

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-676

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 12, 2009

To authorize, on an emergency basis, payment under Contract No. GMFM-2008-C-0068 to Hess Construction Company in the amount of \$637,083 for services rendered under this contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. GMFM-2008-C-0068 Payment Authorization Emergency Act of 2008".

Sec. 2. Notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council authorizes payment of \$637,083 under Contract No. GMFM-2008-C-0068 to Hess Construction Company to complete renovations required in connection with the District of Columbia Public Schools school consolidation plan.

Sec. 3. Fiscal impact statement.

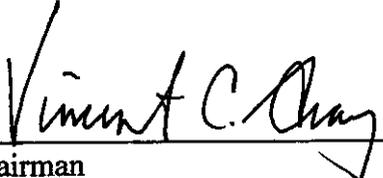
The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

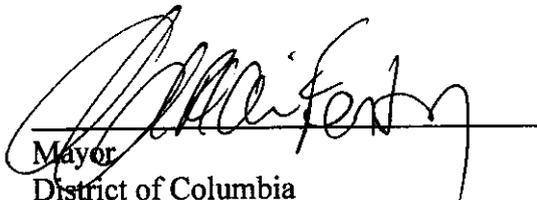
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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
January 12, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-677

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 12, 2009

To approve, on an emergency basis, the Close-out Agreement to Contract No. GAOP4004821 – NB737/04 with Grunley/Goel Joint Venture, and to authorize payment to Grunley/Goel Joint Venture in the amount of \$2,580,055 for the services rendered under this close-out agreement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Close-out Agreement to Contract No. GAOP4004821 – NB737/04 Approval and Payment Authorization Emergency Act of 2008”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves the Close-out Agreement to Contract No. GAOP4004821 – NB737/04 with Grunley/Goel Joint Venture to convert and modernize Brightwood Elementary School and authorizes payment in the amount of \$2,580,055 for goods and services received under this close-out agreement.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

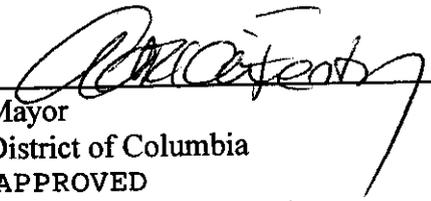
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Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 12, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-678

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 12, 2009

To approve, on an emergency basis, Change Order No. 4 to Contract No. GMFM-2008-C-068 with Hess Construction Company, Inc., and to authorize payment to Hess Construction Company, Inc., in the amount of \$1,248,054 for services rendered under this change order.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order No. 4 to Contract No. GMFM-2008-C-068 Approval and Payment Authorization Emergency Act of 2008".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Change Order No. 4 to Contract No. GMFM-2008-C-068 with Hess Construction Company, Inc. to perform construction and renovation services and authorizes payment in the amount of \$1,248,054 for goods and services received under this change order.

Sec. 3. Fiscal impact statement.

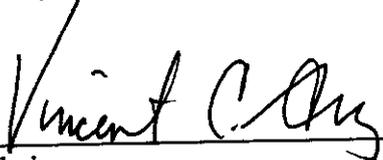
The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

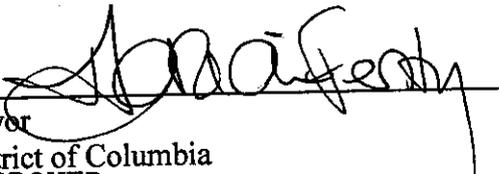
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Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 12, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-679

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 12, 2009

To approve, on an emergency basis, the Close-out Agreement to Contract No. GAGA-2004-C-0131 with WSC/Tompkins Joint Venture, and to authorize payment to WSC/Tompkins Joint Venture in the amount of \$621,523 for the services rendered under this close-out agreement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Close-out Agreement to Contract No. GAGA-2004-C-0131 Approval and Payment Authorization Emergency Act of 2008".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves the Close-out Agreement to Contract No. GAGA-2004-C-0131 with WSC/Tompkins Joint Venture to modernize John Philip Sousa Middle School and authorizes payment in the amount of \$621,523 for goods and services received under this close-out agreement.

Sec. 3. Fiscal impact statement.

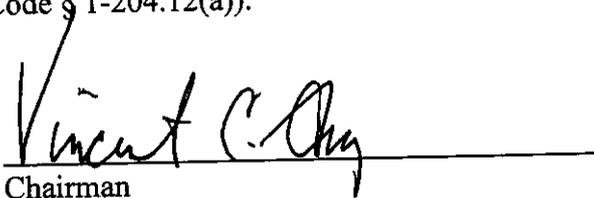
The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

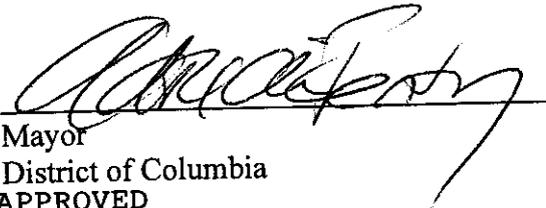
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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
January 12, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-680

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 12, 2009

To approve, on an emergency basis, Contract No. GAFM-2007-C-217A with Turner Construction Company, and to authorize payment to Turner Construction Company in the amount of \$1,707,203 for the services rendered under this contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. GAFM-2007-C-217A Approval and Payment Authorization Emergency Act of 2008".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Contract No. GAFM-2007-C-217A with Turner Construction Company to remediate Americans With Disabilities Act facility issues at Spingarn High School and authorizes payment in the amount of \$1,707,203 for goods and services received under this contract.

Sec. 3. Fiscal impact statement.

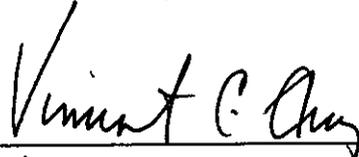
The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

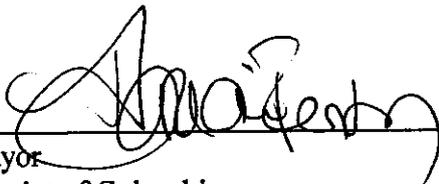
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia

ENROLLED ORIGINAL

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
January 12, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-681

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 12, 2009

To amend, on an emergency basis, Chapter 24 of Title 18 of the District of Columbia Municipal Regulations to increase parking meter rates in the District; and to direct additional revenues to specific programs.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Equitable Parking Meter Rates Emergency Amendment Act of 2008".

Sec. 2. Chapter 24 of Title 18 of the District of Columbia Municipal Regulations is amended by adding a new section 2404.25 to read as follows:

DCMR

"2404.25. Except as provided in § 2424, and notwithstanding the provisions of this section, the rates for parking meters in the District of Columbia shall be increased as follows:

"(1) Parking meters charging a rate of \$1 per hour as of the effective date of the Equitable Parking Meter Rates Emergency Act of 2008, passed on emergency basis on December 16, 2008 (Enrolled version of Bill 17-1075), shall be increased to a rate of \$2 per hour.

"(2) All other parking meter rates shall be increased by 25 cents per hour from rates in effect as of the effective date of the Equitable Parking Meter Rates Emergency Act of 2008, passed on emergency basis on December 16, 2008 (Enrolled version of Bill 17-1075)."

Sec. 3. Additional parking meter revenues.

DCMR

(a) All additional parking meter revenues collected as a result of parking meter fee increases authorized in 18 DCMR § 2404.25 shall be used exclusively to fund the following programs:

(1) \$1 million for a grant for affordable housing as authorized by section 14 of the City Market at O Street Tax Increment Financing Act of 2008, effective November 25, 2008 (D.C. Law 17-278; 55 DCR 11050);

(2) Local Rent Supplement Program;

(3) Housing First Program;

(4) Home Purchase Assistance Program; and

(5) Temporary Assistance for Needy Families.

ENROLLED ORIGINAL

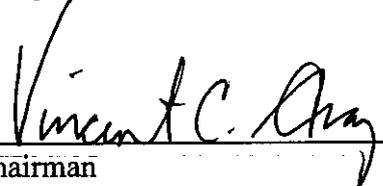
(b) The Mayor shall submit to the Council, by act, a supplemental budget to authorize additional funds for the programs listed in subsection (a) of this section no later than January 5, 2009.

Sec. 4. Fiscal impact statement.

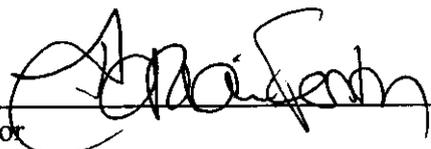
The Council adopts the fiscal impact of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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
January 12, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-682

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 12, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Winter
Supp.West Group
Publisher

To amend, on an emergency basis, the Performance Parking Pilot Zone Act of 2008 to give the Mayor authority to establish operating hours for the late-night Adams Morgan taxicab zone.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Taxi Zone Operating Hours Emergency Amendment Act of 2008".

Sec. 2. Section 7(e) of the Performance Parking Pilot Zone Act of 2008, effective November 25, 2008 (D.C. Law 17-279; 55 DCR 11059), is amended to read as follows:

"(e) For the purposes of this section, the "taxi zone hours" shall be determined by the Mayor based on the level of demand for taxis."

Sec. 3. Fiscal impact statement.

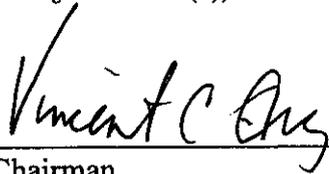
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

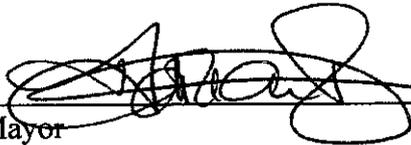
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Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 12, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-683

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 12, 2009

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.

West Group
Publisher

To amend, on an emergency basis, section 25-798 of the District of Columbia Official Code to clarify that an association, which includes licensees in its membership, may enter into an agreement with the Metropolitan Police Department to provide for reimbursable details.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Reimbursable Details Clarification Emergency Act of 2008".

Sec. 2. Section 25-798(b) of the District of Columbia Official Code is amended by striking the phrase "group, may" and inserting the phrase "group, including an association, which includes licensees in its membership, may" in its place.

Note,
§ 25-798

Sec. 3. Fiscal impact statement.

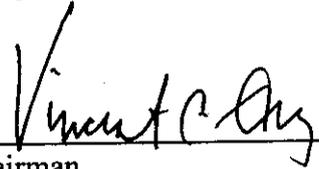
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

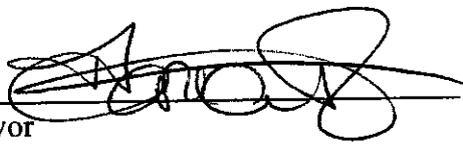
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Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 12, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-684

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 12, 2009Codification
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2009 Summer
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To amend, on an emergency basis, the District of Columbia Housing Authority Act of 1999 to expand the D.C. Housing Authority Rent Supplement Program to allow service providers who own, lease, or operate supportive housing to apply for and be awarded sponsor-based assistance funding to house clients, to require the District of Columbia Housing Authority to promulgate rules to govern eligibility, admission, and determination of the amount of rental assistance payments for units receiving sponsor-based assistance, to further limit assistance to households residing in the District for at least 6 months, and to require a 30-day Council review period of any rules promulgated pursuant to this emergency act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Rent Supplement Program Second Emergency Amendment Act of 2008".

Sec. 2. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 2(43A) (D.C. Official Code § 6-201(43A)) is amended by striking the phrase "units owned and operated" and inserting the phrase "units owned, leased, or operated" in its place.

Note,
§ 6-201

(b) Section 26b(c) (D.C. Official Code § 6-227(c)) is amend to read as follows:

Note,
§ 6-227

"(c)(1) The Authority shall apply its existing Partnership Program rules to govern the awarding of Partnership Program grants for project-based voucher assistance and the continuing eligibility for those grants under this section, except where the rules are inconsistent with this act.

"(2)(A) For project-based assistance and sponsor-based assistance, except for rules promulgated by the Authority regarding eligibility, admission, and determination of the amount of rental assistance payments pursuant to subparagraph (B) of this paragraph, the Authority shall also apply its existing Partnership Program and Housing Choice Voucher Program rules to govern eligibility, admission, and continuing occupancy by tenants in units receiving assistance under this section, section 26a, and section 26c, except if the rules are inconsistent with this section, section 26a, or section 26c.

ENROLLED ORIGINAL

“(B) For sponsor-based assistance, the Authority shall promulgate rules to govern eligibility, admission, and determination of the amount of rental assistance payments for units receiving sponsor-based assistance under this section, which eligibility and admission rules will set forth requirements regarding criminal background, citizenship, and residency of tenants.

“(3) The Authority shall promulgate rules as are necessary to ensure that eligibility for tenancy is limited to households with gross income at or below 30% of the area median income in units supported by grants under this section, section 26a, and 26c and to households that have resided in the District for the previous 6 months in units supported by grants under this section.

“(4) Any rules proposed pursuant to this subsection shall be submitted to the Council for a 30-day period of review. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within the 30-day review period, the proposed rules shall be deemed approved.”.

Sec. 3. Applicability.

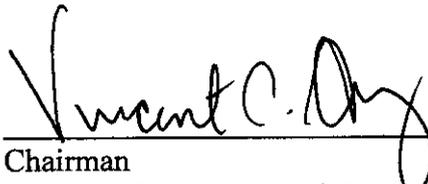
This act shall apply as of December 24, 2008.

Sec. 4. Fiscal impact statement.

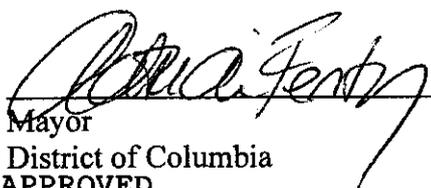
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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

January 12, 2009

Codification District of Columbia Official Code, 2001 Edition

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-685

Codification
District of
Columbia
Official Code

2001 Edition

2009 Summer
Supp.

West Group
Publisher

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 15, 2009

To amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide for a real property tax abatement for the temporary Walker Jones/Northwest One Unity Health Center located at 40 Patterson Street, N.E., in Lot 253, Square 672.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Walker Jones/Northwest One Unity Health Center Tax Abatement Act of 2008".

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

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

"47-4616. Abatement of real property taxes for the temporary Walker Jones/Northwest One Unity Health Center."

(b) A new section 47-4616 is added to read as follows:

"§ 46-4616. Abatement of real property taxes for the temporary Walker Jones/Northwest One Unity Health Center.

"(a) For the purposes of this section, the term "Unity Health Center" means the portion of the real property described as Lot 253, Square 672, in use by Unity Health Care, Inc., as the Walker Jones/Northwest One Unity Health Center.

"(b) The real property taxes imposed by Chapter 8 of this title on the Unity Health Center shall be abated for the period of October 1, 2009 to September 30, 2013."

Sec. 3. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

New
§ 47-4616

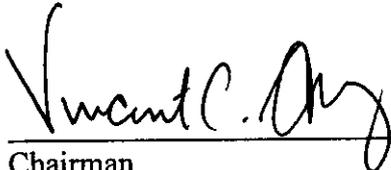
ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.

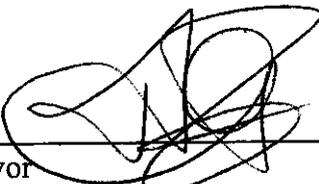
The Council adopts the fiscal impact statement of the Chief Financial Officer, dated December 15, 2008, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 15, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-686

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 15, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
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Publisher

To require the Mayor to establish bicycle safety enhancements for District-owned, heavy-duty vehicles and to require bicycle- and pedestrian-awareness training for operators of District-owned, heavy-duty vehicles; and to amend Title 18 of the District of Columbia Municipal Regulations to require that a motor vehicle operator leave a minimum of 3 feet clearance when passing a bicycle and to establish fines for the use of restricted lanes by unauthorized vehicles.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Bicycle Safety Enhancement Amendment Act of 2008".

Sec. 2. Bicycle safety enhancements for District-owned, heavy-duty vehicles.

(a) The Mayor shall:

(1) Equip all District-owned, heavy-duty vehicles with the following:

(A) Blind-spot mirrors;

(B) Reflective blind-spot warning stickers; and

(C) Side-underrun guards to prevent bicyclists, other vehicles, or pedestrians from sliding under rear wheels.

(2) Require that operators of District-owned, heavy-duty vehicles receive bicycle and pedestrian safety training from a curriculum and instructors that are approved by the District Department of Transportation.

(b) The Mayor, pursuant to Title 1 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 section within 180 days of the effective date of this act.

Sec. 3. Title 18 of the District of Columbia Municipal Regulations is amended as follows:

DCMR

(a) A new section 2202.10 is added to read as follows:

"2202.10 A person driving a motor vehicle shall exercise due care by leaving a safe

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distance, but in no case less than 3 feet, when overtaking and passing a bicycle.”

(b) Section 2600.1 is amended by adding to the table a new infraction under the caption “Lane or course” to read as follows:

“Improper use of restricted [§ 2220] 100.00”.

Sec. 4. Applicability.

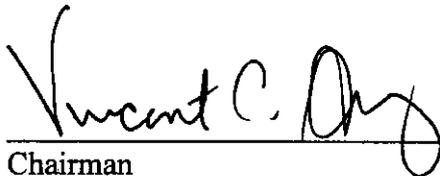
Section 2(a)(1)(C) shall apply upon inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 5. Fiscal impact statement.

The Council adopts the December 16, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 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
January 15, 2009

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AN ACT

D.C. ACT 17-687

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 15, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.West Group
Publisher

To amend various acts to correct technical errors, provide clarifications, and make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Technical Amendments Act of 2008".

TITLE I.

Sec. 101. Section 2(a) of the Mechanic's Lien Amendment Act of 2005, effective October 20, 2995 (D.C. Law 16-31; 52 DCR 7195), is amended by striking the section designation "1236a" both times it appears and inserting the section designation "1238a" in its place.

Sec. 102. Section 2 of the Karyn Barquin Adult Protection Services Self-Neglect Expansion Amendment Act of 2005, effective March 8, 2006 (D.C. Law 16-67; 53 DCR 40), is amended as follows:

(a) Subsection (d)(1)(A) is amended by striking the phrase "be terminated," both times it appears and inserting the phrase "be terminated" in its place.

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

Sec. 103. Section 2 of the Parkside Terrace Economic Development Act of 2006, effective April 4, 2006 (D.C. Law 16-84; 53 DCR 1062), is amended by striking the section designation "47-4608" wherever it appears and inserting the section designation "47-4607" in its place.

Sec. 104. Section 5(d) of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; 53 DCR 2532), is amended by striking the phrase "*Ex-officio*" and inserting the word "*Ex-officio*" in its place.

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Sec. 105. Section 804(a)(1) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-308.04(a)(1)), is amended by striking the semicolon at the end of the lead-in language and inserting a colon in its place.

~~Sec. 106.~~ Section 2 of the Procurement Practices Timely Competition Assurance and Direct Voucher Prohibition Amendment Act of 2006, effective June 8, 2006 (D.C. Law 16-122; 53 DCR 2834), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "for quality." and inserting the phrase "for quality;" in its place.

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

(1) Paragraph (1) is amended by striking the paragraph designation "(29A-1)" and inserting the paragraph designation "(29A-i)" in its place.

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

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

(B) Strike the subsection designation "(b)" and insert the subparagraph designation "(B)" in its place.

(C) Strike the subsection designation "(c)" and insert the subparagraph designation "(C)" in its place.

(D) Strike the subsection designation "(d)" and insert the subparagraph designation "(D)" in its place.

(E) Strike the subsection designation "(e)" and insert the subparagraph designation "(E)" in its place.

(F) Strike the subsection designation "(f)" and insert the subparagraph designation "(F)" in its place.

(G) Strike the subsection designation "(g)" and insert the subparagraph designation "(G)" in its place.

Sec. 107. Section 312(a)(1)(C) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-303.12(a)(1)(C)), is amended by striking the word "section" and inserting the word "paragraph" in its place.

Sec. 108. The School Modernization Financing Act of 2006, effective March 30, 2006 (D.C. Law 16-123; 53 DCR 2843), is amended as follows:

(a) Section 141 is amended by striking the phrase "this title" both times it appears and inserting the phrase "part A" in its place.

(b) Section 204(b) is amended as follows:

(1) Strike the phrase "section 2" and insert the phrase "section 2302" in its place.

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(2) Strike the phrase "Disadvantaged Business" and insert the phrase "Disadvantaged Business Enterprise" in its place.

Sec. 109. Section 201(b) of the Uniform Environmental Covenants Act of 2006, effective May 12, 2006 (D.C. Law 16-95; 53 DCR 1652), is amended by striking the phrase "Act of 2005" and inserting the phrase "Act of 2006" in its place.

Sec. 110. Section 2(c)(2) of the Illegal Dumping Enforcement Amendment Act of 2006, effective May 12, 2006 (D.C. Law 16-96; 53 DCR 1661), is amended by striking the phrase "for a period not less than" and inserting the phrase "for a period of not less than" in its place.

Sec. 111. The Income Withholding Transfer and Revision Amendment Act of 2006, effective May 12, 2006 (D.C. Law 16-100; 53 DCR 1886), is amended as follows:

(a) Section 2 is amended as follows:

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

(A) Strike the phrase "Subchapter I of Chapter 2" and insert the phrase "subchapter I of Chapter 2" in its place.

(B) Strike the phrase "the act" and insert the phrase "subchapter I of Chapter 2 of Title 46" in its place.

(2) Subsection (d) is amended by striking the phrase "Subchapter I of Chapter 2" and inserting the phrase "subchapter I of Chapter 2" in its place.

(3) Subsection (e) is amended by striking the phrase "Subchapter I of Chapter 2" and inserting the phrase "subchapter I of Chapter 2" in its place.

(b) Section 3 is amended as follows:

(1) Subsection (g) is amended by striking the phrase "Implementation of Withholding" and inserting the phrase "Implementation of withholding" in its place.

(2) Subsection (h) is amended by striking the phrase "Subchapter II" and inserting the phrase "subchapter II" in its place.

Sec. 112. Section 2 of the DC-USA Economic Development Act of 2006, effective May 20, 2006 (D.C. Law 16-105; 53 DCR 2051), is amended by striking the section designation "47-4606" wherever it appears and inserting the section designation "47-4608" in its place.

Sec. 113. Section 302(a) of the First Source Employment Agreement Amendment Act of 2006, effective June 8, 2006 (D.C. Law 16-118; 53 DCR 2602), is amended by striking the phrase "this title" and inserting the phrase "this act" in its place.

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Sec. 114. Section 2(a) of the Displaced Workers Protection Act of 1994, effective April 26, 1994 (D.C. Law 10-105; D.C. Official Code § 32-101 *et seq.*), is amended as follows:

(a) Paragraph (1) is amended by striking the period at the end and inserting a semicolon in its place.

(b) Paragraph (2) is amended by striking the period at the end and inserting a semicolon in its place.

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

Sec. 115. Section 2 of the Home Again Initiative Community Development Amendment Act of 2006, effective June 8, 2006 (D.C. Law 16-119; 53 DCR 2609), is amended as follows:

(a) Subsection (a) is amended by striking the paragraph designation “(1a)” both times it appears and inserting the paragraph designation “(1A)” in its place.

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

(1) Add a comma after the word “improved”.

(2) Strike the comma after the phrase “blighted area”.

Sec. 116. Section 2(a) of the Financial Institutions Deposit and Investment Act of 2006, effective June 16, 2006 (D.C. Law 16-125; 53 DCR 4707), is amended by striking the section designation “(25)” and inserting the section designation “(2A)” in its place.

Sec. 117. Section 47-2853.46 of the District of Columbia Official Code is amended by adding a comma after the phrase “firm of certified public accountants”.

Sec. 118. Section 47-2853.152(b) of the District of Columbia Official Code is amended by striking the phrase “registration until the Board rules” and inserting the phrase “registration shall apply until the Board’s rules” in its place.

Sec. 119. Section 2302(a)(1)(B) of the Tobacco Settlement Trust Fund Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code 7-1811.01(a)(1)(B)), is amended by striking the word “and” at the end.

Sec. 120. Section 3(b)(3) of the Tobacco Settlement Trust Fund and Tobacco Settlement Financing Amendment Act of 2006, effective July 25, 2006 (D.C. Law 16-142; 53 DCR 4412), is amended by striking the subsection designation “(b-1)” both times it appears and inserting the subsection designation “(c)” in its place.

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Sec. 121. Section 47-825.01(a)(1)(D) of the District of Columbia Official Code is amended by striking the phrase "this subchapter" and inserting the phrase "this subparagraph" in its place.

Sec. 122. Title II of the New Convention Center Hotel Omnibus Financing and Development Act of 2006, effective September 19, 2006 (D.C. Law 16-163; 53 DCR 5430), is amended as follows:

(a) Strike the title designation "VII" wherever it appears and insert the title designation "II-A" in its place.

(b) Strike the title designation "VIII" wherever it appears and insert the title designation "II-B" in its place.

(c) Strike the title heading "AUTHORIZATION TO LEASE LAND FOR NEW CONVENTION CENTER HOTEL." and insert the title heading "LAND LEASE AUTHORITY FOR HOTEL." in its place.

(d) Strike the section designation "701" and insert the section designation "221" in its place.

(e) Strike the section designation "702" and insert the section designation "222" in its place.

(f) Strike the section designation "703" and insert the section designation "223" in its place.

(g) Strike the section designation "801" and insert the section designation "231" in its place.

(h) Strike the section designation "802" and insert the section designation "232" in its place.

(i) Strike the section designation "803" and insert the section designation "233" in its place.

Sec. 123. Section 6 of the People First Respectful Language Modernization Act of 2006, effective September 29, 2006 (D.C. Law 16-169; 53 DCR 6223), is amended by striking the phrase "(Enrolled version of Bill 16-665)." and inserting the phrase "(Enrolled version of Bill 16-665);" in its place.

Sec. 124. The Parking Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-175; 53 DCR 6499), is amended as follows:

(a) Section 2 is amended by adding a comma after the phrase "18 DCMR".

(b) Section 3 is amended by striking the section designation "47-2892(c)" and inserting the section designation "47-2829(c)" in its place.

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Sec. 125. Section 2(c) of the Low-Income Disabled Tenant Conversion Protection Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-179; 53 DCR 6698), is amended as follows:

- (a) Strike the phrase "the title" and insert the phrase "this act" in its place.
- (b) Strike the phrase "this title" and insert the phrase "this act" in its place.

Sec. 126. Section 2(b) of the Historic Preservation Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-185; 53 DCR 6712), is amended as follows:

- (a) Paragraph (1) is amended as follows:
 - (1) Strike the phrase "Paragraph (1) is amended" and insert the phrase "Subsection (a) is amended" in its place.
 - (2) Strike the subparagraph designation "(A)" and insert the paragraph designation "(1)" in its place.
 - (3) Strike the subparagraph designation "(B)" and insert the paragraph designation "(2)" in its place.
 - (4) Strike the subparagraph designation "(C)" and insert the paragraph designation "(3)" in its place.
 - (5) Strike the subparagraph designation "(D)" and insert the paragraph designation "(4)" in its place.
- (b) Paragraph (2) is amended by striking the phrase "Paragraph (3A) is amended" and inserting the phrase "Subsection (c-1) is amended" in its place.
- (c) Paragraph (3) is amended by striking the paragraph designation "(4A)" both times it appears and inserting the subsection designation "(d-1)" in its place.
- (d) Paragraph (4) is amended by striking the phrase "Paragraph (6)(B) is amended" and inserting the phrase "Subsection (f)(2) is amended" in its place.
- (e) Paragraph (5) is amended by striking the paragraph designation "(6A)" both times it appears and inserting the subsection designation "(f-1)" in its place.
- (f) Paragraph (6) is amended by striking the phrase "Paragraph (12) is amended" and inserting the section designation "Subsection (l) is amended" in its place.

Sec. 127. The Enhanced Professional Security Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-187; 53 DCR 6722), is amended as follows:

- (a) Section 203(b) is amended by striking the section designation "47-2839a" and inserting the section designation "47-2839.01" in its place.
- (b) Section 221(c) is amended by striking the phrase "Security Officer" and inserting the phrase "The Security Officer" in its place.

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Sec. 128. Section 2 of the Targeted Historic Preservation Assistance Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-189; 53 DCR 6786), is amended as follows:

(a) Subsection (b) is amended by striking the subsection designation “(d)” both times it appears and inserting the subsection designation “(e)” in its place.

(b) Subsection (c) is amended by striking the section designation “11a” both times it appears and inserting the subsection designation “11b” in its place.

Sec. 129. The Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1601 *et seq.*), is amended as follows:

(a) Section 4 is amended as follows:

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

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

(b) Section 5 is amended as follows:

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

(2) Strike the word “Board” and insert the word “Council” in its place.

(c) Section 6 is amended by striking the word “Board” and inserting the word “Council” in its place.

(d) Section 7 is amended by striking the word “Board” wherever it appears and inserting the word “Council” in its place.

(e) Section 8 is amended as follows:

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

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

(f) Section 11 is amended as follows:

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

(2) Strike the word “Board” and insert the word “Council” in its place.

(g) Section 12 is amended by striking the word “Board” and inserting the word “Council” in its place.

(h) Section 13 is amended by striking the word “Board” and inserting the word “Council” in its place.

(i) Section 14 is amended by striking the word “Board” and inserting the word “Council” in its place.

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Sec. 130. The AIDS Health-Care Response Act of 1986, effective June 10, 1986 (D.C. Law 6-121; D.C. Official Code § 7-1601 *et seq.*), is amended as follows:

(a) Section 2(3) is amended by striking the phrase "Department of Human Services, established by Reorganization Plan No. 2 of 1979, approved February 21, 1980" and inserting the phrase "Department of Health, established by Reorganization Plan No. 4 of 1966, effective July 17, 1996" in its place.

(b) Section 5(a) is amended by striking the phrase "Human Services" and inserting the word "Health" in its place.

Sec. 131. The Technical Amendments Act of 2006, effective March 2, 2007 (D.C. Law 16-191; 53 DCR 6794), is amended as follows:

(a) Section 18(b) is amended by striking the paragraph designation "(5)" and inserting the paragraph designation "(6)" in its place.

(b) Section 72 is amended by striking the section designation "47-138.01a" and inserting the section designation "47-318.01a" in its place.

Sec. 132. Section 1012(a)(2) of the Clean Hands Licensing Revision Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899), is amended by striking the subsection designation "(b)(1)" and inserting the subsection designation "(b)" in its place.

Sec. 133. Section 1072 of the Far Southeast Community Organization Tax Exemption and Forgiveness for Accrued Taxes Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899), is amended by striking the section designation "47-1074" wherever it appears and inserting the section designation "47-1075" in its place.

Sec. 134. Section 2002(b) of the Retail Incentive and Tax Increment Financing Re-Authorization and Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899), is amended by striking the date "January 1, 2003" and inserting the date "August 1, 2006" in its place.

Sec. 135. Sections 2052, 2053, and 2054 of the Deed Transfer and Recordation Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899), are amended by striking the subsection designation "(a-3)" wherever it appears and inserting the subsection designation "(a-4)" in its place.

Sec. 136. Section 2182(b) of the Free Clinic Assistance Program Coverage Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899), is amended by striking the phrase ", or for which" and inserting the phrase "clinic to pay, or for which" in its place.

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Sec. 137. Section 4022(2) of Higher Education Financial Aid Assistance Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899), is amended by adding the phrase “of Part A” before the phrase “of Title IV”.

Sec. 138. Section 15b(e)(2) of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective April 9, 1997 (D.C. Law 11-245; D.C. Official Code § 31-3514.02(e)(2)), is amended by striking the phrase “this subtitle” and inserting the phrase “this act” in its place.

Sec. 139. Section 104 of the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.*), is amended by striking the phrase “titles I and III” and inserting the phrase “titles II and III” in its place.

Sec. 140. Section 102a(a)(1)(C) of the Highway Trust Fund Establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-184; D.C. Official Code § 9-111.01a(a)(1)(C)), is amended by striking the section designation “101(e)” and inserting the section designation “102(e)” in its place.

Sec. 141. Section 8(a)(1)(D) of the Anti-Drunk Driving Clarification Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-195; 53 DCR 8675), is amended as follows:

- (a) Strike the word “individual” and insert the phrase “an individual” in its place.
- (b) Strike the word “person” and insert the phrase “a person” in its place.

Sec. 142. Section 3 of the Library Procurement Amendment Act Of 2006, effective March 2, 2007 (D.C. Law 16-197; 53 DCR 8827), is amended by striking the subsection designation “(s)” and inserting the subsection designation “(r)” in its place.

Sec. 143. The Domestic Violence Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-204; 53 DCR 9059), is amended by striking the second section designation designated as section “3”, inserting the section designation “4” in its place, and renumbering the remaining sections accordingly.

Sec. 144. Section 47-1807.08(b)(3) of the District of Columbia Official Code is amended by striking the phrase “under 47-1807.02(b)” and inserting the phrase “under § 47-1807.02(b)” in its place.

Sec. 145. Section 47-1808.08(b)(3) of the District of Columbia Official Code is amended by striking the phrase “under 47-1808.03(b)” and inserting the phrase “under § 47-1808.03(b)” in its place.

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Sec. 146. Section 2 of the Audiology and Speech-Language Pathology Amendment Act of 2006, effective March 6, 2007 (D.C. Law 16-219; 53 DCR 10211), is amended as follows:

(a) Subsection (c)(2) is amended by striking the paragraph designation “(20)” both times it appears and inserting the paragraph designation “(19)” in its place.

(b) Subsection (g) is amended by striking the phrase “SUBCHAPTER VIII-B” and inserting the phrase “TITLE VIII-B” in its place.

Sec. 147. Section 2(c) of the Marriage and Family Therapy Amendment Act of 2003, effective March 10, 2004 (D.C. Law 15-88; 50 DCR 10999), is amended by striking the paragraph designation “(19)” both times it appears and inserting the paragraph designation “(6A)” in its place.

Sec. 148. Section 2(a) of the Qualified Massage Therapists Amendment Act of 1994, effective March 14, 1995 (D.C. Law 10-205; 41 DCR 7712), is amended by striking the paragraph designation “(6A)” both times it appears and inserting the paragraph designation “(6B)” in its place.

Sec. 149. Section 204(b) of the Personal Mobility Device Amendment Act of 2006, effective March 6, 2007 (D.C. Law 16-224; 53 DCR 10225), is amended as follows:

(a) Designate the existing language as paragraph (1).

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

“(2) The newly designated paragraph (6) is amended as follows:

“(A) Designate paragraph (1) as subparagraph (A).

“(B) Designate paragraph (2) as subparagraph (B).”

Sec. 150. Section 641(e) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1206.41(e)), is amended by striking the phrase “the term: (1) “Supervising surgeon” and inserting the phrase “the term “supervising surgeon” in its place.

Sec. 151. Section 2(j) of the Surgical Assistant Licensure Amendment Act of 2006, effective March 6, 2007 (D.C. Law 16-228; 53 DCR 10244), is amended by striking the section designation “(z)” and inserting the section designation “(aa)” in its place.

Sec. 152. Section 6 of the Digital Inclusion Act of 2006, effective March 2, 2007 (D.C. Law 16-210; 53 DCR 9122), is amended by striking the subsection designation “(a)”.

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Sec. 153. Section 11f of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.36), is amended by adding the section heading "Consolidation with WMATA" after "Sec. 11f".

Sec. 154. Section 5(i) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; 54 DCR 377), is amended by striking the phrase "Municipal Regulations" and inserting the phrase "Municipal Regulations" in its place.

Sec. 155. Section 2(b) of the Summary Enclosure of Nuisance Vacant Property Amendment Act of 2006, effective March 8, 2007 (D.C. Law 16-241; 54 DCR 599), is amended by inserting the phrase "The Mayor" after the phrase "natural causes." and inserting the phrase "the Mayor" after the phrase "vacant building,".

Sec. 156. Section 2 of the Mount Vernon Triangle BID Amendment Act of 2006, effective March 8, 2007 (D.C. Law 16-246; 54 DCR 618), is amended by striking the phrase "section 8" and inserting the phrase "section 9" in its place.

Sec. 157. The Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; 54 DCR 794), is amended as follows:

(a) Strike the heading for Title II "HOMELAND SECURITY" and insert the heading "HOMELAND SECURITY PROGRAM IMPLEMENTATION." in its place.

(b) Section 205(c) is amended by striking the phrase "this act" and inserting the phrase "this title" in its place.

(c) Section 207 is amended by striking the subsection designation "(a)".

(d) Section 305 is amended by striking the subsection designation "(a)".

(e) Section 401 is amended by adding the phrase "(Commissioner's Order 74-261)" after the phrase "the phrase "Emergency Management Agency".

Sec. 158. The Medical Malpractice Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-263; 54 DCR 807), is amended as follows:

(a) Section 202 is amended as follows:

(1) Subsection (e)(1) is amended by striking the phrase "section 204" both times it appears and inserting the phrase "this section" in its place.

(2) Subsection (f) is amended by striking the phrase "this title" and inserting the phrase "this section" in its place.

(b) Section 302 is amended by striking the section designation "16-28223" and inserting the section designation "16-2822" in its place.

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Sec. 159. The Childhood Lead Screening Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-265; 54 DCR 827), is amended by adding the word “ages” after the word “between” both times it appears.

Sec. 160. The Public Charter School Assets and Facilities Preservation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-268; 54 DCR 833), is amended as follows:

(a) Section 2 is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase “Except as provided” and inserting the phrase “(a) Except as provided” in its place.

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

“(e) Section 2212 (D.C. Official Code § 38-1802.12) is amended as follows:

“(1) Paragraph (1) is amended by striking the period at the end and inserting a semicolon in its place.

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

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

“(3) The articles of incorporation and bylaws of the nonprofit corporation operating the charter school, which shall contain provisions satisfying the requirements of section 2213a.””.

(b) Section 5(a) is amended by inserting a comma before the phrase “and the Mayor”.

Sec. 161. The Inclusionary Zoning Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; 54 DCR 880), is amended as follows:

(a) Section 102 is amended by striking the section heading “Unlawful Acts.” and inserting the section heading “Unlawful acts.” in its place.

(b) Section 106 is amended by striking the section heading “Ineligibility of Students.” and inserting the phrase “Ineligibility of students.” in its place.

(c) Section 107 is amended by adding the word “the” before “Mayor” in the section heading.

Sec. 162. Section 102(8) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-502(8)), is amended as follows:

(a) Subparagraph (C) is amended by striking the word “and” at the end.

(b) Subparagraph (D) is amended by striking the period at the end and inserting the phrase “; and” in its place.

(c) Subparagraph (E) is amended by striking the word “Request” and inserting the word “Requests” in its place.

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Sec. 163. Section 102 of the Workforce Housing Production Program Approval Act of 2006, effective March 14, 2007 (D.C. Law 16-278; 54 DCR 895), is amended by striking the second subsection designation designated as subsection “(b)”, inserting the subsection designation “(c)” in its place, and redesignating the remaining subsections “(c)” through “(k)” as “(d)” through “(l)”.

Sec. 164. The Department of Motor Vehicles Service and Safety Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-279; 54 DCR 903), is amended as follows:

(a) Section 209 is amended as follows:

(1) Subsection (b) is amended by adding a semicolon after the phrase “§ 31-2401 *et seq.*”.

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

(A) Strike the phrase “Section 47-2863(c)” and insert the phrase “Section 47-2863(a)(3)” in its place.

(B) Strike the phrase “(c) Upon receipt” and insert the phrase “(3) Upon receipt” in its place.

(b) Section 301(g) is amended by striking the second paragraph designation “(3)” and inserting the paragraph designation “(4)” in its place.

Sec. 165. The Captive Insurance Company Act of 2004, effective May 17, 2005 (D.C. Law 15-262; D.C. Official Code § 31-3931.01 *et seq.*), is amended as follows:

(a) Section 203(a) is amended by striking the section designation “29” and inserting the section designation “20” in its place.

(b) Section 204 is amended as follows:

(1) Subsection (d) is amended by striking the phrase “section 2(b)” and inserting the phrase “section 12(b)” in its place.

(2) The subsection designated as subsection (h) is amended by striking the subsection designation “(h)” and inserting the subsection designation “(g)” in its place.

(3) The subsection designated as subsection (i) is amended by striking the subsection designation “(i)” and inserting the subsection designation “(h)” in its place.

(c) Section 212 is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase “Title I”.

(2) Subsection (c)(3) is amended by striking the phrase “Title I”.

Sec. 166. Sections 5(b)(41) of the Captive Insurance Company Act of 2004, effective March 17, 2005 (D.C. Law 15-262; D.C. Official Code § 31-3931.04(b)(41)), is amended by striking the phrase “to e established” and inserting the phrase “to be established” in its place.

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Sec. 167. The Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; 54 DCR 976), is amended as follows:

(a) Section 102(c)(4) is amended by striking the comma after the phrase "Trust Fund".

(b) Section 103(a) is amended by striking the phrase "subsection (b)(7) of this section" and inserting the phrase "section 102(b)(7)" in its place.

(c) The lead-in language for Title III is amended by striking the phrase "Section 47-1050(a)" and inserting the phrase "Sec. 301. Section 47-1050(a)" in its place.

Sec. 168. Section 2 of the Domestic Partnerships Joint Filing Act of 2006, effective March 14, 2007 (D.C. Law 16-292; 54 DCR 1080), is amended as follows:

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

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

(2) Strike the phrase "(B) Subparagraph (B)" and insert the phrase "(4) Paragraph (27)" in its place.

(b) Subsection (f) is amended by adding the phrase "everywhere it appears" before the phrase "and inserting".

Sec. 169. Section 2(d) of the Anti-Deficiency Act Revision Act of 2006, effective March 14, 2007 (D.C. Law 16-293; 54 DCR 1083), is amended by striking the word "officer" both times it appears and inserting the word "officers" in its place.

Sec. 170. The Second Technical Amendments Act of 2006, effective March 14, 2007 (D.C. Law 16-294; 54 DCR 1086), is amended as follows:

(a) Section 11(a) is amended by striking the period after the word "initiative".

(b) Section 12 is amended by striking the subsection designation "(a-3)" both times it appears and inserting the subsection designation "(a-4)" in its place.

(c) Section 13(b) is amended by striking the section designation "47-1074" the second time it appears and inserting the section designation "47-1075" in its place.

Sec. 171. Section 4 of the Comprehensive Plan Amendment Act of 2006, effective March 8, 2007 (D.C. Law 16-300; 54 DCR 924), is amended by striking the date "April 27, 1999" and inserting the phrase "the effective date of the Comprehensive Plan Amendment Act of 1998" in its place.

Sec. 172. The People First Respectful Language Conforming Amendment Act of 2006, effective April 24, 2007 (D.C. Law 16-305; 53 DCR 6198), is amended as follows:

(a) Section 45(b)(1) is amended by adding the word "individuals" after the word "blind" the first time it appears and after the word "handicapped".

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(b) Section 50 is amended by striking the word "person" and inserting the word "persons" in its place.

(c) Section 55 is amended by striking the word "has".

(d) Section 57(b) is amended by adding the phrase "both times it appears" before the phrase "and inserting".

(e) Section 73 is amended to as follows:

(1) Subsection (g) is amended by adding a semicolon after the word "conditions".

(2) Subsection (i) is amended by striking the word "having" and inserting the word "developed" in its place.

(3) Subsection (j) is amended by striking the word "has" and inserting the word "develops" in its place.

Sec. 173. The Omnibus Public Safety Amendment Act of 2006, effective April 24, 2007 (D.C. Law 16-306; 53 DCR 8610), is amended as follows:

(a) Section 203(a)(3) is amended by striking the phrase "Subsection (c) is" and inserting the phrase "Subsections (b) and (c) are" in its place.

(b) Section 216(d) is amended by striking the phrase "sections and" and inserting the phrase "sections 201 through 205 and" in its place.

(c) Section 227(a)(2) is amended by striking the phrase "a semicolon" and inserting the phrase "; or" in its place.

Sec. 174. Section 204(a) of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended as follows:

(a) Paragraph (12) is amended by striking the word "and" at the end.

(b) Paragraph (13) is amended by striking the period at the end and inserting the phrase "; and" in its place.

Sec. 175. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

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

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

Sec. 176. Section 301(q) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(17)), is amended as follows:

(a) Paragraph (53) is amended by striking the phrase "Communications; and" and

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inserting the phrase "Communications;" in its place.

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

Sec. 177. Section 1814(8) of the Office of the Chief Technology Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 1-1403(8)), is amended by adding the word "and" at the end.

Sec. 178. Section 804(a)(1) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-308.04(a)(1)), is amended by striking the semicolon at the end of the lead-in language and inserting a colon in its place.

Sec. 179. Section 208(c)(3) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.58), is amended by striking the section designation "8(b)" and inserting the section designation "9(b)" in its place.

Sec. 180. Section 47-2853.152(b) of the District of Columbia Official Code is amended by striking the phrase "registration until the Board rules" and inserting the phrase "registration shall apply until the Board's rules" in its place.

Sec. 181. Section 501(b) of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312; D.C. Official Code § 8-635.01(b)), is amended as follows:

(a) The lead-in language is amended as follows:

(1) Strike the phrase "cleaned up properties" and insert the phrase "cleaned-up properties" in its place.

(2) Strike the phrase "the same or pertinent the" and insert the phrase "instruments pertaining to properties cleaned up pursuant to this act or other pertinent" in its place.

(b) Paragraph (4) is amended by striking the word "runs" and inserting the word "run" in its place.

Sec. 182. Section 431(2)(C) of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3171.01(2)(C)), is amended by striking the semicolon at the end and inserting a period in its place.

Sec. 183. Section 47-2853.46(a) of the District of Columbia Official Code is amended

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by adding a comma after the word "accountants".

Sec. 184. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) Section 103(5)(C) is amended by striking the phrase "rent ceilings" and inserting the phrase "rents charged" in its place.

(b) Section 205(a)(7)(C) is amended by striking the phrase "rent ceilings" both times it appears and inserting the phrase "rents charged" in its place.

(c) The section heading to section 206 is amended by striking the phrase "Rent ceiling." and inserting the phrase "Rent ceilings abolished." in its place.

(d) Section 209(c) is amended by striking the phrase "rent ceilings" and inserting the phrase "rent charged" in its place .

Sec. 185. Section 7 of the District of Columbia Fund Accounting Act of 1980, effective June 14, 1980 (D.C. Law 3-70; D.C. Official Code § 3-308), is amended by striking the phrase "established by section 8".

Sec. 186. The District of Columbia Funeral Services Regulatory Act of 1984, effective May 22, 1984 (D.C. Law 5-84; D.C. Official Code § 3-401 *et seq.*), is amended as follows:

(a) Section 6 is amended as follows:

(1) Subsection (e)(3) is amended by striking the section number "4(i)" and inserting the section number "22a" in its place.

(2) Subsection (g)(7) is amended by striking the section number "4(i)" and inserting the section number "22a" in its place.

(3) Subsection (h)(4)(B) is amended by striking the section number "4(d)" and inserting the section number "22a" in its place.

(b) Section 7(b) is amended by striking the section number "4(i)" and inserting the section number "22a" in its place.

(c) Section 8(b) is amended by striking the section number "4(i)" and inserting the section number "22a" in its place.

Sec. 187. Section 3 of the Litter and Solid Waste Act of 1985, effective February 21, 1986 (D.C. Law 6-84; D.C. Official Code § 3-1003), is amended as follows:

(a) Paragraph (6) is amended by striking the word "and" at the end.

(b) Paragraph (7) is amended by striking the period at the end and inserting the phrase "and" in its place.

Sec. 188. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as

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follows:

- (a) Section 203(a)(8) is amended as follows:
 - (1) The subparagraph designated (B-1) is redesignated as (B-i).
 - (2) The subparagraph designated (B-2) is redesignated as (B-ii).
- (b) Section 502 is amended as follows:
 - (1) Designate the existing language as subsection (a).
 - (2) Paragraph (4) of the newly designated subsection (a) is amended as follows:
 - (A) Subparagraph (C) is amended by striking the phrase “this subsection” and inserting the phrase “this section” in its place.
 - (B) Subparagraph (D) is redesignated as subsection (b).
 - (4) The newly designated subsection (b) is amended as follows:
 - (A) Strike the phrase “subparagraphs (A), (B), and (C) of this paragraph” and insert the phrase “subparagraphs (A), (B), and (C) of subsection (a)(4) of this section” in its place.
 - (B) Strike the phrase “this paragraph shall” and insert the phrase “subsection (a)(4) of this section shall” in its place.
- (c) Section 901(a-1) is amended as follows:
 - (1) The lead-in language of paragraph (1) is amended by striking the phrase “section,;” and inserting the phrase “section.” in its place.
 - (2) Paragraph (2) is amended by striking the period at the end and inserting the phrase “; and” in its place.

Sec. 189. Section 25-1002(c)(4)(C) of the District of Columbia Official Code is amended by striking the phrase “paragraph (4) of this subsection” and inserting the phrase “this paragraph” in its place.

Sec. 190. Section 2(c) of the NoMa Improvement Association Business Improvement District Amendment Act of 2006, effective March 8, 2007 (D.C. Law 16-245; 54 DCR 615), is amended by striking the phrase “section 8(b)” and inserting the phrase “section 9(b)” in its place.

Sec. 191. Section 6(b) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(b)), is amended as follows:

- (1) Paragraph (2) is amended by striking the period at the end and inserting a semicolon in its place.
- (2) Paragraph (3) is amended by striking the word “and” at the end.
- (3) Paragraph (4) is amended by striking the period at the end and inserting the phrase “; and” in its place.

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Sec. 192. Section 631(c)(4) of the District of Columbia Health Occupations Revision Act of 1985, effective March 6, 2007 (D.C. Law 16-228; D.C. Official Code § 3-1206.31(c)(4)), is amended by striking the semicolon at the end and inserting a period in its place.

Sec. 193 Section 203(a)(2) of the Omnibus Public Safety Amendment Act of 2006, effective October 17, 2006 (D.C. Law 16-306; 53 DCR 8610), is amended by adding a new subparagraph (C) to read as follows:

“(C) Strike the phrase “Child Protective Services Division of the Department of Human Services” and insert the phrase “Child and Family Services Agency” in its place.”

Sec. 194. Section 2052 of the Registration and Inspection of Weighing and Measuring Devices Amendment Act of 2004, effective December 7, 2004 (D.C. Law 15-205; 51 DCR 8441), is amended by striking the phrase “\$900” and inserting the phrase “\$900” in its place.

Sec. 195. Section 102(b) of the Placement of Students with Disabilities in Nonpublic Schools Amendment Act of 2006, effective December 19, 2006 (D.C. Law 16-269; D.C. Official Code § 38-2561.02(b)), is amended by striking the comma after the word “act”.

Sec. 196. Section 2 of the Taxicab and Passenger Vehicle for Hire Impoundment Act of 1992, effective March 16, 1993 (D.C. Law 9-199; D.C. Official Code § 50-331), is amended as follows:

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

(1) Strike the period after the phrase “been imposed” and insert a comma in its place.

(2) Strike the last sentence.

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

“(a-1) For the purposes of this section, a notice of infraction is considered unpaid if the infraction has been deemed to have been admitted or sustained after a hearing, pursuant to sections 305 or 306 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code §§ 50-2303.05 and 50-2303.06), section 902 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.02), or subsection 323.3 of Title 31 of the District of Columbia Municipal Regulations.”

Sec. 197. The Department of Motor Vehicles Service and Safety Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-279; 54 DCR 903), is amended as follows:

(a) Section 101 is amended by striking the phrase “The Director” and inserting the phrase “Additional reporting obligations. – The Director” in its place.

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(b) Section 403(c)(3) is amended by striking the phrase "section 2(j)." and inserting the phrase "section 2(j);" in its place.

Sec. 198. Section 4(a)(3) of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.04(a)(3)), is amended by striking the period at the end and inserting the phrase "; or" in its place.

Sec. 199. Section 12(h)(2)(B) of An Act To regulate the business of life insurance in the District of Columbia, approved June 19, 1934 (48 Stat. 1166; D.C. Official Code § 31-4712(h)(2)(B)), is amended by striking the phrase "have a total" and inserting the phrase "come to have a total" in its place.

Sec. 200. Section 2(3) of the Health-Care Facility Unlicensed Personnel Criminal Background Check Act of 1998, effective April 20, 1999 (D.C. Law 12-238; D.C. Official Code § 44-551(3)), is amended by striking the phrase "the mentally retarded" and inserting the phrase "persons with mental retardation" in its place.

Sec. 201. Section 70 of the People First Respectful Language Conforming Amendment Act of 2006, effective April 24, 2007 (D.C. Law 16-305; 53 DCR 6198), is amended as follows:

- (a) Strike the word "disabled" and insert the phrase "functionally disabled" in its place.
- (b) Strike the word "functional" before the word "disabilities".

Sec. 202. Section 47-864.01 of the District of Columbia Official Code is amended by striking the section designation "§ 47-864.01" and inserting the section designation "§ 47-864" in its place.

Sec. 203. The Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; 54 DCR 4102), is amended as follows:

(a) Section 304(a) is amended by striking the phrase "families, which shall be an office of and" and inserting the phrase "families. The program shall be" in its place.

(b) Section 802(e)(1) is amended by striking the phrase "the chartering authority" and inserting the phrase "the eligible chartering authority" in its place.

(c) Section 1001(b) is amended as follows:

(1) Subparagraph (A) is amended by striking the paragraph designation "(61)" and inserting the paragraph designation "(55)" in its place.

(2) Subparagraph (B) is amended by striking the paragraph designation "(62)" and inserting the paragraph designation "(56)" in its place.

(3) Subparagraph (C) is amended by striking the paragraph designation "(63)" both times it appears and inserting the paragraph designation "(57)" in its place.

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(d) Section 1002(b) is amended by striking the subsection designation “(r)” both times it appears and inserting the subsection designation “(s)” in its place.

(e) Section 1005(a) is amended as follows:

(1) Add the phrase “of the District of Columbia” after the word “Education”.

(2) Add the phrase “of the District of Columbia Public Schools” after the word “Chancellor”.

Sec. 204. Section 3(2) of the District of Columbia Public School Support Initiative of 1986, effective February 17, 1988 (D.C. Law 7-68; D.C. Official Code § 38-917(2)), is amended by striking the phrase “Chancellor of its” and inserting the phrase “Chancellor of his or her” in its place.

Sec. 205. Section 103 of the Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978, effective March 3, 1979 (D.C. Law 2-137; D.C. Official Code § 7-1301.03), is amended as follows:

(a) Paragraph (4) is amended by striking the phrase “is at least moderately mentally retarded” and inserting the phrase “has at least moderate mental retardation” in its place.

(b) Paragraph (21)(B) is amended by striking the phrase “the mentally retarded” and inserting the phrase “persons with mental retardation” in its place.

Sec. 206. Section 3 of the School Governance Companion Amendment Act of 2000, effective July 18, 2000 (D.C. Law 13-149; 47 DCR 4639), is amended by striking the subsection designation “(h)” both times it appears and inserting the subsection designation “(g)” in its place.

Sec. 207. Section 204 of An Act To authorize improvements in the operation of the government of the District of Columbia, and for other purposes, approve October 16, 2006 (120 Stat. 2038; Pub. L. 109-356), is amended by striking the section designation “Sec. 4.” and inserting the section designation “Sec. 4a.” in its place.

Sec. 208. Section 2(f)(28) of the Confirmation Act of 1978, effective Marcy 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(28)), is amended by striking the word “Counsel” and inserting the word “Council” in its place.

Sec. 209. Section 47-363 of the District of Columbia Official Code is amended as follows:

(a) Subsection (e)(1) is amended by striking the phrase “and requests pursuant to § 47-364(a)”.

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(b) Subsection (h) is amended by striking the phrase “and the D.C. General Hospital Commission”.

Sec. 210. Section 47-308(c) of the District of Columbia Official Code is amended by striking the phrase “in process” and inserting the phrase “in recess” in its place.

Sec. 211. Section 5082 of the Nursing Facility Quality of Care Fund Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899), is amended by striking the word “ninety”.

Sec. 212. Section 3017 of the Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), is amended by striking the phrase “Paragraph 91A of section 8 of the An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 993; D.C. Official Code § 34-804(b))” and inserting the phrase “Section 1(b) of An Act To provide a People’s Counsel for the Public Service Commission in the District of Columbia, and for other purposes, approved January 2, 1975 (88 Stat. 1975; D.C. Official Code § 34-804(b))” in its place.

Sec. 213. Section 2(a) of the Parking Enhancement Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-186; 53 DCR 6719), is amended by striking the section designation “2411.9” and inserting the section designation “2411.19” in its place.

Sec. 214. Section 3(b)(3) of the Nonprofit Organizations Oversight Improvement Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-4; 54 DCR 4085), is amended as follows:

(a) The lead-in language is amended by striking the phrase “subsection (c)” and inserting the phrase “subsection (d)” in its place.

(b) Strike the subsection designation “(c)(1)” and insert the subsection designation “(d)(1)” in its place.

Sec. 215. The Fiscal Year 2008 Budget Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; 54 DCR 7052), is amended as follows:

(a) Section 1032(a) is amended by striking the paragraph designation “(13)” both times it appears and inserting the paragraph designation “(14)” in its place.

(b) Section 1042(b) is amended as follows:

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(1) Strike the phrase “§§ 47-1801.04(26)(A)” and insert the phrase “paragraph (26)(A) of this section” in its place.

(2) Strike the phrase “47-1801.04(26)(B)” and insert the phrase “paragraph (26)(B) of this section” in its place.

(3) Strike the phrase “47-1806.02” both times it appears and insert the phrase “§ 47-1806.02” in its place.

(c) Section 2003(b) is amended by striking the phrase “the Department” and inserting the phrase “The Department” in its place.

(d) Section 4012(a) is amended as follows:

(1) Paragraph (1) is amended by striking the paragraph designation “(5)” and inserting the paragraph designation “(14)” in its place.

(2) Paragraph (2) is amended by striking the paragraph designation “(6)” and inserting the paragraph designation “(15)” in its place.

(3) Paragraph (3) is amended by striking the paragraph designation “(7)” and inserting the paragraph designation “(16)” in its place.

(e) Section 6052 is amended by striking the section designation “20d” both times it appears and inserting the section designation “20e” in its place.

Sec. 216. Section 2375 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective September 18, 2007 (D.C. Law 17-20; 54 DCR 7052), is amended as follows:

(a) Subsection (d) is redesignated as subsection (e).

(b) The second subsection (c) is redesignated as subsection (d).

(c) Subsection (c)(2) is amended by striking the phrase “to 2363(c)” and inserting the phrase “to section 2363(c)” in its place.

Sec. 217. Section 2 of the Safe and Stable Homes for Children and Youth Amendment Act of 2007, effective September 20, 2007 (D.C. Law 17-21; 54 DCR 6835), is amended as follows:

(a) Strike the chapter designation “8” wherever it appears and insert the chapter designation “8a” in its place.

(b) Strike the section designation “16-801” wherever it appears and insert the section designation “16-1831.01” in its place.

(c) Strike the section designation “16-802” wherever it appears and insert the section designation “16-1831.02” in its place.

(d) Strike the section designation “16-803” wherever it appears and insert the section designation “16-1831.03” in its place.

(e) Strike the section designation “16-804” wherever it appears and insert the section designation “16-1831.04” in its place.

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(f) Strike the section designation "16-805" wherever it appears and insert the section designation "16-1831.05" in its place.

(g) Strike the section designation "16-806" wherever it appears and insert the section designation "16-1831.06" in its place.

(h) Strike the section designation "16-807" wherever it appears and insert the section designation "16-1831.07" in its place.

(i) Strike the section designation "16-808" wherever it appears and insert the section designation "16-1831.08" in its place.

(j) Strike the section designation "16-809" wherever it appears and insert the section designation "16-1831.09" in its place.

(k) Strike the section designation "16-810" wherever it appears and insert the section designation "16-1831.10" in its place.

(l) Strike the section designation "16-811" wherever it appears and insert the section designation "16-1831.11" in its place.

(m) Strike the section designation "16-812" wherever it appears and insert the section designation "16-1831.12" in its place.

(n) Strike the section designation "16-813" wherever it appears and insert the section designation "16-1831.13" in its place.

Sec. 218. Section 10(a)(1) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 702; D.C. Official Code § 1-1001.10(a)(1)), is amended by striking the phrase "referred to in sections" and inserting the phrase "referred to in section" in its place.

Sec. 219. Section 2(c) of the Capitol Riverfront Business Improvement District Amendment Act of 2007, effective October 18, 2007 (D.C. Law 17-27; 54 DCR 8020), is amended by striking the section designation "8(b)" and inserting the section designation "9(b)" in its place.

Sec. 220. Section 3(a) of the Bank Charter Modernization Amendment Act of 2007, effective December 11, 2007 (D.C. law 17-59; 54 DCR 10718), is amended by striking the section designation "3(b)" and inserting the section designation "3a(b)" in its place.

Sec. 221. Section 2(b) of the Omnibus Sports Consolidation Amendment Act of 2007, effective January 29, 2008 (D.C. Law 17-84; 54 DCR 11891), is amended by adding the phrase "both times it appears" before the phrase "and insert".

Sec. 222. Section 3 of the Mortgage Disclosure Amendment Act of 2007, effective January 29, 2008 (D.C. Law 17-90; 54 DCR 11925), is amended as follows:

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(a) Strike the paragraph designation “(cc)” and insert the paragraph designation “(ff)” in its place.

(b) Strike the paragraph designation “(dd)” and insert the paragraph designation “(gg)” in its place.

(c) Strike the paragraph designation “(ee)” and insert the paragraph designation “(hh)” in its place.

(d) Strike the paragraph designation “(ff)” both times it appears and insert the paragraph designation “(gg)” in its place.

Sec. 223. The Jobs for D.C. Residents Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108; 54 DCR 10993), is amended as follows:

(a) Section 101(a) is amended by striking the phrase “D.C. Official Code § 2-139;”.

(b) Section 201 is amended as follows:

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

“(a)(1) The existing language is designated as paragraph (1).

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

“(2) The Executive Director of the Commission shall be a District resident and shall remain a District resident for the duration of his or her employment by the Commission. Failure to maintain District residency shall result in a forfeiture of the position.”.

(2) Subsection (c) is amended by striking the phrase “a listing” and inserting the phrase “and a listing” in its place.

(c) Section 203 is amended as follows:

(1) Subsection (c)(2) is amended by adding the phrase “is added” before the phrase “to read”.

(2) Subsection (d)(1)(A) is amended as follows:

(A) Strike the phrase “New paragraphs (1) and (2) are added” and insert the phrase “Paragraphs (1) and (2) are amended” in its place.

(B) Strike the phrase “(e)(1) Notwithstanding” and insert the phrase “(1) Notwithstanding” in its place.

(d) Section 206(b) is amended as follows:

(1) Strike the lead-in language.

(2) Strike paragraphs (1) and (2).

(3) Strike the phrase “(3) A new paragraph (5)” and insert the phrase “A new subsection (d-1)” in its place.

(4) Strike the paragraph designation “(5)” and insert the subsection designation “(d-1)” in its place.

(5) Strike the word “Authority” wherever it appears and insert the word “Board” in its place.

(e) Section 210 is amended as follows:

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(1) Subsection (a) is amended by striking the phrase “a new sentence” and inserting the phrase “2 new sentences” in its place.

(2) Subsection (b) is amended by striking the word “provided” and inserting the word “except” in its place.

(f) Section 214(b)(2) is amended as follows:

(1) Strike the phrase “Paragraph (2) is amended by adding 6 new sentences” and insert the phrase “A new paragraph (3) is added” in its place.

(2) Strike the word “Notwithstanding” and insert the phrase “(3) District residency. – Notwithstanding” in its place.

(g) Section 215(b) is amended by striking the phrase “and the names” and inserting the phrase “the names” in its place.

Sec. 224. The Public Education Personnel Reform Amendment Act of 2008, effective March 20, 2008 (D.C. Law 17-122; 55 DCR 1506), is amended as follows:

(a) Subsection (a)(4) is amended by adding the word “the” before the word “Board”.

(b) Subsection (d)(2) is amended by striking the phrase “or;” and inserting the phrase “unit;” in its place.

Sec. 225. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 801A(b)(2) is amended as follows:

(1) Subparagraph (A)(ii)(I) is amended by adding a semicolon at the end.

(2) Subparagraph (F)(i)(III) is amended by adding the word “the” after the word “within”.

Sec. 226. Section 2(a)(2) of the Downtown Retail TIF Amendment Act of 2008, effective March 20, 2008 (D.C. Law 17-129; 55 DCR 1532), is amended by adding a comma after the word “customers” the first time it appears.

Sec. 227. Section 5(b)(1)(K) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.74(b)(1)(K)), is amended by striking the phrase “retailers that co-locates” and inserting the phrase “retailers or unique entertainment attractions that co-locate” in its place.

Sec. 228. Section 47-4613(a)(1) of the District of Columbia Official Code is amended by striking the phrase “Title II” and inserting the phrase “Title II of the Rhode Island Metro Plaza Revenue Bonds Approval Act of 2008, effective April 2, 2008 (D.C. Law 17-140; 55 DCR 1870)” in its place.

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Sec. 229. Section 102(f) of the SafeRx Amendments Act of 2008, effective March 26, 2008 (D.C. Law 17-131; 55 DCR 1659), is amended by striking the phrase "section 745" and inserting the phrase "section 744" in its place.

Sec. 230. The Uniform Anatomical Gift Revision Act of 2008, effective April 15, 2008 (D.C. Law 17-145; 55 DCR 2532), is amended as follows:

(a) Section 2(13) is amended by striking the phrase "section 2(6)" and inserting the phrase "section 2(a)(6)" in its place.

(b) Section 8 is amended as follows:

(1) Subsection (b) is amended by adding the word "section" before the number "9" and before the number "10".

(2) Subsection (d) is amended by adding the word "section" before the number "10".

(3) Subsection (f) is amended by adding the word "section" before the number "10".

(c) Section 9(a) is amended by adding the word "section" before the number "8".

(d) Section 11(j) is amended by adding the word "section" before the number "10".

(e) Section 26 is amended by adding a period at the end of the section heading.

(f) Section 30 is amended by inserting the phrase "sections 2 through 29 of" before the phrase "the Uniform Anatomical Gift" wherever it appears.

Sec. 231. Section 501(p) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(p)), is amended by striking the word "pursuant" and inserting the word "subject" in its place.

Sec. 232. Section 2(a) of the Emergency Medical Services Improvement Amendment Act of 2008, effective April 15, 2008 (D.C. Law 17-147; 55 DCR 2558), is amended as follows:

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

(1) Strike the phrase "Fire Department of the District of Columbia" and insert the phrase "Fire and Emergency Medical Services Department ("Department")" in its place.

(b) Paragraph (3) is amended by striking the phrase "Fire and Emergency Medical Services".

Sec. 233. Section 5 of the Commission on Fashion Arts and Events Establishment Act of 2008, effective April 15, 2008 (D.C. Law 17-148; 55 DCR 2219), is amended by striking the word "Events" and inserting the phrase "Events, established by section 2 of the Commission on Fashion Arts and Events Establishment Act of 2008, effective April 15, 2008 (D.C. Law 17-148; 55 DCR 2219)" in its place.

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Sec. 234. Section 2(e)(1) of the Producer Licensing Amendment Act of 2008, effective May 13, 2008 (D.C. Law 17-155; 55 DCR 3683), is amended by adding the word “for” before the phrase “resident insurance”.

Sec. 235. Section 5(b)(2)(A) of the Fire-Standard-Complaint Cigarettes Act of 2008, effective May 13, 2008 (D.C. Law 17-157; 55 DCR 3703), is amended by striking the colon at the end and inserting a semicolon in its place.

Sec. 236. The Prohibition of Discrimination on the Basis of Gender Identity and Expression Amendment Act of 2008, effective June 25, 2008 (D.C. Law 17-177; 55 DCR 3696), is amended as follows:

- (a) Section 12(a)(1) is amended by striking the word “or” before the word “gender”.
- (b) Section 17(a) is amended by striking the section designation “(17A)” both times it appears and inserting the section designation “(7A)” in its place.

Sec. 237. Section 2(3) of the Washington Convention Center Authority Advisory Committee Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-181; 55 DCR 6094), is amended by striking the semicolon both times it appears.

Sec. 238. The Bicycle Policy Modernization Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-184; 55 DCR 6101), is amended as follows:

- (a) Subsection (a) is amended by adding the word “District” before the phrase “Department of Transportation” wherever it appears.
- (b) Subsection (b) is amended as follows:
 - (1) Strike the phrase “(1) Thirteen community” and insert the phrase “Thirteen community” in its place.
 - (2) Strike the phrase “(2) Each community” and insert the phrase “(2)(A) Each community” in its place.
 - (3) Strike the phrase “(3) The representative” and insert the phrase “(B) The representative” in its place.
- (c) Subsection (c)(2) is amended by adding the word “District” before the phrase “Department of Transportation”.
- (d) Subsection (d) is amended by adding the word “District” before the phrase “Department of Transportation”.

Sec. 239. Section 6(e) of the District of Columbia Medical Liability Captive Insurance Agency Establishment Act of 2008, effective July 18, 2008 (D.C. Law 17-196; 55 DCR 6261), is amended by striking the phrase “section (f)” and inserting the phrase “subsection (f)” in its place.

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Sec. 240. The Child Abuse and Neglect Investigation Record Access Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-198; 55 DCR 6283), is amended as follows:

(a) Section 2 is amended by striking the phrase “under Title I” and inserting the phrase “this title” in its place.

(b) Section 3 is amended by adding a period after “(11)” the first time it appears.

Sec. 241. Section 25-113(g) is amended by striking the subsection designation “(g)(4)” and inserting the paragraph designation “(4)” in its place.

Sec. 242. Section 25-402(a) of the District of Columbia Official Code is amended as follows:

- (a) Paragraph (6) is redesignated as paragraph (5).
- (b) Paragraph (7) is redesignated as paragraph (6).
- (c) Paragraph (8) is redesignated as paragraph (7).
- (d) Paragraph (9) is redesignated as paragraph (8).
- (e) Paragraph (10) is redesignated as paragraph (9).

Sec. 243. Section 2(g) of the Department of Small and Local Business Development Subcontracting Clarification, Benefit Expansion, and Grant-making Authority Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-207; 55 DCR 6107), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase “Paragraph (1)” and inserting the phrase “The lead-in language” in its place.

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

Sec. 244. The Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; 55 DCR 7598), is amended as follows:

(a) Section 1005 is amended by striking the section designation “1806j” both times it appears and inserting the section designation “1806k” in its place.

(b) Section 2020 is amended by striking the section designation “1(a)(4)” both times it appears and inserting the section designation “1(b)(4)” in its place.

(c) Section 5018(4) is amended by striking the phrase “D.C. Official Code § 7-751.16a” and inserting the phrase “D.C. Official Code § 7-751.15a” in its place.

(d) Section 5033(e) is amended by striking the phrase “D.C. Official Code § 7-751.16a” and inserting the phrase “D.C. Official Code § 7-751.15a” in its place.

Sec. 245. The Spam Deterrence Act of 2008, effective September 11, 2008 (D.C. Law 17-230; 55 DCR 8311), is amended as follows:

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(a) The long title is amended by striking the phrase "To prohibit" and inserting the phrase "To amend Title 28 of the District of Columbia Official Code to prohibit" in its place.

(b) Strike the phrase "Sec. 2. Definitions." and insert the following in its place:

"Sec. 2. Title 28 of the District of Columbia Official Code is amended as follows:

"(a) The table of contents for the title is amended by adding a new chapter after Chapter 49 to read as follows:

"Chapter 50. Spam Deterrence.

"§ 28-5001. Definitions.

"§ 28-5002. Prohibitions.

"§ 28-5003. Civil relief; damages."

"(b) A new chapter 50 is added to read as follows:

"Chapter 50. Spam Deterrence.

"§ 28-5001."

(c) Strike the phrase "Sec. 3." and insert the section designation "§ 28-5002." in its place.

(d) Strike the phrase "Sec. 4." and insert the section designation "§ 28-5003." in its place.

(e) Strike the phrase "this act" wherever it appears and insert the phrase "this chapter" in its place.

(f) Strike the phrase "D.C. Official Code § 28-3909" and insert the section designation "§ 28-3909" in its place.

Sec. 246. Section 7 of the Compulsory/No Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2406(f)(B)), is amended by striking the phrase "insured denies coverage" and inserting the phrase "insurer denies coverage" in its place.

Sec. 247. Section 3017 of the Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), is amended by striking the phrase "Paragraph 91A of section 8 of the An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 993; D.C. Official Code § 34-804(b))" and inserting the phrase "Section 1(b) of AN ACT To provide a People's Counsel for the Public Service Commission in the District of Columbia, and for other purposes, approved January 2, 1975 (88 Stat. 1975; D.C. Official Code § 34-804(b))" in its place.

Sec. 248. Section 301(q) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-

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603.01), is amended as follows:

(1) Strike the word "and" at the end of paragraph (62).

(2) Strike the period at the end of paragraph (63) and insert the phrase "; and" in its place.

(3) A new paragraph (64) is added to read as follows:

"(64) Office of Cable Television and Telecommunications."

Sec. 249. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

(a) Paragraph (45) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (46) is amended by striking the period at the end and inserting the phrase "; and" in its place.

(b) A new paragraph (47) is added to read as follows:

"(47) The Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1393)."

Sec. 250. The Parking Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-175; 53 DCR 6499), is amended as follows:

(a) Section 3 is amended by striking the section citation "47-2892(c)" and inserting the section citation "47-2829(c)" in its place.

(b) Section 5(a)(3) is amended by striking the phrase "where a wedding" and inserting the phrase "where a non-recurring event such as a wedding" in its place.

Sec. 251. Section 9b(a)(2) of the Department of Transportation Establishment Act of 2002, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 50-921.10(a)(2)), is amended by striking the phrase "transferred or revert to the fund balance of" and inserting the phrase "transferred to" in its place.

Sec. 252. Section 2102 of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899), is amended by striking the phrase "of \$950,000 million" and inserting the phrase "of \$950,000" in its place.

Sec. 253. Section 206(a) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.06(a)), is amended by striking the phrase "June 6, 1006 (Enrolled version of Bill 16-109). Petitions and voluntary agreements pending as of the effective date of the Rent Control Reform Amendment Act of 2006 2006, passed on 2nd reading on June 6, 1006" and inserting the phrase "June 6, 2006 (Enrolled version of Bill 16-109).

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Petitions and voluntary agreements pending as of the effective date of the Rent Control Reform Amendment Act of 2006, passed on 2nd reading on June 6, 2006" in its place.

Sec. 254. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "47-1074. Far Southeast Community Organization; lots 73, 74, and 75, square 5753." and inserting the phrase "47-1075. Far Southeast Community Organization; Lots 73, 74, and 75, square 5753." in its place.

(b) Strike the phrase "§ 47-1074. Far Southeast Community Organization; lots 73, 74, and 75 in square 5753." and insert the phrase "47-1075. Far Southeast Community Organization; Lots 73, 74, and 75, square 5753." in its place.

Sec. 255. Section 3(c)(1)(A) of the Tobacco Settlement Trust Fund and Tobacco Settlement Financing Amendment Act of 2006, effective July 25, 2006 (D.C. Law 16-142; 53 DCR 4412), is amended by striking the phrase "District and" and inserting the phrase "District and" in its place.

Sec. 256. Section 5 of the Washington Stage Guild Tax Exemption Act of 2007, effective September 26, 2006 (D.C. Law 16-172; 53 DCR 6432), is amended as follows:

(a) Strike the subsection designation "(a)".

(b) Subsection (b) is repealed.

Sec. 257. Section 302 of the Medical Malpractice Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-263; 54 DCR 807), is amended by striking the phrase "§16-28223. Mediator costs." and inserting the phrase "§ 16-2822. Mediator costs." in its place.

TITLE II.

Sec. 301. Sections 2 and 3 of the Dishonored check Act of 2006, effective May 12, 2006 (D.C. Law 16-93; 53 DCR 1645), are amended to read as follows:

"Sec. 2. Title 28 of the District of Columbia Official Code is amended by adding a new Chapter 31A to read as follows:

"Chapter 31A

"Dishonored Checks.

"§ 28-3151. Definitions.

"For the purposes of this chapter, the term "merchant" means a person who does or would sell, lease, or transfer, either directly or indirectly, consumer goods or services, or a person who does or would supply the goods or services which are or would be the subject matter of a trade practice.

"§ 28-3152. Merchant's civil recovery for dishonored checks.

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“(a) Any person who, for himself or herself, or for another person, with intent to defraud, makes, draws, utters, or delivers any check, draft, order, or other instrument for the payment of money for goods or services upon any bank or other depository and knows or should have known that payment of the check, draft, order, or other instrument for the payment of money for goods or services will be refused by the drawee bank or other depository, either because the drawer does not have sufficient funds in or credit with the bank or other depository, or the drawer, with intent to defraud, has ordered a stop payment on the check, draft, order, or other instrument for the payment of money for goods or services, shall be civilly liable to the payee who has presented the check, draft, order, or other instrument for the payment of money as provided in this section.

“(b) A person shall be liable under subsection (a) of this section only if the check, draft, order, or other instrument for payment of money is dishonored and the drawer fails to pay the face amount of that check, draft, order, or other instrument for payment of money within 30 days following the mailing by the merchant of a written demand for payment as provided in subsection (f) of this section.

“(c) Any person liable under subsection (a) of this section shall be liable to the merchant for the face amount of the check, and:

“(1) Additional damages in the amount of 2 times the amount of the check, draft, order, or other instrument for the payment of money, or \$100, whichever is greater;

“(2) Costs; and

“(3) Reasonable attorney fees.

“(d) The refusal of the drawee bank or other depository to make payment on a check, draft, order, or other instrument because the drawer does not have sufficient funds in or credit with the bank or other depository shall be prima facie evidence of the drawer's intent to defraud and of knowledge of insufficient funds in or credit with such bank or other depository.

“(e) The additional damages authorized under subsection (c)(1) of this section shall only be available to those merchants that post or otherwise give conspicuous notice at their place of business of the additional damages, including reference to the section of law authorizing the additional damages.

“(f) The written demand for payment of the dishonored check, draft, order, or other instrument for the payment of money required by subsection (b) of this section shall be in the form prescribed in subsection (g) of this section and shall be sent to the drawer's last known residence address and the last known place of business, if any, by first-class mail and by certified mail, return receipt requested with delivery restricted to the drawer, on or after the date the merchant received notice that the check, draft, order, or other instrument for the payment of money has been dishonored.

“(g) The written demand for payment required by subsection (f) of this section shall be in substantially the following form and shall be printed in at least 10-point type:

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“DEMAND FOR PAYMENT OF DISHONORED CHECK, DRAFT, ORDER, OR OTHER
INSTRUMENT FOR THE PAYMENT OF MONEY

‘Notice: You may be sued 30 days after this notice if you don’t
make payment within 30 days of this notice

‘DATE:

‘TO: Name of Drawer
Last known residence address
or place of business

‘YOUR CHECK, DRAFT, ORDER, OR OTHER INSTRUMENT FOR THE PAYMENT OF
MONEY IN THE AMOUNT OF \$ _____, DATED _____, PAYABLE TO THE
ORDER OF _____ HAS BEEN DISHONORED BY THE
BANK/DEPOSITORY UPON WHICH IT WAS DRAWN, BECAUSE:

- ‘() YOU HAD NO ACCOUNT WITH THAT BANK/DEPOSITORY
- ‘() YOU HAD INSUFFICIENT FUNDS OR CREDIT WITH THAT
BANK/DEPOSITORY
- ‘() A STOP PAYMENT ORDER WAS ISSUED
- ‘() OTHER (specify)

‘IF YOU DO NOT MAKE PAYMENT, YOU COULD BE SUED UNDER SECTION
OF THE DISTRICT OF COLUMBIA OFFICIAL CODE TO RECOVER PAYMENT. IF
JUDGMENT IS RENDERED AGAINST YOU IN COURT, IT MAY ALSO INCLUDE NOT
ONLY THE ORIGINAL FACE AMOUNT OF THE CHECK, BUT ALSO ADDITIONAL
DAMAGES, AS FOLLOWS:

- ‘(1) TWO TIMES THE FACE AMOUNT OF THE CHECK, OR \$100, WHICHEVER
IS GREATER;
- ‘(2) COSTS; AND
- ‘(3) REASONABLE ATTORNEY FEES.

‘NAME OF PAYEE:

‘(PHONE NUMBER)

‘ADDRESS TO WHICH PAYMENT SHOULD BE DELIVERED

‘IF YOU DISPUTE ANY OF THE FACTS LISTED ABOVE, CONTACT THE PAYEE
IMMEDIATELY.’

“(h) The remedies provided by this chapter are in addition to civil remedies otherwise
provided by law.

“(i) The recovery of damages from the alleged offender shall not prohibit criminal
prosecution of the alleged offender under § 22-1510.

“(j) The recovery of civil damages by a merchant or a finding of liability under this act
shall not be admissible in a criminal proceeding.

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“(k) A conviction or plea of guilty of making, drawing, or uttering a check, draft, order, or other instrument for payment of money with the intent to defraud under § 22-1510 is not a prerequisite to the maintenance of a civil action under this chapter.”.

Sec. 302. Section 2142(a)(2) of the D.C. Housing Authority Rent Supplement Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899), is amended to read as follows:

“(2) “(19A) “Extremely-low income” means an individual or family whose gross income does not exceed 30% of the area median income.

“(19B) “For-profit activities” means ancillary activities to the main activities of the District of Columbia Housing Authority, such as retail, commercial office, manufacturing, or recreational real property development activities undertaken by for-profit entities intended to support or contribute to the financial viability of Housing Properties, but does not include residential real property development activities.”.

Sec. 303. The District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 794; D.C. Official Code § 6-301.01 *et seq.*), is amended as follows:

- (a) Section 3 is repealed.
- (b) Section 5 is repealed.
- (c) Section 22 is repealed.

Sec. 304. Section 2(f) of the Medicaid Benefits Protection Act of 1994, effective March 14, 1995 (D.C. Law 10-202; D.C. Official Code § 1-307.41(f)), is amended by striking the phrase “hospital and medical service plan as defined in section 2 of the Life and Health Insurance Guaranty Association Act of 1992, effective July 22, 1992 (D.C. Law 9-129; D.C. Code § 35-1941(8))” and inserting the phrase “member insurer as defined in section 2 of the Life and Health Insurance Guaranty Association Act of 1992, effective July 22, 1992 (D.C. Law 9-129; D.C. Official Code § 31-5401(8))” in its place.

Sec. 305. (a) Section 801 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.

- (b) This section shall be apply as of September 29, 2008.

Sec. 306. Section 302(b) of the Pre-k Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; 55 DCR 6297), is amended by striking the phrase “an Act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia, approved June 20, 1996 (34 Stat. 316; D.C. Official § 38-101 *et seq.*)” and inserting the phrase “law and regulation” in its place.

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Sec. 307. Section 4 of the Initiative, Referendum, and Recall Procedures Act of 1979, effective June 7, 1979 (D.C. Law 3-1; D.C. Official Code § 1-1104.02), is repealed.

Sec. 308. The District of Columbia Uniform Disclaimer of Property Interests Act of 1990, effective December 14, 1990 (D.C. Law 8-204; D.C. Official Code § 21-2091 *et seq.*), is repealed as of March 2, 2007.

Sec. 309. The SafeRx Amendment Act of 2008, effective March 26, 2008 (D.C. Law 17-131; 55 DCR 1659), is amended as follows:

(a) Section 102(b) (55 DCR 1659) is amended by striking the word “biologic” and inserting the phrase “biologic for human use” in its place.

(b) Section 202 (D.C. Official Code § 48-841.02) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “prescription drug” and inserting the phrase “prescription drug for human use” in its place.

(2) Paragraph (3) is amended by striking the phrase “prescription drugs” and inserting the phrase “prescription drugs for human use” in its place.

Sec. 310. Section 501(b) of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, (D.C. Law 17-138; D.C. Official Code § 2-1225.31(b)), is amended by striking the phrase “The Mayor” and inserting the phrase “The Mayor, after referral to the National Capital Planning Commission for a 30-day review period,” in its place.

Sec. 311. 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 *et seq.*), is amended as follows:

(a) Section 3(c) (D.C. Official Code § 32-131.02(c)) is amended as follows:

(1) Paragraph (3) is amended by striking the phrase “at the beginning of his or her employment. An employee may begin to access paid leave after 90 days of service with his or her employer” and inserting the phrase “when he or qualifies as an employee” in its place.

(2) Paragraph (3) is repealed.

(b) Section 10 (D.C. Official Code § 32-131.09(c)) is amended by striking the phrase “in languages in accordance with the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*)”.

Sec. 312. The Office on Asian and Pacific Islander Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1371 *et seq.*), is amended as follows:

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(a) Section 305(e)(2) (D.C. Official Code § 2-1374(e)(2)) is amended by striking the phrase "the date a majority of the members are sworn in" and inserting the phrase "April 17, 2008" in its place.

(b) Section 307 (D.C. Official Code § 32-1376) is amended to read as follows:

"Sec. 307. Transition provisions.

"(a) The Commission shall commence operations, and the Commission on Asian and Pacific Islander Affairs established pursuant to Mayor's Order 95-119 shall be abolished, on April 17, 2008. The members of the Commission on Asian and Pacific Islander Affairs established pursuant to Mayor's Order 95-119 shall hold over as members of the Commission until new members are appointed pursuant to section 305.

"(b) All records and functions of the Commission on Asian and Pacific Islander Affairs established pursuant to Mayor's Order 95-119 shall be transferred to the Commission on April 17, 2008."

Sec. 313 Section 3(c) of the District of Columbia Commission for Women Act of 1978, effective September 22, 1978 (D.C. Law 2-109; D.C. Official Code § 3-702(c)), is amended by striking the phrase "with the advice and consent of the Council,".

Sec. 314. The first sentence of section 906(f) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.06(f)), is amended to read as follows:

"(f) Subsections (a) through (e) of this section shall not apply to any person applying for, or accepting, a position in the Excepted Service as an attorney prior to the effective date of the Technical Amendments Act of 2008, passed on 2nd reading on December 16, 2008 (Enrolled version of Bill 17-994)."

Sec. 315. Section 4 of the Retail Service Station Amendment Act of 2000, effective June 24, 2000 (D.C. Law 13-130; 47 DCR 2688), is repealed.

Sec. 316. Section 17 of the Nurse's Rehabilitation Program Act of 2000, effective May 1, 2001 (D.C. Law 13-297; D.C. Official Code § 3-1251.16), is repealed.

Sec. 317. Section 22a of the Health Services Planning Program Re-establishment Act of 1996, effective June 5, 2003 (D.C. Law 14-307; D.C. Official Code § 44-422), is repealed.

Sec. 318. The Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.01 *passim*), is amended as follows:

(a) Section 103(e) (D.C. Official Code § 2-220.03(e)) is repealed.

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(b) Section 203(f) (D.C. Official Code § 32-752(f) is amended by striking the phrase "Subject to the availability of funds, the" and inserting the word "The" in its place.

Sec. 319. Section 6 of the District Department of Transportation DC Circulator Amendment Act of 2006, effective March 6, 2007 (D.C. Law 16-225; 53 DCR 10232), is repealed.

Sec. 320. Section 401 of the Rhode Island Metro Plaza Revenue Bonds Approval Act of 2008, effective April 2, 2008 (D.C. Law 17-140; D.C. Official Code § 47-4613, note), is repealed.

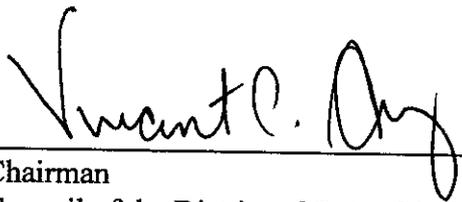
TITLE III.

Sec. 401. Fiscal impact statement.

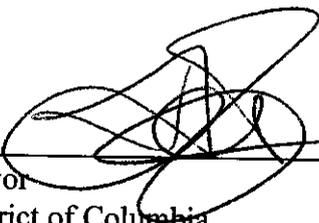
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02©)(3)).

Sec. 402 Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-602.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 15, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-688

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2009

Codification
District of
Columbia
Official Code

2001 Edition

2009 Summer
Supp.West Group
Publisher

To amend the Rental Housing Conversion and Sale Act of 1980 to eliminate the vacancy exception to the payment of the condominium conversion fee, to provide for exceptions to the payment of the condominium conversion fee when a unit is sold to a low-income household, an existing tenant, or certain elderly or persons with disabilities, to establish a new procedure for the payment of the fee, to standardize the means of determining income qualifications, and to eliminate the vacancy exemption if the vacancy is the result of illicit conduct by the housing provider.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Conversion Fee Clarification and Technical Amendment Act of 2008".

Sec. 2. 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 204 (D.C. Official Code § 42-3402.04) is amended as follows:

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

"(a) *Definitions.* -- For the purposes of this section, the term "low-income" means annual household income, as determined by the Mayor, no greater than 80% of the area median income, as defined in section 2(1) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801(1))."

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

"(b) *Fee exemption.* -- The Mayor shall not require a conversion fee for a condominium unit, or the proportionate share value of a cooperative residence, that:

"(1) Is sold to a low-income household;

"(2)(A) Is sold to a member of a household who, as determined by the Mayor:

"(i) Has maintained a rental unit in the building complex as the principal place of residence for at least one year prior to the owner's application to the Mayor for conversion of the housing accommodation to a condominium or cooperative;

"(ii) Is a domiciliary of the District of Columbia; and

"(iii) Is entitled to the possession, occupancy, or benefits of the rental unit.

"(B) If an owner seeks an exemption under this paragraph, the member

Amend
§ 42-3402.04

ENROLLED ORIGINAL

of the household may elect to purchase any unit in the housing accommodation in lieu of her current unit;

“(3)(A) Is sold to a person who:

“(i) Is 62 years of age or older; or

“(ii) Has a disability as defined in section 208(c)(1)(B)(ii); and

“(B) Does not have a total annual household income, as determined by the Mayor, greater than 100% of the area median income, as defined in section 2(1) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801(1)); or

“(4)(A) Is sold as part of a conversion of a property that has been registered as vacant for at least 12 months prior to conversion; and

“(B) Is part of a building complex not exceeding 10 units.”.

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

“(b-1)(1) *Payment.* -- The conversion fee required by subsection (a-1) of this section shall be paid in full into an escrow account at the time of settlement on the sale of the condominium unit or cooperative share.

“(2)(A) The escrow agent shall submit the conversion fee to the Mayor within 30 business days of settlement, together with a copy of the recordation and transfer tax form reflecting the sale price of each condominium unit or cooperative share.

“(B) The name, address, and telephone number of the escrow agent shall be stated on the deed or on a form attached to the deed.

“(3) The Mayor may impose civil fines, penalties, and fees for failure to submit the conversion fee to the Mayor, any infraction of the provisions of this section, or any rules issued under the authority of this section pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801 *et seq.*). Adjudication of any infraction of this act shall be pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801 *et seq.*).

“(4) No portion of the conversion fee required under this section shall be included in the purchase price of units exempted from the conversion fee in subsection (b) of this section.”.

(b) Section 208(a)(1) (D.C. Official Code § 42-3402.08(a)(1)) is amended to read as follows:

Amend
§ 42-3402.08

“(1) For the purposes of this subsection, the term “qualifying income” means a total annual household income, as determined by the Mayor, no greater than 95% of the area median income, as defined in section 2(1) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801(1)).”.

(c) Section 210 (D.C. Official Code § 42-3402.10) is amended to read as follows:

“Sec. 210. Exceptions to Coverage of Title; Expiration Provisions.

Amend
§ 42-3402.10

“(a) This title shall remain in effect until the Mayor declares that a housing crisis no

ENROLLED ORIGINAL

longer exists pursuant to section 512.

“(b) The rights granted under section 208 to eligible elderly and disabled tenants shall not be abrogated or reduced notwithstanding such a declaration by the Mayor.

“(c)(1) A housing provider shall not unreasonably interfere with the tenant’s comfort, safety, or enjoyment of a rental unit, or engage in retaliatory action under section 502 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.02), for the purpose of causing a housing accommodation to become vacant.

“(2) For the purposes of this subsection, the terms “unreasonable interference” or “retaliatory action” may include:

“(A) The knowing circulation of inaccurate information;

“(B) Frequent visits or calls over the objection of the household;

“(C) The threat of retaliatory action;

“(D) An act or threat not otherwise permitted by law to recover possession of a rental unit, increase rent, decrease services, increase the obligation of a tenant or cause undue or avoidable inconvenience, harass or violate the privacy of the household, reduce the quality or quantity of service, refuse to honor a lease, rental agreement, or any provision of a lease or rental agreement, refuse to renew a lease or rental agreement, or terminate a tenancy without legal cause; or

“(E) Any other form of threat or coercion.

“(d)(1) The provisions of this title shall not apply to the conversion of housing accommodations into condominium or cooperative status that are fully vacant as of the date of application to the Mayor for a vacancy exemption; provided, that this exemption shall not apply to:

“(A) Section 204; or

“(B) Any violation of subsection (c) of this section.

“(2) The Mayor shall make such inquiries as the Mayor considers appropriate to determine whether the vacating of each unit was voluntary.

“(3) If the Mayor determines that the vacating of any unit was not voluntary, the Mayor shall disapprove or rescind the approval of the application for exemption.

“(4) All vacancy exemptions shall expire after 180 days; provided, that vacancy exemptions in effect on the effective date of the Conversion Fee Amendment Act of 2008, passed on 2nd reading on December 16, 2008 (Enrolled version of Bill 17-179), shall expire 180 days after the effective date.

“(e) The Mayor may impose civil fines, penalties, and fees for any infraction of the provisions of this section, or any rules issued under the authority of this section pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801 *et seq.*). Adjudication of any infraction of this act shall be pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801 *et seq.*).”.

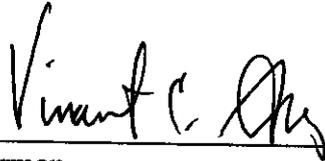
ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

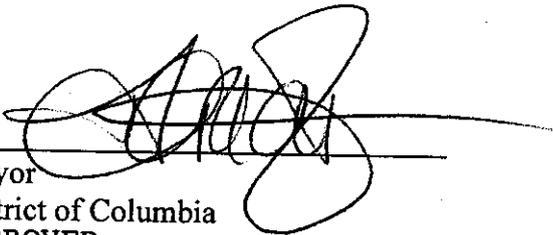
The Council adopts the fiscal impact statement of the Budget Director, dated December 16, 2008, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-689

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JANUARY 16, 2009

*Codification
 District of
 Columbia
 Official Code*

2001 Edition

2009 Summer
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 Publisher

To amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide for tax exemptions for the St. Martin's Apartments development project located in Lot 116, Square 3531.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "St. Martin's Apartments Tax Exemption Act of 2008".

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding the section designation "47-4619. St. Martin's Apartments project tax exemptions."

(b) A new section 47-4619 is added to read as follows:

"§ 47-4619. St. Martin's Apartments project tax exemptions.

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

"(1) "Affordable rental housing project" means a housing development in which units are rented to households with not more than 60% of area median income (adjusted for household size) as such amount of area median income is determined by the United States Department of Housing and Urban Development when they qualify for admission and for a rent not to exceed the rent ceiling for each unit size, as determined by the District of Columbia Housing Finance Agency in accordance with the Federal Low Income Housing Tax Credit regulations.

"(2) "Developer Owner" means St. Martin's Apartments, LP, and its successors, affiliates, and assigns.

"(3) "Developer Sponsor" means C.C.S. Housing, Inc., its successors, affiliates, and assigns.

"(4) "St. Martin's Apartments project" means the acquisition, rehabilitation, and equipping, including the financing, refinancing, or reimbursing of costs incurred, of an affordable housing project located on the land in St. Martin's Parish located on Lot 116, Square

New
 § 47-4619

ENROLLED ORIGINAL

3531 and leased from the Roman Catholic Archdiocese of Washington or Roman Catholic Archbishop of Washington property, consisting of:

“(A) A building containing 178 units of rental housing on the St. Martin’s Apartments property; and

“(B) Other ancillary improvements, including the parking facility included within the building and any cellular tower or cellular equipment on or in the building.

“(5) “St. Martin’s Apartments property” means the real property, including any improvements thereon, located on Lot 116, Square 3531.

“(b) The following conveyances with respect to the St. Martin’s Apartments project or property shall be exempt from the tax imposed by §§ 42-1103 and 47-903:

“(1) Any conveyances to the Developer Sponsor; and

“(2) Any conveyances from the Developer Sponsor to an entity that operates the St. Martin’s Apartments project or property as an affordable rental housing project.

“(c) The St. Martin’s Apartments property shall be exempt from all property tax so long as the property is operated as an affordable rental housing project, subject to the provisions of § 47-1005, 47-1007, and 47-1009 as if the exemption were granted administratively.

“(d) The St. Martin’s Apartments project and the St. Martin’s Apartments property shall be exempt from any public space permit fees imposed by § 47-2718.

“(e) The exemptions pursuant to subsections (c) and (d) of this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the St. Martin’s Apartments project or the St. Martin’s Apartments property.

“(f) This section shall not prevent or restrict the Developer Sponsor or Developer Owner from utilizing any other tax, development, or other economic incentives available to the St. Martin’s Apartments project or the St. Martin’s Apartments property.”.

Sec. 3. Applicability; refund.

This act shall apply, upon the inclusion of its fiscal effect in an approved budget and financial plan, as of August 4, 2008; provided, that if St. Martin’s Apartments, LP has paid any of the fees or taxes referred to in section 2, the fees or taxes shall be refunded.

Sec. 4. Fiscal impact statement.

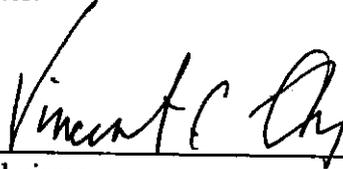
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

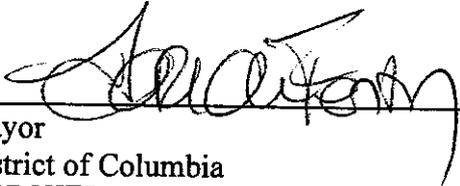
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

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
January 16, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-690

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2009

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
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Publisher

To amend An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to change the definitions for the terms firearm, machine gun, pistol, and sawed-off shotgun, to provide definitions for the terms shotgun, place of business, and registrant, to make discharging a weapon without a permit from the Chief of Police a misdemeanor offense, to provide that the District and private persons may prohibit or restrict the possession of firearms on their property, to prohibit carrying rifles and shotguns in the District except in limited circumstances and to provide penalties for violations of the prohibition that are equivalent to those for unlawfully carrying a pistol, to allow for the transportation of firearms in limited circumstances and in a prescribed manner, to repeal the authority of the Chief of Police to issue licenses for the carrying of pistols, and to change the waiting period for delivery of a purchased pistol from 2 to 10 days; and to provide a savings clause for actions, proceedings, and prosecutions commenced before amendments made by this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Inoperable Pistol Amendment Act of 2008".

Sec. 2. An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501.01 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 22-4501) is amended as follows:

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

"(2A) "Firearm" means any weapon, regardless of operability, which will, or is designed or redesigned, made or remade, readily converted, restored, or repaired, or is intended to, expel a projectile or projectiles by the action of an explosive. The term "firearm" shall not

Amend
§ 22-4501

ENROLLED ORIGINAL

include:

“(1) A destructive device as that term is defined in section 101(7) of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01(7));

“(2) A device used exclusively for line throwing, signaling, or safety, and required or recommended by the Coast Guard or Interstate Commerce Commission; or

“(3) A device used exclusively for firing explosive rivets, stud cartridges, or similar industrial ammunition and incapable for use as a weapon.”.

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

“(4) “Machine gun” shall have the same meaning as provided in section 101(10) of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01(10)).”.

(3) Paragraph (6) is amended to read as follows:

“(6) “Pistol” shall have the same meaning as provided in section 101(12) of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01(12)).”.

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

“(6A) “Place of business” shall have the same meaning as provided in section 101(12A) of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01(12A)).”.

(5) A new paragraph (7A) is added to read as follows:

“(7A) “Registrant” means a person who has registered a firearm pursuant to the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*).

(6) Paragraph (8) is amended to read as follows:

“(8) “Sawed-off shotgun” shall have the same meaning as provided in section 101(15) of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01(15)).”.

(7) A new paragraph (9A) is added to read as follows:

“(9A) “Shotgun” shall have the same meaning as provided in section 101(16) of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01(16)).”.

(b) New sections 3a and 3b are added to read as follows:

“Sec. 3a. Unlawful discharge of a firearm.

“(a) Except as otherwise permitted by law, including legitimate self-defense, no firearm shall be discharged or set off in the District of Columbia without a special written permit from the Chief of Police issued pursuant to Section 1 of Article 9 of the Police Regulations of the District of Columbia, effective September 29, 1964 (C.O. 64-1397F; 24 DCMR § 2300.1).

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“Sec. 3b. Prohibition of firearms from public or private property.

“(a) The District of Columbia may prohibit or restrict the possession of firearms on its property and any property under its control.

“(b) Private persons or entities owning property in the District of Columbia may prohibit or restrict the possession of firearms on their property; provided, that this subsection shall not apply to law enforcement personnel when lawfully authorized to enter onto private property.”.

(c) Section 4 (D.C. Official Code § 22-4504) is amended by adding a new subsection (a-1) to read as follows: Amend
§ 22-4504

“(a-1) Except as otherwise permitted by law, no person shall carry within the District of Columbia a rifle or shotgun. A person who violates this subsection shall be subject to the criminal penalties set forth in subsection (a)(1) and (2) of this section.”.

(d) New sections 4a and 4b are added to read as follows:

“Sec. 4a. Authority to carry firearm in certain places and for certain purposes.

“Notwithstanding any other law, a person holding a valid registration for a firearm may carry the firearm:

“(1) Within the registrant’s home;

“(2) While it is being used for lawful recreational purposes;

“(3) While it is kept at the registrant’s place of business; or

“(4) While it is being transported for a lawful purpose as expressly authorized by District or federal statute and in accordance with the requirements of that statute.

“Sec. 4b. Lawful transportation of firearms.

“(a) Any person who is not otherwise prohibited by the law from transporting, shipping, or receiving a firearm shall be permitted to transport a firearm for any lawful purpose from any place where he may lawfully possess and carry the firearm to any other place where he may lawfully possess and carry the firearm if the firearm is transported in accordance with this section.

“(b)(1) If the transportation of the firearm is by a vehicle, the firearm shall be unloaded, and neither the firearm nor any ammunition being transported shall be readily accessible or directly accessible from the passenger compartment of the transporting vehicle.

“(2) If the transporting vehicle does not have a compartment separate from the driver's compartment, the firearm or ammunition shall be contained in a locked container other than the glove compartment or console, and the firearm shall be unloaded.

“(c) If the transportation of the firearm is in a manner other than in a vehicle, the firearm shall be:

“(1) Unloaded;

“(2) Inside a locked container; and

“(3) Separate from any ammunition.”.

ENROLLED ORIGINAL

(e) Section 5(a) (D.C. Official Code § 22-4505(a)) is amended by striking the phrase “pistol unloaded and in a secure wrapper from” and inserting the phrase “pistol, transported in accordance with section 4b, from” in its place.

Amend
§ 22-4505

(f) Section 6 (D.C. Official Code § 22-4506) is repealed.

Repeal
§ 22-4506

(g) Section 8 (D.C. Official Code § 22-4508) is amended as follows:

Amend
§ 22-4508

(1) Strike the word “pistol” wherever it appears and insert the word “firearm” in its place.

(2) Strike the phrase “48 hours” and insert the phrase “10 days” in its place.

(3) Strike the phrase “shall be securely wrapped and shall be unloaded” and insert the phrase “shall be transported in accordance with section 4b” in its place.

(h) Section 13 (D.C. Official Code § 22-4513) is amended by striking the phrase “section 2 and section 14(b)” and inserting the phrase “sections 2, 4(b), and 14(b)” in its place.

Amend
§ 22-4513

Sec. 3. Savings clause.

Nothing in section 2 shall affect any action, proceeding, or prosecution commenced before September 16, 2008. Any such action, proceeding, or prosecution shall continue, or may be enforced, in the same manner and to the same extent as if the amendments made by that section had not been made.

Sec. 4. Fiscal impact statement.

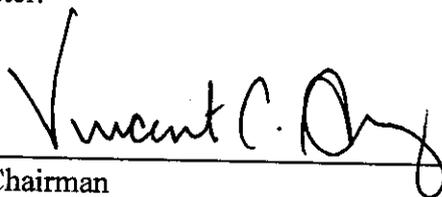
The Council adopts the December 8, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

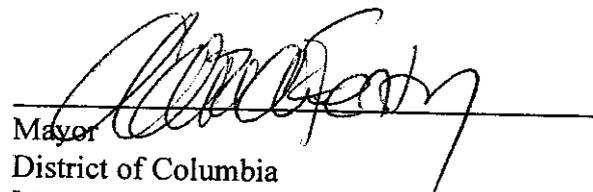
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of Congressional review as

ENROLLED ORIGINAL

provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-691

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.West Group
Publisher

To establish a District-wide Emergency Medical Services system, to require emergency medical services provider entities, emergency medical response vehicles, emergency medical services personnel, and emergency medical services training facilities and instructors to be licensed or certified by the Mayor, to provide for procedures and standards for licensing and certifying emergency medical services provider entities, emergency medical response vehicles, emergency medical services personnel, and emergency medical services training facilities and instructors, to provide for a District-wide trauma and emergency care data collection system, to provide for a program of emergency medical services for children, to establish the District of Columbia Emergency Medical Services Advisory Committee, to authorize the Mayor to promulgate regulations and to conduct inspections, evaluations, and investigations, and to provide penalties for violations of this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Emergency Medical Services Act of 2008".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Ambulance" means any privately or publicly owned vehicle specially designed, constructed, modified, or equipped for use as a means for transporting patients in a medical emergency or any privately or publicly owned vehicle that is advertised, marked, or in any way held out as a vehicle for the transportation of patients in a medical emergency. The term "ambulance" includes vehicles capable of operation over ground, on water, and in air.

(2) "Competency evaluation" means any written, oral, or practical examination or assessment of the knowledge or skills of an applicant for certification or re-certification as emergency medical services personnel which is pertinent to the ability of that applicant to perform the duties required of him or her. Each competency evaluation may include one or more sub-parts, including individual demonstrations and assessments of the applicant's performance in actual or simulated emergency situations.

ENROLLED ORIGINAL

(3) "Emergency" means the existence of circumstances in which the element of time in treating, or in transporting to medical treatment, a person who is ill, injured, wounded, or otherwise incapacitated is essential to the health or life of that person, and in which rescue operations, or competent first aid, or both may be essential to the health or life of that person.

(4) "Emergency medical response vehicle" means a vehicle or conveyance used to respond to the scene of a medical emergency for the purpose of rendering medical assistance, including the provision of medical assistance on the scene or the transportation of patients to a health care facility or other treatment facility. The term "emergency medical response vehicle" includes:

(A) Ambulances which operate as motor vehicles, watercraft, or aircraft;
and

(B) Fire engines, motor vehicles, segways, or other ground, water, or air vehicles used to transport emergency medical services personnel, supplies, or equipment to the scene of an emergency.

(5) "Emergency medical services agency" means an entity engaged in the business or service of one or more of the following:

(A) Responding to requests for emergency medical assistance;

(B) Transporting patients from the scene of an emergency to a health care facility or other treatment facility; or

(C) Providing medical assistance to patients on the scene of an emergency or in transit from the scene of an emergency to a health care facility or other treatment facility.

(6) "Emergency medical services instructor" means a person engaged in the business or service of:

(A) Teaching one or more courses of study or training designed to prepare interested persons for the oral, written, or practical examinations required for certification or re-certification as emergency medical services personnel;

(B) Administering one or more such examinations; or

(C) Both.

(7) "Emergency medical services personnel" means a person performing the duties of providing medical assistance, medical treatment, first aid, or lifesaving interventions, on the scene of an emergency or in transit from the scene of an emergency to a health care facility or other treatment facility, to a person who is ill, injured, wounded, or otherwise incapacitated. The term "emergency medical services personnel" includes persons otherwise classified as "certified first responders", "emergency medical technicians", "basic, intermediate, or advanced emergency medical technicians", and "paramedics".

(8) "Emergency medical services training facility" means an institution or entity engaged in the business or service of providing one or more courses of study or training designed to prepare interested persons for the oral, written, or practical examinations required

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for certification or re-certification as emergency medical services personnel.

(9) "Flight emergency medical services personnel" means a person performing the duties of providing medical assistance, medical treatment, first aid, or lifesaving interventions, in airborne transit from the scene of an emergency to a health care facility or other treatment facility, or in airborne transit between facilities, to a person who is ill, injured, wounded, or otherwise incapacitated. The term "flight emergency medical services personnel" includes persons otherwise classified as emergency medical services personnel by this act, as well as nurses, respiratory therapists, physician assistants, and physicians.

(10) "Health care facility" means a hospital, maternity center, ambulatory surgical facility, or hospice, as defined in the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501 *et seq.*).

(11) "Medical control system" means a system wherein the direct clinical instructions given to emergency medical services personnel in the field are given by physicians in a designated hospital or medical resource center.

(12) "Mutual aid" means an agreement whereby the District of Columbia requests the assistance of an outside entity to provide supplemental or specialized emergency medical services in an emergent situation, pursuant to established protocols.

(13) "Qualified health care professional" means a person licensed and qualified in accordance with the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), and with rules promulgated pursuant to that act, to engage in the act of prescribing and of rendering medical care and advice under the circumstances presented.

(14) "Treatment facility" means an urgent care center, treatment center, clinic, or other facility or office at which medical or psychological services are performed, and which has been designated by the Mayor as a facility authorized to receive patients transported by emergency medical services entities or personnel.

Sec. 3. Applicability and exemptions.

(a) Except as otherwise provided in this act, this act shall apply to every:

(1) Person performing the duties of emergency services personnel, compensated or uncompensated, within the District of Columbia;

(2) Entity providing emergency medical services within the District of Columbia, public or private, for-profit or not-for-profit, including owners or operators of emergency medical services agencies and owners or operators of emergency medical response vehicles; and

(3) Person and entity providing emergency medical services training and instruction, public or private, for-profit or not-for-profit, within the District of Columbia.

(b) The provisions of this act shall not apply to the following:

(1) The unexpected rendering of immediate care by a private citizen, or the

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unexpected use of a privately owned vehicle which is not ordinarily used in the business of transporting persons who are sick, injured, wounded, or otherwise incapacitated or helpless, in the performance of a lifesaving act;

(2) Agencies, vehicles, or training facilities owned or operated by the United States government and operating on federal property;

(3) Agencies operating within the District of Columbia pursuant to mutual aid agreements;

(4) Validly licensed or certified emergency medical response vehicles based outside the District which do not otherwise constitute public vehicles for hire; and

(5) Validly licensed vehicles operated solely for the transportation of non-emergency patients to and from treatment facilities as outpatients; provided, that this exemption shall not apply to any vehicle which is in any way held out as an emergency medical response vehicle.

(c) The Mayor shall establish rules to ensure that emergency medical response vehicles and emergency medical services personnel based outside of the District, but receiving patients within the District for transport to a location within the District, shall meet the substantive standards of this act and of rules promulgated pursuant to this act.

Sec. 4. Emergency medical services agencies: license required.

(a) Except as otherwise provided in this act, no person or entity shall operate an emergency medical services agency in the District, whether public or private, for-profit or not-for-profit, without first having obtained a license from the Mayor to do so.

(b) Unless otherwise specified, all provisions of this act, including those contained within this section, shall apply to any entity of the District government engaging or seeking to engage in the operation of an emergency medical services agency in the District, except that such entity shall be required to obtain a certification from the Mayor in lieu of a license.

(c) An applicant for a license to operate an emergency medical services agency shall establish to the satisfaction of the Mayor that the agency meets all requirements set forth in this act and in rules promulgated pursuant to this act.

(d) An applicant for a license shall:

(1) Submit an application to the Mayor on a form approved by the Mayor;

(2) Submit supporting documentation as required by the Mayor, including all certificates of approval, authority, occupancy, or need that are required as a precondition to lawful operation in the District of Columbia; and

(3) Pay the applicable fee established by the Mayor through rulemaking, except that no license fee shall be required of any emergency medical services agency operated by the District government.

(e) A license to operate an emergency medical services agency shall be issued for a period of time not to exceed 2 years.

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(f) A license to operate an emergency medical services agency shall be valid only for the persons and premises named as applicants in the application. Any change in the ownership of an agency owned by an individual, partnership, or association, or in the legal or beneficial ownership of 25% or more of the stock of a corporation that owns or operates an agency, shall require re-licensure.

(g) An emergency medical services agency shall have a medical director. Except as provided in An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401 *et seq.*), an emergency medical services agency shall have as its medical director a physician licensed to practice medicine in the District of Columbia. The medical director shall have responsibility for medical oversight of all operations of the agency.

(h) Each person performing the duties of emergency medical services personnel while employed by or otherwise affiliated with an emergency medical services agency shall practice under the licensure authority of the agency's medical director as granted pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), except when directed by another physician or other qualified health care professional as part of the District of Columbia's established medical control system.

Sec. 5. Emergency medical response vehicles: license or certification required.

(a) Except as otherwise provided in this act, no ambulance or other emergency medical response vehicle intended to transport patients may be operated in the District without a currently valid license having been issued by the Mayor for that vehicle and for its use as an emergency medical response vehicle.

(b) Except as otherwise provided in this act, no vehicle or other conveyance may be operated as an emergency medical response vehicle not intended to transport patients in the District without a currently valid certification having been issued by the Mayor for the emergency medical response equipment and supplies contained therein.

(c) An applicant for a license or certification to operate an emergency medical response vehicle shall establish to the satisfaction of the Mayor that the vehicle, including its emergency medical response equipment and supplies, meets all applicable requirements set forth in this act and in rules promulgated pursuant to this act.

(d) An applicant for a license or certification shall:

- (1) Submit an application to the Mayor on a form approved by the Mayor;
- (2) Submit supporting documentation as required by the Mayor, including all certificates of approval, authority, motor vehicle registration, or need that are required as a precondition to lawful operation in the District of Columbia; and
- (3) Pay the applicable fee established by the Mayor through rulemaking, except

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that no license or certification fee shall be required for any emergency medical response vehicle operated by the District government.

(e) No license for an emergency medical response vehicle intended to transport patients shall be issued unless the Mayor finds that the vehicle is, and will be at all times when in such use, in compliance with all applicable laws and ordinances relating to health, sanitation, and safety.

(f) No ground emergency medical response vehicle shall be operated to transport patients in the District unless it is staffed by at least 2 persons, each of whom is certified pursuant to this act and to rules promulgated pursuant to this act at a level equal to or greater than a basic emergency medical technician.

(g) No air or water emergency medical response vehicle shall be operated to transport patients in the District unless it is staffed by at least 2 persons, one of whom is a validly licensed pilot and the other of whom is certified pursuant to this act and to rules promulgated pursuant to this act at a level equal to or greater than an intermediate emergency medical technician or a paramedic.

(h) A license or certification for the operation of an emergency medical response vehicle shall be issued for a period of time not to exceed one year.

(i) A license or certification for the operation of an emergency medical response vehicle shall be valid only for the persons and vehicle named as applicants in the application. No emergency medical response vehicle license or certification shall be sold, transferred, or assigned without the approval of the Mayor. Approval may be granted only upon a demonstration that the vehicle and its operation will conform to all licensing or certification requirements set forth in this act and in rules promulgated pursuant to this act.

Sec. 6. Emergency medical services personnel: certification required.

(a) Except as otherwise provided in this act, no person shall perform the duties of emergency medical services personnel in the District, whether for compensation or not for compensation, without first having obtained a certification from the Mayor to do so.

(b) Except as otherwise provided in this act, no person possessing a certification to perform the duties of emergency medical services personnel shall perform the duties of emergency medical services personnel in the District, whether for compensation or not for compensation, at a higher classification level than that at which he or she has been certified.

(c) An applicant for certification as emergency medical services personnel shall establish to the satisfaction of the Mayor that he or she meets all applicable requirements set forth in this act and in rules promulgated pursuant to this act.

(d) An applicant for certification shall:

(1) Submit an application to the Mayor on a form approved by the Mayor;

(2) Submit supporting documentation as required by the Mayor, including proof of required education, training, competency evaluation, physical and mental health, and criminal

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history; and

(3) Pay the applicable fee established by the Mayor through rulemaking; provided, that nothing in this section shall prohibit a private entity or government agency from paying the application fee on behalf of a current or prospective employee.

(e) An emergency medical services personnel certification shall be issued for a period of time not to exceed 2 years.

(f) An emergency medical services personnel certification shall be valid only for the person named as applicant in the application. No emergency medical services personnel certification may be sold, assigned, or transferred.

(g) The Mayor shall adopt classifications of emergency medical services personnel, including permissible scopes of performance and certification requirements for each such classification. The Mayor may adopt nationally recognized standards or develop standards specific to the emergency medical services needs of the District of Columbia.

(h) The Mayor shall require each applicant for emergency medical services personnel certification to successfully complete one or more competency evaluations, demonstrating both theoretical and practical knowledge of the skills required for acceptable performance of the duties of that classification of personnel. The Mayor may adopt nationally recognized evaluations or develop evaluations specific to the emergency medical services needs of the District of Columbia.

(i) A person possessing an emergency medical services personnel certification shall be recertified, no less than once every 2 years, to continue performing the duties of emergency medical services personnel.

(j) The Mayor shall require each applicant for emergency medical services personnel recertification to successfully complete continuing professional education or supplemental training or to successfully complete one or more competency evaluations demonstrating knowledge of the skills required for acceptable performance of the duties of that classification of personnel. The Mayor may adopt nationally recognized training requirements and evaluations or develop requirements and evaluations specific to the emergency medical services needs of the District of Columbia.

Sec. 7. Flight emergency medical services personnel: certification required

(a) Except as otherwise provided in this act, no person shall perform the duties of flight emergency medical services personnel in the District, whether for compensation or not for compensation, without first having obtained a certification from the Mayor to do so.

(b) An applicant for certification as flight emergency medical services personnel shall be certified as emergency medical services personnel pursuant to this act, or shall be licensed pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), in addition to obtaining special certification from the Mayor to perform his or her duties in an airborne setting.

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(c) An applicant for certification as flight emergency medical services personnel shall establish to the satisfaction of the Mayor that he or she meets all applicable requirements set forth in this act and in rules promulgated pursuant to this act.

Sec. 8. Emergency medical services training facilities: certification required.

(a) Except as otherwise provided in this act, no person or entity shall operate an emergency medical services training facility in the District, whether public or private, for-profit or not-for-profit, without first having obtained a certification from the Mayor to do so.

(b) An applicant for a certification to operate an emergency medical services training facility shall establish to the satisfaction of the Mayor that the facility meets all requirements set forth in this act and in rules promulgated pursuant to this act.

(c) An applicant for a certification shall:

(1) Submit an application to the Mayor on a form approved by the Mayor;

(2) Submit supporting documentation as required by the Mayor, including all certificates of approval, authority, occupancy, or need that are required as a precondition to lawful operation in the District of Columbia; and

(3) Pay the applicable fee established by the Mayor through rulemaking, except that no certification fee shall be required of any emergency medical services training facility operated by the District government.

(d) A certification to operate an emergency medical services training facility shall be issued for a period of time not to exceed 2 years.

(e) A certification to operate an emergency medical services training facility shall be valid only for the persons and premises named as applicants in the application. Any change in the ownership of a facility owned by an individual, partnership, or association, or in the legal or beneficial ownership of 25% or more of the stock of a corporation that owns or operates a facility, shall require recertification.

(f) An emergency medical services training facility shall conform to curriculum and competency evaluation standards as developed by the Mayor. The Mayor may adopt nationally recognized standards or develop standards specific to the emergency medical services needs of the District of Columbia.

(g) An emergency medical services training facility shall have a medical director. Except as provided in An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401 *et seq.*), an emergency medical services training facility shall have as its medical director a physician licensed to practice medicine in the District of Columbia. The medical director shall have responsibility for medical oversight of all operations of the facility.

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Sec. 9. Emergency medical services instructors: certification required.

(a) Except as otherwise provided in this act, no person shall perform the duties of an emergency medical services instructor in the District, whether for compensation or not for compensation, without first having obtained a certification from the Mayor to do so.

(b) No person may obtain certification as an instructor for a classification of emergency medical services personnel without first having been certified pursuant to this act as emergency medical services personnel at an equal or higher classification, or having been licensed pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), as a health care professional with a greater scope of practice. Each instructor shall maintain the requisite provider certification, as specified in this section, in good standing throughout his or her period of instructor certification.

(c) An applicant for certification as an emergency medical services instructor shall establish to the satisfaction of the Mayor that he or she meets all applicable requirements set forth in this act and in rules promulgated pursuant to this act.

(d) An applicant for certification shall:

(1) Submit an application to the Mayor on a form approved by the Mayor;

(2) Submit supporting documentation as required by the Mayor, including proof of required education, training, and competency evaluation; and

(3) Pay the applicable fee established by the Mayor through rulemaking; provided, that nothing in this section shall prohibit a private entity or government agency from paying the application fee on behalf of a current or prospective employee.

(e) An emergency medical services instructor certification shall be issued for a period of time not to exceed 2 years.

(f) An emergency medical services instructor certification shall be valid only for the person named as applicant in the application. No emergency medical services instructor certification may be sold, assigned, or transferred.

(g) The Mayor shall require each applicant for emergency medical services instructor certification to successfully complete one or more competency evaluations, demonstrating both theoretical and practical knowledge of the skills required for acceptable performance of the duties of instruction. In addition, the Mayor may require each applicant to successfully complete one or more emergency medical services instructor courses. The Mayor may adopt nationally recognized evaluations and courses or develop evaluations and courses specific to the emergency medical services needs of the District of Columbia.

(h) A person possessing an emergency medical services instructor certification shall be recertified, no less than once every 2 years, to continue performing the duties of emergency medical services instruction.

(i) The Mayor shall require each applicant for emergency medical services instructor recertification to successfully complete continuing professional education or supplemental training or to successfully complete one or more competency evaluations demonstrating

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knowledge of the skills required for acceptable performance of the duties of instruction. The Mayor may adopt nationally recognized training requirements and evaluations or develop requirements and evaluations specific to the emergency medical services needs of the District of Columbia.

Sec. 10. Liability insurance required for vehicles, facilities, and agencies.

(a) No license shall be issued pursuant to this act to any emergency medical response vehicle used to transport patients unless there is, at all times in force and effect, insurance coverage for the vehicle, issued by an insurance company or companies licensed to do business in the District, providing for the payment of damages for the following:

(1) Bodily injury to, or death of, individuals in accidents resulting from any cause for which the owner of the vehicle would be liable, regardless of whether the vehicle was being operated by the owner or by his or her agent; and

(2) Loss of, or damage to, the property of another, including personal property, under similar circumstances.

(b) No certification shall be issued pursuant to this act to any emergency medical services training facility, on the premises of which training instruction or evaluation is conducted, unless there is, at all times in force and effect, insurance coverage for the facility premises, issued by an insurance company or companies licensed to do business in the District, providing for the payment of damages for bodily injury, death, and damage to or loss of personal property, for any reason for which the owner or operator of the premises would be liable.

(c) No license shall be issued pursuant to this act to any emergency medical services agency unless there is, in addition to vehicle and premises coverage as specified herein, at all times in force and effect, incidental malpractice insurance coverage specific to the duties of a medical director.

(d) The provisions of this section shall not apply to vehicles, facilities, and agencies owned and operated by agencies of the District government.

(e) The Mayor shall promulgate rules further specifying the insurance to be required of all vehicles, facilities, and agencies licensed or certified pursuant to this act.

(f) The cancellation or other termination of any insurance policy required pursuant to this section shall be grounds for immediate termination of the licenses or certifications issued for the vehicles, facilities, and agencies covered by the policy, unless another insurance policy complying with the provisions of this section has been obtained and is in effect at the time of the cancellation or termination.

Sec. 11. Provisional and restricted licenses and certifications.

(a) The Mayor may issue provisional licenses or certifications to new emergency medical services agencies or training facilities to afford the Mayor sufficient time and evidence

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to evaluate whether a new agency or facility is capable of complying with the provisions of this act, rules promulgated pursuant to this act, and other applicable provisions of law.

(b) As an alternative to denial, nonrenewal, suspension, or revocation of a license or certification, when an agency, facility, or vehicle is not in substantial compliance with the provisions of this act, rules promulgated pursuant to this act, or other applicable provisions of law, and when the Mayor finds that the public interest would be served thereby, the Mayor may:

(1) Issue a provisional license or certification, if the owner or operator of the agency, facility, or vehicle is taking appropriate ameliorative action in accordance with an agreed-upon timetable; or

(2) Issue a restricted license or certification that prohibits the agency, facility, or vehicle from accepting new patients or students, or from delivering certain specified services that it would otherwise be authorized to deliver, until appropriate ameliorative action is taken.

(c) The Mayor may issue provisional certifications to emergency medical services personnel who do not fully meet the requirements specified in this act or in rules promulgated pursuant to this act if the Mayor finds that the public interest would be served thereby.

(d) Provisional licenses or certifications issued pursuant to this section may be granted for a period of time up to and including 180 days, and may be renewed no more than once.

Sec. 12. Licenses and certifications issued pursuant to prior authority.

Except as otherwise provided in this act, any emergency medical services agency, ambulance or other emergency medical response vehicle, emergency medical technician or paramedic, emergency medical services instructor or preceptor, or emergency medical services training facility currently licensed or certified pursuant to the Regulation to Establish Standards for Ambulances and Medical Personnel and to Provide for their Certification, enacted December 13, 1972 (Reg. 72-29; 29 DCMR §§ 500 *et seq.*) ("Ambulance and Medical Personnel Regulation"), as amended, shall be considered licensed or certified pursuant to this act, and shall be subject to the renewal requirements established by this act and by rules promulgated pursuant to this act.

Sec. 13. Reciprocity for emergency medical services personnel certified in other jurisdictions.

(a) The Mayor may grant provisional certification, at the equivalent classification level, to any individual possessing a current valid emergency medical services personnel credential issued by any state or United States territory.

(b) The provisional certification issued pursuant to this section shall be effective for a period not to exceed 90 days.

(c) The Mayor may fully certify the individual as emergency medical services personnel in the District of Columbia, at the appropriate classification level, upon verification from the state or territory originally granting certification that the individual has successfully completed

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training and competency evaluation equivalent to that required by the Mayor by this act and by rules promulgated pursuant to this act, or upon the successful completion by the individual of the District's competency evaluation at the appropriate classification level.

Sec. 14. Powers and duties of the Mayor.

(a) To ensure compliance with the provisions of this act and of any rules promulgated pursuant to this act, the Mayor, or any duly authorized designee, shall be permitted at reasonable times to conduct an inspection of any agency, vehicle, or training facility, or to conduct a competency evaluation of any person, licensed or certified pursuant to this act or for which a licensure or certification application has been filed.

(b) In the alternative or in addition to conducting an inspection or evaluation, the Mayor, or any duly authorized designee, shall be permitted to demand the production of all records relating to the operation of any agency, vehicle, or training facility, or to the performance of duties by any person, licensed or certified pursuant to this act or for which a licensure or certification application has been filed.

(c) To ensure compliance with the provisions of this act and of any rules promulgated pursuant to this act, the Mayor may conduct investigations, as needed, and may administer oaths, examine witnesses, and issue subpoenas to compel the attendance and testimony of witnesses or the production of books, records, or other documents. In case of contempt or refusal to obey a subpoena, the Superior Court of the District of Columbia, at the request of the Mayor, shall issue an order requiring the person to appear and testify or to produce books, papers, or other evidence bearing on the investigation. Failure to obey the court's order shall be punishable as contempt of court.

(d) The Mayor shall maintain and make available to the public information concerning:

- (1) Application, licensure, and renewal requirements and procedures;
- (2) An official register of licensed or certified emergency medical services agencies and emergency medical services training facilities; and
- (3) Trauma and emergency care data as required by this act and by rules promulgated pursuant to this act.

Sec. 15. License and certification renewal.

(a) An application for renewal of a license or certification shall be submitted to the Mayor no later than 90 days before expiration of the license or certification, on a form approved by the Mayor, accompanied by the appropriate renewal fee established by the Mayor through rulemaking. An application for renewal submitted later than 90 days before expiration shall be subject to a late fee.

(b) A license or certification issued pursuant to this act for which timely renewal application is made shall continue in force beyond the expiration date until the Mayor acts on the renewal application.

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Sec. 16. Denial, suspension, and revocation of license or certification.

(a) The Mayor, subject to the right to a hearing as provided in section 18, may deny issuance of, deny renewal of, suspend, or revoke a license or certification to operate an emergency medical services agency, an emergency medical response vehicle, or an emergency medical services training facility to a person or entity which is found to have:

(1) Failed to comply with the applicable provisions of this act or of rules promulgated pursuant to this act;

(2) Failed to comply with any other federal or District law applicable to the operation of an emergency medical services agency, an emergency medical response vehicle, or an emergency medical services training facility; or

(3) Committed, aided, abetted, or permitted to be committed any act of dishonesty, fraud, gross negligence, abuse, assault, or other illegal act related to the operation of the agency, vehicle, or facility.

(b) The Mayor, subject to the right to a hearing as provided in section 18, may deny issuance of, deny renewal of, suspend, or revoke a certification to perform the duties of emergency medical services personnel or of an emergency medical services instructor to an individual who is found to have:

(1) Failed to comply with the applicable provisions of this act or of rules promulgated pursuant to this act;

(2) Failed to comply with any other federal or District law applicable to the duties of emergency medical services personnel or an emergency medical services instructor;

(3) Filed a false document or made a false statement to the government regarding his or her qualifications for the emergency medical services personnel or instructor position;

(4) Committed, aided, abetted, or permitted to be committed any act of dishonesty, fraud, gross negligence, abuse, assault, or other illegal act related to the performance of his or her duties; or

(5) Committed, aided, abetted, or permitted to be committed repeated acts of malfeasance, negligence, or dereliction of duty, or any act of malfeasance, negligence, or dereliction of duty resulting in demonstrable harm to a patient, related to the performance of his or her duties.

(c) Upon suspension, revocation, or termination of a license or certification to operate an emergency medical services agency, emergency medical response vehicle, or emergency medical services training facility, the owner or operator of the agency, vehicle, or facility so certified shall immediately surrender the license or certification, and the agency, vehicle, or facility shall immediately cease emergency medical services operations. In the case of a vehicle used to transport patients, no person or entity shall permit the vehicle to be used for that purpose.

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(d) Upon suspension, revocation, or termination of a certification to perform the duties of emergency medical services personnel or an emergency medical services instructor, the individual so certified shall immediately surrender his or her certification, and shall immediately cease to perform emergency medical services or instruction duties. No person, entity, or government agency shall employ the individual, or permit the individual to act, in that capacity.

Sec. 17. Summary suspension.

(a) If, after an investigation, the Mayor determines that an agency, vehicle, person, or facility licensed or certified pursuant to this act has failed to comply with the provisions of this act, or with rules promulgated pursuant to this act, in such a manner as to present an imminent danger to the health, safety, or welfare of any person or of the general public, the Mayor may summarily suspend the license or certification prior to a hearing.

(b) The Mayor shall provide as soon as possible the person, or the owner or operator of the agency, vehicle, or facility, licensed or certified with written notice of the summary suspension. The notice shall inform the affected person or entity of the reason for the suspension and of the right to request a hearing.

(c) The person, or owner or operator of the agency, vehicle, or facility, shall have 5 business days after service of the notice of summary suspension in which to request a hearing to challenge the summary suspension. If requested, the hearing shall be conducted by the Office of Administrative Hearings. A hearing shall be held within 5 business days of a timely request, and a decision shall be issued within 5 business days after the record is closed.

Sec. 18. Hearings.

(a) Except in the case of a summary suspension as provided in section 17, before the Mayor denies an application for initial or renewal licensure or certification, or suspends or revokes a license or certification, or imposes a civil fine, the Mayor shall give the person, or the owner or operator of the agency, vehicle, or facility, against whom the action is contemplated written notice of the contemplated action. The notice must inform the affected person or entity of the reason for the action and of the right to request a hearing.

(b) If requested, the hearing shall be conducted by the Office of Administrative Hearings.

Sec. 19. Judicial review.

A person or entity aggrieved by a decision of the Office of Administrative Hearings may appeal the decision to the District of Columbia Court of Appeals, in accordance with the District of Columbia Administrative Procedure Act of 1968, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §§ 2-501 *et seq.*), and pursuant to the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code §§ 2-1831.01 *et seq.*).

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Sec. 20. Trauma care system.

(a) The Mayor shall establish criteria for the designation of, and shall designate, one or more hospitals within the District of Columbia as specialized trauma care facilities.

(b) The Mayor may establish criteria for the designation of, and may designate, one or more hospitals within the District of Columbia as specialized care facilities for other types of commonly occurring medical emergencies.

(c) The Mayor may establish and maintain a database of information regarding trauma and emergency medical care services provided within the District of Columbia. All hospitals, health care facilities, and treatment facilities receiving emergency medical care patients, and all entities providing emergency medical care services, shall provide data to the Mayor as specified in rulemaking promulgated pursuant to this act.

(d) To the extent that trauma and emergency medical care records compiled and maintained by the Mayor, hospitals, other health care facilities, treatment facilities, or emergency medical services providers in connection with the trauma and emergency medical care information system pursuant to this act contain patient identifiable data, that data shall be maintained pursuant to applicable privacy laws.

Sec. 21. Advertising.

(a) No person, entity, or government agency shall advertise or disseminate information to the public that it offers ambulance service, unless that service is provided by persons certified pursuant to this act and to rules promulgated pursuant to this act at a level equal to or greater than a basic emergency medical technician.

(b) No person, entity, or government agency shall advertise or disseminate information to the public that it offers emergency medical services training, unless that training is provided by persons certified as emergency medical services instructors pursuant to this act and to rules promulgated pursuant to this act.

Sec. 22. Emergency medical services for children.

The Mayor shall establish, in collaboration with a licensed hospital within the District of Columbia specializing in pediatric care, a program of emergency medical services for children. The purpose of this program shall be to continue, to the extent that funds are made available through federal government grants, District appropriated funds, or private sources, the operation and development of programs designed to improve the emergency medical care provided to children within the District of Columbia.

Sec. 23. Establishment of District of Columbia Emergency Medical Services Advisory Committee.

(a) There is established a District of Columbia Emergency Medical Services Advisory Committee ("EMSAC").

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(b) EMSAC shall advise the Mayor, the Chief and the Medical Director of the Fire and Emergency Medical Services Department, the Director of the Department of Health, the Director of the Department of Mental Health, and the Director of the Homeland Security Emergency Management Agency regarding issues related to emergency medical services in the District of Columbia.

(c) EMSAC shall perform the following functions:

(1) Advise on the best practices in emergency medical services across the United States to assist in establishing performance goals for emergency medical services in the District;

(2) Recommend standards, or revisions to existing standards, to be applied to the delivery of emergency medical services in accordance with the appropriate District, federal, and Washington regional statutes, rules, regulations, and inter-jurisdictional agreements;

(3) Advise on the development of a program of public information and education with respect to emergency medical services;

(4) Advise on the development of an emergency medical data collection system for the District, and on the categorization of emergency facilities and services;

(5) Advise on the coordination of District emergency medical services with those emergency medical service activities and projects coordinated through the Metropolitan Washington Council of Governments;

(6) Provide biennial comments on the operations of emergency medical services in the District; and

(7) Undertake other duties as assigned by the Mayor, or his or her designee.

(d) EMSAC shall be comprised of 17 members, 11 of whom shall be voting members appointed by the Mayor, and shall include:

(1) Voting members:

(A) Two representatives of hospitals, including trauma centers, located in the District;

(B) One representative of a professional medical organization concerned with emergency medical services;

(C) One representative of a professional health organization, or institution, concerned with emergency health services;

(D) One representative of labor organizations representing emergency medical services personnel;

(E) One representative concerned with pediatric trauma care;

(E) One representative of a commercial ambulance service; and

(F) Four community representatives, including at least one person representing each of the following:

(i) Seniors or elders;

(ii) Persons with disabilities;

(iii) The Latino community; and

ENROLLED ORIGINAL

- (iv) The Gay, Lesbian, Bisexual, and Transgendered community.
- (2) The 6 non-voting, *ex officio* members shall be:
 - (A) The Director of the Department of Health, or his or her designee;
 - (B) The Director of the Fire and Emergency Medical Services Department, or his or her designee;
 - (C) The Director of the Department of Mental Health, or his or her designee;
 - (D) The Director of the Homeland Security and Emergency Management Agency, or his or her designee;
 - (E) The Director of the Department of Human Services, or his or her designee; and
 - (F) The Mayor's Policy Advisor on Health and Human Services.
- (3) Members of EMSAC shall serve without compensation.

Sec. 24. Rulemaking.

(a) The Mayor, pursuant to Title 1 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, including:

- (1) Minimum standards of operation of an emergency medical services agency, including:
 - (A) Medical director and staff qualifications and responsibilities;
 - (B) Premises and equipment standards;
 - (C) Hours and scope of operation;
 - (D) Safety and health standards; and
 - (E) Record keeping and reporting requirements;
- (2) Minimum standards of operation of an emergency medical response vehicle, including:
 - (A) Operator and attendant qualifications;
 - (B) Vehicle, equipment, and supplies requirements;
 - (C) Safety and health standards; and
 - (D) Record keeping and reporting requirements;
- (3) Minimum standards of qualification and performance for emergency medical services personnel at each classification level, including:
 - (A) Permissible scope of practice and practice settings;
 - (B) Education and training;
 - (C) Competency evaluations;
 - (D) Health requirements;
 - (E) Character standards; and
 - (F) Recertification requirements;

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(4) Minimum standards of qualification and performance for emergency medical services instructors, including:

- (A) Education and training;
- (B) Competency evaluations; and
- (C) Recertification requirements;

(5) Minimum standards of operation of an emergency medical services training facility, including:

- (A) Premises and equipment standards;
- (B) Director and instructor qualifications and responsibilities;
- (C) Curricula and course contents;
- (D) Competency evaluations; and
- (E) Record keeping and reporting requirements;

(6) Licensure and certification application, issuance, and renewal procedures;

(7) Grounds and procedures for denial, non-renewal, suspension, and revocation of a license or certification;

(8) Standards and requirements for the operation of a 24-hour emergency response vehicle service;

(9) Minimum standards and criteria for the designation of specialized trauma care facilities, and for the designation of other specialized emergency medical care facilities as considered warranted by the Mayor;

(10) Standards and criteria for emergency medical care data collection;

(11) Encouraging health-care facilities, including long-term care and assisted living facilities, to provide or procure inter-facility transport services independent of the 911 emergency system for their non-emergent needs; provided, that this does not limit the authority of the Medical Director of the Fire and Emergency Medical Services Department pursuant to An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401 *et seq.*); and

(12) The establishment of a fee schedule to recover the costs of regulating emergency medical services agencies, emergency medical response vehicles, emergency medical services personnel, and emergency medical services training facilities and instructors pursuant to this act.

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

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Sec. 25. Criminal and civil penalties.

(a) Any person or entity who violates any provision of this act shall, upon conviction, be subject to imprisonment not to exceed 180 days, a fine not to exceed \$1,000, or both. Each unlawful act shall constitute a separate violation.

(b) Any person or entity who has been previously convicted pursuant to this act shall, upon conviction for a subsequent violation, be subject to imprisonment not to exceed one year, a fine not to exceed \$5,000, or both.

(c) Civil fines and penalties may be imposed as alternative sanctions for any violations of the provisions of this act or of rules promulgated under the authority of this act, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*). The adjudication of any infraction shall be conducted by the Office of Administrative Hearings, pursuant to the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*), and to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*), and to rules promulgated pursuant to those acts.

Sec. 26. Prosecutions.

(a) Criminal prosecutions for violations of this act shall be brought by the Attorney General for the District of Columbia in the name of the District of Columbia.

(b) In any prosecution initiated pursuant to this act, a person or entity claiming an exemption from a licensing or certification requirement of this act shall have the burden of proving entitlement to the exemption.

Sec. 27. Injunctions.

(a) The Attorney General for the District of Columbia may bring an action in the Superior Court of the District of Columbia, in the name of the District of Columbia, to enjoin any violation of this act.

(b) The remedy established by this section shall be in addition to criminal sanctions, civil sanctions, and disciplinary action initiated by the Mayor.

(c) In any proceeding brought pursuant to this section, it shall not be necessary to prove that any person has been injured by the violation alleged.

Sec. 28. Repeal of existing regulations.

(a) To the extent not explicitly superseded by the provisions of this act, the Ambulance and Medical Personnel Regulation (29 DCMR § 500 *et seq.*) shall remain in effect until superseded by rules promulgated by the Mayor pursuant to the authority of this act. Upon the effective date of rules promulgated pursuant to this act, each superseded portion of the Ambulance and Medical Personnel Regulation shall be deemed repealed.

ENROLLED ORIGINAL

(b) The Adult Trauma Care rules (22 DCMR § 2700 *et seq.*) and the Pediatric Trauma care rules (22 DCMR § 2800 *et seq.*) shall remain in effect until superseded by new trauma care rules promulgated pursuant to this act.

Sec. 29. Pending actions and proceedings; existing orders.

(a) No judicial or administrative proceeding commenced by or against any emergency medical services agency, emergency medical response vehicle owner or operator, emergency medical services training facility or instructor, emergency medical technician, or paramedic shall abate by reason of the taking effect of this act. Each such action or proceeding shall be continued with substitution as to parties and government agencies as appropriate.

(b) All decisions issued pursuant to the Ambulance and Medical Personnel Regulation (29 DCMR § 500 *et seq.*) shall continue in effect until modified, rescinded, or superseded by regulations issued pursuant to this act.

Sec. 30. Applicability.

This act shall apply 90 days after the effective date of this act.

Sec. 31. Fiscal impact statement.

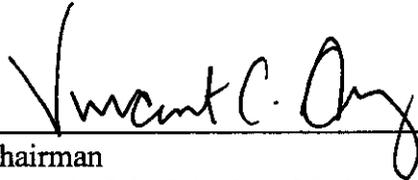
The Council adopts the October 21, 2008 fiscal impact statement of the Chief Financial Officer in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 32. Effective date.

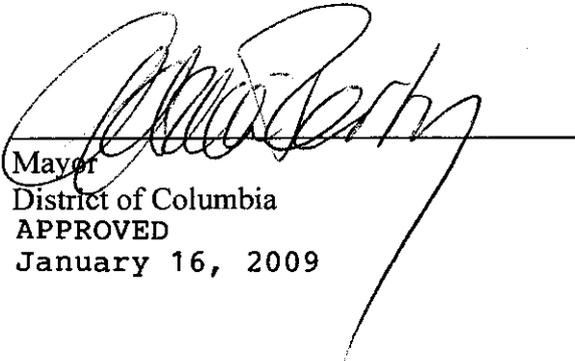
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

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



Mayer
District of Columbia
APPROVED
January 16, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-692

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2009

*Codification
District of
Columbia
Official Code*

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2009 Summer
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To amend the District of Columbia Spouse Equity Act to give domestic partners equity in retirement benefits; to amend the Policemen and Firemen’s Retirement and Disability Act to include domestic partners as survivors for purposes of police and fire retirements; and to amend section 21-586 of the District of Columbia Official Code to include domestic partners among the relatives financially responsible for hospitalization costs of a mentally ill relation .

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Domestic Partnership Police and Fire Amendment Act of 2008”.

Sec. 2. The District of Columbia Spouse Equity Act of 1988, effective March 16, 1989 (D.C. Law 7-214; D.C. Official Code § 1-529.01 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 1-529.02) is amended as follows:

(1) Add a lead-in sentence after the section heading to read as follows:

“For the purposes of this act, the term:”

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

“(1A) “Domestic partner” shall have the same meaning as provided in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3)).

“(1B) “Domestic partnership” shall have the same meaning as provided in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).”

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

(A) Strike the word “spouse” both times it appears and insert the phrase “spouse or domestic partner” in its place.

(B) Strike the word “spouse’s” both times it appears and insert the phrase “spouse’s or domestic partner’s” in its place.

(b) Section 4 (D.C. Official Code § 1-529.03) is amended as follows:

Amend
§ 1-529.02

ENROLLED ORIGINAL

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

Amend
§ 1-529.03

“(a) For the purposes of this section, the term “former spouse or domestic partner” means a living person whose marriage to an employee or retiree has been subject to a divorce, annulment, or legal separation resulting in a court order, or a living person whose domestic partnership to an employee or retiree has been terminated in accordance with section (3)(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d)); provided, that with respect to an award of a survivor annuity, it additionally means a living person:

“(1) Who was married or in a domestic partnership for at least 9 months to an employee or retiree who performed at least 18 months creditable service in a position covered by one or more of the retirement systems in section 2; and

“(2) Whose marriage or domestic partnership to the employee or retiree was terminated prior to the death of the employee or retiree.”

(2) Subsection (c) is amended by striking the word “spouse” and inserting the phrase “spouse or domestic partner” in its place.

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

“(e)(1) Any reduction in an employee's annuity, made pursuant to the relevant retirement system in order to provide for a survivor annuity awarded by court order, shall cease upon remarriage of the former spouse or entry into a domestic partnership by the former domestic partner if the remarriage or entry into a domestic partnership occurs before age 55.

“(2) Payment of a survivor annuity to a former spouse or domestic partner pursuant to a court order shall cease upon the remarriage of the former spouse or entry into a domestic partnership by the former domestic partner if the remarriage or entry into a domestic partnership occurs before age 55.”

(c) Section 6 (D.C. Official Code § 1-529.04) is amended as follows:

Amend
§ 1-529.04

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

(A) The lead-in language is amended by striking the phrase “former spouse” and inserting the phrase “former spouse or domestic partner” in its place.

(B) Paragraphs (1) is amended by striking the word “married” and inserting the phrase “married or in a domestic partnership” in its place.

(C) Paragraph 2 is amended by striking the word “marriage” and inserting the phrase “marriage or domestic partnership” in its place.

(2) Subsection (b) is amended by striking the phrase “former spouse” and inserting the phrase “former spouse or domestic partner” in its place.

(3) Subsection (c) is amended by striking the phrase “former spouse” both times it appears and inserting the phrase “former spouse or domestic partner” in its place.

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

“(d) Only former spouses whose marriages were dissolved after March 16, 1989, through divorce, annulment, or legal separation, and domestic partners whose partnerships were

ENROLLED ORIGINAL

terminated after December 21, 2001, in accordance with section (3)(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d)), or regulations promulgated to implement that section, shall be eligible to enroll in the health benefits plans.”.

Sec. 3. Section 12 of the Policemen and Firemen’s Retirement and Disability Act, approved September 1, 1916 (39 Stat. 718; D.C. Official Code § 5-701 *et seq.*), is amended as follows:

(a) Subsection (a) (D.C. Official Code § 5-701) is amended as follows:

Amend
§ 5-701

(1) Paragraph (3) is amended to read as follows:

“(3) The term “surviving spouse or domestic partner” means the following:

“(A) The surviving wife of a member or former member if:

“(i) She was married to such member or former member:

“(I) While he was a member; or

“(II) For at least one year immediately preceding his

death; or

“(ii) She is the mother of issue by such marriage;

“(B) The surviving husband of a member or former member if, in the case of a member who was an officer or member of the United States Park Police force, the United States Secret Service Uniformed Division, or the United States Secret Service Division, or the surviving husband of a member or former member who was a member or officer of the Metropolitan Police force or the Fire Department of the District of Columbia if:

“(i) He was married to such member or former member:

“(I) While she was a member; or

“(II) For at least one year immediately preceding her

death; or

“(ii) He is the father of issue by such marriage; or

“(C) The surviving domestic partner of a member or former member who was a member or officer of the Metropolitan Police force or the Fire Department of the District of Columbia if the surviving domestic partner was in a domestic partnership with such a member or former member:

“(i) While he or she was a member; or

“(ii) For at least one year immediately preceding the member’s

death.”.

(2) Paragraph (4) is repealed.

(3) New paragraphs (20) and (21) are added to read as follows:

“(20) The term “domestic partner” shall have the same meaning as provided in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3)).

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“(21) The term “domestic partnership” shall have the same meaning as provided in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).”

(b) Subsection (k) (D.C. Official Code § 5-716) is amended as follows:

Amend
§ 5-716

(1) Strike the phrase “widow or widower” wherever it appears and insert the phrase “surviving spouse or domestic partner” in its place.

(2) Strike the phrase “wife or husband” wherever it appears and insert the phrase “spouse or domestic partner” in its place.

(3) Subsection (e)(1) is amended as follows:

(A) Strike the phrase “death or remarriage” and insert the phrase “death, remarriage, or entry into a domestic partnership,” in its place.

(B) Strike the word “divorce” and insert the phrase “divorce, and that any annuity terminated by entry into a domestic partnership may be restored if such domestic partnership is later terminated in accordance with (3)(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d)).”

(4) Subsection (f) is amended by striking the phrase “surviving spouse” and inserting the phrase “surviving spouse or domestic partner” in its place.

(c) Subsection (n)(3) (D.C. Official Code § 5-723(d)(1)) is amended by striking the phrase “widow or widower” and inserting the phrase “surviving spouse or domestic partner” in its place.

Amend
§ 5-723

Sec. 4. Section 21-586(a) of the District of Columbia Official Code is amended by striking the phrase “husband, wife” both times it appears and inserting the phrase “spouse, domestic partner” in its place.

Amend
§ 21-586

Sec. 5. Applicability.

(a) Sections 2, 3, and 4 shall apply upon their enactment by Congress.

(b) This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 6. Fiscal impact statement.

The Council adopts the December 2, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

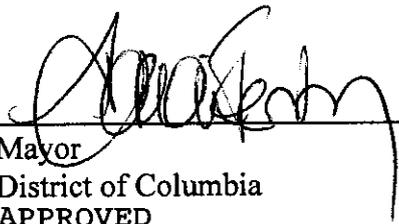
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as

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provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-693

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2009

*Codification
 District of
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 Official Code*

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To amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide an exemption for certain sales and use taxes and to exempt from taxation certain real property owned by Sang Oh & Company, Inc., and being developed by Gateway Market Center, LLC, at 1240 – 1248 4th Street, N.E., Washington, D.C. 20002, in Ward 5.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Gateway Market Center and Residences Real Property Tax Exemption Act of 2008”.

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

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

“47-4618. Gateway Market Center and Residences, 1240 - 1248 4th Street, N.E., Lots 5, 800, 802, and 809, and Parcels 129/9 and 129/32, Square 3587 real property tax abatement and sales tax exemption.”

(2) A new section 47-4618 is added to read as follows:

“§ 47-4618. Gateway Market Center and Residences, 1240 - 1248 4th Street, N.E., Lots 5, 800, 802, and 809, and Parcels 129/9 and 129/32, Square 3587 real property tax abatement and sales tax exemption.”

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

(1) “Gateway Market Center and Residences” means the real property located at 1240 – 1248 4th Street, N.E., more particularly described as Lots 5, 800, 802, and 809, and Parcels 129/9 and 129/32, Square 3587.

(2) “Gateway Market Center and Residences Project” means the mixed-use development to be constructed on the Lots 5, 800, 802, and 809, and Parcels 129/9 and 129/32, Square 3587.

“(b)(1) Subject to the conditions set forth in paragraph (2) of this subsection, beginning in the tax year that the developer begins development/construction on the Gateway Market Center

New
 § 47-4618

ENROLLED ORIGINAL

and Residences Project, the tax imposed by Chapter 8 of this title on the Gateway Market Center and Residences for 20 consecutive years shall be as follows:

“(A) For the first 10 years, the amount of the real property tax that is required to be paid at the date of the application for the building permit for the Gateway Market Center and Residences Project or the date that the Zoning Commission approves the planned unit development application for the Gateway Market Center and Residences Project;

“(B) For the second 10 years, 10% of the annual assessment of real property taxes and an increase of 10% each year in years 11 through 20 until the annual real property taxation equals 100%.

“(2) Paragraph (1) of this subsection shall be subject to the following conditions:

“(A) The Gateway Market Center and Residences shall be owned by Sang Oh & Company, Inc., its assignees, or successors.

“(B) The Gateway Market Center and Residences shall be used to develop a mixed-use development with retail, office, and residential uses as set forth in the Land Disposition/Purchase Agreement (DC-DHCD Contract No. 2004-3) between Sang Oh & Company, Inc., and the District of Columbia, dated February 26, 2004, and as has been and as may be amended.

“(C) The residential component of the mixed-use development shall set aside 20% of the total residential units (24 units) as affordable housing for household incomes of no more than 80% of the Area Median Income in perpetuity.

“(D) The mixed-use development shall include public amenities requested by Advisory Neighborhood Commission 5B, including a 100-seat community meeting room, an office for Advisory Neighborhood Commission 5B, and a Metropolitan Police Department community work station for the Fifth District, all rent-free in perpetuity.

“(E) Gateway Market Center, LLC shall comply with its First Source and LSDBE commitments as set forth in the “Application for Economic Assistance” to the District government.

“(3) The construction and completion of Gateway Market Center and Residences will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

“(c)(1) Sales of building materials for Gateway Market Center and Residences Project shall be exempt from the tax imposed by Chapter 20 of this title.

“(2) The amount of all taxes exempted under this subsection shall not exceed \$250,000. The developer, Gateway Market Inc., shall immediately notify the Office of Tax and Revenue when such limit is attained and provide an accounting to the Office of Tax and Revenue upon its request.

“(3) The sales tax exemption certification shall be issued to Gateway Market Inc., its assignees, or successors, shall be non-transferable, and shall expire when the limit in paragraph (2) of this subsection has been attained or on December 31, 2011, whichever occurs sooner.”

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Sec. 3. Applicability.

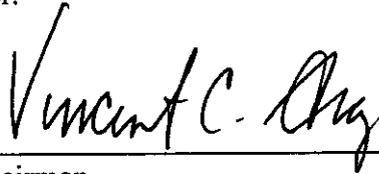
This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 4. Fiscal impact statement.

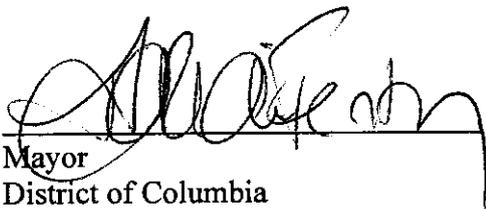
The Council adopts the fiscal impact statement of the Chief Financial Officer, dated December 16, 2008, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-694

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2009

To amend the District of Columbia Good Time Credits Act of 1986 and An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes to permit the United States Parole Commission to terminate legal custody over a parolee before expiration of the parolee's sentence, to require that, in the interests of administering a fair and proportionate system of parole, a parolee shall receive credit toward the completion of the sentence for all time served on parole unless the United States Parole Commission orders the parolee not receive such credit under the circumstances set forth in this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Equitable Street Time Credit Amendment Act of 2008".

Sec. 2. Section 5(a) of the District of Columbia Good Time Credits Act of 1986, effective April 11, 1987 (D.C. Law 6-218; D.C. Official Code § 24-221.03(a)), is amended by striking the phrase "or on parole" both times it appears and inserting the phrase ", or on parole in accordance with section 6 of An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47 Stat. 698; D.C. Official Code § 24-406)," in its place.

Amend
§ 24-221.03

Sec. 3. An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47 Stat. 696; D.C. Official Code § 24-403 *passim*), is amended as follows:

(a) Section 4 (D.C. Official Code § 24-404) is amended as follows:

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

"(a) Whenever it shall appear to the United States Parole Commission ("Commission") that there is a reasonable probability that a prisoner will live and remain at liberty without violating the law, that his or her release is not incompatible with the welfare of society, and that

Amend
§ 24-404

ENROLLED ORIGINAL

he or she has served the minimum sentence imposed or the prescribed portion of his or her sentence, as the case may be, the Commission may authorize his or her release on parole upon such terms and conditions as the Commission shall from time to time prescribe. While on parole, a parolee shall remain in the legal custody and under the control of the Attorney General of the United States or his or her authorized representative until:

“(1) The expiration of the maximum of the term or terms specified in his or her sentence without regard to good time allowance; or

“(2) The Commission terminates legal custody over such parolee under subsection (a-1) of this section.”.

(2) New subsections (a-1) and (a-2) are added to read as follows:

“(a-1) (1) Upon its own motion or upon request of a parolee, the Commission may terminate legal custody over the parolee before expiration of the parolee’s sentence.

“(2) Two years after a parolee's release on parole, and at least annually thereafter, the Commission shall review that parolee's status to determine the need for continued legal custody and may terminate legal custody over the parolee if, in its discretion, the Commission determines that continued legal custody is no longer needed.

“(3) Five years after a parolee's release on parole, the Commission shall terminate legal custody over the parolee unless the Commission determines, after a hearing, that legal custody of the parolee should not be terminated because there is a likelihood that the parolee will violate any criminal law.

“(4) If the Commission does not terminate legal custody under paragraph (3) of this subsection, the Commission:

“(A) May conduct a hearing annually, if the parolee so requests, to determine whether to terminate legal custody of the parolee; and

“(B) Shall conduct a hearing every 2 years to determine whether to terminate legal custody of the parolee.

“(5) In calculating a time period under this subsection, the Commission shall exclude:

“(A) Any period of release on parole before the most recent such release;

and

“(B) Any period served in confinement on any other sentence.

“(a-2)(1) The provisions of subsection (a-1) of this section shall apply to a person who is on parole on or after the effective date of the Equitable Street Time Credit Amendment Act of 2008, passed on 2nd reading on December 16, 2008 (Enrolled version of Bill 17-750)(“Equitable Act”).

“(2) For a person released on parole prior to the effective date of the Equitable Act, determinations by the Commission whether to terminate legal custody under subsection (a-1)(2) or (3) of this section, as applicable, shall be made within one year after the effective date of the Equitable Act.”.

ENROLLED ORIGINAL

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

(A) Strike the phrase "subsection (a)" and insert the phrase "subsections (a), (a-1), and (a-2)" in its place.

(B) Strike the phrase "Board of Parole" and insert the word "Commission" in its place.

(b) Section 6 (D.C. Official Code § 24-406) is amended as follows:

Amend
§ 24-406

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

(A) Strike the phrase "Board of Parole" and insert the phrase "United States Parole Commission ("Commission")" in its place.

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

(C) Strike the word "terminate" and insert the word "revoke" in its place.

(D) Strike the last sentence.

(2) Subsection (b) is repealed.

(3) New subsections (c) and (d) are added to read as follows:

"(c)(1) Except as provided in paragraphs (2) and (3) of this subsection, a parolee shall receive credit toward completion of the sentence for all time served on parole.

"(2) If a parolee is convicted of a crime committed during a period of parole, the Commission:

"(A) Shall order that the parolee not receive credit for that period of parole if the crime is punishable by a term of imprisonment of more than one year; or

"(B) Shall order that the parolee not receive credit for that period of parole if the crime is punishable by a term of imprisonment of one year or less unless the Commission determines that such forfeiture of credit is not necessary to protect the public welfare.

"(3) If, during the period of parole, a parolee intentionally refuses or fails to respond to any reasonable request, order, summons, or warrant of the Commission or any member or agent of the Commission, the Commission may order that the parolee not receive credit for the period of time that the Commission determines that the parolee failed or refused to respond to such a request, order, summons, or warrant.

"(d) The provisions of subsection (c) of this section shall apply only to any period of parole that is being served on or after the effective date of the Equitable Act, and shall not apply to any period of parole that was revoked prior to the effective date of the Equitable Act."

Sec. 4. Fiscal impact statement.

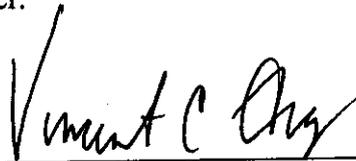
The Council adopts the December 16, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of

ENROLLED ORIGINAL

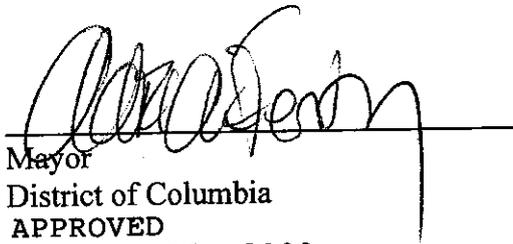
Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-695

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
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Publisher

To amend Chapter 3 of Title 47 of the District of Columbia Official Code to establish a 12% limitation on borrowing, and to establish an annual operating cash reserve; and to amend the Washington Metropolitan Area Transit Authority Fund Act of 2006 to increase the amount of sales tax revenue required to be deposited into the Washington Metropolitan Area Transit Authority Fund from 0.5% to 5.7%, and to repeal an applicability provision.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Limitation on Borrowing and Establishment of the Operating Cash Reserve Act of 2008".

Sec. 2. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended as follows:

(1) Strike the phrase "47-321 to 47-334. [Reserved]" and insert the phrase "47-321 to 47-333. [Reserved]" in its place.

(2) A new section designation is added to read as follows:
"47-334. Definitions."

(3) A new section designation is added to read as follows:
"47-335.02. Borrowing limitation."

(b) A new section 47-334 is added to read as follows:

"§ 47-334. Definitions.

"For the purposes of this subchapter, the term:

"(1) "Debt Service" means the amount of money necessary to pay interest on outstanding District Bonds, including interest payments deferred to future years, the principal on maturing bonds, and the required contributions to a sinking fund for District Bonds.

"(2) "District Bonds" means:

"(A) General obligation bonds issued pursuant to the Home Rule Act;

"(B) Treasury capital-project loans;

New
§ 47-334

ENROLLED ORIGINAL

“(C) Tax-supported revenue bonds or notes, including tax increment financed bonds or notes and bonds or notes financed by payments-in-lieu of taxes, but excluding revenue bonds or notes issued for the purpose of funding water and sewer facilities, as described in section 490(a) of the Home Rule Act;

“(D) Certificates of participation, and

“(E) Lease-purchase financing bonds.

“(3) "District Bond Issuance" means the District's authorizing, selling, and delivering of District Bonds, including District Bonds to refund outstanding District Bonds.

“(4) "General Fund Expenditures" means the total amount expended from the General Fund and Transfers line item in the enacted District Budget and Financial Plan for a fiscal year.

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

(c) A new section 47-335.02 is added to read as follows:

“§ 47-335.02. Borrowing limitation.

“(a) The Council shall not approve a District Bond Issuance if the applicable annual Debt Service on the District Bond Issuance would cause the Debt Service on all District Bonds in the fiscal year in which the District Bonds are issued, or in any of the 3 succeeding fiscal years, to exceed 12% of General Fund Expenditures in any applicable fiscal year, as certified by the Chief Financial Officer of the District of Columbia.

“(b) Obligations incurred pursuant to the authority contained in subchapter II of Chapter 3 of Title 3, obligations incurred by the agencies transferred or established by sections 201 or 202 of the Home Rule Act, whether incurred before or after such transfer or establishment, and obligations incurred pursuant to District Bonds issued prior to October 1, 1996, for the financing of Department of Public Works, Water and Sewer Utility Administration capital projects shall not be included in determining the aggregate amount of all outstanding obligations subject to the 12% limitation specified in subsection (a) of this section.

“(c) The 12% limitation specified in subsection (a) of this section shall be calculated by the Office of the Chief Financial Officer as follows:

“(1) Determine the dollar amount equivalent to 12% of the General Fund Expenditures, less any fees or revenues directed to servicing revenue bonds, any revenues, charges, or fees dedicated for the purposes of water and sewer facilities, as defined in section 490(a)(5) of the Home Rule Act, including fees or revenues directed to servicing or securing revenue bonds issued for such purposes, retirement contributions, revenues from retirement systems, and revenues derived from Treasury loans, and the sale of general obligation or revenue bonds, which the Mayor estimates, and the District of Columbia Auditor certifies, will be credited to the District during the fiscal year for which the bonds will be issued;

New
§ 47-335.02

ENROLLED ORIGINAL

"(2) Determine the actual total amount of principal and interest to be paid in each fiscal year for all outstanding District Bonds, less the allocable portion of principal and interest to be paid during the year on general obligation bonds of the District of Columbia issued prior to October 1, 1996, for the financing of Department of Public Works, Water and Sewer Utility Administration capital projects and Treasury loans;

"(3) Determine the amount of principal and interest to be paid during each fiscal year over the term of the proposed District Bond or Treasury loan to be issued; and

"(4) If in any fiscal year the sum of paragraphs (2) and (3) of this subsection exceeds the amount determined under paragraph (1) of this subsection, then the proposed District Bond or Treasury loan shall not be issued."

(d) Section 47-392.02 is amended by adding a new subsection (j-1) to read as follows:

New
§ 47-392.02

"(j-1) *Operating Cash Reserve.* –

"(1) The Chief Financial Officer shall create a segregated account within the General Fund to be designated as the Operating Cash Reserve.

"(2) The operating cash reserve shall be:

"(A) The amount of \$46 million in fiscal year 2009;

"(B) The amount of \$46 million in fiscal year 2010;

"(C) The amount of \$48 million in fiscal year 2011; and

"(D) The amount of \$50 million in fiscal year 2012.

"(3)(A) Beginning October 1, 2009, on or after October 1st of each fiscal year, the Chief Financial Officer shall certify that funds from the Operating Cash Reserve are available for expenditure for one-time spending needs, through the submission and approval of a supplemental budget; provided, that \$25 million remains in the Operating Cash Reserve and the Chief Financial Officer determines that it is unlikely that the Washington Metropolitan Area Transit Authority Fund Act of 2006, effective June 6, 2008 (D.C. Law 16-132; 53 DCR 4727) ("WMATA Fund Act"), shall become applicable prior to March 31st.

"(B) The amounts shall be obligated or expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

"(C) The amounts may not be used to fund the agencies of the District of Columbia government under court-ordered receivership.

"(D) The amounts may be obligated or expended only if the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate in writing 30 days in advance of any obligation or expenditure.

"(4) On or after April 1st of each fiscal year, the Chief Financial Officer shall certify that all remaining funds in the Operating Cash Reserve are available for expenditure for one-time spending needs, through the submission and approval of a supplemental budget, if the Chief Financial Officer determines that it is unlikely that the WMATA Fund Act shall become applicable prior to September 30th.

ENROLLED ORIGINAL

"(5) When the Chief Financial Officer certifies that the applicability provision of the WMATA Fund Act has been satisfied, the Mayor shall transfer from the Operating Cash Reserve all funds required by the WMATA Fund Act, by a reprogramming, to the budget of the Washington Metropolitan Area Transit Authority.

"(6) Upon the approval of the reprogramming required by paragraph (5) of this subsection, this subsection shall sunset."

Sec. 3. The Washington Metropolitan Area Transit Authority Fund Act of 2006, effective June 16, 2006 (D.C. Law 16-132; 53 DCR 4727), is amended as follows:

(a) Section 2(a) is amended by striking the phrase "0.5% of sales tax revenue" and inserting the phrase "5.7% of general sales tax revenue (net dedicated taxes)" in its place.

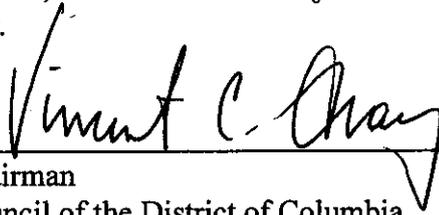
(b) Section 3(3) is repealed.

Sec. 4. Fiscal impact statement.

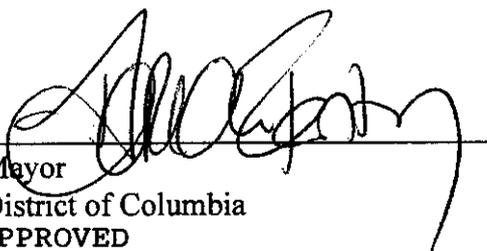
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-696

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2009*Codification
District of
Columbia
Official Code*

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2009 Summer
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To amend Title 25 of the District of Columbia Official Code to provide that it is a secondary tier violation for a restaurant to not keep its kitchen facilities open until 2 hours before closing, to provide that the hours for the sale of alcoholic beverages on District and federal holidays shall be the same as those for sales on Saturdays, to clarify that the Alcoholic Beverage Control Board is not responsible for acting as a collection agency for District of Columbia wholesalers, to provide a graduated penalty scheme for sale of alcoholic beverages to minors, to clarify that the Alcoholic Beverage Control Board possesses the authority to both fine and suspend for Alcoholic Beverage Control violations, to provide for a warning system for first-time violations, and to require the Alcoholic Beverage and Regulation Administration to promptly provide a licensee with an investigation report or a public police incident report; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to increase the compensation for Alcoholic Beverage Control Board members; and to amend Title 23 of the District of Columbia Municipal Regulations to clarify that license fees shall be based on an on-premises licensee's capacity load, as identified in both the capacity placard and the certificate of occupancy.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Alcoholic Beverage Enforcement Amendment Act of 2008".

Sec. 2. Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-113(b)(1) is amended by adding a new sentence at the end to read as follows:

Amend
§ 25-113

"It shall be a secondary tier violation for a restaurant to not keep its kitchen facilities open until 2 hours before closing."

(b) Section 25-303(c)(4) is amended by striking the phrase "during the preceding 12 months in which an application is made" and inserting the phrase "after January 1, 2000" in its place.

Amend
§ 25-303

(c) Chapter 7 is amended as follows:

ENROLLED ORIGINAL

(1) Section 25-723(b) is amended as follows:

Amend
§ 25-723

(A) Paragraph (1) is amended by striking the word "Friday" and inserting the phrase "Friday, excluding District and federal holidays" in its place.

(B) Paragraph (2) is amended by striking the word "Saturday" and inserting the phrase "Saturday, and on District and federal holidays" in its place.

(2) Section 25-731(e), (f), and (g) are repealed.

Amend
§ 25-731

(3) Section 25-732 is repealed.

Repeal
§ 25-732

(4) Section 25-733 is amended as follows:

Amend
§ 25-733

(A) Subsection (b)(3) is amended by striking the phrase "presented for payment" and inserting the phrase "presented for payment, when such dishonored checks, drafts, or other orders for payment exceed \$15,000" in its place.

(B) Subsections (d), (e), and (f) are repealed.

(5) Section 25-781 is amended by adding a new subsection (f) to read as follows:

Amend
§ 25-781

"(f) Upon finding that a licensee has violated subsections (a), (b), or (c) of this section in the preceding 2 years:

"(1) Upon the 1st violation, the Board shall fine the licensee not less than \$2,000, and not more than \$3,000, and suspend the licensee for 5 consecutive days; provided, that the 5-day suspension may be stayed by the Board for one year;

"(2) Upon the 2nd violation, the Board shall fine the licensee not less than \$3,000, and not more than \$5,000, and suspend the licensee for 10 consecutive days; provided, that the Board may stay up to 6 days of the 10-day suspension for one year;

"(3) Upon the 3rd violation, the Board shall fine the licensee not less than \$5,000, and not more than \$10,000, and suspend the licensee for 15 consecutive days, or revoke the license; provided, that the Board may stay up to 5 days of the 15-day suspension for one year;

"(4) Upon the 4th violation, the Board may revoke the license; and

"(5) The Board may revoke the license of a licensed establishment that has 5 or more violations of this section within a 5-year period."

(d) Chapter 8 is amended as follows:

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

"25-832. Prompt notice of investigative reports."

(2) The lead-in language of section 25-823 is amended by striking the word "suspend" and inserting the phrase "and suspend" in its place.

Amend
§ 25-823

(3) Section 25-830 is amended as follows:

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

Amend
§ 25-830

"(e)(1) Except for an egregious violation as may be later defined by ABC rulemaking, no licensee shall be found to be in violation of a first-time violation of § 25-781 (sales to minors), unless the licensee has been given a written warning, or received a citation, for the

ENROLLED ORIGINAL

violation, or had an enforcement proceeding before the Board, during the 4 years preceding the violation.

“(2) A warning for a first-time violation of § 25-781 shall include a description of the violation. The Alcoholic Beverage Regulation Administration shall make available a schedule of fines that could be imposed upon subsequent violation. Within one year of the effective date of the Alcoholic Beverage Enforcement Amendment Act of 2008, passed on 2nd reading on December 16, 2008 (Enrolled version of Bill 17-983)(“Enforcement Act”), the Board shall submit a report on the status of the warning requirement for § 25-781 violations, including a statement on repeat offenders and subsequent fines or sanctions imposed. The provisions of paragraph (1) of this subsection, and the provisions of § 25-781(f) shall expire one year from the effective date of the Enforcement Act, unless the Board finds each of the following:

“(A) That the warning requirement was effective in correcting behavior that was the subject of the warning for those licensees; and

“(B) That the warning requirement contributed to the overall prevention of sales to minors in the District of Columbia.

“(3)(A) Within 60 days of the effective date of the Enforcement Act, the Board shall issue proposed regulations for a comprehensive warning and violation structure, which shall include recommendations on which violations of the act or regulations shall require a warning for a first-time violation prior to penalty.

“(B) Proposed rules under this subsection shall be submitted to the Council for a 30-day period of review. The Council may approve these proposed regulations, in whole or in part, by resolution. If the Council has not approved the regulations upon expiration of the 30-day review period, the regulations shall be deemed disapproved.”

(B) Subsection (f) is amended by adding a new sentence at the end to read as follows:

“The Board may fine for a violation not listed on the schedule consistent with the primary tier violation penalties set forth in subsection (c)(1) of this section.”

(4) A new section 25-832 is added to read as follows:

“§ 25-832 Prompt notice of investigative reports.

“(a) ABRA shall provide a licensee with either an investigative report or a public police incident report that may result in a show cause hearing as set forth in § 25-447 within 90 days of the date upon which the incident occurred.

“(b) The requirement in subsection (a) of this section shall not apply where

“(1) Criminal action is being considered against the licensee or its employees;

or

“(2) Enforcement action is requested by the Chief of Police under § 25-827.”

Sec. 3. Section 1108(c)(2)(I) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §

Amend
§ 25-832

Amend
§ 1-611.08

ENROLLED ORIGINAL

1-611.08(c)(2)(I), is amended as follows:

- (a) Strike the figure "\$25" and insert the figure "\$40" in its place.
- (b) Strike the figure "\$12,000" and insert the figure "\$15,000" in its place.

Sec. 4. Title 23 of the District of Columbia Municipal Regulations is amended as follows:

DCMR

- (a) A new subsection 206.5 is added to read as follows:

"206.5 Nothing shall preclude the holder of a Retailer's license Class B issued pursuant to the provisions of D.C. Official Code § 25-303(c), who is also the holder of a Retailer's license Class CR or DR, from selling or serving wine, beer, or spirits for consumption on premises."

- (b) Section 208.10 is amended by striking the phrase "the certificate of occupancy for the establishment and are as follows:" and inserting the phrase "its capacity load, which shall be defined as the maximum number of patrons that may be in the establishment at any one time. The holder of a Class C license shall submit both its capacity placards identifying the maximum number of patrons and certificate of occupancy identifying the number of seats from the Department of Consumer and Regulatory Affairs with both its initial and renewal license applications. The annual license fees are as follows:" in its place.

- (c) Section 208.11 is amended by striking the phrase "the certificate of occupancy for the establishment and shall be as follows:" and inserting the phrase "its capacity load, which shall be defined as the maximum number of patrons that may be in the establishment at any one time. The holder of a Class D license shall submit both its capacity placards identifying the maximum number of patrons and certificate of occupancy identifying the number of seats from the Department of Consumer and Regulatory Affairs with both its initial and renewal license applications. The annual license fees are as follows:" in its place.

- (d) Section 503.1 is amended by striking the phrase "revoke, or suspend" and inserting the phrase "revoke, and suspend" in its place.

Sec. 5. Fiscal impact statement.

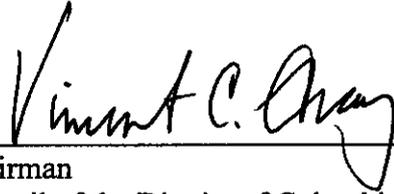
The Council adopts the December 15, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

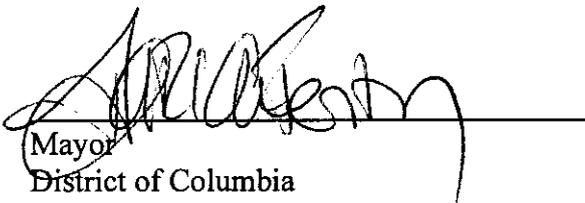
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as

ENROLLED ORIGINAL

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-697

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 16, 2009*Codification
District of
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Official Code*

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2009 Summer
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To amend, on a temporary basis, the Public Education Reform Amendment Act of 2007 to clarify that the Office of Public Education Facilities Modernization is only authorized to direct and manage the modernization or new construction of District of Columbia Public Schools facilities as intended by the establishing statute.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office of Public Education Facilities Modernization Clarification Temporary Amendment Act of 2008".

Sec. 2. Section 704(6) of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-453(6)), is amended as follows:

*Note,
§ 38-453*

(a) Strike the phrase "Direct and manage the modernization or new construction of District of Columbia Public Schools ("DCPS") facilities" and insert the phrase "Be limited to directing and managing the modernization or new construction of only District of Columbia Public Schools ("DCPS") facilities, including sites that were in DCPS inventory on June 12, 2007, but are no longer DCPS facilities," in its place.

(b) Strike the phrase "facilities." and insert the phrase "provided further, that nothing shall prevent OFM from directing and managing the modernization of Stoddard Elementary School and Stoddard Recreation Center;" in its place.

Sec. 3. Fiscal impact statement.

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

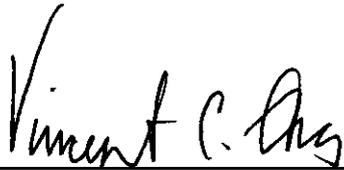
Sec. 4. Effective date.

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

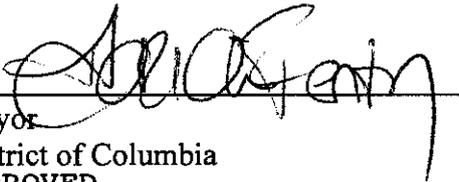
ENROLLED ORIGINAL

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 16, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-698

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 23, 2009Codification
District of
Columbia
Official Code

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To amend the Public Access to Automated External Defibrillator Act of 2000 to require the Mayor to establish a program to install and maintain automated external defibrillators in Department of Parks and Recreation facilities, to provide training in conjunction with the department's existing health training for personnel to operate the defibrillators to ensure the health, safety, and welfare of the department's patrons, and to prepare a study for possible future placement of automated external defibrillators in all public buildings, and to provide immunity from civil liability for the District under this program when a recreation facility possesses a certificate of compliance from the Mayor.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "AED Installation for Safe Recreation and Exercise Amendment Act of 2008".

Sec. 2. The Public Access to Automated External Defibrillator Act of 2000, effective April 27, 2001 (D.C. Law 13-278; D.C. Official Code § 44-231 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 44-231) is amended by adding new paragraphs (3) and (4) to read as follows:

Amend
§ 44-231

"(3) "Recreation facility" means a Department of Parks and Recreation public facility that is regularly staffed by a paid District government employee.

"(4) "Recreation facility certificate" means a certificate issued by the Mayor to authorize the installation and use of an AED at a recreation facility that has complied with the AED program requirements and guidelines established under section 3a."

(b) Subsection 3(b) (D.C. Official Code § 44-232(b)) is amended as follows:

Amend
§ 44-232

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

(2) The newly designated paragraph (1) is amended by striking the word "Upon" and inserting the phrase "Except as provided in paragraph (2) of this subsection, upon" in its place.

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

ENROLLED ORIGINAL

“(2) The Mayor shall issue, and reissue every 6 months, a recreation facility certificate to a recreation facility that meets the requirements of subsection (a) of this section and section 3a.”.

(c) New sections 3a and 3b are added to read as follows:

“Sec. 3a. AED program for Department of Parks and Recreation facilities.

“(a) The Mayor shall develop and implement an AED program for each recreation facility. The program shall meet the requirements of section 3, and, in addition, ensure that:

“(1) At least one AED is provided on-site at each recreation facility;

“(2) An individual trained in the operation and use of an AED, pursuant to a training program approved under subsection (c) of this section, is present during the recreation facility’s hours of operation; and

“(3) Each AED is maintained, operated, and tested according to the manufacturers’ guidelines by conducting periodic inspections and annual maintenance of each AED.

“(b) The Mayor shall develop guidelines for the program, including requirements that written records be maintained documenting:

“(1) The maintenance and testing of each AED; and

“(2) That each Department of Parks and Recreation employee assigned to the recreation facility has successfully completed a training program approved under subsection (c) of this section.

“(c)(1) The Mayor shall approve training programs required under this section in accordance with the requirements of section 3. The training programs may be conducted by a private or public entity.

“(2) The training programs shall be in conjunction with health training provided to Department of Parks and Recreation employees, as well as refresher training, as required.

“(d) The Mayor shall comply with this section within 45 days of the effective date of the AED Installation for Safe Recreation and Exercise Amendment Act of 2008, passed on 2nd reading on December 2, 2008 (Enrolled version of Bill 17-635). The Mayor shall expand the AED program to a new recreation facility within 45 days of its opening.

“Sec. 3b. Study to expand AED program throughout public facilities.

“(a) The Mayor shall conduct a study examining the feasibility of installing AED devices in all District public facilities, including the District of Columbia Public Schools system and the Public Charter Schools. The study shall be submitted to the Council no later than 6 months following the effective date of the AED Installation for Safe Recreation and Exercise Amendment Act of 2008, passed on 2nd reading on December 2, 2008 (Enrolled version of Bill 17-635).

“(b) The study shall include:

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“(1) An evaluation of the available AED technologies, weighing advantages and disadvantages of these technologies, depending upon the characteristics of likely users within the public facility;

“(2) An analysis of the optimum training program, to include cardiopulmonary resuscitation and AED operation, for obtaining maximum participation among potential rescuers;

“(3) An analysis of the optimum program for maintenance and inspection of AEDs when placed throughout District of Columbia public facilities;

“(4) A feasibility analysis for connecting AEDs, both those privately registered and those potentially placed throughout public facilities, to the District of Columbia emergency responder system;

“(5) An examination of the AED programs in cities of comparable size or larger, including Baltimore, Philadelphia, and New York City;

“(6) An analysis of the costs of different options for implementation, potential cost savings through training, and equipment alternatives; and

“(7) An enumeration of the public facilities recommended for installation of AEDs.”

(d) Section 4 (D.C. Official Code § 44-233) is amended by adding a new subsection (g) to read as follows:

Amend
§ 44-233

“(g) In addition to any other immunities available under statutory or common law, the District is not civilly liable for any act or omission in the provision of automated external defibrillation if, at the time of the act or omission, the recreation facility possessed a valid recreation facility certificate.”

Sec. 3. Fiscal impact statement.

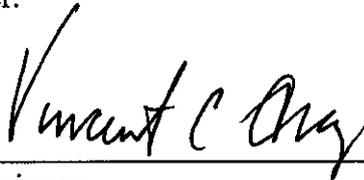
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

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



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
January 16, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-699

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 23, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.West Group
Publisher

To require the Mayor to submit to the Council a comprehensive plan that outlines a strategy for eliminating the District of Columbia Housing Authority's current waiting list of individuals seeking housing choice vouchers and placement in public housing by January 1, 2011, and establishes measures to prevent the waiting list from reaching such high levels in the future.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Housing Waiting List Elimination Act of 2008".

Sec. 2. Housing waiting list elimination plan.

(a) Within 90 days of the effective date of this act, the Mayor shall develop and submit to the Council for approval a comprehensive plan to eliminate the District of Columbia Housing Authority's current waiting list of individuals seeking housing choice vouchers and placement in public housing by January 1, 2011.

(b) The plan shall identify local funding for, but not limited to, the local rent supplement program and the production of new public housing units to create new housing options for the over 25,000 individuals currently on the waiting list.

(c) The plan shall also identify a strategy for the District to pursue additional federal, private, and other funding for this purpose.

(d) The plan shall identify a strategy and make recommendations to prevent the waiting list from reaching current levels in the future.

(e) In developing the plan, the Mayor shall consult and collaborate with appropriate public and private agencies, institutions, and organizations in the District of Columbia.

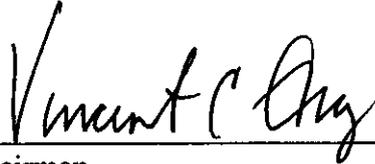
Sec. 3. Fiscal impact statement.

The Council adopts the December 8, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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Sec. 4. Effective date.

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



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
January 16, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-700

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 23, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.West Group
Publisher

To amend the Housing Production Trust Fund Act of 1988 to stabilize the annual level of funding deposited into the fund.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Housing Production Trust Fund Stabilization Amendment Act of 2008".

Sec. 2. Section (3)(c) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(c)), is amended as follows:

Amend
§ 42-2802

(a) Paragraph (16) is amended by striking the word "and" at the end.

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

"(16A)(A) Beginning October 1, 2009, the first \$70 million of the aggregate amount of the real property transfer tax imposed by D.C. Official Code § 47-903 and the deed recordation tax imposed by section 303 of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 12; D.C. Official Code § 42-1103);

(B) Beginning October 1, 2010, the first \$80 million of the aggregate amount of the real property transfer tax imposed by D.C. Official Code § 47-903 and the deed recordation tax imposed by section 303 of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 12; D.C. Official Code § 42-1103); and

(C) Beginning October 1, 2011, the amount listed in subparagraph (B) of this paragraph increased by the product of that amount and the percentage that the average of the Consumer Price Index for the Washington-Baltimore Metropolitan Statistical Area for all-urban consumers published by the Department of Labor, or any successor index, as of the close of the 12-month period ending on March 31 ("Consumer Price Index") for the preceding fiscal year exceeds the Consumer Price Index for the fiscal year beginning October 1, 2010; and".

Sec. 3. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

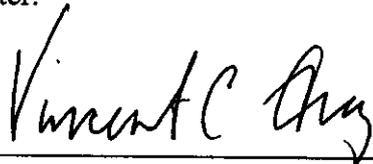
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Sec. 4. Fiscal impact statement.

The Council adopts the December 16, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
January 16, 2009