1)(B)(ii)(II) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.03(b)(1)(B)(ii)(II)), is amended by striking the phrase “and control activities” and inserting the phrase “and control activities lead poison prevention program” in its place.

Sec. 6003. Section 707 of Title 14 of the District of Columbia Municipal Regulations is amended as follows:

(a) Subsection 707.4 (14 DCMR § 707.4) is amended by striking the word “The” at the beginning of the introductory sentence and inserting the phrase “Except as provided in subsection 707.8 ,the” in its place.

(b) Section 707.7 (14 DCMR § 707.7) is amended to read as follows:

“Any owner who is served with an order pursuant to this section or subsection 707.8 shall comply with the order within fifteen (15) days of its service upon him or her or shall obtain an extension of the fifteen (15)-day period from the Director of the agency responsible for issuance of the order. No extension shall exceed thirty (30) days, but thirty (30)-day extensions may be renewed at the discretion of the Director of the respective agency.”.

(c) Section 707.8 (14 DCMR § 707.8) is amended to read as follows:

“707.8 The Director of the District Department of the Environment shall be the designated agent of the District of Columbia to inspect any residential premises where there is reason to believe lead may present a health hazard because of the presence of a child under the age of 8 years who lives on the premises or is a regular visitor to the premises who spends a substantial portion of his or her time there. In cases where there is reason to believe that a lead hazard exists, the Director of the District Department of the Environment shall issue orders, as necessary, instead of the agency responsible for enforcement of housing regulations.”.

(d) Section 707.13 (14 DCMR § 707.13) is amended by striking the phrase “Director of the agency responsible for enforcement of the housing regulations” and inserting the phrase “Director of the District Department of the Environment” in its place.

(e) Section 707.14 (14 DCMR § 707.14) is amended by striking the phrase “The Director of the agency responsible for enforcement of the housing regulations” and inserting the phrase “The Director of the District Department of the Environment” in its place.

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Sec. 6004. The Mayor may issue rules, as necessary, to make future updates.

SUBTITLE B. DEPARTMENT OF MOTOR VEHICLES INCENTIVE EXEMPTION FOR LEASED VEHICLES AND LOW EMISSION VEHICLES.

Sec. 6005. Short title.

This subtitle may be cited as the "Department of Motor Vehicles Incentive Exemption for Leased Vehicles and Low Emission Vehicles Amendment Act of 2008".

Sec. 6006. Section 6(j)(3) of the District of Columbia Traffic Act, 1925, effective March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.03(j)(3)), is amended as follows:

(a) Subparagraph (F) is amended to read as follows:

"(F) Rental or leased motor vehicles or trailers; provided, that the rental or leasing of such vehicles is subject to the gross receipts tax described in section 125(3)(C) of the District of Columbia Sales Tax Act, approved May 27, 1949 (63 Stat. 115; D.C. Official Code § 47-2002(3)(C))."

(b) Subparagraph (J) is amended to read as follows:

"(J) Motor vehicles, excluding motorcycles and motorized bicycles, with an estimated average miles per gallon ("MPG") for city driving at or above 40 MPG, as determined in accordance with 40 CFR §§ 600.001-08, and published in the Fuel Economy Guide by the United States Environmental Protection Agency and the United States Department of Energy or other alternative fueled vehicles as determined by the Department of Motor Vehicles through rulemaking."

(c) Subparagraph (O) is repealed.

Sec. 6007. Section 3(b)(1) of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.03(b)(1)), is amended by striking the phrase "A new clean fuel or electric vehicle titled before January 1, 2006 determined by the United States Internal Revenue Service to be eligible for a federal tax deduction or credit pursuant to sections 30 and 179A of the Internal Revenue Code of 1986, approved Oct. 24, 1992 (100 Stat. 3019; 26 U.S.C. §§ 30 and 179A); and a new fuel cell, lean burn technology, hybrid, or alternative fuel motor vehicle titled on or after January 1, 2006; provided, that the owner presents proof, to the satisfaction of the Mayor, that the purchase of the vehicle entitles the owner to a federal tax credit pursuant to the Energy Policy Act of 2005, approved Aug. 8, 2005 (119 Stat. 594; scattered sections of the United States Code)" and inserting the phrase "A new motor vehicle, other than a motorcycle and motorized bicycle, with an estimated average miles per gallon ("MPG") for city driving at or above 40 MPG, as

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determined in accordance with 40 CFR §§ 600.001-08, and published in the Fuel Economy Guide by the United States Environmental Protection Agency and the United States Department of Energy” in its place.

SUBTITLE C. STORM WATER MANAGEMENT AND POLLUTION CONTROL.

Sec. 6008. Short title.

This subtitle may be cited as the “Storm Water Management and Pollution Control Amendment Act of 2008”.

Sec. 6009. Section 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.16), is amended by adding a new subsection (d-3) to read as follows:

“(d-3) As of October 1, 2008, the Authority shall collect a storm water charge established by the Director of the District Department of the Environment (“Director”), in lieu of the charge prescribed in subsection (d-1) of this section, which charge the Director shall establish by rule and may from time to time amend. A landlord shall not pass a storm water charge to a tenant that is more than the storm water charge prescribed by the Director.”

SUBTITLE D. DEPARTMENT OF MOTOR VEHICLE LICENSE AND NEW VEHICLE INSPECTION EXTENSION.

Sec. 6010. Short title.

This subtitle may be cited as the “Department of Motor Vehicles Driver License, Special Identification Card, and Vehicle Inspection Amendment Act of 2008”.

Sec. 6011. Section 7(a)(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-1401.01(a)(1)), is amended to read as follows:

“(a)(1) The Mayor is authorized to issue a new or renewed motor vehicle operator’s permit, valid for a period not to exceed 8 years plus any time period prior to the expiration date of a previous license not to exceed 2 months, to any individual 17 years of age or older, subject to the following conditions and any other conditions the Mayor may prescribe to protect the public:”

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Sec. 6012. Section 1 of An Act To provide for annual inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-1101(a)), is amended by striking the phrase "valid for a 2-year period" and inserting the phrase "valid for up to a 4-year period" in its place.

Sec. 6013. Title 18 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 103.8(c) (18 DCMR § 103.8(c)) is amended by striking the figure "\$39" and inserting the figure "\$44" in its place.

(b) Section 112.7 (18 DCMR § 112.7) is amended by striking the phrase "up to five (5)" and inserting the phrase "up to eight (8)" in its place.

(c) Section 601.8 (18 DCMR § 60) is amended by striking the figure "\$25" wherever it appears and inserting the figure "\$35" in its place.

SUBTITLE E. DISTRICT DEPARTMENT OF TRANSPORTATION
UNIFIED FUND.

Sec. 6014. Short title.

This subtitle may be cited as the "District Department of Transportation Unified Fund Amendment Act of 2008".

Sec. 6015. Section 9c of the Department of Transportation Establishment Act of 2002, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 50-921.11), is amended as follows:

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

(1) Designate the existing text as paragraph (1).

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

"(2) Funds from the Unified fund shall be used, on a one-time basis, as follows:

"(A) An amount of up to \$2 million for costs associated with interim libraries; and

"(B) An amount of up to \$300,000 for a school playground.".

(b) Subsection (c) is amended by adding a new paragraph (8) to read as follows:

"(8) All revenue derived from the recovery of costs associated with the repair and replacement of damaged District Department of Transportation assets that are located in the public space.".

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SUBTITLE F. KLINGLE ROAD.

Sec. 6016. Short title.

This subtitle may be cited as the "Klinge Road Sustainable Development Amendment Act of 2008".

Sec. 6017. Section 2402 of the Klinge Road Restoration Act of 2003, effective November 13, 2003 (D.C. Law 15-39; D.C. Official Code § 9-115.11), is amended to read as follows:

"Sec. 2402. Re-opening of Klinge Road.

"Notwithstanding any other law, the portion of Klinge Road, N.W., between Porter Street, N.W., on the east, to Cortland Place, N.W., on the west, which portion is currently closed to motor vehicle traffic, shall not be re-opened to the public for motor vehicle traffic. No funding, District, federal, or otherwise, shall be expended or accepted for the planning, design, construction, or reconstruction of this portion of Klinge Road for motor vehicle traffic."

Sec. 6018. Specified federal funding allocations for sustainable development at Klinge Road.

The District Department of Transportation shall allocate and use \$2 million from federal aid highway funds available to the District in fiscal year 2009 for the environmental remediation of Klinge Valley and construction of a pedestrian and bicycle trail, subject to the following restrictions:

(1) Existing pavement on Klinge Road, N.W., along the portion between Porter Street, N.W., on the east, to Cortland Place, N.W., on the west, which portion is currently closed to motor vehicle traffic, shall be removed;

(2) Existing storm water and sewage pipes shall be repaired, if necessary, to reduce or eliminate the runoff or discharge of storm water or sewage water into Klinge Valley;

(3) The pedestrian and bicycle trail shall be constructed along the portion of Klinge Road, N.W., between Porter Street, N.W., on the east, to Cortland Place, N.W., on the west;

(4) The right-of-way shall remain closed to motor vehicle traffic;

(5) The pedestrian and bicycle trail shall not exceed 10 feet in width;

and

(6) The pedestrian and bicycle trail shall be surfaced with a water-permeable material."

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Sec. 6019. Specified local funding allocation for alley repair.

Of the District funds included in the fiscal year 2009 budget of the District Department of Transportation Unified Fund, established by section 9c of the Department of Transportation Establishment Act of 2002, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 50-921.11), \$2 million proposed for Phase 1 of the reconstruction of Klinge Road, N.W., shall be allocated and used to fund alley repairs, subject to the following restrictions:

(1) The amount of \$250,000 shall be allocated to each ward of the District; and

(2) The funds allocated to each ward under paragraph (1) of this section shall then be used first to repair those alleys in that ward designated in "poor" condition by the Mayor.

SUBTITLE G. PEDESTRIAN AND BICYCLE SAFETY AND ENHANCEMENT FUND.

Sec. 6020. Short title.

This subtitle may be cited as the "Pedestrian and Bicycle Safety and Enhancement Fund Establishment Act of 2008".

Sec. 6021. Pedestrian and Bicycle Safety and Enhancement Fund.

(a) There is established as a nonlapsing fund the Pedestrian and Bicycle Safety and Enhancement Fund ("Fund"), which shall be allocated \$1.5 million per fiscal year from the fines generated from the enhanced neighborhood parking control initiative. The Fund shall be used solely for the purposes set forth in subsection (b) of this section and administered by the Office of the Director of the District Department of Transportation ("DDOT").

(b)(1) The Fund shall be used solely to enhance the safety and quality of pedestrian and bicycle transportation, including traffic calming and Safe Routes to School enhancements.

(2) The Director of DDOT shall prioritize resources from the Fund for instances requiring faster or more flexible planning, design, and construction than that which would be accomplished through existing federal and local funding sources.

(c)(1) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(2) Any funds that are transferred through intra-District transfers and are not expended in a fiscal year shall revert to the Fund.

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SUBTITLE H. TARGETED GRANT-MAKING AUTHORITY FOR THE
DIRECTOR OF THE ALCOHOLIC BEVERAGE REGULATION
ADMINISTRATION.

Sec. 6022. Short title.

This subtitle may be cited as the "Targeted Grant-Making Authority for the Director of the Alcoholic Beverage Regulation Administration Act of 2008".

Sec. 6023. Notwithstanding any other provision of law, the Director of the Alcoholic Beverage Regulation Administration shall have the authority to issue grants, as directed in the Fiscal Year 2009 Budget Request Act, passed on final reading on May 13, 2008 (Enrolled version of Bill 17-679) ("Act"), to effectuate the purposes of the Act.

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. INCREASE TO THE EARNED INCOME TAX CREDIT.

Sec. 7001. Short title.

This subtitle may be cited as the "Earned Income Tax Credit Act of 2008".

Sec. 7002. Section 47-1806.04(f)(1) of the District of Columbia Official Code is amended by striking the phrase "35%" and inserting the phrase "40%" in its place.

SUBTITLE B. DEBT SERVICE SUPPORT.

Sec. 7003. Short title.

This subtitle may be cited as the "Dedicated Tax and Other Type Revenue Debt Service Support Act of 2008".

Sec. 7004. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for subchapter IV-A is amended by adding a new section designation to read as follows:

"47-368.05. Deposit of revenues dedicated to debt service."

(b) Subchapter IV-A is amended by adding a new section 47-368.05 to read as follows:

"§ 47-368.05. Deposit of revenues dedicated to debt service.

"Notwithstanding any other law, excluding funds expressly exempted by the Chief Financial Officer, revenues dedicated by law to specific funds, shall, whenever a portion of those funds is budgeted to pay debt service, first be deposited into the General Fund of the District of Columbia to pay such debt service. After sufficient revenues have been deposited for debt service, any additional revenues shall then be

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deposited into the specific funds. Any revenues deposited, but unexpended for debt service shall be deposited in the specific funds at the end of the fiscal year.”.

SUBTITLE C. COMMERCIAL REAL PROPERTY TAX RELIEF.

Sec. 7005. Short title.

This subtitle may be cited as the “Commercial Real Property Tax Relief Act of 2008”.

Sec. 7006. Section 47-812(b-9) of the District of Columbia Official Code is amended to read as follows:

“(b-9)(1) 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 Properties in the District of Columbia for the tax year beginning October 1, 2008, shall be:

“(A) For the first \$3 million of assessed value, \$1.65 of each \$100 of assessed value; and

“(B) For the portion of the assessed value exceeding \$3 million, \$1.85 of each \$100 of assessed value.

“(2)(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 2 Property in the District of Columbia for the tax year beginning October 1, 2009, and each tax year thereafter, shall be:

“(i) For the first \$3 million of assessed value, the rate as established in subparagraph (B) of this paragraph; and

“(ii) For the portion of the assessed value exceeding \$3 million, \$1.85 of each \$100 of assessed value.

“(B)(i) The Chief Financial Officer shall compute the real property tax rate for the first \$3 million of assessed value for taxable Class 2 Properties in the District of Columbia, for the tax year beginning October 1, 2009, as follows:

“(I) The Chief Financial Officer shall subtract \$1,312,793,900 from the estimated real property taxes to be collected for Class 2 Properties based upon a rate of \$1.85 of each \$100 of assessed value.

“(II) The Chief Financial Officer shall compute the real property tax rate (rounded up to the nearest penny) for the first \$3 million of assessed value for taxable Class 2 Properties by taking the amount yielded by sub-subparagraph (I) of this sub-subparagraph and, if it is a positive number, applying this amount to reduce the real property tax rate; provided, that the real property tax rate shall not be less than \$.90 of each \$100 of assessed value.

“(ii) The Chief Financial Officer shall compute the real

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property tax rate for the first \$3 million of assessed value for taxable Class 2 Properties in the District of Columbia, for the tax year beginning October 1, 2010, and each tax year thereafter, as follows:

“(I) The Chief Financial Officer shall multiply the total amount of taxes received for taxable Class 2 Properties in the District of Columbia for the prior fiscal year by 110%.

“(II) The Chief Financial Officer shall subtract the amount yielded by sub-sub-paragraph (I) of this sub-paragraph from the estimated real property taxes to be collected for Class 2 Properties based upon a rate of \$1.85 of each \$100 of assessed value.

“(III) The Chief Financial Officer shall compute the real property tax rate (rounded up to the nearest penny) for the first \$3 million of assessed value for taxable Class 2 Properties by taking the amount yielded by sub-sub-paragraph (II) of this sub-paragraph and, if it is a positive number, applying this amount to reduce the real property tax rate; provided, that the real property tax rate shall not be less than \$.90 of each \$100 of assessed value.

“(iii) Before September 16 of each year, the Chief Financial Officer shall submit to the Council the real property tax rate computed under this subparagraph.

“(3) The real property tax rate computed in paragraph (2) of this subsection shall only reduce the real property tax rate. If revenues increase by less than the amount needed to reduce the real property tax rate, the real property tax rate shall be equal to the real property tax rate of the prior fiscal year.”.

SUBTITLE D. OTHER POST-EMPLOYMENT BENEFITS.

Sec. 7007. Short title.

This subtitle may be cited as the "Other Post-Employment Benefits Eligibility Act of 2008".

Sec. 7008. Section 2109 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective October 1, 1987 (D.C. Law 7-27; D.C. Official Code § 1-621.09), is amended by adding a new subsection (e) to read as follows:

"(e) Notwithstanding the other provisions of this act, the Mayor may issue rules to establish vesting requirements for the provision of other post-employment benefits to annuitants. Any proposed rules promulgated by the Mayor shall be submitted to the Council for a 60-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 within the 60-day period, by resolution, the proposed

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rules shall be deemed disapproved."

SUBTITLE E. CIGARETTE STAMP.

Sec. 7009. Short title.

This subtitle may be cited as the "Cigarette Stamp Clarification Act of 2008".

Sec. 7010. The second sentence of section 47-2402(c) of the District of Columbia Official Code is amended to read as follows: "Such stamps shall be affixed to the original packages of cigarettes included in the directory of Tobacco Product Manufacturers maintained pursuant to § 7-1803.03(b) and shall be cancelled in the manner prescribed by the Mayor."

SUBTITLE F. GOLDEN RULE PLAZA, INC.

Sec. 7011. Short title.

This subtitle may be cited as the "Golden Rule Plaza, Inc., Real Property Tax Exemption and Real Property Tax Relief Act of 2008".

Sec. 7012. Chapter 10 of Title 47 of the District of Columbia Code is amended as follows:

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

"47-1079. Golden Rule Plaza, Inc., Lots 837, 841, and 842, Square 525, and Lot 840, Square 526."

(b) A new section 47-1079 is added to read as follows:

"§ 47-1079. Golden Rule Plaza, Inc., Lots 837, 841, and 842, Square 525, and Lot 840, Square 526.

"The real properties described as Lots 837, 841, and 842, Square 525, and Lot 840, Square 526, owned by Golden Rule Plaza, Inc., a nonprofit corporation, shall be exempt from all taxation for a period of 15 years so long as these real properties continue to be owned by Golden Rule Plaza, Inc., and are not used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009."

Sec. 7013. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against Golden Rule Plaza, Inc., from the period beginning December 1, 2005, on real property located at Lots 837 and 842, Square 525, and Lot 840, Square 526, and, from the period beginning October 1, 2006, for real property located at Lot 841, Square 525, be forgiven and any payments already made for these periods be refunded.

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SUBTITLE G. BOARD OF REAL PROPERTY ASSESSMENTS AND APPEALS.

Sec. 7014. Short title.

This subtitle may be cited as the "Board of Real Property Assessments and Appeals Compensation Act of 2008".

Sec. 7015. Section 47-825.01(a)(5) of the District of Columbia Official Code is amended by striking the phrase "\$35 per meeting" and inserting the phrase "\$50 per hour" in its place.

Sec. 7016. Applicability.

This subtitle shall apply as of October 1, 2007.

SUBTITLE H. TAX INCREMENT FINANCING REAUTHORIZATION.

Sec. 7017. Short title.

This subtitle may be cited as the "Tax Increment Financing Reauthorization Amendment Act of 2008".

Sec. 7018. Section 3(b) of the Tax Increment Financing Authorization Amendment Act of 1998, effective September 11, 1998 (D.C. Law 12-143; D.C. Official Code § 2-1217.02(b)), is amended by striking the phrase "January 1, 2008" and inserting the phrase "January 1, 2010" in its place.

Sec. 7019. Applicability.

This subtitle shall apply as of January 1, 2008.

SUBTITLE I. VERIZON CENTER RECORDATION TAX.

Sec. 7020. Short title.

This subtitle may be cited as the "Verizon Center Recordation Tax Clarification Amendment Act of 2008".

Sec. 7021. Subsection 3(a) of the Arena Tax Amendment Act of 1994, effective September 28, 1994 (D.C. Law 10-189; 41 DCR 5357), is amended by striking the phrase "taxation and" and inserting the phrase "taxation, recordation tax, and" in its place.

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Sec. 7022. Applicability.

This subtitle shall apply as of July 12, 2007.

SUBTITLE J. ELIMINATION OF SUBJECT-TO -APPROPRIATIONS
CONTINGENCIES FOR LEGISLATION FUNDED IN FISCAL YEAR 2009.

Sec. 7023. Short title.

This subtitle may be cited as the "Elimination of Subject-to-Appropriations Contingencies Amendment Act of 2008".

Sec. 7024. Section 1501 of the Assisted Living Residence Regulatory Act of 2000, effective June 24, 2000 (D.C. Law 13-127; D.C. Official Code § 44-114.01), is repealed.

Sec. 7025. Section 3(b) of the School Proximity Traffic Calming Act of 2000, effective May 23, 2000 (D.C. Law 13-111; 47 DCR 2206), is amended by striking the sentence "The appropriation is expected to be included in subsequent fiscal year budgets."

Sec. 7026. Section 7 of the Safe Needle Act of 2000, effective April 4, 2001 (D.C. Law 13-272; D.C. Official Code § 7-2856), is repealed.

Sec. 7027. Section 18 of the Emergency Medical Services Non-Resuscitation Procedures Act of 2000, effective April 3, 2001 (D.C. Law 13-224; D.C. Official Code § 7-651.17), is repealed.

Sec. 7028. Section 3 of the School Governance Charter Amendment Act of 2000, effective July 7, 2000 (D.C. Law 13-159; 47 DCR 2212), is repealed.

Sec. 7029. Section 3 of the Tax Expenditure Budget Review Act of 2000, effective October 4, 2000 (D.C. Law 13-161; 47 DCR 5805), is repealed.

Sec. 7030. Section 6 of the Newborn Hearing Screening Act of 2000, effective April 4, 2001 (D.C. Law 13-276; 48 DCR 1865), is amended by striking the sentence "This act is subject to the availability of appropriations."

Sec. 7031. Section 305 of the New E-Conomy Transformation Act of 2000, effective April 3, 2001 (D.C. Law 13-256; 48 DCR 730), is repealed.

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Sec. 7032. Section 5 of the Child and Family Services Agency Establishment Amendment Act of 2000, effective April 4, 2001 (D.C. Law 13-277; 48 DCR 2043), is repealed.

Sec. 7033. Section 3 of the Earned Income Tax Credit Act of 2001, effective September 6, 2001 (D.C. Law 14-22; D.C. Official Code § 47-1806.04, note), is repealed.

Sec. 7034. Section 3 of the Office of Employee Appeals Attorney Fees Clarification Amendment Act of 2002, effective June 28, 2002 (D.C. Law 14-166; D.C. Official Code § 1-606.08, note), is repealed.

Sec. 7035. Section 1103 of the Housing Act of 2002, effective April 19, 2002 (D.C. Law 14-114; 49 DCR 1468), is repealed.

Sec. 7036. Section 22 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.19), is repealed.

Sec. 7037. Section 5 of the Improved Child Abuse Investigations Amendment Act of 2002, effective October 19, 2002 (D.C. Law 14-206; 49 DCR 7815), is repealed.

Sec. 7038. Section 3 of the Child and Family Services Agency Licensure Exemption of Certain Court Personnel Amendment Act of 2001, effective March 19, 2002 (D.C. Law 14-94; D.C. Official Code § 4-1303.02a, note), is repealed.

Sec. 7039. Section 641 of the Omnibus Public Safety Agency Reform Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-194; 51 DCR 9406), is repealed.

Sec. 7040. Section 3 of the Police and Firemen's Service Longevity Amendment Act of 2004, effective March 30, 2004 (D.C. Law 15-125; 51 DCR 1545), is repealed.

Sec. 7041. Section 5 of the Crispus Attucks Development Corporation Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2004, effective April 22, 2004 (D.C. Law 15-142; D.C. Official Code § 47-1057, note), is repealed.

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Sec. 7042. Section 4 of the Southeast Neighborhood House Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2004, effective April 5, 2005 (D.C. Law 15-264; 52 DCR 241), is repealed.

Sec. 7043. Section 3 of the CareFirst Economic Assistance Act of 2004, effective April 5, 2005 (D.C. Law 15-265; 52 DCR 464), is repealed.

Sec. 7044. Section 2(a) of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071(a)), is amended by striking the phrase “act, subject to authorization by Congress in an appropriations act.” and inserting the phrase “act.” in its place.

Sec. 7045. Section 3 of the Long-Term Care Insurance Tax Deduction Act of 2004, effective April 12, 2005 (D.C. Law 15-330; D.C. Official Code § 47-1803.03, note), is repealed.

Sec. 7046. Section 14 of the Health Care Ombudsman Program Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-331; D.C. Official Code § 7-2071.13), is repealed.

Sec. 7047. Section 9 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1937), is repealed.

Sec. 7048. Section 1301(b) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1213.01(b)), is repealed.

Sec. 7049. Section 3 of the Equity in Real Property Tax Assessment Act of 2004, effective April 5, 2005 (D.C. Law 15-272; 52 DCR 823), is repealed.

Sec. 7050. Section 3 of the Sexual Minority Youth Assistance League Equitable Real Property Tax Relief Act of 2004, effective April 22, 2004 (D.C. Law 15-143; 51 DCR 2591), is repealed.

Sec. 7051. Section 4 of the Owner-Occupant Residential Tax Credit and Exemption Act of 2004, effective April 22, 2004 (D.C. Law 15-135; 51 DCR 1843), is repealed.

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Sec. 7052. Section 3 of the Public Charter School Real Property Tax Rebate Act of 2004, effective April 5, 2005 (D.C. Law 15-275; D.C. Official Code § 47-867, note), is repealed.

Sec. 7053. Section 3 of the American College of Cardiology and the American College of Cardiology Foundation Real Property Tax Exemption Act of 2004, effective September 8, 2004 (D.C. Law 15-186; D.C. Official Code § 47-1059, note), is repealed.

Sec. 7054. Section 4 of the Bread For The City Community Garden Equitable Real Property Tax Relief Act of 2004, effective April 5, 2005 (D.C. Law 15-283; 52 DCR 853), is repealed.

Sec. 7055. Section 603 of the Child and Youth, Safety and Health Omnibus Amendment Act of 2004, effective April 13, 2005 (D.C. Law 15-353; 52 DCR 2331), is repealed.

Sec. 7056. Section 4 of the Capitol Hill Community Garden Land Trust Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2004, effective April 5, 2005 (D.C. Law 15-284; D.C. Official Code § 47-1061, note), is repealed.

Sec. 7057. Section 3 of the Ceremonial Funds Amendment Act of 2004, effective March 17, 2005 (D.C. Law 15-258; 52 DCR 1176), is repealed.

Sec. 7058. Section 6018 of the Fiscal Year 2005 Budget Support Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2157), is repealed.

Sec. 7059. Section 3 of the Jenkins Row Economic Development Act of 2004, effective April 8, 2005 (D.C. Law 15-294; 52 DCR 1476), is repealed.

Sec. 7060. Section 4 of the Douglass Knoll, Golden Rule, 1728 W Street, and Wagner Gainesville Real Property Tax Exemption Act of 2004, effective April 12, 2005 (D.C. Law 15-336; 52 DCR 2036), is repealed.

Sec. 7061. Section 3 of the Tax Abatement Adjustment for Housing Priority Area Act of 2004, effective April 12, 2005 (D.C. Law 15-329; 52 DCR 1975), is repealed.

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Sec. 7062. Section 3 of the National Park Trust Equitable Real Property Tax Relief Act of 2004, effective April 12, 2005 (D.C. Law 15-338; 52 DCR 2281), is repealed.

Sec. 7063. Section 301 of the Enhanced Professional Security Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-187; 53 DCR 6722), is repealed.

Sec. 7064. Section 205(g)(2) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.05(g)(2)), is amended by striking the phrase "Subject to appropriation, the" and inserting the word "The" in its place.

Sec. 7065. Section 5 of the Abatement of Nuisance Construction Projects Amendment Act of 2005, effective October 18, 2005 (D.C. Law 16-24; 52 DCR 8080), is repealed.

Sec. 7066. Section 3 of the Health Care Benefits Expansion Amendment Act of 2006, effective April 4, 2006 (D.C. Law 16-82; D.C. Official Code § 32-706, note), is repealed.

Sec. 7067. Section 3 of the Stevie Sellows Intermediate Care Facility for the Mentally Retarded Quality Improvement Act of 2005, effective March 8, 2006 (D.C. Law 16-68; D.C. Official Code § 47-1270, note), is repealed.

Sec. 7068. The Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), is amended as follows:

(a) Section 1017 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "2005; provided, that the condition in subsection (b) of this section is met prior to September 30, 2006." and inserting the phrase "2005." in its place.

(2) Subsection (b) is repealed.

(b) Section 1082(d) (D.C. Official Code § 47-864(d)) is repealed.

(c) Section 1263 (D.C. Official Code § 47-812, note) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "2005; provided, that the condition in 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." and inserting the phrase "2005." in its place.

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(2) Subsections (b) and (c) are repealed.

(d) Section 1264 (D.C. Official Code § 47-812, note) is repealed.

(e) Section 1277 (D.C. Official Code § 47-820.01, note) is amended as follows:

(1) Subsection (a) is amending by striking the phrase "2005; provided, that the condition in 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." and inserting the phrase "2005." in its place.

(2) Subsection (b) is repealed.

(f) Section 1282 (D.C. Official Code § 47-813, note) is amended as follows:

(1) Subsection (a) is amending by striking the phrase "2005; provided, that the condition in 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." and inserting the phrase "2005." in its place.

(2) Subsection (b) is repealed.

(g) Section 1283 (D.C. Official Code § 47-813, note) is repealed.

(h) Section 1287 (D.C. Official Code § 47-864, note) is amended as follows:

(1) Subsection (a) is amending by striking the phrase "2005; provided, that the condition in 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." and inserting the phrase "2005." in its place.

(2) Subsection (b) is repealed.

(i) Section 1288 (D.C. Official Code § 47-864, note) is repealed.

(j) Section 1292(b) (D.C. Official Code § 47-1803.02, note) is repealed.

(k) Section 1293 (D.C. Official Code § 47-1803.02, note) is repealed.

(l) Section 1298 (D.C. Official Code § 47-850, note) is amended as follows:

(1) Subsection (a) is amending by striking the phrase "2005; provided, that condition in 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." and inserting the phrase "2005." in its place.

(2) Subsection (b) is repealed.

(m) Section 1299 (D.C. Official Code § 47-850, note) is repealed.

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Sec. 7069. Section 3 of the District Government Injured Employee Protection Act of 2006, effective March 8, 2007 (D.C. Law 16-231; 54 DCR 365), is repealed.

Sec. 7070. Section 601 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; 54 DCR 794), is repealed.

Sec. 7071. Section 4 of the Targeted Historic Preservation Assistance Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-189; D.C. Official Code § 6-1110.02, note), is repealed.

Sec. 7072. Section 4 of the National Community Reinvestment Coalition Real Property Tax Exemption Act of 2005, effective March 8, 2006 (D.C. Law 16-60; 53 DCR 19), is repealed.

Sec. 7073. Section 18 of the District of Columbia Health Professional Recruitment Program Act of 2005, effective March 8, 2006 (D.C. Law 16-71; D.C. Official Code § 7-751.17), is repealed.

Sec. 7074. Section 7 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1396), is repealed.

Sec. 7075. Section 15 of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01, note), is repealed.

Sec. 7076. Section 4(1) of the New Columbia Community Land Trust 20th and Channing Streets, N.E. Tax Exemption Act of 2006, effective June 16, 2006 (D.C. Law 16-131; D.C. Official Code § 47-1072, note), is repealed.

Sec. 7077. Section 4 of the Square 2910 Residential Development Stimulus Act of 2006, effective March 6, 2007 (D.C. Law 16-226; 54 DCR 10238), is repealed.

Sec. 7078. Section 10 of the District of Columbia Poverty Lawyer Loan Assistance Repayment Program Act of 2006, effective March 2, 2007 (D.C. Law 16-203; D.C. Official Code § 1-308.29), is repealed.

Sec. 7079. Section 1043 of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 54 DCR 6899), is repealed.

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Sec. 7080. Section 3 of the Organ and Bone Marrow Donor Act of 2006, effective March 6, 2007 (D.C. Law 16-211; D.C. Official Code § 47-1807.08, note), is repealed.

Sec. 7081. Section 3(b) and (c) of the Washington Stage Guild Tax Exemption Act of 2006, effective September 26, 2006 (D.C. Law 16-172; D.C. Official Code § 47-1074, note), are repealed.

Sec. 7082. Section 302 of the Inclusionary Zoning Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; 54 DCR 880), is repealed.

Sec. 7083. Section 10 of the Disability Rights Protection Act of 2006, effective March 8, 2007 (D.C. Law 16-239; D.C. Official Code § 2-1431.01, note), is repealed.

Sec. 7084. Section 5 of the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301, note), is repealed.

Sec. 7085. Section 4 of the Film DC Economic Incentive Act of 2006, effective March 14, 2007 (D.C. Law 16-290; D.C. Official Code § 39-501, note), is repealed.

Sec. 7086. Section 3(c) of the Domestic Partnerships Joint Filing Act of 2006, effective March 14, 2007 (D.C. Law 16-292; 54 DCR 1080), is repealed.

Sec. 7087. Section 3 of the Mayor and Council Compensation Adjustment and Compensation Advisory Commission Establishment Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-295; D.C. Official Code § 1-611.51, note), is repealed.

Sec. 7088. Section 305 of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; 54 DCR 4099), is repealed.

Sec. 7089. Section 7 of the Human Papillomavirus Vaccination and Reporting Act of 2007, effective July 12, 2007 (D.C. Law 17-10; 54 DCR 5146), is repealed.

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Sec. 7090. Section 13 of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01, note), is repealed.

Sec. 7091. Section 11 of the Bicycle Commuter and Parking Expansion Act of 2007, effective February 2, 2008 (D.C. Law 17-103; 55 DCR 12213), is repealed.

Sec. 7092. Section 4 of the Payday Loan Consumer Protection Amendment Act of 2007, effective November 24, 2007 (D.C. Law 17-42; D.C. Official Code § 28-3301, note), is repealed.

Sec. 7093. Section 11 of the Motor Vehicle Theft Prevention Act of 2008, returned unsigned by the Mayor on May 23, 2008 (D.C. Act 17-394; 55 DCR ___), is repealed.

Sec. 7094. Section 301 of the Jobs for D.C. Residents Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108; D.C. Official Code § 1-515.01, note), is repealed.

Sec. 7095. Section 18 of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01, note), is repealed.

Sec. 7096. Section 3 of the College Savings Program Increased Tax Benefit Act of 2008, effective May 13, 2008 (D.C. Law 17-153; 55 DCR 3460), is repealed.

Sec. 7097. Section 703(b) of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; 55 DCR 1689), is repealed.

Sec. 7098. Section 3 of the Constitution Square Economic Development Act of 2008, effective March 20, 2008 (D.C. Law 17-126; 55 DCR 1520), is repealed.

Sec. 7099. Section 301 of the Disposition and Redevelopment of Lot 854 in Square 441 Approval Act of 2008, effective March 26, 2008 (D.C. Law 17-132; 55 DCR 1668), is repealed.

Sec. 7100. Section 6 of the Compliance Unit Establishment Act of 2008, signed by the Mayor on April 22, 2008 (D.C. Act 17-360; 55 DCR 5390), is repealed.

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Sec. 7101. Section 701 of the Pre-k Enhancement and Expansion Amendment Act of 2008, signed by the Mayor on May 23, 2008 (D.C. Act 17-399; 55 DCR ___), is repealed.

Sec. 7102. Section 4 of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is repealed.

Sec. 7103. Section 3(b) of the Council Office of Tax and Revenue Investigation Special Committee Establishment Emergency Resolution of 2007, effective November 20, 2007 (Res. 17-440; 54 DCR 11473), is amended by striking the phrase "Subject to the availability of funds, the" and inserting the word "The" in its place.

SUBTITLE K. STATEHOOD DELEGATION TAX CHECK-OFF.

Sec. 7104. Short title.

This subtitle may be cited as the "District of Columbia Statehood Delegation Fund Tax Check-off Act of 2008".

Sec. 7105. Section 47-1812.11c of the District of Columbia Official Code is amended as follows:

(a) Subsection (b) is amended by striking the phrase "The funds" and inserting the phrase "Except as provided in subsection (b-1) of this section, the funds" in its place.

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

"(b-1)(1) Until the District of Columbia Statehood Delegation Fund Commission, established by section 12 of the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 16, 2005 (D.C. Law 15-226; D.C. Official Code § 1-129.02) ("1979 Initiative"), convenes, the funds generated by the tax check-off shall be deposited in equal amounts in the District of Columbia statehood funds established pursuant to section 4(g) of the 1979 Initiative (D.C. Official Code § 1-123(g)).

"(2) Semiannually, each Representative and Senator shall submit to the Mayor, the Chairman of the Council, and the Chairman of the District of Columbia Board of Election and Ethics an accounting of the expenditures made with the tax check-off funds."

SUBTITLE L. DECOUPLING FROM ACCELERATED DEPRECIATION AND EXPENSING.

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Sec. 7106. Short title

This subtitle may be cited as the "Decoupling from Accelerated Depreciation and Expensing Act of 2008".

Sec. 7107. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1803.03 is amended as follows:

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

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

"(7) *Depreciation.* -- A reasonable allowance for exhaustion, wear, and tear of property used in the trade or business, including a reasonable allowance for obsolescence; and including in the case of natural resources, allowances for depletion as permitted by reasonable rules which the Mayor may promulgate. No deduction shall be allowed for the special depreciation allowance under section 168(k) of the Internal Revenue Code of 1986. The basis upon which such allowances are to be computed shall be the basis provided for in § 47-1811.04."

(B) Paragraph (18) is amended to read as follows:

"(18) *Election to expense certain depreciable business assets.*

"(A) There shall be allowed as a deduction for the cost of property elected to be treated as not chargeable to capital account under section 179 of the Internal Revenue Code of 1986 an amount equal to the lesser of \$25,000 (or \$40,000 in the case of a Qualified High Technology Company ("QHTC")) or the actual cost of the property for the year the property is placed in service.

"(B) If a QHTC is a tenant, the cost of any real property and leasehold improvements incurred by the QHTC shall be treated as costs within the meaning of subparagraph (A) of this paragraph regardless of whether or not such improvements become an integral part of the realty, which improvements shall include improvements described in subsections 702.3, 702.4, and 702.5 of Title 9 of the District of Columbia Municipal Regulations."

(2) Subsection (b)(6) is repealed.

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

"(b-3) *Depreciation.*--

"(1) Notwithstanding the provisions of subsection (b) of this section, there shall be allowed as a deduction a reasonable allowance for exhaustion, wear, and tear of property used in the trade or business, including a reasonable allowance for obsolescence; and including in the case of natural resources, allowances for depletion as permitted by reasonable rules which the Mayor may promulgate. The basis upon which such allowances are to be computed is the basis provided for in § 47-1811.04.

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“(2) Notwithstanding the provisions of paragraph (1) of this subsection:

“(A) No deduction shall be allowed for the special depreciation allowance under section 168(k) of the Internal Revenue Code of 1986.

“(B) There shall be allowed as a deduction for the cost of property elected to be treated as not chargeable to capital account under section 179 of the Internal Revenue Code of 1986 an amount of equal to the lesser of \$25,000 (or \$40,000 in the case of a Qualified High Technology Company) or the actual cost of the property for the year the property is placed in service.”.

(b) Section 47-1811.04 is amended to read as follows:

“§ 47-1811.04. Bases - Determination of depreciation deduction.

“The basis used in determining the amount allowable as a deduction from gross income under the provisions of § 47-1803.03(a)(7) and (b-3) shall be the same basis as that provided for determining the gain from the sale or other disposition of property for federal income tax purposes under the Internal Revenue Code of 1986; provided, that no adjustment shall be made for:

“(1) The amount of the special depreciation allowance under section 168(k) of the Internal Revenue Code of 1986; and

“(2) The amount of the cost of property elected to be treated as chargeable to capital account under section 179 of the Internal Revenue Code of 1986 in excess of the lesser of \$25,000 (\$40,000 in the case of a Qualified High Technology Company) or the actual cost of such property.”.

Sec. 7108. Applicability.

This subtitle shall apply for taxable years beginning after December 31, 2007.

SUBTITLE M. ECONOMIC INTERESTS TAX.

Sec. 7109. Short title.

This subtitle may be cited as the "Economic Interests Tax Amendment Act of 2008".

Sec. 7110. Section 303(a)(2) of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 12; D.C. Official Code § 42-1103(a)(2)), is amended by striking the phrase “rate of 2.2%” and inserting the phrase “rate of 2.9%” in its place.

Sec. 7111. Applicability.

This subtitle shall apply as of October 1, 2008.

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SUBTITLE N. DECOUPLING FROM DEDUCTION FOR DOMESTIC PRODUCTION ACTIVITIES.

Sec. 7112. Short title.

This subtitle may be cited as the "Decoupling From Domestic Production Activities Act of 2008".

Sec. 7113. Section 47-1803.03 of the District of Columbia Code is amended as follows:

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

"(a-1) *Deduction for domestic production activities disallowed.* -- In computing net income of corporations, financial institutions, unincorporated businesses, and partnerships, no deduction from gross income shall be allowed for the amount attributable to domestic production activities under section 199 of the Internal Revenue Code of 1986."

(b) Subsection (b) is amended by adding a new paragraph (8) to read as follows:

"(8) The amount attributable to domestic production activities under section 199 of the Internal Revenue Code of 1986."

Sec. 7114. Applicability.

This subtitle shall apply for taxable years beginning after December 31, 2008.

SUBTITLE O. FISCAL YEAR 2010 SEGREGATED, NONLAPSING FUND.

Sec. 7115. Short title.

This subtitle may be cited as the "Fiscal Year 2010 Segregated, Nonlapsing Fund Act of 2008".

Sec. 7116. Pursuant to section 821 of the Financial Services and General Government Appropriations Act, 2008, approved December 26, 2007 (Pub. L. No. 110-161; 121 Stat. 1844) ("Appropriations Act, 2008"), the Council approves an increase in appropriations in an amount of \$22,740,000 in nonrecurring local funds to be made available from the 2008 operating cash reserve fund, in accordance with section 202(j)(3)(B) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 109; D.C. Official Code § 47-392.02(j)(3)(B)). \$22,740,000 in local funds shall be placed in a segregated, non-lapsing fund by the Chief Financial Officer. All funds deposited into the fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal

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year, or at any other time, subject to authorization by Congress. No funds shall be transferred from the fund until October 1, 2009, at which time, the funds may be used without restriction.

SUBTITLE P. ARTHUR CAPPER/CARROLLSBURG PUBLIC IMPROVEMENT CLARIFICATION.

Sec. 7117. Short title.

This subtitle may be cited as the "Arthur Capper/Carrollsborg Public Improvement Clarification Amendment Act of 2008".

Sec. 7118. Section 202(a)(1)(B) of the PILOT Authorization Increase and Arthur Capper/Carrollsborg Public Improvement Revenue Bonds Approval Act of 2006, effective March 8, 2007 (D.C. Law 16-244; 54 DCR 609), is amended by striking the phrase "\$11 million" and inserting the phrase "\$44 million" in its place.

TITLE VIII. DESIGNATED APPROPRIATION ALLOCATIONS

Sec. 8001. Short title.

This title may be cited as the "Designated Appropriation Allocations Act of 2008".

Sec. 8002. One-time nonrecurring grant allocations.

(a) Of the local funds included in the fiscal year 2009 budget of the Alcoholic Beverage Regulation Administration, \$100,000 in one-time, nonrecurring grants to the Mount Pleasant Main Street for street cleanup ("Green Team") and business development in the Mount Pleasant neighborhood.

(b) Of the local funds included in the fiscal year 2009 budget of the Commission on the Arts and Humanities, \$5,750,000 in one-time, nonrecurring grants to be distributed as follows:

- (1) An amount of \$250,000 to Capitol Fringe Festival for operational support;
- (2) An amount of \$300,000 to City Dance for a capital project to build out new studio and black box dance theater space at 14th and T Streets, N.W.;
- (3) An amount of \$200,000 to the Cultural Development Corporation for Source Theater operational efforts;
- (4) An amount of \$300,000 to the Dance Institute of Washington to enhance its ongoing programs in FY 2009;
- (5) An amount of \$150,000 to the D.C. Caribbean Carnival to assist in addressing the cost for the security and crowd-control services;

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- (6) An amount of \$100,000 to D.C. Youth Orchestra for outreach and recruitment efforts for youth in Wards 6, 7, and 8;
- (7) An amount of \$500,000 to the Duke Ellington Jazz Festival for operational support;
- (8) An amount of \$200,000 to the East of the Anacostia Performing Arts State Center for a Performing Arts Center to be built east of the Anacostia River;
- (9) An amount of \$200,000 to Fiesta D.C., of which \$100,000 shall be used for the annual Latino Festival;
- (10) An amount of \$118,000 to the GALA Hispanic Theater for the restoration of the central ceiling dome;
- (11) An amount of \$332,000 to the Horning Brothers for the restoration of the Battisi murals at the Tivoli Theatre;
- (12) An amount of \$300,000 to the Humanities Council for operational support;
- (13) An amount of \$200,000 to Melvin Deal for program funding impacting at-risk youth through the arts and education;
- (14) An amount of \$50,000 to the National Conservancy of Dramatic Arts for operational and capacity building support for the conservancy's upcoming capital fundraising campaign;
- (15) An amount of \$50,000 to the Northeast Performing Arts Group for dance and theatre production training;
- (16) An amount of \$300,000 to the Thelonius Monk Jazz Institute to provide support for television programming related to music, arts, and poetry for residents living in the District of Columbia;
- (17) An amount of \$200,000 to the U Street Theatre Foundation for grants to support nonprofit organizations and performance-based activities, including developing performing arts groups and school cultural-enrichment activities;
- (18) An amount of \$100,000 to the Ward 7 Arts Collaborative for organizing, developing, and promoting art east of the river;
- (19) An amount of \$1 million to the Washington Ballet for capital fund for their new building;
- (20) An amount of \$500,000 to the Washington National Opera for maintaining and expanding their current education programs in the District of Columbia Public Schools and District of Columbia Public Libraries in all of the District's 8 wards; and
- (21) An amount of \$400,000 to the Washington, D.C. International Film Festival.

(c)(1) Of the local funds included in the fiscal year 2009 budget of the Children and Youth Investment Trust Fund, \$8,860,000 in a one-time, nonrecurring grant shall

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be granted to the Children and Youth Investment Trust Corporation to be distributed as follows:

(A) An amount of \$200,000 to the Alliance of Concerned Men for community services to families and at-risk children;

(B) An amount of \$100,000 to the Anacostia Community Outreach Center/Woodland Tigers Youth Sports for Woodland Tigers Youth Sports and Education program;

(C) An amount of \$25,000 to Because We Care Health Training for funding to enroll 600 youth in full, preventative health programs;

(D) An amount of \$50,000 to Behavior Environmental Academic Program for a program that will serve 30 children from age 11-13 by providing a 6-week summer program to engage them in "Rediscovering the Anacostia River";

(E) An amount of \$50,000 to the Calvin Woodland, Sr. Foundation to initiate community service and outreach that removes the barriers that negatively impact the lives of low-income residents in Ward 8;

(F) An amount of \$200,000 to Cease Fire. . . Don't Smoke the Brothers for stopping gang violence with a special concentration in preventing "beefs" or disputes among troubled youth;

(G) An amount of \$50,000 to the Children's Defense Fund for 2009 Freedom Schools summer program at the Southeast Tennis and Learning Center;

(H) An amount of \$100,000 to CHOICE, Inc. for the Academic Support Program, the Continuing Education Program, and wrap-around services for court-ordered youth and parents;

(I) An amount of \$1 million to Columbia Heights/Shaw Family Support Collaborative, of which \$120,000 is for Bruce-Monroe Initiative, \$50,000 for Mentoring Works 2 Program, and \$600,000 for gang prevention and intervention grants;

(J) An amount of \$100,000 to the Columbia Heights Youth Club to support its efforts of enhancing the quality of life for young people by providing educational, recreational, and personal growth activities for over 200 young people annually;

(K) An amount of \$100,000 to the Concerned Citizens on Alcohol and Drug Abuse, Inc. to expand the women's center, the only certified day treatment program in the District of Columbia that provides services that target substance-abusing women with dependent children;

(L) An amount of \$250,000 to the D.C. Campaign to Prevent Teen Pregnancy for operational support for teen pregnancy reduction efforts;

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(M) An amount of \$200,000 to the D.C. Special Olympics for support for athletic and recreational services for people with intellectual disabilities;

(N) An amount of \$100,000 to D.C. VOICE for the continuation of independent research on critical issues related to District of Columbia Public Schools, researching school closings, youth development, and special education;

(O) An amount of \$250,000 to Dress for Success for operational support for efforts to help homeless and other women enter the workforce;

(P) An amount of \$500,000 to the Earth Conservation Corps for operational support for programs pairing at-risk youth, particularly east of the river, with Anacostia River clean-up and environmental advocacy efforts;

(Q) An amount of \$250,000 to the East of the River Family Strengthening Collaborative for expanding services of a full-service, nonprofit social services agency;

(R) An amount of \$300,000 to Everybody Wins! for support for after-school academic services for children;

(S) An amount of \$250,000 to the Fort Dupont Ice Arena for expansion of services to the community;

(T) An amount of \$10,000 to the Friends of Hillcrest Recreation Center to support programming and services for Hillcrest Recreation Center;

(U) An amount of \$50,000 to the Friends of Kennedy Playground for a capitol project to include a water play area at the park, and support for additional programming;

(V) An amount of \$100,000 to Girls, Inc. for operational support;

(W) An amount of \$50,000 to the High Tea Society for Cotillion and etiquette presentation for young women;

(X) An amount of \$75,000 to the Higher Achievement Program for expanded-hours learning program within District of Columbia Public Schools;

(Y) An amount of \$500,000 to the Hoop Dreams Scholarship Fund for a scholarship and mentoring program for District students;

(Z) An amount of \$50,000 to Inner Thoughts, Inc. to assist District of Columbia residents in identifying academic and economic resources and to support local access to programs and services that are essential to a self-sufficient community;

(AA) An amount of \$50,000 to the Institute for the Prevention and Eradication of Violence for wrap-around services, parental education, individual

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therapy, substance-abuse therapy, anger management, and adolescent decision-making skills;

(BB) An amount of \$50,000 to the Jobs Coalition to strengthen the apprenticeship, training, and job placement programs by broadening the scope to reach the young, underserved, unemployed, and returning ex-offenders;

(CC) An amount of \$200,000 to the Kids Set Sail Program of the National Maritime Heritage Foundation to provide scholarships for District of Columbia youth and support for their participants;

(DD) An amount of \$200,000 to the Life Pieces to Masterpieces to support an enrichment program for boys ages 12 to 21;

(EE) An amount of \$100,000 to Lower Georgia Avenue Job Training Center at 633 Park Road, N.W., to assist its ongoing mission to provide job training, skill building, and employment services to District residents, including ex-offenders;

(FF) An amount of \$25,000 to My Buddy Notes for weekly news and events publication East of the River;

(GG) An amount of \$300,000 to the National Association of Former Foster Care Children of America, Inc. for one year's funding for its Metropolitan Fitness and Safety Academy, a fitness and boxing training, mentoring, life skills, career development, case management, and counseling services program;

(HH) An amount of \$200,000 to the Parklands Community Center for data/computer training and job placement as well as supportive services for low-income and homeless families;

(II) An amount of \$1 million to Peaceoholics for gang intervention and support for at-risk youth;

(JJ) An amount of \$100,000 to Positive Choices for operational support for programs helping at-risk youth;

(KK) An amount of \$200,000 to PROUrban Youth to support the expansion of PROUrban Youth from a 6-week program, as proposed by the Mayor, to a 10-week program;

(LL) An amount of \$100,000 to ROOT, Inc. for community service/outreach to curb youth violence;

(MM) An amount of \$500,000 to Sasha Bruce Youthwork, Inc. to build upon 2 sites now in Ward 8, Youthbuild and the Kindred Connections Family Support Center, add a drop-in, after-school program with outreach and mentoring, and to strengthen the Project Safe Place Program;

(NN) An amount of \$65,000 to Set Point, Inc. for tennis and life skills training;

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(OO) An amount of \$60,000 to the Ward 7 Education Initiative for educational support for parents, students, and teachers;

(PP) An amount of \$100,000 to the Ward 7 Nonprofit Consortium for capacity building for all Ward 7 nonprofits;

(QQ) An amount of \$100,000 to the Ward 8 Tennis & Education Council for tennis and life-skills training;

(RR) An amount of \$75,000 to the Ward 8 Workforce Development Council for outreach efforts to connect residents directly to employment and training opportunities;

(SS) An amount of \$75,000 to the Ward 8 Youth Leadership Council, Inc. for a program designed to provide Ward 8 youth with leadership and public-speaking skills and to encourage civic involvement;

(TT) An amount of \$50,000 to the Washington East Foundation for development projects community benefits management and support; and

(UU) An amount of \$400,000 to the Washington East of the River Academy/Youth on the Rise for after-school programs and the District of Columbia Passport to Work Summer Job Program.

(2) Of the funds awarded as grants in this subsection, the Children and Youth Investment Trust Corporation is authorized to utilize up to 2% of the total amount of the grant award on administrative costs.

(d) Of the local funds included in the fiscal year 2009 budget of the District Department of Transportation, \$18,000 in one-time, nonrecurring grants to the Washington Area Bicyclist Association to develop and implement public service announcements to promote awareness of pedestrians and cyclists.

(e) Of the local funds included in the fiscal year 2009 budget of the Department of Housing and Community Development, \$700,000 in one-time, nonrecurring grants to AEDC for Knox Hill Village Punch List Repairs.

(f) Of the local funds included in the fiscal year 2009 budget of the Department of Human Services, \$750,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$100,000 to Asian American Leadership Empowerment and Development for Youth and Families for operational support;

(2) An amount of \$100,000 to the Community Council for the Homeless at Friendship Place to continue with its mission to help District residents who are, or have been, homeless;

(3) An amount of \$250,000 to D.C. Central Kitchen for operational support;

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(4) An amount of \$100,000 to the Dinner Program for Homeless Women for facility improvements;

(5) An amount of \$100,000 to Neighbors' Consejo for bilingual outreach efforts to homeless and at-risk people;

(6) An amount of \$50,000 to Perry School "Home Instruction for Parents of Preschool Youngsters" program; and

(7) An amount of \$50,000 to Youth Development Program at Mount Airy Baptist Church for reducing youth violence.

(g) Of the local funds included in the fiscal year 2009 budget of the Department of Mental Health for the Community Contract Providers program, \$200,000 in one-time, nonrecurring grants to be distributed to the District of Columbia Birth Center, Inc., to support parental education and postpartum counseling, subject to terms and conditions approved by the Department of Mental Health.

(h) Of the local funds included in the fiscal year 2009 budget of the Office of the Deputy Mayor for Planning and Economic Development, \$24,739,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$500,000 to the Access Housing Incorporated, D.C. to operate veterans housing;

(2) An amount of \$100,000 to the Adams Morgan Main Street Group, Inc. toward the costs for preservation and restoration of the historic elements on the Avalon building's facade and exterior;

(3) An amount of \$100,000 to the Avalon Theatre to assist in repairing a community-based theatre in the Chevy Chase neighborhood;

(4) An amount of \$100,000 to Byte Back to fund the second year of the Office Track Program, providing low-income residents with high-quality computer and technology training;

(5) An amount of \$40,000 to Camp Imagine for support of District of Columbia youth involvement;

(6) An amount of \$150,000 to the Capital Area Asset Builders for the Earned Income Tax Credit outreach campaign;

(7) An amount of \$25,000 to the Capitol Hill Community Foundation to support the development and expansion of community gardens;

(8) An amount of \$30,000 to CHAMPS for operational support;

(9) An amount of \$100,000 to the Chinatown Cultural Center to support the center that seeks to preserve and promote Chinatown and celebrate Chinese culture, history, language, and heritage;

(10) An amount of \$150,000 to Cool Capital Challenge to help develop a voluntary carbon-dioxide emission-reduction program;

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(11) An amount of \$600,000 to Cultural Tourism D.C., of which \$100,000 shall be used for expanding the Anacostia Initiative, which will focus on education and leadership for Wards 7 and 8 youth, and build upon the African American Heritage Trail;

(12) An amount of \$1 million to the D.C. Economic Partnership; provided, that one member of the board is appointed by the Chairman of the Council of the District of Columbia;

(13) An amount of \$500,000 to D.C. Vote for operational support;

(14) An amount of 100,000 to the Ethiopia Community Service & Development Council (who were displaced in the 5-alarm fire in Mount Pleasant Deauville Apartment Building);

(15) An amount of \$200,000 to Field of Dreams for operational support;

(16) An amount of \$10 million to Ford's Theatre Society for a capital project for the Center for Education and Leadership, a District-based nonprofit organization. Funds will be used to support the center's facility and programs to reach District residents and students through collaborations with District of Columbia public schools and libraries, THEARC, and other District stakeholders to educate about the District's unique role in Civil War history, District of Columbia Emancipation, and other topics;

(17) An amount of \$50,000 to the Friends of Book Hill Park for a capital project to address various site issues, including irrigation system and maintenance for the park;

(18) An amount of \$100,000 to the Greater Washington Fashion Chamber of Commerce for youth fashion vocational program and entrepreneurial fashion incubator;

(19) An amount of \$500,000 to the Greater Washington Sports Alliance for operational support, specifically for efforts to attract sporting events to the District;

(20) An amount of \$400,000 to the Greater Washington Urban League, Inc. for operational support;

(21) An amount of \$250,000 to GreenSPACE for development of green collar jobs;

(22) An amount of \$600,000 to the Historical Society of Washington for support for services that preserve and commemorate the history of the District of Columbia;

(23) An amount of \$232,000 to Keely's Boxing and Youth Center for boxing and recreational services;

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- (24) An amount of \$1 million to the Lincoln Theatre for operating and capital expenses, including structural upgrades, among other purposes;
- (25) An amount of \$250,000 to the Marshall Heights Community Development Organization, a full-service, nonprofit development and social services agency;
- (26) An amount of \$300,000 to the National Building Museum for operational support;
- (27) An amount of \$200,000 to the National Cherry Blossom Festival for operational support;
- (28) An amount of \$100,000 to the National Foundation for Teaching Entrepreneurship-Greater Washington for operational support;
- (29) An amount of \$150,000 to Neighbors United for operational support;
- (30) An amount of \$2 million to OIC/D.C. for employment and training services for residents of all ages in Ward 8;
- (31) An amount of \$50,000 to Safe, Inc. to provide support to Safe, Inc. as it works to help domestic violence victims in need;
- (32) An amount of \$1.5 million to Southeastern University to support the second- phase renovation of the university's campus and operating expenses tied to the university's accreditation process;
- (33) An amount of \$22,000 to Sports 4 Kids to provide after-school programs for the youth of Ward 7 and Anne Beers Elementary School;
- (34) An amount of \$100,000 to St. Phillip Episcopal Church for the revitalization and renovation of Logan Park, located on 14th Street, S.E., between U and V Streets;
- (35) An amount of \$100,000 to Takoma Theatre for a market analysis and planning study;
- (36) An amount of \$2 million to THEARC;
- (37) An amount of \$100,000 to Training Grounds to provide green jobs training for over 100 youth to be prepared to enter the green workforce;
- (38) An amount of \$100,000 to the University of the District of Columbia Fashion Merchandising Program to support the program;
- (39) An amount of \$100,000 to the Vietnamese-American Community Service Center to enhance services to the community;
- (40) An amount of \$100,000 to the Ward 7 Business and Professional Association for capacity-building and resources for Ward 7 businesses;
- (41) An amount of \$75,000 to the Ward 8 Clean and Green, Inc. for neighborhood clean-ups and educating the community on conservation and environmental issues;

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(42) An amount of \$75,000 to the Ward 8 Education Council to address the lack of parent involvement in their children's education by holding them accountable, creating public dialogue, and providing advocacy for them;

(43) An amount of \$200,000 to the Washington Area Women in Trades to fund pre-vocational, pre-apprenticeship training aimed at helping place low-income women in high-paying jobs;

(44) An amount of \$340,000 to the Washington Parks and People, of which \$200,000 is for the Howard University archeological team and \$140,000 is for the Washington Parks and People to reclaim 4 parcels of vacant properties in North Columbia Heights; and

(45) An amount of 50,000 to Young's Memorial Church to support District of Columbia social programs.

(i) Of the local funds included in the fiscal year 2009 budget of the Department of Health, \$5,025,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$500,000 from within the Community Health Administration shall be granted to the Capital Breast Care Center to raise breast cancer awareness and to provide screening and follow-up services for women, subject to terms and conditions approved by the Department of Health;

(2) An amount of \$100,000 to the Addiction Prevention and Recovery Administration shall be granted to the Crystal Meth Working Group for expanded substance- abuse prevention programs, subject to terms and conditions approved by the Department of Health;

(3) An amount of \$50,000 from within the Community Health Administration shall be granted to the D.C. Area Health Education Center for health navigation services to reduce avoidable hospitalizations, subject to terms and conditions approved by the Department of Health;

(4) An amount of \$100,000 from within the Community Health Administration shall be granted to the D.C. Assembly on School Health Care to provide operational and infrastructure support for school health policies and programs for the District, subject to terms and conditions approved by the Department of Health;

(5) An amount of \$75,000 from within the Health Emergency Preparedness and Response Administration shall be granted to the District of Columbia Hospital Association for terrorism response planning coordination services, subject to terms and conditions approved by the Department of Health;

(6) An amount of \$1.5 million from within the Community Health Administration shall be granted to the District of Columbia Primary Care Association for operational expenses for the Medical Homes DC project, subject to terms and conditions approved by the Department of Health;

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(7) An amount of \$200,000 from within the Community Health Administration shall be granted to the District of Columbia Birth Center, Inc., to provide maternal and child support, subject to terms and conditions approved by the Department of Health;

(8) An amount of \$300,000 from within the Community Health Administration shall be granted to Food and Friends for clinical nutritional support to adults and children with cancer and other life-threatening illnesses, subject to terms and conditions approved by the Department of Health;

(9) An amount of \$300,000 from within the HIV/AIDS Administration shall be granted to Food and Friends for clinical nutritional support to adults and children with HIV/AIDS, subject to terms and conditions approved by the Department of Health;

(10) An amount of \$200,000 from within the Community Health Administration shall be granted to Food and Friends to provide operational support for clinical nutrition services, subject to terms and conditions approved by the Department of Health;

(11) An amount of \$500,000 from within the Community Health Administration shall be granted to Mary's Center to support the Healthy Start Health Family home visitation program, subject to terms and conditions approved by the Department of Health; provided, that these funds shall be in addition to any other funds dedicated to this program;

(12) An amount of \$250,000 from within the Community Health Administration shall be granted to the National Capital Poison Center to provide operational support for poison-control activities, subject to terms and conditions approved by the Department of Health;

(13) An amount of \$100,000 from within the Addiction Prevention and Recovery Administration shall be granted to the Reeves Recovery Group to support substance-abuse recovery services, subject to terms and conditions approved by the Department of Health;

(14) An amount of \$50,000 to SOME, Inc., to increase access to nutritious food of underserved District residents, subject to terms and conditions approved by the Department of Health;

(15) An amount of \$500,000 from within the Community Health Administration shall be granted to Southeastern University to support allied health-training programs, subject to terms and conditions approved by the Department of Health;

(16) An amount of \$150,000 from within the HIV/AIDS Administration shall be granted to Transgender Health Empowerment, Inc., for

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HIV/AIDS primary care and prevention programs that target the transgender population, subject to terms and conditions approved by the Department of Health;

(17) An amount of \$75,000 from within the Addiction Prevention and Recovery Administration shall be granted to Ward 8 Clean and Sober, Inc. to support substance-abuse recovery services, subject to terms and conditions approved by the Department of Health; and

(18) An amount of \$75,000 from within the Community Health Administration shall be granted to the Ward 8 Health Council to support chronic-disease prevention and outreach services, subject to terms and conditions approved by the Department of Health.

(j) Of the local funds included in the fiscal year 2009 budget of the Department of Parks and Recreation, \$600,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$500,000 to the Boys and Girls Club of Greater Washington to supplement night and weekend recreation programs for the targeted youth at the FBR site; and

(2) An amount of \$100,000 to UNIFEST for a cultural festival and parade.

(k) Of the local funds included in the fiscal year 2009 budget of the Department of Small and Local Business Development, \$130,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$30,000 to the Old Takoma Park Business Association to provide matching funds to assist in the support of local businesses in the Takoma Park area, facade improvements, or business loans; and

(2) An amount of \$100,000 to the Ward 8 Business Council, which supports and monitors local and small businesses located in Ward 8.

(l) Of the local funds included in the fiscal year 2009 budget of the Justice Grants Administration, \$850,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$325,000 to the Boys and Girls Club of Greater Washington to fund after-school programs for children and youth;

(2) An amount of \$400,000 to the Time Dollar Youth Court Diversion Program to fund a diversion program for first-time, nonviolent youth offenders by providing alternative sentencing that involves them in activities that help other youth and the community; and

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(3) An amount of \$125,000 to the Visitor's Services Center so that the organization can continue providing immediate, practical assistance to inmates of the D.C. Jail and their families.

(m) Of the local funds included in the fiscal year 2009 budget of the Metropolitan Police Department, \$200,000 in one-time, nonrecurring grants to Camp Ernest W. Brown operated jointly by the Boys and Girls Club of Greater Washington and the Metropolitan Police Department, to send District's youth to camp.

Sec. 8003. Grant allocations requirements.

(a) To receive a grant pursuant to section 8002, each named grantee shall be required to submit the following not later than August 1, 2008:

(1) Articles of Incorporation;

(2) Internal Revenue Service certification that the organization is tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3));

(3) Financial Audit for the organization's most recently completed fiscal year;

(4) Internal Revenue Service Form 990 covering the organization's most recently completed fiscal year;

(5) Evidence that the organization is current on District and federal taxes; and

(6) A detailed program statement containing the following information:

(A) Detailed scope of work;

(B) A detailed budget setting forth how the funds provided in this grant shall be spent;

(C) Statement certifying that the organization focuses primarily on services to District of Columbia residents and will serve only District of Columbia residents with this grant; and

(D) A formal certification from the proposed grantee that the District government shall have access to its financial, administrative, and operational records, including specific consent for the District of Columbia Auditor to access its books, accounts, records, findings, and documents related to this grant.

(b) Grantees shall be notified that the District of Columbia Auditor will randomly audit grant recipients. The District of Columbia Auditor's report shall be issued not later than January 1st of the fiscal year immediately following the year for which the grant was awarded.

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Sec. 8004. Other designated appropriations.

(a) Of the gross funds included in the fiscal year 2009 budget of the Department of Health, the following funds shall be distributed as follows:

- (1) An amount of up to \$200,000 in local funds from within the Addiction Prevention and Recovery Administration shall be made available to contract with KPMG, LLP. The Department of Health shall have the ability to negotiate rates and services and the contract shall be used at the discretion of the Director of the Department of Health to conduct management and administrative projects for the Addiction Prevention and Recovery Administration on an as-needed basis;
- (2) An amount of no less than \$50,000 in local funds from within the Addiction Prevention and Recovery Administration shall be allocated to contract with a qualified vendor to conduct a review of detoxification services in the District. The Department of Health shall have the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Health;
- (3) An amount of \$625,000 in local funds from within the Addiction Prevention and Recovery Administration shall be allocated to enhance residential treatment and services for women with children through implementation of the Family Court Program Treatment Model;
- (4) An amount of up to \$500,000 in local funds from within the Center for Policy Planning and Epidemiology shall be made available to contract with the RAND Corporation. The Department of Health shall have the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Health to conduct management and administrative projects for the Center for Policy Planning and Epidemiology on an as-needed basis;
- (5) An amount of \$250,000 in local funds from within the Center for Policy Planning and Epidemiology shall be made available to contract with Johns Hopkins University Bloomberg School of Public Health. The Department of Health shall have the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Health for the continuation of the Spring Valley Health Study;
- (6) An amount of no less than \$6,750,000 in local funds from within the Community Health Administration shall be allocated to the provision of school nurse services in partnership with Children's National Medical Center. This amount shall be in addition to any other non-local funding allocated to school nursing programs in fiscal year 2009;
- (7) An amount of no less than \$600,000 in local funds from within the Community Health Administration shall be allocated to the Health Professional Recruitment Fund to support the Health Professional Recruitment Program;
- (8) An amount of no less than \$475,000 in local funds from within the

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Community Health Administration shall be allocated to the Family Support Workers Program;

(9) An amount of \$850,000 to the Community Health Administration for comprehensive cancer prevention and screening programs for low-income or uninsured District residents. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this section, subject to terms and conditions approved by the Department of Health;

(10) An amount of \$1,450,000 from within the Community Health Administration shall be allocated for comprehensive chronic-disease programs for low-income or uninsured District adults, of which at least \$500,000 shall be dedicated to diabetes prevention, education, and screening services. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this section, subject to terms and conditions approved by the Department of Health;

(11) An amount of \$900,000 from within the Community Health Administration shall be allocated for comprehensive chronic conditions programs for low-income or uninsured District children and youth, of which at least \$600,000 shall be directed to obesity initiatives. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Department of Health;

(12) An amount of no less than \$125,000 in local funds from within the Community Health Administration shall be allocated to support oral health programs for low-income and homeless District residents. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Department of Health;

(13) An amount of \$20,000 to the Community Health Administration for membership dues in the National Legislative Association on Prescription Drug Prices;

(14) An amount of \$300,000 to the Community Health Administration for pre-school immunization programs for District residents. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Department of Health;

(15) An amount of up to \$300,000 in local funds from within the HIV/AIDS Administration shall be made available to contract with the School of Public Health at George Washington University. The Department of Health shall have

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the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Health to conduct management and administrative projects for the HIV/AIDS Administration on an as-needed basis;

(16) An amount of \$200,000 in local funds from within the HIV/AIDS Administration shall be allocated for housing-assistance services for District residents living with HIV/AIDS who do not qualify for housing assistance through the Housing Opportunities for Persons with HIV/AIDS program;

(17) An amount of no less than \$250,000 in local funds from within the HIV/AIDS Administration shall be made available for bereavement support and burial assistance for the burial or cremation of deceased persons who were diagnosed with HIV/AIDS;

(18) An amount of \$1.3 million in gross funds shall be allocated to the Effi Slaughter Barry HIV/AIDS Initiative as established by the Effi Slaughter Barry HIV/AIDS Initiative Act of 2008, effective March 20, 2008 (D.C. Law 17-117; D.C. Official Code § 7-1611 *et seq.*);

(19) An amount of \$2,450,000 from within the HIV/AIDS Administration shall be allocated for comprehensive HIV/AIDS primary care and prevention programs, of which at least \$200,000 shall be allocated to serve the Latino population. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Department of Health; and

(20) An amount of no less than \$400,000 from within the HIV/AIDS Administration shall be allocated for comprehensive HIV/AIDS youth prevention programs. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Department of Health.

(b) Of the local funds included in the fiscal year 2009 budget of the Department of Mental Health, the following funds shall be distributed as follows:

(1) An amount of no less than \$4,650,000 from within the Mental Health Authority shall be allocated to school-based, mental-health services. This amount shall be in addition to the \$1 million the Department of Mental Health shall receive during fiscal year 2009 through a memorandum of understanding with the Office of the State Superintendent of Education for purposes of expanding school-based, mental-health services to support secondary and tertiary school-based, mental-health interventions;

(2) An amount of no less than \$525,000 from within the Mental Health Authority shall be allocated to support the Urgent Care Center at the Superior Court of the District of Columbia;

(3) An amount of no less than \$5,529,000 from within the Mental

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Health Authority shall be allocated for the Housing Bridge Subsidy program;

(4) An amount of no less than \$244,000 from within the Community Contract Providers program shall be allocated to support the consumer-focused activity center;

(5) An amount of no less than \$3 million from within the Mental Health Authority shall be allocated to support community-based, acute in-patient mental health care and psychiatric services; and

(6) An amount of \$200,000 shall be made available to contract with KPMG, LLP. The Department of Mental Health shall have the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Mental Health to conduct management and administrative projects on an as-needed basis.

(c) Of the gross funds included in the fiscal year 2009 budget of the Department of Health Care Finance, the following funds shall be distributed as follows:

(1) An amount of up to \$8 million from within the Department of Health Care Finance shall be made available to contract with the School of Public Health at George Washington University. The Department of Health Care Finance shall have the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Health Care Finance to conduct management and administrative projects on an as-needed basis;

(2) An amount of \$500,000 in local funds from within the Department of Health Care Finance shall be allocated to conduct audits of financial controls and related-parties transactions for non-managed care providers; and

(3) An amount of \$11.3 million in local funds from within the Department of Health Care Finance shall be allocated to increase the specialty physician and primary care physician reimbursement rates under the District Medicaid fee-for-service program to match the specialty physician and primary care physician reimbursement rates under the federal Medicare program.

(d) Of the local funds included in the fiscal year 2009 budget of the Department of Human Services, the following funds shall be distributed as follows:

(1) An amount of no less than \$50,000 to Adult Protective Services to support low-income elderly residents served by the Capitol Hill Village;

(2) An amount of no less than \$35,000 to Adult Protective Services to produce a comprehensive study of elderly and aging homeless District residents; and

(3) An amount of no less than \$115,000 to the Community Services program to support the establishment of a new Office for Youth Mentoring.

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(e) Of the local funds included in the fiscal year 2009 budget of the Deputy Mayor for Planning and Economic Development, the following funds shall be distributed as follows:

(1) An amount of \$13.5 million shall be distributed to the Canal Park Development Association for the construction of Canal Park;

(2) An amount of \$1 million to support the Ward 4 BID Demonstration Project and capital improvement grants to businesses on Georgia Avenue or Kennedy Street, N.W.; and

(3) An amount of \$190,000 to the Ward 4 BID Demonstration Project and capital improvements to Georgia Avenue in Ward 1.

(f) Of the local funds included in the fiscal year 2009 budget of the Department of Employment Services for job-training programs, an amount of \$500,000 shall be reserved for an allied health workforce training program.

TITLE IX. COMMITTEE REPORTS

Sec. 9001. Short title.

This subtitle may be cited as the "Report Authority Act of 2008".

Sec. 9002. The allocations and recommendations set forth in the committee report of the Committee of the Whole, which includes the reports of all committees, are incorporated into this act.

TITLE X. FISCAL IMPACT AND EFFECTIVE DATE

Sec. 10001. Fiscal impact statement.

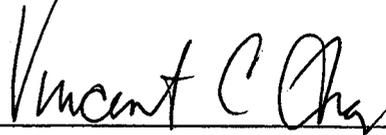
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 10002. Effective date.

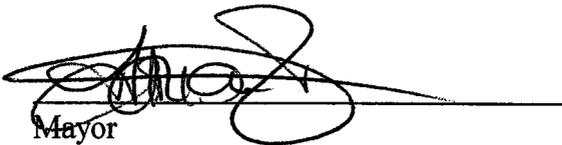
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in 602(c)(1) of the District of Columbia Home Rule

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 26, 2008

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AN ACT

D.C. ACT 17-420

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 8, 2008*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Fall
Supp.West Group
Publisher

To amend, on a emergency basis, An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, to include construction code and property maintenance code violations as bases for summary correction of life-or-health threatening conditions and to revise the service of process rules; to amend the Rental Housing Conversion and Sale Act of 1980 to extend relocation and storage expense assistance to displaced tenants while a condemnation proceeding is pending and to set the amount of relocation and storage expenses available to such tenants; to amend the Rental Housing Act of 1985 to clarify the Mayor's right to inspect housing accommodations and to apply for administrative search warrants to gain access where a landlord or tenant fails to cooperate with attempts at authorized inspections; to amend the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000 to add construction and property maintenance code violations as bases for the appointment of a tenant receivership, to remove the 50% limit on the amount of rent available for abatement actions by a receiver, to provide that a receiver may be ordered where a rental housing accommodation is operated in a manner that demonstrates a pattern of neglect for the property for 30 successive days, to provide that service of notices of violation may be effected by posting the notices in or about the property, and to provide that a court may in appropriate circumstances order a respondent to contribute funds in addition to amounts collected as rent for the abatement of housing code violations; and to amend Title 14 of the District of Columbia Municipal Regulations to permit civil and criminal sanctions for housing code violations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Abatement of Nuisance Properties and Tenant Receivership Emergency Amendment Act of 2008".

Sec. 2. An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01 *et seq.*), is amended as follows:

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(a) Section 1(c)(1) (D.C. Official Code § 42-3131.01(c)(1)) is amended by striking the phrase “housing regulation violations” and inserting the phrase “housing regulation violations or violations of the construction codes, including the property maintenance code,” in its place.

Note,
§ 42-3131.01

(b) Section 3(3) and (4) (D.C. Official Code § 42-3131.03(3) and (4)) is amended to read as follows:

Note,
§ 42-3131.03

“(3) If no such office can be found in the District by reasonable search, if forwarded by first-class mail to the last-known address of the person to be notified, or the person’s agent, as determined by the tax records, business license records, or business entity registration records, and not returned by the post office authorities;

“(4) If no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by paragraph (3) of this section shall be returned by the post office authorities, if posted in a conspicuous place in or about the property affected by the notice; or.”

Sec. 3. The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), is amended as follows:

(a) Section 302(b) (D.C. Official Code § 42-3403.02(b)) is amended by striking the phrase “is not required to pay more than \$500 to the tenant” and inserting the phrase “is not required to pay more than \$1,000 to the tenant” in its place.

Note,
§ 42-3403.02

(b) Section 307(b)(2)(B) (D.C. Official Code § 42-3403.07(b)(2)(B)) is amended to read as follows:

Note,
§ 42-3403.07

“(B) For relocation payments for tenants displaced from housing that is subject to proceedings under the provisions of An Act To create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes, approved May 1, 1906 (34 Stat.157; D.C. Official Code § 6-901 *et seq.*); provided, that:

“(i) Relocation payments may include payments for 2 months of storage, security deposit, first month’s rent, actual moving expenses, and other items incidental to the relocation as approved by the Office of the Tenant Advocate.

“(ii) To receive relocation payments, the tenant shall:

“(I) Be low-income;

“(II) Apply for the assistance; and

“(III) Reside or intend to reside within the District of Columbia after condemnation of the housing accommodation.

“(iii) The amount and method of relocation payments shall be determined by the Office of the Tenant Advocate.”

Sec. 4. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501 *et seq.*), is amended as follows:

(a) Section 907 (D.C. Official Code § 42-3509.07) is amended by striking the phrase “except titles III and V” and inserting the phrase “except titles III and V and section 908,” in its

Note,
§ 42-3509.07

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place.

(b) A new section 908 is added to read as follows:

“Sec. 908. Inspection of rental housing.

“(a) Notwithstanding any other law or rule to the contrary, for the purpose of determining whether any housing accommodation is in compliance with applicable housing rules or construction code rules, the Mayor may enter upon and into any lands and tenements in the District, during all reasonable hours, to inspect the same; provided, that if a tenant of a housing accommodation does not give permission to inspect that portion of the premises under the tenant’s exclusive control, the Mayor shall not enter that portion of the premises unless the Mayor has:

“(1) A valid administrative search warrant pursuant to subsection (d) of this section which permits the inspection; or

“(2) A reasonable basis to believe that exigent circumstances require immediate entry into that portion of the premises to prevent an imminent danger to the public health or welfare.

“(b) Any person who shall hinder, interfere with, or prevent any inspection authorized by this act shall, upon conviction thereof, be punished by a fine not exceeding \$100 or by imprisonment for a period not exceeding 3 months, or both, such fine and imprisonment, in the discretion of the court.

“(c) The Mayor may apply to a judge of the District of Columbia for an administrative search warrant to enter any premises to conduct any inspection authorized by subsection (a) of this section.

“(d) A judge may issue the warrant if the judge finds that:

“(1) The applicant is authorized or required by law to make the inspection;

“(2) The applicant has demonstrated that the inspection of the premises is

sought

as a result of:

“(A) Evidence of an existing violation of the housing regulations, codified in Title 14 of the District of Columbia Municipal Regulations, the construction codes, codified in Title 12 of the District of Columbia Municipal Regulations, or other law; or

“(B) A general and neutral administrative plan to conduct periodic inspections relating to issuance or renewal of housing business licenses or for conducting fire or life safety inspections;

“(3) The owner, tenant, or other individual in charge of the property has denied access to the property, or, after making a reasonable effort, the applicant has been unable to contact any of these individuals; and

“(4) The inspection is sought for health or safety related purposes.”

Sec. 5. The Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-

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3651.01 *et seq.*), is amended as follows:

(a) Section 502 (D.C. Official Code § 42-3651.02) is amended to read as follows:

“Sec. 502. Grounds for appointment of a receiver.

“(a)(1) A receiver may be appointed if a rental housing accommodation has been cited by the Department of Consumer and Regulatory Affairs for a violation of chapters 1 through 16 of Title 14 of the District of Columbia Municipal Regulations or Title 12 of the District of Columbia Municipal Regulations, or its equivalent, which violation poses a serious threat to the health, safety, or security of the tenants; and

“(2) The owner, agent, lessor, or manager has been properly notified of the violation but has failed timely to abate the violations; provided, that proper notification shall be deemed to have been effected if a copy of the notice has been served pursuant to applicable law or rule, or as follows:

“(A) By personal service on the property owner, lessor, or manager or the agent thereof; or

“(B) By delivering the notice to the last known home or business address of the property owner, lessor, manager or agent as identified by the tax records, business license records, or business entity registration records, and leaving it with a person over 16 years of age residing or employed therein; or

“(C) By mailing the notice, via first-class mail postage prepaid, to the last known home or business address of the property owner, lessor, manager or agent as identified by the tax records, business license records, or business entity registration records; or

“(D) If the notice is returned as undeliverable by the post office authorities, or if no address is known or can be ascertained from the District’s tax, business license, or business entity registration records, by posting a copy of the notice in a conspicuous place in or about the structure affected by such notice.

“(b) A receiver may also be appointed if a rental housing accommodation has been operated in a manner that demonstrates a pattern of neglect for the property for a period of 30 consecutive days and such neglect poses a serious threat to the health, safety, or security of the tenants. For purposes of this subsection, the term “pattern of neglect” includes all evidence that the owner, agent, lessor, or manager of the rental housing accommodation has maintained the premises in a serious state of disrepair, including vermin or rat infestation, filth or contamination, inadequate ventilation, illumination, sanitary, heating or life safety facilities, inoperative fire suppression or warning equipment, or any other condition that constitutes a hazard to its occupants or to the public.”

(b) Section 505 (D.C. Official Code § 42-3651.05) is amended by adding a new subsection (f) to read as follows:

“(f) As part of any order appointing a receiver, or in any plan for abatement presented by a respondent, the Court may, in appropriate circumstances, order that the respondent contribute funds in excess of the rents collected from the rental housing accommodation for the purposes of abating housing code violations and assuring that any conditions that are a serious

Note,
§ 42-3651.02

Note,
§ 42-3651.05

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threat to the health, safety, or security of the occupants or public are corrected.”

(c) Section 506(c)(1) (D.C. Official Code § 42-3651.06(c)(1)) is amended by striking the phrase “no more than one-half of”.

Note,
§ 42-3651.06

Sec. 6. Subsection 102.4 of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 102.4), is amended to read as follows:

DCMR

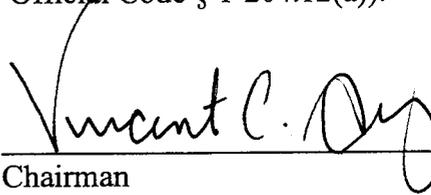
“102.4 Civil fines, penalties, and fees may be imposed as additional sanctions for any violation of this chapter or chapters 1 through 14 of this subtitle, pursuant to titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985. Adjudication of any infraction of this chapter or chapters 2 through 14 of this subtitle, shall be pursuant to titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985.”

Sec. 7. Fiscal impact statement.

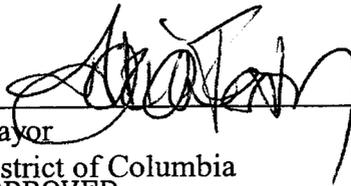
The Council adopts the fiscal impact statement of the Chief Financial Officer, dated June 30, 2008, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED

July 8, 2008

Codification District of Columbia Official Code, 2001 Edition