

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-386

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
MAY 8, 2010

To approve, on an emergency basis, Contract No. POFA-2005-D-0003 with Hawk One Security, Inc. and to authorize payment to Hawk One Security, Inc. in the amount of \$2,564,248 for the services received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Hawk One Security Option Year Contract Approval and Payment Authorization Emergency Act of 2010".

Sec. 2. Pursuant to section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), 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 POFA-2005-D-0003 with Hawk One Security, Inc., for District of Columbia Public Schools' security and related services and authorizes payment in the amount of \$2,564,248 for services received under the contract.

Sec. 3. Fiscal impact statement.

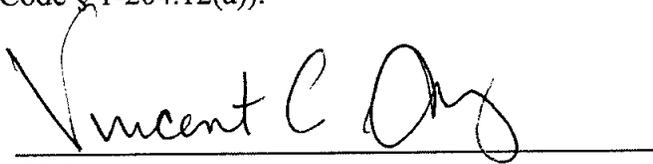
The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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 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

~~UNSIGNED~~

Mayor  
District of Columbia  
May 7, 2010

## ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-387

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 5, 2010Codification  
District of  
Columbia  
Official Code

2001 Edition

2010 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, due to Congressional review, An act to provide for the organization of the militia of the District of Columbia to establish the authority for the District of Columbia National Guard to provide tuition assistance benefits currently reserved for new recruits to all members of the District of Columbia National Guard who are District residents.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "National Guard Tuition Assistance Clarification Congressional Review Emergency Act of 2010".

Sec. 2. An act to provide for the organization of the militia of the District of Columbia, approved March 1, 1889 (25 Stat. 772; D.C. Official Code § 49-101 *et seq.*), is amended by adding a new section 77 to read as follows:

Note,  
§ 49-806

"Sec. 77. Any funds contributed by the District of Columbia to the District of Columbia National Guard Tuition Assistance Program may be utilized, at the discretion of the District of Columbia National Guard, for tuition assistance benefits for all members or for new recruits; provided, that the member or new recruit is a resident of the District of Columbia."

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.

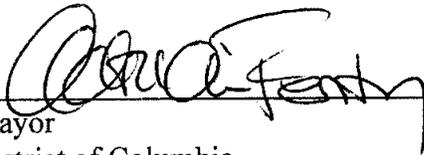
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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  
May 5, 2010

## ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-388

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 5, 2010*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2010 Summer  
Supp.West Group  
Publisher

To establish, on an emergency basis, partial unemployment compensation and to provide employers with an alternative to layoffs by establishing a voluntary program that would enable an employer to reduce employee hours and have the employees receive unemployment compensation corresponding to the reduction in hours.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Keep D.C. Working Emergency Act of 2010".

## Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Affected unit" means an employer or its specified department, shift, or other unit of 2 or more employees that is designated by an employer to participate in a shared work plan.
- (2) "Director" means the Director, Department of Employment Services, established by Reorganization Plan No. 1 of 1980.
- (3) "Fringe benefit" means health insurance, a retirement benefit received under a pension plan, a paid vacation day, a paid holiday, sick leave, and any other analogous employee benefit that is provided by an employer.
- (4) "Fund" means the District Unemployment Fund established by section 2 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 947; D.C. Official Code § 51-102).
- (5) "Normal weekly hours of work" means the lesser of:
  - (A) Forty hours; or
  - (B) The average obtained by dividing the total number of hours worked per week during the preceding 12-week period by 12.
- (6) "Participating employee" means an employee who works a reduced number of hours under a shared work plan and is otherwise eligible for unemployment.
- (7) "Participating employer" means an employer who has a shared work plan in effect.

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(8) "Shared work benefit" means an unemployment compensation benefit that is payable to an individual in an affected unit because the individual works reduced hours under an approved shared work plan.

(9) "Shared work plan" means a program for reducing unemployment under which employees who are members of an affected unit share the work remaining after a reduction in their normal weekly hours of work.

(10) "Shared work unemployment compensation program" means a program designed to reduce unemployment and stabilize the work force by allowing certain employees to collect unemployment compensation benefits if the employees share the work remaining after a reduction in the total number of hours of work and a corresponding reduction in wages.

Sec. 3. Shared work unemployment compensation program.

(a) The Director shall establish a voluntary shared work unemployment compensation program as provided by this section. The Director may adopt rules and establish procedures necessary to administer the shared work unemployment compensation program.

(b) An employer who wishes to participate in the shared work unemployment compensation program shall submit a written shared work plan to the Director for the Director's approval. As a condition for approval, a participating employer shall agree to furnish the Director with reports relating to the operation of the shared work plan as requested by the Director. The employer shall monitor and evaluate the operation of the shared work plan as requested by the Director and shall report the findings to the Director.

(c) The Director may approve a shared work plan if:

- (1) The shared work plan applies to and identifies a specific affected unit;
- (2) The employer has at least 2 employees;
- (3) The employees in the affected unit are identified by name and social security number;
- (4) The shared work plan reduces the normal weekly hours of work for an employee in the affected unit by not less than 20% and not more than 40%;
- (5) The shared work plan applies to at least 10% of the employees in the affected unit;
- (6) The shared work plan describes the manner in which the participating employer treats the fringe benefits of each employee in the affected unit;
- (7) The employer certifies that the program will not be used to reduce the benefits packages offered to employees;
- (8) The employer certifies that the implementation of a shared work plan and the resulting reduction in work hours is in lieu of temporary layoffs that would affect at least 10% of the employees in the affected unit and that would result in an equivalent reduction in work hours; and

(9) The employer has filed all reports required to be filed under the employment

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security law for all past and current periods and has paid all contributions, benefit cost payments, or, if a reimbursing employer, has made all payments in lieu of contributions due for all past and current periods.

(d) If any of the employees who participate in a shared work plan under this section are covered by a collective bargaining agreement, the shared work plan shall be approved in writing by the collective bargaining agent.

(e) A shared work plan shall not be implemented to subsidize seasonal employers during the off-season or to subsidize employers who have traditionally used part-time employees.

(f) The Director shall approve or deny a shared work plan no later than the 30th day after the day the shared work plan is received by the Director. The Director shall approve or deny a shared work plan in writing. If the Director denies a shared work plan, the Director shall notify the employer of the reasons for the denial.

(g) A shared work plan shall be effective on the date that it is approved by the Director; provided, that, for good cause, a shared work plan may be effective at any time within a period of 14 days prior to the date the plan is approved by the Director. The shared work plan shall expire on the last day of the 12th full calendar month after the effective date of the shared work plan.

(h) An employer may modify a shared work plan created under this section to meet changed conditions if the modification conforms to the basic provisions of the shared work plan as approved by the Director. The employer shall report the changes made to the shared work plan in writing to the Director before implementing the changes. If the original shared work plan is substantially modified, the Director shall reevaluate the shared work plan and may approve the modified shared work plan if it meets the requirements for approval under subsection (c) of this section. The approval of a modified shared work plan shall not affect the expiration date originally set for that shared work plan. If substantial modifications cause the shared work plan to fail to meet the requirements for approval, the Director shall deny approval to the modifications as provided by subsection (f) of this section.

(i) Notwithstanding any other provisions of the employment security law, an individual shall be unemployed and eligible for shared work benefits in any week in which the individual, as an employee in an affected unit, works for less than the individual's normal weekly hours of work in accordance with an approved shared work plan in effect for that week. The Director shall not deny shared work benefits for any week to an otherwise eligible individual by reason of the application of any provision of the employment security law that relates to availability for work, active search for work, or refusal to apply for or accept work with an employer other than the participating employer.

(j) An individual shall be eligible to receive shared work benefits with respect to any week in which the Director finds that:

(1) The individual is employed as a member of an affected unit subject to a shared work plan that was approved before the week in question and is in effect for that week;

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(2) The individual is able to work and is available for additional hours of work or full-time work with the participating employer;

(3) The individual's normal weekly hours of work have been reduced by at least 20% but not more than 40%, with a corresponding reduction in wages; and

(4) The individual's normal weekly hours of work and wages have been reduced as described in paragraph (3) of this subsection for a waiting period of one week which occurs within the period the shared work plan is in effect, which period includes the week for which the individual is claiming shared work benefits.

(k) The Director shall pay an individual who is eligible for shared work benefits under this section a weekly shared work benefit amount equal to the individual's regular weekly benefit amount for a period of total unemployment multiplied by the nearest full percentage of reduction of the individual's hours as set forth in the employer's shared work plan. If the shared benefit amount is not a multiple of \$1, the Director shall reduce the amount to the next lowest multiple of \$1. All shared work benefits under this section shall be payable from the fund.

(l) The Director shall not pay an individual shared work benefits for any week in which the individual performs paid work for the participating employer in excess of the reduced hours established under the shared work plan.

(m) An individual who has received all of the shared work benefits and regular unemployment compensation benefits available in a benefit year is an exhaustee under section 8(g)(1)(H) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-107(g)(1)(H)), and shall be entitled to receive extended benefits under such statutes if the individual is otherwise eligible under such statutes.

(n) The Director may terminate a shared work plan for good cause if the Director determines that the shared work plan is not being executed according to the terms and intent of the shared work unemployment compensation program.

(o) Notwithstanding any other provisions of this section, an individual shall not be eligible to receive shared work benefits for more than 50 calendar weeks during the 12-month period of the shared work plan; provided, that 2 weeks of additional benefits shall be payable to claimants who exhaust regular benefits and any benefits under any other federal or state extended benefits program. No week shall be counted as a week for which an individual is eligible for shared work benefits for the purposes of this section unless the week occurs within the 12-month period of the shared work plan.

#### Sec. 4. Fiscal impact statement.

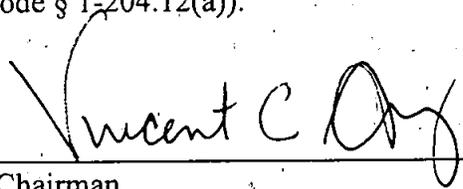
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

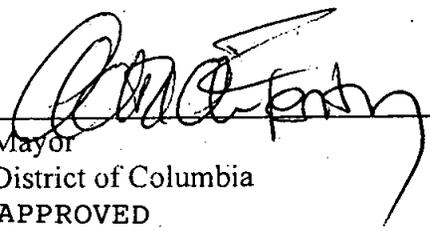
#### Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the

ENROLLED ORIGINAL

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)).

  
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Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
May 5, 2010

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-389

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 5, 2010

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2010 Fall  
Supp.West Group  
Publisher

To establish, on an emergency basis, a new process for graffiti abatement by property owners and the Mayor, to provide that certain actions by a property owner shall be deemed to provide consent to permit the Mayor to abate graffiti, to establish an expedited process for adjudication of any notices of violation issued for failure to abate graffiti, to provide for the payment of abatement costs and penalties, to establish a graffiti abatement fund, to provide for liens against property involved in unresolved graffiti violations, and to provide graffiti abatement materials; to amend the Office of Administrative Hearings Establishment Act of 2001 to provide the Office of Administrative Hearings with jurisdiction to adjudicate violations of this act; and to amend the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty act of 1982 to repeal provisions pertaining to graffiti abatement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Anti-Graffiti Emergency Act of 2010".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Abate" means to effectively remove or cover.
- (2) "Abatement costs" means the reasonably estimated costs incurred by the District to abate graffiti.
- (3) "Deputy Chief Financial Officer" means the Deputy Chief Financial Officer for the Office of Tax and Revenue or his designee.
- (4) "Graffiti" means any inscription, writing, drawing, marking, or design that is painted, sprayed, etched, scratched, or otherwise placed on structures, buildings, dwellings, statues, monuments, fences, vehicles, or other similar objects that are on personal property located outdoors, or placed on trees, rocks, or other natural features, without the consent or authorization of the property owner, without regard to when that consent or authorization was given, and the graffiti is visible from a public right-of way.
- (5) "Owner" means a property owner or the property owner's designated agent unless otherwise specified.

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(6) "Reply" means the response provided by the owner under section 4(c).

Sec. 3. Nuisance.

Graffiti is a nuisance and the owner of the property on which the graffiti is located shall abate the graffiti or authorize the Mayor to abate the graffiti as provided for in section 4.

Sec. 4. Notice of graffiti nuisance and reply.

(a)(1) Whenever the Mayor identifies graffiti, the Mayor shall notify the owner that there is graffiti on the property that must be abated.

(2) The notification shall be provided by delivering a written notice to the property on which, or at which, the graffiti is located. The notification shall be served on the owner or the building superintendent if present, or placed on the door or similar place used for ingress.

(3) In addition, notice shall be delivered by first-class mail to the owner of the premises. If the owner cannot be identified with reasonable certainty for purposes of mail notice, the Mayor shall conspicuously post the notice on the premises or deliver a copy of the notice to the Deputy Chief Financial Officer, who shall post a copy of the notice in a conspicuous place on the property.

(b) The notice shall include reply space for the owner to notify the Mayor whether the owner:

(1) Will abate the graffiti by the date stated on the notice and, if this option is selected, whether the owner requests graffiti abatement materials;

(2) Authorizes the Mayor to abate the graffiti; or

(3) Consents to the presence of the graffiti and does not want the Mayor to abate it.

(c) The notice shall also include a deadline by when the owner must reply and shall inform the owner how to reply. The owner shall reply by either conspicuously posting the notice to the premises where it was originally left, transmitting the notice by facsimile to the number indicated on the notice, mailing it to the address indicated on the notice, returning it in person, or using any other method authorized by regulation and specified on the notice. The deadline shall be not less than 7 calendar days.

(d)(1) If the owner indicates on the reply that the owner will abate the graffiti by the date stated on the notice, and that the owner wants to receive graffiti abatement materials, the Mayor shall leave them at the property subject to the limitations set forth in section 11.

(2) If the owner indicates on the reply that the owner will abate the graffiti, the Mayor shall return to the property no sooner than the abatement deadline stated in the notice to see whether or not the graffiti has been abated. If the graffiti has not been abated, the Mayor shall issue a notice of violation as provided for in section 6.

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## Sec. 5. Deemed authorization to abate.

If the owner does not reply as provided for in section 4(b)(1), 4(b)(2), or 4(b)(3), the owner shall be deemed to have authorized the Mayor to abate the graffiti. The Mayor may then abate the graffiti as if the owner had provided authorization under subsection 4(b)(2).

## Sec. 6. Notice of violation; service of notice.

(a) If an owner elects to abate the graffiti and the graffiti has not been abated by the date stated on the notice, the Mayor may issue a notice of violation for failure to comply with section 3.

(b)(1) The notice of violation shall be served on the owner, or the building superintendent, or the Mayor may deliver the notice by certified mail to the owner of the premises. If the owner cannot be identified with reasonable certainty, the Mayor may conspicuously post the notice on the premises alleged to be in violation and deliver a copy of the notice to the Deputy Chief Financial Officer pursuant to paragraph (2) of this subsection.

(2) The Deputy Chief Financial Officer is authorized to receive notices of violation of section 3 on behalf of any resident or non-resident person who owns property in the District, if the person has not provided to the Deputy Chief Financial Officer a mailing address. The Deputy Chief Financial Officer shall post a copy of the notice served on the Deputy Chief Financial Officer in a conspicuous place on the property.

## Sec. 7. Answer and expedited hearing.

(a) An owner who has received a notice of violation shall answer within 5 days after service of the notice of violation. At the time that an owner answers the notice of violation, the owner may request a hearing on the allegations set forth in the notice of violation. If the owner fails to answer as required in the notice of violation, the owner shall be deemed to have admitted

the violation and the Office of Administrative Hearings shall issue a default judgment ordering the owner to pay abatement costs, interest, and penalties as provided for in section 8.

(b) If an owner answers the notice of violation in the manner required in the notice of violation, the Office of Administrative Hearings shall issue a final order on that notice of violation no later than 30 days after the date on which the notice of violation was filed with the Office of Administrative Hearings.

## Sec. 8. Payment of abatement costs and penalties.

(a) If a default judgment is issued under section 7 or if, after a hearing, the Office of Administrative Hearings finds the owner responsible for the violation set forth in the notice of violation, the District may abate the graffiti and the owner (not the owner's agent) shall owe to the District 2½ times the District's abatement costs plus a penalty of \$500 for each violation.

(b) The Mayor shall bill the owner for the amount owed under subsection (a) of this

## ENROLLED ORIGINAL

section. If the amount is not paid within 30 days from the date of the bill, interest shall be assessed at the rate of 1½ % per month.

Sec. 9. Graffiti Abatement Fund.

(a)(1) There is established as a nonlapsing fund the Graffiti Abatement Fund ("Fund"), into which shall be deposited:

(A) All fines, penalties, interest, charges and costs, including abatement costs, assessed and collected pursuant to this act;

(B) Any funds in the Graffiti Trust Fund, established by section 4a(g) of the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982, effective June 12, 2001 (D.C. Law 13-309; D.C. Official Code § 22-3312.03a(g)), on the day before the effective date of this act; and

(C) Any civil fines collected as penalties under section 5 of the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1983, effective March 10, 1983 (D.C. Law 4-203; D.C. Official Code § 22-3312.04).

(2) The deposit of these monies shall be subject to the requirements of section (10)(b).

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

(c) The Fund shall be used to offset the costs of implementing this chapter, the costs of graffiti abatement and prevention, and the costs of the Office of Administrative Hearings under this act.

(d) The Mayor shall submit to the Council an annual statement of the Fund's receipts and disbursements for the preceding year.

Sec. 10. Collection against an owner.

(a)(1) The amount to be paid under a notice of violation and any other charges, expenses, costs, including abatement costs, penalties, and interest shall be a continuing and perpetual lien in favor of the District upon all real and personal property belonging to a person named in the notice and shall have the same force and effect as a lien created by judgment. Interest shall accrue on the amount due at the rate of 1½ % a month.

(2) The lien shall attach to all property belonging to the named person at any time during the period of the lien, including any property acquired by the named person after the lien arises.

(3) The lien shall have priority over all other liens, except for District taxes and District water charges; provided, that the lien shall not be valid as against any bona fide

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purchaser, or holder of a security interest, mechanic's lien, or other such creditor interest in the property, until notice of the lien is filed with the Recorder of Deeds. The lien shall be satisfied by payment of the amount of the lien to the District Treasurer.

(4) For reasonable cause shown, the Mayor may reduce the amount of the bill or lien.

(5) The Mayor may contract with any person to collect the amount of the lien and remunerate the person, subject to available appropriations, by fee, by a percentage of the amount collected, or both.

(b) As additional means for collection, the Mayor may enforce payment of the fines, penalties, costs, and interest imposed under this section against the real property of the owner as follows:

(1) The Mayor shall record a real property tax lien, captioned "Notice of Converted Real Property Tax Lien", with the Recorder of Deeds and in accordance with D.C. Official Code § 47-1340. The real property tax lien shall be deemed a delinquent real property tax from the date of the conversion, shall accrue interest at the rate of interest charged for delinquent real property tax, and shall be perpetual. Payment thereof shall be credited to the General Fund of the District of Columbia. The real property may be sold at tax sale, regardless of the date of the conversion, in the same manner, under the same conditions, and subject to the same impositions of interest, costs, expenses, fees, and other charges, as real property sold for delinquent real property tax.

(2) The aggregate amount of the costs, expenses, penalties, and interest secured by the lien imposed under subsection (a) of this section may appear on a real property tax bill, and the aggregate amount shall:

(A) Be deemed an additional real property tax to be collected in the same manner and under the same conditions as real property tax is collected, including the sale of the real property for delinquent tax; and

(B) Be subject to the same penalty and interest provisions as delinquent real property tax is subject as of the date of such real property tax bill.

(c) The lien under subsection (a) of this section, with penalty and interest as provided under this section, shall be converted to real property tax as of the due date for payment of the real property tax bill if payment is not made.

(d) If the lien has been converted to a real property tax lien under D.C. Official Code § 47-1340 or if the accrued amount of the lien appears on the real property tax bill, the real property tax lien shall be enforced under Chapter 13A of Title 47 of the District of Columbia Official Code.

#### Sec. 11. Graffiti abatement materials.

(a) If the Mayor provides a paint voucher to an owner to abate graffiti at a particular property, the Mayor is not required to provide another paint voucher to abate graffiti at that

## ENROLLED ORIGINAL

property for the 12-month period following the date on which the paint voucher was provided.

(b) If the Mayor provides a graffiti clean-up kit to an owner to abate graffiti at a particular property, the Mayor is not required to provide another clean-up kit to abate graffiti at that property for the 12-month period following the date on which the kit was provided.

(c) The Mayor may provide other types of graffiti removal materials and, by regulation, limit the extent to which they are provided to a property owner.

(d) Nothing in this section precludes the Mayor from providing additional paint vouchers, clean-up kits, or other graffiti abatement materials for use in community anti-graffiti efforts.

#### Sec. 12. Rules.

(a) The Office of Administrative Hearings, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat.1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of section 7.

(b) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of sections 3, 4, 5, 6, 8, 9, 10, and 11.

#### Sec. 13. Conforming amendments.

(a) Section 6 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), is amended as follows:

Note,  
§ 2-1831.03

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

“(b-3) In addition to those cases described in subsections (a), (b), (b-1), and (b-2) of this section, as of the effective date of the Anti-Graffiti Emergency Act of 2010, passed on emergency basis on April 20, 2010 (Enrolled Version of Bill 18-750) (“Anti-Graffiti Emergency Act”), this act shall apply to adjudicated cases required to be heard pursuant to section 7 of the Anti-Graffiti Emergency Act.”

(2) Subsection (c) is amended by striking the phrase “(a), (b), or (b-1)” and inserting the phrase “(a), (b), (b-1), (b-2), or (b-3)” in its place.

(3) Subsection (h) is amended by striking the phrase “(a), (b), or (b-1)” and inserting the phrase “(a), (b), (b-1), (b-2), or (b-3)” in its place.

(b) The Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982, effective March 10, 1983 (D.C. Law 4-203; D.C. Official Code § 22-3312.01 *et seq.*), is amended as follows:

(1) Section 4a (D.C. Official Code § 22-3312.03a) is repealed.

(2) Section 4b (D.C. Official Code § 22-3312.03b) is repealed.

(3) Section 1a (D.C. Official Code § 22-3312.05) is amended as follows:

(A) Paragraph (2) is repealed.

Note, Repeal  
§ 22-3312.03a  
Note, Repeal  
§ 22-3312.03b  
Note,  
§ 22-3312.05

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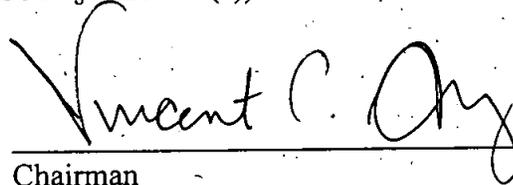
- (B) Paragraph (3) is repealed.
- (C) Paragraph (7) is repealed.
- (D) Paragraph (8) is repealed.

Sec. 14. Fiscal impact statement.

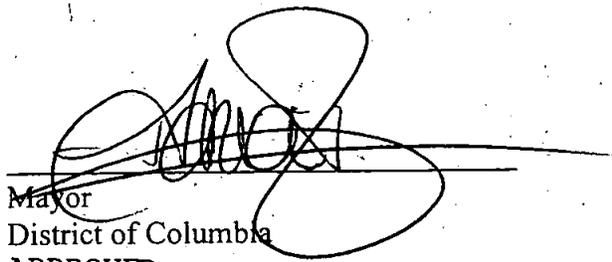
The Council adopts the fiscal impact statement in the committee report for the Anti-Graffiti Act of 2010, passed on 2<sup>nd</sup> reading on April 20, 2010 (Enrolled Version of Bill 18-69), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 15. 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  
May 5, 2010

## ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-390

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 7, 2010

Codification  
District of  
Columbia  
Official Code

2001 Edition

2010 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, the Health Maintenance Organization Act of 1996 to require publicly funded health maintenance organizations and prepaid health plans to comply with the prevailing premium assessment on commercial health maintenance organizations, and to direct associated revenues to enhance and expand publicly funded health coverage; to amend the Hospital and Medical Services Corporation Regulatory Act of 1996 to rename the Healthy DC Fund the Healthy DC and Health Care Expansion Fund and to expand the purpose of the fund to provide increased funding to all public health-care programs administered by the Department of Health Care Finance; to amend the Insurance Regulatory Trust Fund Act of 1993 to exclude any policy or membership fee, net premium receipts, or consideration received from or paid by the Department of Health Care Finance from the definition of "direct gross receipts"; and to amend the Healthy DC Act of 2008 to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medicaid Resource Maximization Emergency Amendment Act of 2010".

Sec. 2. Section 4a of the Health Maintenance Organization Act of 1996, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 31-3403.01), is amended as follows:

Note,  
§ 31-3403.01

(a) Subsection (a) is amended by striking the phrase "the District Medicaid Program, the Healthy DC Program, the DC HealthCare Alliance,".

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

"(d) Any revenues generated from this section arising from contracts for services under the District's Medicaid program, DC HealthCare Alliance program, or Healthy DC program shall be deposited in the Healthy DC and Health Care Expansion Fund, established by section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02)."

(c) New subsections (e) and (f) are added to read as follows:

## ENROLLED ORIGINAL

“(e) Of all other revenues generated pursuant to this section, 75% shall be deposited in the Healthy DC and Health Care Expansion Fund and 25% shall be deposited in the General Fund of the District of Columbia.

“(f) For the purposes of this section, the term, “health maintenance organization” shall include prepaid health plans.”.

Sec. 3. The Hospital and Medical Services Corporation Regulatory Act of 1996, effective April 9, 1997 (D.C. Law 11-245; D.C. Official Code § 31-3501 *et seq.*), is amended as follows:

(a) Section 2(3A) (D.C. Official Code § 31-3501(3A)) is amended by striking the phrase “Healthy DC Fund” both times it appears and inserting the phrase “Healthy DC and Health Care Expansion Fund” in its place.

Note,  
§ 31-3501

(b) Section 15(j)(2) (D.C. Official Code § 31-3514(j)(2)) is amended by striking the phrase “Healthy DC Fund” and inserting the phrase “Healthy DC and Health Care Expansion Fund” in its place.

Note,  
§ 31-3514

(c) Section 15b (D.C. Official Code § 31-3514.02) is amended as follows:

(1) The section heading is amended by striking the phrase “Healthy DC Fund” and inserting the phrase “Healthy DC and Health Care Expansion Fund” in its place.

Note,  
§ 31-3514.02

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

(A) Strike the phrase “Healthy DC Fund (“Fund”)” and insert the phrase “Healthy DC and Health Care Expansion Fund (“Fund”)” in its place.

(B) Strike the phrase “Title 4 without” and insert the phrase “Title 4, and other medical assistance programs administered by the Department of Health Care Finance, without” in its place.

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

“(2) Any other local funds, including any fees, penalties, or other tax revenues required by District law, including the premium tax imposed on health maintenance organizations, as required by section 4a of the Health Maintenance Organization Act of 1996, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 31-3403.01).”.

Sec. 4. Section 2(2) of the Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C. Official Code § 31-1201(2)), is amended by adding the following sentence at the end:

Note,  
§ 31-1201

“Direct gross receipts shall not include any policy or membership fees, net premium receipts, or consideration received from or paid by the District of Columbia’s Department of Health Care Finance.”.

Sec. 5. The Healthy DC Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 4-631 *et seq.*), is amended as follows:

ENROLLED ORIGINAL

(a) Section 5042(c) (D.C. Official Code § 4-632(c)) is amended by striking the phrase "Healthy DC Fund" and inserting the phrase "Healthy DC and Health Care Expansion Fund" in its place.

Note, § 4-632

(b) Section 5047 (D.C. Official Code § 4-637) is amended by striking the phrase "Healthy DC Fund" and inserting the phrase "Healthy DC and Health Care Expansion Fund" in its place.

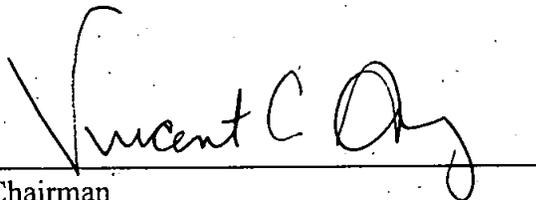
Note, § 4-637

Sec. 6. Fiscal impact statement.

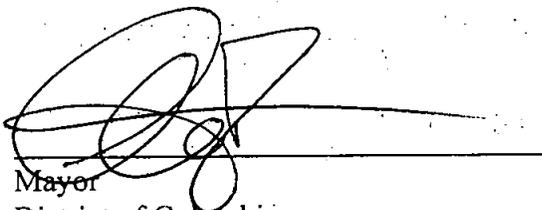
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

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



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
May 7, 2010

## ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-391

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 7, 2010

Codification  
District of  
Columbia  
Official Code

2001 Edition

2010 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, section 47-1812.08 of the District of Columbia Official Code to require the District of Columbia Lottery and Charitable Games Control Board, or any payor, for certain lottery winnings, to deduct and withhold an amount equal to the highest tax rate as specified in section 47-1806.03, 47-1807.02, or 47-1808.03 of the District of Columbia Official Code.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Withholding of Tax on Lottery Winnings Emergency Act of 2010".

Sec. 2. Section 47-1812.08 of the District of Columbia Official Code is amended by adding a new subsection (l) to read as follows:

Note,  
§ 47-1812.08

"(l) *Withholding from lottery winnings.* -

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

"(A) "Constructive receipt" or "constructively received" means that payments of lottery winnings, although not actually within a taxpayer's possession, are deemed to be received by the payee and subject to District tax in the taxable year during which the lottery winner is determined by Powerball or other lottery drawing.

"(B) "Lottery winnings" means winnings which are subject to withholding as defined in section 3402(q) of the Internal Revenue Code of 1986, whether as a lump sum or annuitized payment.

"(C) "Payment" means the payment of lottery winnings.

"(D) "Payor" means a person responsible to make a payment subject to withholding under section 3402(q) of the Internal Revenue Code of 1986.

"(2) In making payments, whether actually or constructively received by the payee, of lottery winnings taxable under § 47-1803.02, 47-1807.02, or 47-1808.02, the District of Columbia Lottery and Charitable Games Control Board, or any payor, shall deduct and withhold from such payments an amount equal to the tax on such payments computed at the highest rate of tax under § 47-1806.03, 47-1807.02, or 47-1808.03, as applicable, in accordance with procedures to be established by the Chief Financial Officer.

ENROLLED ORIGINAL

“(3) Except as provided in paragraph (4) of this subsection, the withholding required by this section shall apply to any of the following payments:

“(A) A lump sum payment in the year the payment is made; or

“(B) A payment of an annuitized amount in the year the payment is made by any payor to a payee.

“(4) The withholding required by this subsection shall not apply to a payment to a nonresident, corporation, partnership, or limited liability company if the individual, shareholder, partner, or member of such entities provides the payor with a statement and documentary evidence, subject to review and approval by the Chief Financial Officer, that the income earned is not subject to District tax.”.

Sec. 3. Applicability.

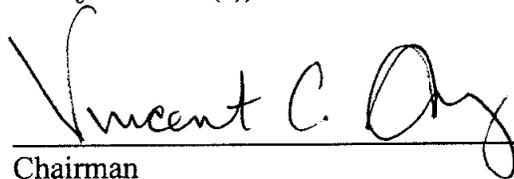
Section 2 shall apply as of April 24, 2010.

Sec. 4. Fiscal impact statement.

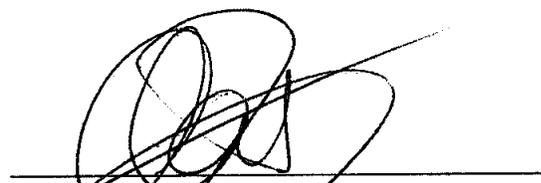
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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

May 7, 2010

Codification District of Columbia Official Code, 2001 Edition

## ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-392

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 7, 2010*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2010 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, the Third & H Streets, N.E. Economic Development Act of 2010 to clarify that the project receiving the tax exemption includes leasing and to make a technical change.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Third & H Streets, N.E. Economic Development Technical Clarification Emergency Amendment Act of 2010".

Sec. 2. Section 2(b) of the Third & H Streets, N.E. Economic Development Act of 2010, signed by the Mayor on April 2, 2010 (D.C. Act 18-353; 57 DCR 3026), is amended as follows:

Note,  
§ 47-4634

- (a) Strike the phrase "including the financing, refinancing, or reimbursing" and insert the phrase "including the leasing, financing, refinancing, or reimbursing" in its place.
- (b) Strike the phrase "§ 42-1102" and insert the phrase "§ 42-1103" in its place.

Sec. 3. Fiscal impact statement.

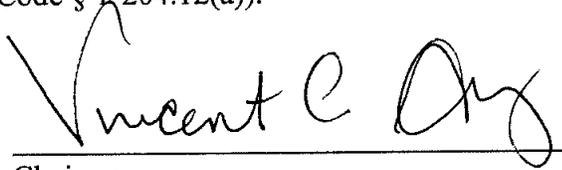
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

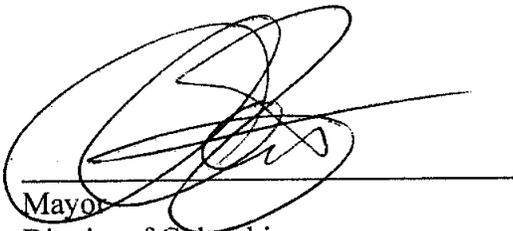
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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  
May 7, 2010

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-393

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 7, 2010

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2010 Summer  
Supp.

West Group  
Publisher

To amend, on an emergency basis, An act to provide for the care of dependent children in the District of Columbia and to create a board of children's guardians to extend the adoption subsidy for a child from 18 years of age to 21 years of age; and to amend Chapter 23 of Title 16 of the District of Columbia Official Code to extend the guardianship subsidy for a child from 18 years of age to 21 years of age, and to clarify that a child who exits foster care to a guardianship or an adoption may not reenter foster care.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Adoption and Guardianship Subsidy Emergency Amendment Act of 2010".

Sec. 2. Section 3(e) of An act to provide for the care of dependent children in the District of Columbia and to create a board of children's guardians, approved July 26, 1892 (27 Stat. 269; D.C. Official Code § 4-301(e)), is amended as follows:

Note,  
§ 4-301

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

(b) The newly designated paragraph (1) is amended by striking the phrase "Eligibility for payments" and inserting the phrase "Except as provided in paragraph (2) of this subsection, eligibility for payments" in its place.

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

"(2) For adoptions that are finalized on or after the effective date of the Adoption and Guardianship Subsidy Emergency Amendment Act of 2010, passed on emergency basis on April 20, 2010 (Enrolled version of Bill 18-759), eligibility for payments shall continue until the child reaches 21 years of age."

Sec. 3. Chapter 23 of Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-2390 is amended to read as follows:

"§ 16-2390. Jurisdiction.

Note,  
§ 16-2390

"(a) Subject to subsection (b) of this section, the court shall retain jurisdiction to enforce, modify, or terminate a guardianship order until a child reaches 18 years of age; provided, that the court may retain jurisdiction until the child reaches 21 years of age if the child consents and the court finds it is in the best interest of the child.

"(b) A child who exits foster care to guardianship or adoption may not reenter

ENROLLED ORIGINAL

foster care after age 18.”

(b) Section 16-2399 is amended as follows:

Note,  
§ 16-2399

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

(A) Paragraph (2) is amended by adding the word “and” at the end.

(B) Paragraph (3) is repealed.

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

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

(B) The newly designated paragraph (1) is amended by striking the phrase “Eligibility for subsidy” and inserting the phrase “Except as provided in paragraph (2) of this subsection, eligibility for subsidy” in its place.

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

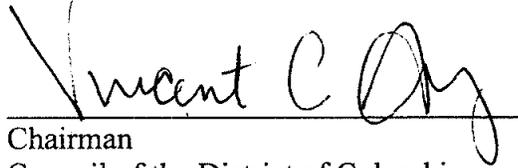
“(2) For guardianships that are finalized on or after the effective date of the Adoption and Guardianship Subsidy Emergency Amendment Act of 2010, passed on emergency basis on April 20, 2010 (Enrolled version of Bill 18-759), eligibility for subsidy payments under this section may continue during the period of the guardianship order until the child reaches 21 years of age.”

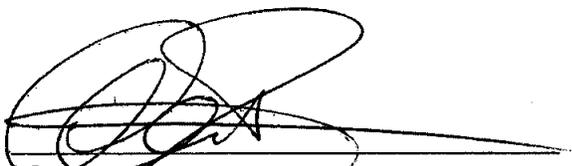
Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

May 7, 2010  
Codification District of Columbia Official Code, 2001 Edition

## ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-394IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
MAY 13, 2010Codification  
District of  
Columbia  
Official Code

2001 Edition

2010 Fall  
Supp.West Group  
Publisher

To amend, on a temporary basis, the Public Education Reform Amendment Act of 2007 to establish a Department of Parks and Recreation Capital Project Mentorship Program, for a limited time, for the department to learn best practices from the Office of Public Education Facilities Modernization and reform its capital projects department, and to establish reporting requirements for Certified Business Enterprise and District resident participation in these capital projects.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Parks and Recreation Capital Construction Mentorship Program Temporary Amendment Act of 2010".

Sec. 2. Title VII of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-451 *et seq.*), is amended by adding a new section 704a to read as follows:

"Sec. 704a. Mentorship program.

"(a) There is established a Department of Parks and Recreation Capital Project Mentorship Program ("DPRMP") in the OPEFM.

"(b) The Director of the Department of Parks and Recreation ("DPR") is authorized to assign DPR's capital construction full-time employees to OPEFM for the DPRMP.

"(c) OPEFM has the authority to direct and manage the modernization or new construction of Department of Parks and Recreation capital projects ("Project"), as authorized funds become available, for the following sites:

- "(1) Noyes;
- "(2) Eighteenth and Michigan Avenue;
- "(3) Harry Thomas, Sr. Recreation Center;
- "(4) Dakota Playground;
- "(5) New York Avenue Playground;
- "(6) Langdon Park;

## ENROLLED ORIGINAL

- “(7) Edgewood Recreation Center;
- “(8) Brentwood Recreation Center;
- “(9) First and Florida Avenue, N.W.;
- “(10) Trinidad Recreation Center;
- “(11) Justice Park;
- “(12) Park View;
- “(13) Seventh and N Street;
- “(14) Eleventh and Monroe, Street, N.W.;
- “(15) Shepherd Field; and
- “(16) Watkins Park.

“(d) Prior to acting on each Project, OPEFM shall submit rules to the Council for a 10-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If a member of the Council introduces a resolution of approval or disapproval within the 10-day period of review, the period of review is extended for 45 days. The rules shall include:

- “(1) The project name and location;
- “(2) The date on which funds were authorized for the Project;
- “(3) The DPR’s specific role in the Project; and
- “(4) A plan to include Certified Business Enterprises (“CBEs”) pursuant to the

Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

“(e) Every 60 days after OPEFM’s rules are approved pursuant to subsection (d) of this section, DPR shall submit to the Council a report to include:

- “(1) A summary of how practices utilized by OPEFM in capital construction will be incorporated by DPR’s capital projects staff following the completion of the DPRMP;
- “(2) The number and names of CBEs working on the Project;
- “(3) The percentage of District residents employed on the Project; and
- “(4) Funds expended to date on the Project.”.

### 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)).

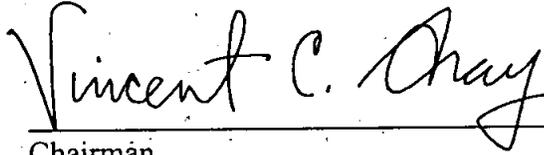
### Sec. 4. Effective date.

(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

UNSIGNED

Mayor  
District of Columbia  
MaY 7, 2010

## ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-395

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 7, 2010Codification  
District of  
Columbia  
Official Code

2001 Edition

2010 Fall  
Supp.West Group  
Publisher

To amend Chapter 38 of Title 47 of the District of Columbia Official Code to provide for real property tax rebates for supermarkets that would qualify for the existing real property tax exemption but for the inability of the landlord to pass the tax abatement onto the supermarket.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Neighborhood Supermarket Tax Relief Clarification Act of 2010".

Sec. 2. Chapter 38 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:

"§ 47-3805. Supermarket real property tax rebate."

(b) A new section 47-3805 is added to read as follows:

" 47-3805. Supermarket real property tax rebate.

"(a) For the purposes of this section, the term "qualified supermarket" means a qualified supermarket, as defined in § 47-3801(2), for which all of the requirements for the real property tax exemption provided by § 47-1002(23), other than § 47-1002(23)(B)(iii), are satisfied.

"(b) Beginning October 1, 2007, if a qualified supermarket leases real property (or a portion thereof) that is subject to tax under Chapter 8 of this title, the qualified supermarket shall receive a rebate of the tax that represents the qualified supermarket's pro rata share of the tax levied for the tax year on the real property (or portion thereof) that the qualified supermarket leases if:

"(1) The qualified supermarket is liable under the lease for its pro rata share of the tax;

"(2) An application for the rebate of the tax is made on or before December 31 of the succeeding tax year; and

"(3) The lessor paid the tax.

"(c) The rebate shall be the amount of the pro rata share of the tax paid by the qualified

New  
§ 47-3805

ENROLLED ORIGINAL

supermarket as required by the lease.

“(d) The application shall include:

“(1) A copy of the lease; and

“(2) Documentation that the tax has been paid, as required by the Mayor.

“(e) If a proper application has been made, the Mayor shall rebate the tax to the qualified supermarket on or before March 1 of the succeeding tax year.

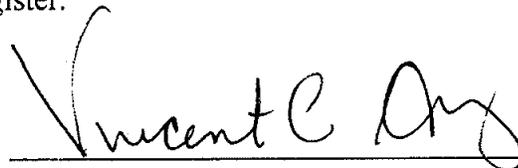
“(f) Any rebates authorized under this section shall be paid from the General Fund of the District of Columbia.”.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
May 7, 2010

## ENROLLED ORIGINAL

## AN ACT

## D.C. ACT 18-396

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 7, 2010

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2010 Fall  
Supp.

West Group  
Publisher

To establish a new process for graffiti abatement by property owners and the Mayor, to provide that certain actions by a property owner shall be deemed to provide consent to permit the Mayor to abate graffiti, to establish an expedited process for adjudication of any notices of violation issued for failure to abate graffiti, to provide for the payment of abatement costs and penalties, to establish a graffiti abatement fund, to provide for liens against property involved in unresolved graffiti violations, and to provide graffiti abatement materials; to amend the Office of Administrative Hearings Establishment Act of 2001 to provide the Office of Administrative Hearings with jurisdiction to adjudicate violations of this act; and to amend the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty act of 1982 to repeal provisions pertaining to graffiti abatement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Anti-Graffiti Act of 2010".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Abate" means to effectively remove or cover.
- (2) "Abatement costs" means the reasonably estimated costs incurred by the District to abate graffiti.
- (3) "Deputy Chief Financial Officer" means the Deputy Chief Financial Officer for the Office of Tax and Revenue or his designee.
- (4) "Graffiti" means any inscription, writing, drawing, marking, or design that is painted, sprayed, etched, scratched, or otherwise placed on structures, buildings, dwellings, statues, monuments, fences, vehicles, or other similar objects that are on personal property located outdoors, or placed on trees, rocks, or other natural features, without the consent or authorization of the property owner, without regard to when that consent or authorization was given, and the graffiti is visible from a public right-of way.
- (5) "Owner" means a property owner or the property owner's designated agent unless otherwise specified.

## ENROLLED ORIGINAL

(6) "Reply" means the response provided by the owner under section 4(c).

Sec. 3. Nuisance.

Graffiti is a nuisance and the owner of the property on which the graffiti is located shall abate the graffiti or authorize the Mayor to abate the graffiti as provided for in section 4.

Sec. 4. Notice of graffiti nuisance and reply.

(a)(1) Whenever the Mayor identifies graffiti, the Mayor shall notify the owner that there is graffiti on the property that must be abated.

(2) The notification shall be provided by delivering a written notice to the property on which, or at which, the graffiti is located. The notification shall be served on the owner or the building superintendent if present, or placed on the door or similar place used for ingress.

(3) In addition, notice shall be delivered by first-class mail to the owner of the premises. If the owner cannot be identified with reasonable certainty for purposes of mail notice, the Mayor shall conspicuously post the notice on the premises or deliver a copy of the notice to the Deputy Chief Financial Officer, who shall post a copy of the notice in a conspicuous place on the property.

(b) The notice shall include reply space for the owner to notify the Mayor whether the owner:

(1) Will abate the graffiti by the date stated on the notice and, if this option is selected, whether the owner requests graffiti abatement materials;

(2) Authorizes the Mayor to abate the graffiti; or

(3) Consents to the presence of the graffiti and does not want the Mayor to abate it.

(c) The notice shall also include a deadline by when the owner must reply and shall inform the owner how to reply. The owner shall reply by either conspicuously posting the notice to the premises where it was originally left, transmitting the notice by facsimile to the number indicated on the notice, mailing it to the address indicated on the notice, returning it in person, or using any other method authorized by regulation and specified on the notice. The deadline shall be not less than 7 calendar days.

(d)(1) If the owner indicates on the reply that the owner will abate the graffiti by the date stated on the notice, and that the owner wants to receive graffiti abatement materials, the Mayor shall leave them at the property subject to the limitations set forth in section 11.

(2) If the owner indicates on the reply that the owner will abate the graffiti, the Mayor shall return to the property no sooner than the abatement deadline stated in the notice to see whether or not the graffiti has been abated. If the graffiti has not been abated, the Mayor shall issue a notice of violation as provided for in section 6.

## ENROLLED ORIGINAL

## Sec. 5. Deemed authorization to abate.

If the owner does not reply as provided for in section 4(b)(1), 4(b)(2), or 4(b)(3), the owner shall be deemed to have authorized the Mayor to abate the graffiti. The Mayor may then abate the graffiti as if the owner had provided authorization under subsection 4(b)(2).

## Sec. 6. Notice of violation; service of notice.

(a) If an owner elects to abate the graffiti and the graffiti has not been abated by the date stated on the notice, the Mayor may issue a notice of violation for failure to comply with section 3.

(b)(1) The notice of violation shall be served on the owner, or the building superintendent, or the Mayor may deliver the notice by certified mail to the owner of the premises. If the owner cannot be identified with reasonable certainty, the Mayor may conspicuously post the notice on the premises alleged to be in violation and deliver a copy of the notice to the Deputy Chief Financial Officer pursuant to paragraph (2) of this subsection.

(2) The Deputy Chief Financial Officer is authorized to receive notices of violation of section 3 on behalf of any resident or non-resident person who owns property in the District, if the person has not provided to the Deputy Chief Financial Officer a mailing address. The Deputy Chief Financial Officer shall post a copy of the notice served on the Deputy Chief Financial Officer in a conspicuous place on the property.

## Sec. 7. Answer and expedited hearing.

(a) An owner who has received a notice of violation shall answer within 5 days after service of the notice of violation. At the time that an owner answers the notice of violation, the owner may request a hearing on the allegations set forth in the notice of violation. If the owner fails to answer as required in the notice of violation, the owner shall be deemed to have admitted

the violation and the Office of Administrative Hearings shall issue a default judgment ordering the owner to pay abatement costs, interest, and penalties as provided for in section 8.

(b) If an owner answers the notice of violation in the manner required in the notice of violation, the Office of Administrative Hearings shall issue a final order on that notice of violation no later than 30 days after the date on which the notice of violation was filed with the Office of Administrative Hearings.

## Sec. 8. Payment of abatement costs and penalties.

(a) If a default judgment is issued under section 7 or if, after a hearing, the Office of Administrative Hearings finds the owner responsible for the violation set forth in the notice of violation, the District may abate the graffiti and the owner (not the owner's agent) shall owe to the District 2½ times the District's abatement costs plus a penalty of \$500 for each violation.

(b) The Mayor shall bill the owner for the amount owed under subsection (a) of this

## ENROLLED ORIGINAL

section. If the amount is not paid within 30 days from the date of the bill, interest shall be assessed at the rate of 1½ % per month.

Sec. 9. Graffiti Abatement Fund.

(a)(1) There is established as a nonlapsing fund the Graffiti Abatement Fund ("Fund"), into which shall be deposited:

(A) All fines, penalties, interest, charges and costs, including abatement costs, assessed and collected pursuant to this act;

(B) Any funds in the Graffiti Trust Fund, established by section 4a(g) of the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982, effective June 12, 2001 (D.C. Law 13-309; D.C. Official Code § 22-3312.03a(g)), on the day before the effective date of this act; and

(C) Any civil fines collected as penalties under section 5 of the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1983, effective March 10, 1983 (D.C. Law 4-203; D.C. Official Code § 22-3312.04).

(2) The deposit of these monies shall be subject to the requirements of section (10)(b).

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

(c) The Fund shall be used to offset the costs of implementing this chapter, the costs of graffiti abatement and prevention, and the costs of the Office of Administrative Hearings under this act.

(d) The Mayor shall submit to the Council an annual statement of the Fund's receipts and disbursements for the preceding year.

Sec. 10. Collection against an owner.

(a)(1) The amount to be paid under a notice of violation and any other charges, expenses, costs, including abatement costs, penalties, and interest shall be a continuing and perpetual lien in favor of the District upon all real and personal property belonging to a person named in the notice and shall have the same force and effect as a lien created by judgment. Interest shall accrue on the amount due at the rate of 1½ % a month.

(2) The lien shall attach to all property belonging to the named person at any time during the period of the lien, including any property acquired by the named person after the lien arises.

(3) The lien shall have priority over all other liens, except for District taxes and District water charges; provided, that the lien shall not be valid as against any bona fide

## ENROLLED ORIGINAL

purchaser, or holder of a security interest, mechanic's lien, or other such creditor interest in the property, until notice of the lien is filed with the Recorder of Deeds. The lien shall be satisfied by payment of the amount of the lien to the District Treasurer.

(4) For reasonable cause shown, the Mayor may reduce the amount of the bill or lien.

(5) The Mayor may contract with any person to collect the amount of the lien and remunerate the person, subject to available appropriations, by fee, by a percentage of the amount collected, or both.

(b) As additional means for collection, the Mayor may enforce payment of the fines, penalties, costs, and interest imposed under this section against the real property of the owner as follows:

(1) The Mayor shall record a real property tax lien, captioned "Notice of Converted Real Property Tax Lien", with the Recorder of Deeds and in accordance with D.C. Official Code § 47-1340. The real property tax lien shall be deemed a delinquent real property tax from the date of the conversion, shall accrue interest at the rate of interest charged for delinquent real property tax, and shall be perpetual. Payment thereof shall be credited to the General Fund of the District of Columbia. The real property may be sold at tax sale, regardless of the date of the conversion, in the same manner, under the same conditions, and subject to the same impositions of interest, costs, expenses, fees, and other charges, as real property sold for delinquent real property tax.

(2) The aggregate amount of the costs, expenses, penalties, and interest secured by the lien imposed under subsection (a) of this section may appear on a real property tax bill, and the aggregate amount shall:

(A) Be deemed an additional real property tax to be collected in the same manner and under the same conditions as real property tax is collected, including the sale of the real property for delinquent tax; and

(B) Be subject to the same penalty and interest provisions as delinquent real property tax is subject as of the date of such real property tax bill.

(c) The lien under subsection (a) of this section, with penalty and interest as provided under this section, shall be converted to real property tax as of the due date for payment of the real property tax bill if payment is not made.

(d) If the lien has been converted to a real property tax lien under D.C. Official Code § 47-1340 or if the accrued amount of the lien appears on the real property tax bill, the real property tax lien shall be enforced under Chapter 13A of Title 47 of the District of Columbia Official Code.

#### Sec. 11. Graffiti abatement materials.

(a) If the Mayor provides a paint voucher to an owner to abate graffiti at a particular property, the Mayor is not required to provide another paint voucher to abate graffiti at that

## ENROLLED ORIGINAL

property for the 12-month period following the date on which the paint voucher was provided.

(b) If the Mayor provides a graffiti clean-up kit to an owner to abate graffiti at a particular property, the Mayor is not required to provide another clean-up kit to abate graffiti at that property for the 12-month period following the date on which the kit was provided.

(c) The Mayor may provide other types of graffiti removal materials and, by regulation, limit the extent to which they are provided to a property owner.

(d) Nothing in this section precludes the Mayor from providing additional paint vouchers, clean-up kits, or other graffiti abatement materials for use in community anti-graffiti efforts.

#### Sec. 12. Rules.

(a) The Office of Administrative Hearings, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat.1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of section 7.

(b) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of sections 3, 4, 5, 6, 8, 9, 10, and 11.

#### Sec. 13. Conforming amendments.

(a) Section 6 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), is amended as follows:

Amend  
§ 2-1831.03

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

“(b-3) In addition to those cases described in subsections (a), (b), (b-1), and (b-2) of this section, as of the effective date of the Anti-Graffiti Emergency Act of 2010, passed on emergency basis on April 20, 2010 (Enrolled Version of Bill 18-750) (“Anti-Graffiti Emergency Act”), this act shall apply to adjudicated cases required to be heard pursuant to section 7 of the Anti-Graffiti Emergency Act.”

(2) Subsection (c) is amended by striking the phrase “(a), (b), or (b-1)” and inserting the phrase “(a), (b), (b-1), (b-2), or (b-3)” in its place.

(3) Subsection (h) is amended by striking the phrase “(a), (b), or (b-1)” and inserting the phrase “(a), (b), (b-1), (b-2), or (b-3)” in its place.

(b) The Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982, effective March 10, 1983 (D.C. Law 4-203; D.C. Official Code § 22-3312.01 *et seq.*), is amended as follows:

(1) Section 4a (D.C. Official Code § 22-3312.03a) is repealed.

(2) Section 4b (D.C. Official Code § 22-3312.03b) is repealed.

(3) Section 1a (D.C. Official Code § 22-3312.05) is amended as follows:

(A) Paragraph (2) is repealed.

Repeal  
§ 22-3312.03a  
Repeal  
§ 22-3312.03b  
Amend  
§ 22-3312.05

## ENROLLED ORIGINAL

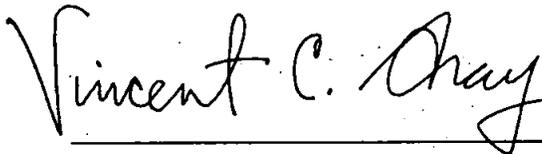
- (B) Paragraph (3) is repealed.
- (C) Paragraph (7) is repealed.
- (D) Paragraph (8) is repealed.

## Sec. 14. Fiscal impact statement.

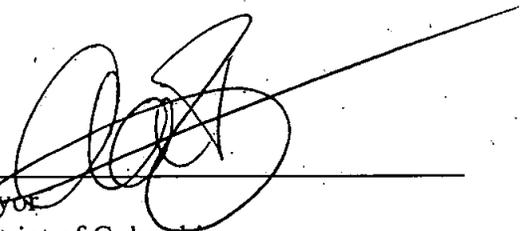
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

## Sec. 15. 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  
May 7, 2010

## ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-397

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 10, 2010

*Codification  
 District of  
 Columbia  
 Official Code*

2001 Edition

2010 Summer  
 Supp.

West Group  
 Publisher

To amend, on a temporary basis, the Fiscal Year 2010 Budget Support Act of 2009 to clarify bonus and special pay restrictions for Fiscal Year 2010.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Bonus and Special Pay Clarification Temporary Amendment Act of 2010".

Sec. 2. Section 1281 of the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended to read as follows:

Note,  
 § 1-611.03

"Sec. 1281. Restrictions on special awards pay or bonus pay.

"(a) For Fiscal Year 2010, no funds shall be used to support the categories of special awards pay or bonus pay; provided, that funds may be used to pay:

"(1) Retirement awards;

"(2) Hiring bonuses for difficult-to-fill positions;

"(3) Additional income allowances for difficult-to-fill positions;

"(4) Agency awards or bonuses funded by private grants or donations;

"(5) Safe driving awards;

"(6) Suggestion/invention awards; or

"(7) Any other award/bonus authorized by an existing contract or collective bargaining agreement that was entered into prior to the effective date of this subtitle.

"(b) No special awards pay or bonus pay shall be paid to a subordinate agency head or an assistant or deputy agency head under this section unless required by an existing contract that was entered into prior to the effective date of this subtitle."

Sec. 3. Fiscal impact statement.

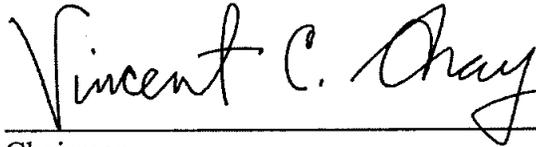
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

ENROLLED ORIGINAL

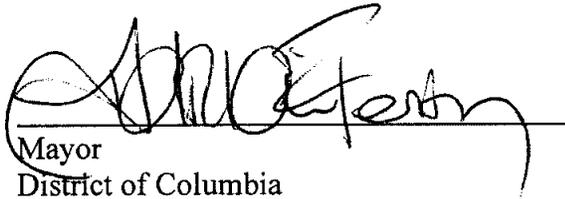
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; 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  
May 10, 2010

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-398

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
MAY 10, 2010

Codification  
District of  
Columbia  
Official Code

2001 Edition

2010 Summer  
Supp.

West Group  
Publisher

To amend, on an emergency basis, the Clean and Affordable Energy Act of 2008 to return control of the Residential Aid Discount program to the Public Service Commission and to provide for an increase in the assessment imposed upon the sales of the electric company to maintain the current form of the Residential Aid Discount program through fiscal year 2010.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Residential Aid Discount Subsidy Stabilization Emergency Amendment Act of 2010".

Sec. 2. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

(a) Section 101(6) (D.C. Official Code § 8-1773.01(6)) is amended to read as follows:

"(6) "Existing low-income programs" means those programs operated under the names "LIHEAP Expansion and Energy Education" and "Residential Essential Service Expansion and Awareness Program.""

Note,  
§ 8-1773.01

(b) Section 210(b)(4) (D.C. Official Code § 8-1774.10(b)(4)) is amended by striking the phrase "operated by DDOE" and inserting the phrase "established by the Commission" in its place.

Note,  
§ 8-1774.10

(c) Section 211 (D.C. Official Code § 8-1774.11) is amended as follows:

Note,  
§ 8-1774.11

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

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

"(2) There is imposed upon the sales of the electric company an assessment of \$0.0000607 per-kilowatt-hour; provided, that there is imposed upon the sales of the electric company an additional assessment of \$0.000069 per-kilowatt hour for the months of June through September 2010."

(B) Paragraph (4) is amended by striking the phrase "operated by DDOE" and inserting the phrase "established by the Commission" in its place.

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

## ENROLLED ORIGINAL

“(c) The Energy Assistance Trust Fund shall be used solely to fund the existing low-income programs in the amount of \$2.3 million annually; provided, that the EATF shall also be used to fund the Residential Aid Discount program in the amount of \$5.2 million in fiscal year 2010. The Commission may examine and reconcile any differences between the actual discount provided to customers under the Residential Aid Discount program in fiscal year 2010 and the amount collected through the assessment imposed by subsection (b) of this section. If the assessment for June through September 2010 is not sufficient to fund the program, the Commission may provide for an assessment that allows the electric company to recover the difference from its customers. If the assessment for June through September 2010 is greater than the actual discount, the Commission may require the electric company to return any overcollection to its customers.”.

(d) A new section 214 is added to read as follows:

“Sec. 214. Discount program for low-income electricity customers.

“The Commission shall establish, by order, a discount program for low-income electricity customers in the District. The Commission shall establish the eligibility, funding, and administrative guidelines for the program; provided, that the program shall not be funded from existing District funds, District revenue sources, or District assessments.”.

Sec. 3. Applicability.

Section 2(b) shall apply as of June 1, 2010.

Sec. 4. Fiscal impact statement.

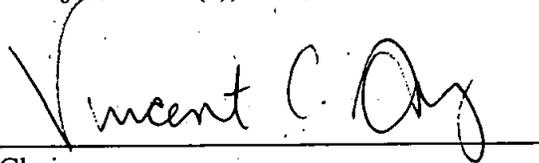
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c))(3)).

Sec. 5. Effective date.

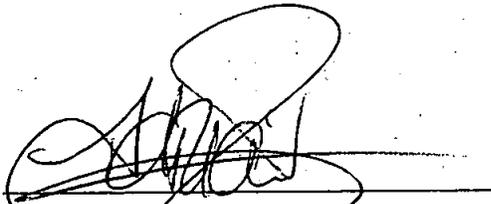
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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



Mayer  
District of Columbia  
APPROVED  
May 10, 2010

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-399

*Codification  
District of  
Columbia  
Official Code*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

2001 Edition

MAY 10, 2010

2010 Summer  
Supp.

West Group  
Publisher

To amend, on an emergency basis, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to deem the Old Naval Hospital renovation project, located in Ward 6, to have met new community meeting and notice requirements and to allow the lease to be submitted for Council review.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Old Naval Hospital Community Obligation Requirements Emergency Amendment Act of 2010".

Sec. 2. Section 1(a-1) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)), is amended by adding a new paragraph (5) to read as follows:

Note,  
§ 10-801

"(5) The Mayor is deemed to have met the requirements of paragraph (2)(C) and paragraph (4) of this subsection with respect to the District-owned real property known as the Old Naval Hospital, located at 921 Pennsylvania Avenue, S.E., in Square 0948, for which the Mayor engaged in community outreach efforts regarding the property's proposed redevelopment plan, and which followed notice to and consent from the applicable Advisory Neighborhood Commission."

Sec. 3. Fiscal impact statement.

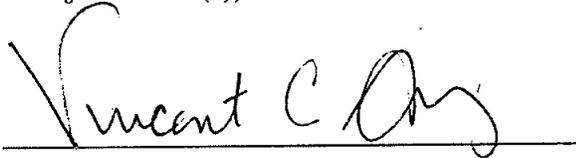
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

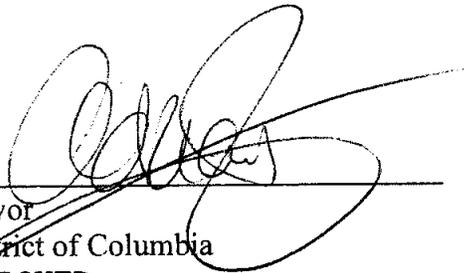
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council for the District of Columbia in section

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  
May 10, 2010