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Sec. 4052. (a)(1) By January 1, 2011, the District of Columbia Public Schools, shall submit, in accordance with section 456(a) of the District of Columbia Home Rule Act, approved October 19, 1994 (108 Stat. 3488; D.C. Official Code § 1-204.56a), comprehensive, measurable, objective agency performance measures that are to be included in the next 4 budget submissions for the purposes of measuring the agency's performance in certain areas, including student outcomes, recruitment and retention of teachers and principals, management and business operations, and parent and community involvement.

(2) Beginning in 2012, this information shall be submitted by January 31 of each year in accordance with subsection (b) of this section to the Council for review and comment.

(b) A performance measure shall be included in the budget submission that includes at least one year of actual data. Once included in a budget submission, a performance measure shall be included in its original form for at least 4 successive years.

SUBTITLE G. PUBLIC EDUCATION FINANCE REFORM COMMISSION

Sec. 4061. Short title.

This subtitle may be cited as the "Public Education Finance Reform Commission Establishment Amendment Act of 2010".

Sec. 4062. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §38-2901 *et seq.*), is amended by adding new sections 115 and 116 to read as follows:

"Sec. 115. Services.

"Beginning in fiscal year 2012, services provided by District of Columbia government agencies to public schools shall be provided on an equal basis to the District of Columbia Public Schools and public charter schools. Any services that are funded apart from the Uniform per Student Funding Formula shall not also be funded by the Uniform Per Student Funding Formula.

"Sec. 116. Public Education Finance Reform Commission.

"(a)(1) An independent organization shall be retained by the Council of the District of Columbia to convene and staff an independent commission on public education finance reform in the District of Columbia, to be known as the Public Education Finance Reform Commission ("Commission").

"(2) The Commission shall:

"(A) Be conducted according to the standard procedures of the independent organization, with full cooperation of the:

"(i) Council;

"(ii) Mayor;

"(iii) Chancellor;

"(iv) State Superintendent of Education; and

“(v) Other government personnel;

“(B) Establish a process by which the public may participate in providing information, opinion, and reaction to Commission proceedings and reports; and

“(C) Post all documents that it produces on the Internet.

“(3) All Commission meetings and deliberations shall be open to the public.

“(b) The Commission shall study and report on revisions to the Uniform Per Student Funding Formula with regard to improvements in:

“(1) Equity;

“(2) Adequacy;

“(3) Affordability; and

“(4) Transparency, including:

“(A) The maintenance of uniformity in funding between District of Columbia Public Schools (“DCPS”) and public charter schools, taking into account services provided without charge by other District of Columbia agencies;

“(B) The determination of the funding level needed by DCPS and the public charter schools to provide educational services sufficient to enable public school students, including special education students and English-language learners, to meet the academic standards of the District of Columbia;

“(C) The fiscal ability of the District of Columbia government to provide the necessary funding level; and

“(D) The presentation of the Uniform Per Student Funding Formula and calculations made pursuant to it so that the public may clearly understand the basis of the calculations and related budget appropriations.

“(c)(1) No later than January 31, 2011, the Commission shall provide to the Council an equity report detailing for fiscal years 2009 and 2010:

“(A) The kinds and amounts of payments made directly to DCPS and to public charter schools from the General Fund of the District of Columbia;

“(B) The kind and amount of any other transfers from the General Fund of the District of Columbia to DCPS and public charter schools from District of Columbia government agencies;

“(C) The kind and value of in-kind services provided to DCPS and the public charter schools by District of Columbia government agencies; and

“(D) The kind and value of reprogrammed funds from the General Fund of the District of Columbia to DCPS or the public charter schools.

“(2) The equity report shall include:

“(A) An analysis of the impact of these payments, transfers, in-kind services, and reprogramming on the uniformity of funding for DCPS and public charter schools; and

“(B) Recommendations for increasing uniformity in the 2013 budget and succeeding years; and

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“(C) Weaknesses in the Uniform Per Student Funding Formula Act or in its implementation, if any, that interfere with uniformity of funding.

“(d) No later than June 30, 2011, the Commission shall provide the Mayor and Council with a final report and its recommendations for consideration in the development of the fiscal year 2013 budget.”

SUBTITLE H. PUBLIC CHARTER SCHOOL ACCESS TO DISTRICT OF
COLUMBIA PUBLIC SCHOOL BUILDINGS.

Sec. 4071. Short title.

This subtitle may be cited as the "Public Charter School Access to District of Columbia Public School Buildings Clarification Amendment Act of 2010".

Sec. 4072. Section 2209 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (Pub. L. No.104-134; D.C. Official Code § 38-1802.09), is amended as follows:

(a) Subsection (a) is amended by striking the word "Superintendent" both times it appears and inserting the phrase "Office of Public Education Facilities Modernization" in its place.

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

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

(A) The lead-in text is amended by striking the phrase "Former public school property" and inserting the phrase "Current and former public school properties" in its place.

(B) Subparagraph (B)(ii) is amended by striking the phrase "Board of Education" and inserting the phrase "former Board of Education or the Mayor or the Chancellor of the District of Columbia Public Schools" in its place.

(C) Subparagraph (C)(iii) is amended by striking the phrase "its charter." and inserting the phrase "its charter; provided, that leases involving co-location agreements may include a lease period of less than 25 years." in its place.

(2) Paragraph (2) is repealed.

SUBTITLE I. PUBLIC CHARTER SCHOOL BOARD MEMBERSHIP SELECTION
AND STAFF COMPENSATION.

Sec. 4081. Short title.

This subtitle may be cited as the "Public Charter School Board Membership Selection and Staff Compensation Clarification Amendment Act of 2010".

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Sec. 4082. Section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14), is amended as follows:

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

(1) The lead-in language of paragraph (2) is amended to read as follows:

"(2) *Membership.* – The Board shall consist of 7 members, appointed by the Mayor, with the advice and consent of the Council. Members shall be selected so that knowledge of each of the following areas is represented on the Board:"

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

"(3) *Vacancies.* – Where a vacancy occurs in the membership of the Board for reasons other than the expiration of the term of a member, the Mayor shall appoint, with the advice and consent of the Council, an individual to serve in the vacant position, taking into consideration the criteria described in paragraph (2) of this subsection. Any member appointed to fill a vacancy occurring prior to the expiration of the term of a predecessor shall be appointed only for the remainder of the term."

(4) Paragraph (4) is repealed.

(b) Subsection (d)(1) is amended by striking the phrase ", but no individual so appointed shall be paid in excess of the rate payable for level EG-16 of the Educational Service of the District of Columbia".

SUBTITLE J. DCPS AND PUBLIC CHARTER SCHOOL ENROLLMENT AND DROPOUT DATA REPORTS

Sec. 4091. Short title.

This subtitle may be cited as the "Per Capita District of Columbia Public School and Public Charter School Funding Amendment Act of 2010".

Sec. 4092. Section 2402 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.02), is amended as follows:

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

(1) Strike the phrase "Mayor containing" and insert the phrase "the Mayor and the Council containing" in its place.

(2) Strike the phrase "; provided, that in the case of the June 30 report, the information submitted by each eligible chartering authority shall be in the form of estimates of the number of students who will fall into each category on the following October 5".

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

(1) The lead-in language is amended by striking the phrase "State Education Office" and inserting the phrase "Office of the State Superintendent of Education" in its place.

(2) Paragraph (7) is amended by striking the word "and" at the end.

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(3) Paragraph (8) is amended by striking the period and inserting the phrase “; and” in its place.

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

“(9) The number of enrolled students who have dropped out since the date of the previous report.”

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

(1) Paragraph (1) is amended by striking the phrase "State Education Office shall arrange with the Authority to" and inserting the phrase "Office of the State Superintendent of Education shall" in its place.

(2) Paragraph (2)(B) is amended by striking the phrase "State Education Office" and inserting "Office of the State Superintendent of Education" in its place.

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

"(3) *Submission of audit.* – Not later than 60 days after the date on which the Council receives the initial annual report from the Office of the State Superintendent of Education required under subsection (c) of this subsection, the Office of the State Superintendent of Education shall submit to the Mayor, the Council, and the appropriate congressional committees, the audit conducted pursuant to this subsection."

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

"(4) *Cost of the audit.* – The Office of the State Superintendent of Education shall fund the independent audit solely from amounts appropriated to the Office of the State Superintendent of Education for staff, stipends, and non-personal services of the Office of the State Superintendent of Education by an act making appropriations for the District of Columbia."

SUBTITLE K: PRE-K EXPANSION, ENHANCEMENT, AND WORKFORCE DEVELOPMENT

Sec. 4101. Short title.

This subtitle may be cited as the "Pre-K Expansion and Program Assistance and Workforce Development Act of 2010".

Sec. 4102. Of the fiscal year 2011 local funds appropriated to the Office of the State Superintendent of Education ("OSSE"), \$1 million shall be used for increasing pre-k slots in community-based organizations.

Sec. 4103. (a) The OSSE shall ensure that funds utilized to support pre-k community-based classrooms maximize the use of and supplement, not supplant, existing federal and local funding sources, such as Head Start and Child Care Subsidy, that finance education programs for children of pre-k age in the District of Columbia.

(b) For each provider that meets the high-quality standards established pursuant to

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section 201 of the Pre-K Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-272.01), the OSSE shall ensure that local funding shall be allocated in such a manner that each provider receives in total funding per student funding an amount equal to the Uniform Per Student Funding Formula, established pursuant to section 2401 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-107; D.C. Official Code § 38-1804.01).

Sec. 4104. Of the fiscal year 2011 local funds appropriated to the Office of the State Superintendent of Education, \$500,000 shall be deposited into the Pre-k Program Assistance Grant Fund, established pursuant to section 204 of the Pre-K Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-272.04).

Sec. 4105. Of the fiscal year 2011 local funds appropriated to the Office of the State Superintendent of Education for professional development services, the OSSE shall transfer \$1 million to the University of the District of Columbia by no later than October 30, 2010, to ensure continuity of existing pre-k and early childhood workforce development programs operated by the university and funded by the OSSE in support of the city's efforts to expand and improve pre-k and to comply with requirements of the Child Care and Development Block Grant.

SUBTITLE L. APPROVAL OF 2010 MASTER FACILITIES PLAN

Sec 4111. Short title.

This subtitle may be cited as the "Master Facilities Plan Approval Act of 2010".

Sec. 4112. (a) Pursuant to section 1104 of the School Based Budgeting and Accountability Act of 1998, approved March 26, 1999 (D.C. Law 12-175; D. C. Official Code § 38-2803), the following components of the Master Facilities Plan for the District of Columbia Public Schools for 2010, as submitted by the Mayor to the Council, on April 1, 2010 ("2010 MFP") are approved:

(1) All priorities, objectives, and methods of defining modernization, including the phased approach to elementary and middle schools;

(2) Demographics and Data;

(3) Plan Detail Narrative, including school-by-school detail, known as Mini-Master Plans; and

(4) The glossary of terms.

(b) The Schedule of modernization, including sequencing and project implementation timelines and the budget, including the 8-Year Master Facilities Plan Financial Projection and Scope of Work and Estimated Methodology in the 2010 MFP shall be adjusted pursuant to the Capital Improvement Plan Amendments for Public Education Facilities Act of 2010, passed on

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2nd reading on June 15, 2010 (Enrolled version of Bill 18-731), and resubmitted by October 15, 2010, to the Council for review and approval.

SUBTITLE M. SMART PLANNING FOR PUBLIC EDUCATION FACILITIES

Sec. 4121. Short title.

This subtitle may be cited as the "Office of Public Education Facilities Planning Establishment Amendment Act of 2010".

Sec. 4122. Section 1104(b) of the School Based Budgeting and Accountability Act of 1998, approved March 26, 1999 (D.C. Law 12-175; D. C. Official Code § 38-2803(b)), is amended to read as follows:

"(b)(1) The Mayor shall establish an Office of Public Education Facilities Planning ("OPEFP") within the Office of the Deputy Mayor for Education responsible for the development of the Master Facilities Plan, which shall function as a citywide public education facilities plan.

"(2) The OPEFP shall include in the Master Facilities Plan detailed, current analyses and data on:

"(A) The facilities condition assessment for each school building and facility under the control and jurisdiction of the District of Columbia Public Schools;

"(B) The capacity of existing schools, current level of utilization, and recommendations for the utilization or reduction of excess space, including, as appropriate, specific recommendations on:

(i) Consolidation;

(ii) Closure; and

(iii) Co-location;

"(C) Historical and projected enrollment;

"(D) Current and projected demographic information for the surrounding neighborhood;

"(E) Other neighborhood issues, in coordination with the Office of Planning;

"(F) A school-by-school description relating facility needs and requirements to:

"(i) The facility's programmatic usage with specific linkages and relationships to adopted education plans of a local education agency, school district, or institution, including specific plans for special education, early childhood education, and career and technical education programs; and

"(ii) The statewide education and youth development plan described in section 202 of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191), and how it enables schools to be centers of the community;

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"(G) A detailed facility portfolio analysis that will inform any decisions related to alternative financing options, including public/private development partnerships and co-location opportunities;

"(H) A communications and community involvement plan for each school that includes engagement of key stakeholders throughout the community, including:

- (i) Local school restructuring teams;
- (ii) School improvement teams; and
- (iii) Advisory Neighborhood Commissions;

"(I) The coordination of the District's education sector with housing, health, and welfare sectors, and with economic development policies and plans; and

"(J) The location, planning, use, and design of the District's educational facilities and campuses.

"(3) The following agencies shall work with the OPEFP in the development of the Master Facilities Plan:

"(A) The District of Columbia Public Schools, which shall transmit to the OPEFP educational plans and policies it considers relevant to the facilities planning process and provide the educational specifications for each facility subject to modernization;

"(B) The Public Charter School Board, which shall:

"(i) Transmit to the OPEFP educational plans and policies of individual public charter schools, data on existing public charter school facilities and facilities-related needs, and other information considered relevant to the planning process; and

"(ii) Establish a Public Charter School facilities registry in which individual public charter schools will have the opportunity to register to receive facilities planning and technical support from the OPEFP, including the analyses and data compiled pursuant to paragraph (2) of this subsection;

"(C) The Office of Planning, which shall provide demographic and neighborhood data support; and

"(D) The Office of Public Education Facilities Modernization, which shall implement the Master Facilities Plan consistent with the policy priorities set forth in this act.

"(4) Of the fiscal year 2011 capital funds appropriated to the Office of Public Education Facilities Modernization, it shall transfer:

"(A) Up to \$500,000 to the Office of the Deputy Mayor for Education to support capital planning pursuant to subsection (b)(1) of this section; and

"(B) An amount of \$100,000 to the District of Columbia Public Schools and \$100,000 to the Public Charter School Board to support capital planning activities as provided in paragraph (3) of this subsection."

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Sec. 4123. Section 202(b) of the Public Education Reform Amendment Act of 2007, approved June 12, 2007 (D.C. Law 17-9; D.C. Official Code §38-191(b)), 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 and inserting the phrase "; and" in its place.

(c) A new paragraph (8) is added to read as follows:

;(8) Coordinate the development of the Master Facilities Plan."

SUBTITLE N. FY2011 CAPITAL IMPROVEMENT PLAN FOR PUBLIC
EDUCATION FACILITIES

Sec. 4131. Short title.

This subtitle may be cited as the "FY 2011 - FY 2016 Capital Improvement Plan for Public Education Facilities Amendment Act of 2010".

Sec. 4132 (a) The FY 2011 - FY 2016 Capital Improvement Plan ("CIP"), as submitted by the Mayor to the Council as part of the Master Facilities Plan, shall be consistent with the requirements of section 4122 (b) and shall be realigned to:

(1) Give priority consideration for modernization to schools with poor condition assessments, with defined educational gaps due to the condition of facilities, or the lack of facilities, and with capacity needs as seen in historical enrollments and audited enrollments; and

(2) Reflect a fix-it first modernization policy where all elementary and middle schools undergo basic Phase I modernization, as defined in the 2010 Master Facilities Plan approved pursuant to the Master Facilities Plan Approval Act of 2010, passed on 2nd reading on June 15, 2010 (Enrolled version of Bill 18-731), prior to the start of Phase II or Phase III modernizations or expansion of facilities at any school.

(b) The realigned CIP shall be submitted to the Council no later than October 15, 2010 for review and approval.

(c) Except for projects underway, until the Council has approved the CIP, the Chief Financial Officer shall not approve the use of fiscal year 2011 funding from the following budget categories:

- (1) Modernizations Underway (YY130C);
- (2) High School Modernizations (YY131C);
- (3) Elementary/Middle Schools Modernization (YY132C); or
- (4) Selective Additions and New Construction (YY133C).

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TITLE V. HUMAN SUPPORT SERVICES

SUBTITLE A. MEDICAID STATE PLAN

Sec. 5001. Short title.

This subtitle may be cited as the "Medical Assistance Program Amendment Act of 2010".

Sec. 5002. Section 1(a) of An Act to enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02(a)), is amended by adding a new paragraph (4) to read as follows:

"(4) Review and approval by the Council of the fiscal year 2011 budget and financial plan shall constitute the Council review and approval required by paragraph (2) of this subsection of any waiver, modification to the state plan, or modification to a waiver required during fiscal year 2011 for purposes of implementing federal health care reform initiatives as set forth in the Patient Protection and Affordable Care Act, approved March 23, 2010 (124 Stat. 119; Pub. L. No.111-148); provided, that the Department of Health Care Finance publishes a copy of any waiver, modification to the state plan, or modification to a waiver available on its website for at least 5 business days prior to submission to the Secretary of the United States Department of Health and Human Services."

SUBTITLE B. HOSPITAL REVENUE ASSESSMENT

Sec. 5011. Short title.

This subtitle may be cited as the "Hospital Assessment Act of 2010".

Sec. 5012. Definitions.

For the purposes of this act, the term:

(1) "Hospital" shall have the same meaning as provided in section 2(a)(1) of 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(a)(1)), but excludes St. Elizabeths Hospital and any hospital operated by the federal government.

(2) "Medicaid" means the medical assistance programs authorized by title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department of Health Care Finance.

Sec. 5013. Hospital Fund.

(a) There is established as a nonlapsing fund the Hospital Fund, which shall be used solely to fund District State Medicaid services.

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- (b) There shall be deposited into the Hospital Fund:
- (1) Assessments collected under this act;
 - (2) Interest and penalties collected under this act;
 - (3) Matching federal funds on assessments; and
 - (4) Other amounts collected under this act.

(c) All funds deposited in the Hospital 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 purpose set forth in subsection (a) of this section without regard to fiscal year limitation, subject to authorization by Congress.

Sec. 5014. Assessments on hospitals.

(a) Each hospital in the District of Columbia shall pay to the Mayor an annual assessment as follows:

(1) For fiscal year 2010, \$500 per licensed bed, which shall be paid by September 1, 2010, and which shall be deposited in the Medical Liability Captive Trust Fund, established by section 12 of the District of Columbia Medical Liability Captive Insurance Agency Establishment Act of 2008, effective July 18, 2008 (D.C. Law 17-196; D.C. Official Code § 1-307.91), to be used for the purposes of this fund; and

(2) For fiscal years 2011 through 2014, \$1,500 per licensed bed, which shall be paid based on a schedule determined by the Mayor and which shall be deposited in the Hospital Fund, established by section 5013, to be used for the purpose of this fund.

(b) The Chief Financial Officer may determine the manner in which payments are to be made under this act, including whether payments owed by each hospital pursuant to subsection (a) of this section shall be paid electronically.

Sec. 5015. Interest and penalties.

(a) If a hospital fails to pay the full amount of an assessment by the date required by this act, or by rules issued pursuant to this act, the hospital shall pay, in addition to the required assessment:

(1) Interest at the rate of 1.5% of the assessment per month or any fraction thereof, which shall be added to the unpaid balance; and

(2) An administrative penalty of 10% of the assessment.

(b) The District of Columbia shall have a lien upon a hospital's real and personal property located in the District of Columbia for any assessments, interest, or administrative penalties that are due under this act, or rules issued pursuant to this act.

(c) An action brought to enforce the provisions of this section shall be brought in the Superior Court of the District of Columbia by the Attorney General for the District of Columbia in the name of the District of Columbia.

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Sec. 5016. Appeals.

(a) A hospital may contest the amount of an assessment, including any interest or administrative penalties, imposed under this act, or by rules issued pursuant to this act, by filing a notice of appeal with the Office of Administrative Hearings within 60 days after the date of the notice of a determination or redetermination of an assessment based on an audit of information.

(b) The Office of Administrative Hearings shall conduct a hearing on the appeal filed under subsection (a) of this section subject to the provisions of 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.*), governing adjudication of contested cases, and pursuant to the rules of the Office of Administrative Hearings.

(c) Before filing an appeal pursuant to subsection (a) of this section, the hospital shall pay to the Mayor the assessment and any administrative penalties and interest due on the assessment. The filing of a notice of appeal shall not act as a stay on the requirement to pay payment of the assessment, interest, and administrative penalties.

Sec. 5017. Federal determinations; suspension and termination of assessment.

(a) If the federal government determines that an assessment imposed on a hospital pursuant to this act does not satisfy the requirements for federal financial participation set forth in section 1903(w) of the Social Security Act, approved July 30, 1965 (70 Stat. 349; 42 U.S.C. § 1396b(w)), the determination shall not affect the validity, amount, applicable rate, or any other terms of an assessment on other hospitals imposed by this act.

(b) If the federal government determines that an exclusion for hospitals specified under this act would prevent an assessment imposed by this act from qualifying as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social Security Act, approved July 30, 1965 (79 Stat. 349; 42 U.S.C. § 1396b(w)(3)(B)), the exclusion shall not be made.

Sec. 5018. Rules.

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

Sec. 5019. Sunset.

This act shall expire on September 30, 2014.

SUBTITLE C. MEDICAID RESOURCE MAXIMIZATION

Sec. 5021. Short title.

This subtitle may be cited as the "Medicaid Resource Maximization Amendment Act of 2010".

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Sec. 5022. 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:

(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:

"(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. 5023. 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.

(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.

(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.

(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,

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effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 31-3403.01)."

Sec. 5024. 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:

"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. 5025. 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:

(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.

(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.

SUBTITLE D. INTERMEDIATE CARE FACILITIES

Sec. 5031. Short title.

This subtitle may be cited as the "Intermediate Care Facilities Amendment Act of 2010".

Sec. 5032. Chapter 12 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1271 is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase "per hour" and inserting the phrase "per hour, or a higher amount as determined through rulemaking" in its place.

(B) Paragraph (2) is amended by striking the phrase "Medical Assistance Administration ("MAA")" and inserting the phrase "Department of Health Care Finance ("DHCF")" in its place.

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

"(c) Notwithstanding subsection (b) of this section, of the revenues deposited in the Fund in fiscal year 2011, at least \$1 million shall be used to support quality of care improvements for those facilities that meet the requirements of § 47-1272, and up to \$3.7 million may be used to support Medicaid services in the District of Columbia, including reimbursements for ICF-MRs for the services that they provide."

(b) Section 47-1272 is amended as follows:

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(1) Subsections (a), (b), and (c) are amended by striking the phrase "MAA" wherever it appears and inserting the phrase "DHCF" in its place.

(2) Subsection (d) is amended by striking the phrase "Department of Health" and inserting the phrase "DHCF" in its place.

(c) Section 47-1273(a) is amended by striking the phrase "1.5%" and inserting the phrase "5.5%" in its place.

SUBTITLE E. EMERGENCY HOUSING ASSISTANCE

Sec. 5041. Short title.

This subtitle may be cited as the "Emergency Housing Assistance Act of 2010".

Sec. 5042. Section 19-701(a) of the District of Columbia Official Code is amended by adding a sentence at the end to read as follow: "All cash, including real or personal property reduced to cash, received or obtained by the District pursuant to this section shall be transferred at regular intervals to the Department of Human Services for uses consistent with the emergency assistance grants described in section 7(e) of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-753.01(e))."

SUBTITLE F. DEPARTMENT OF HEALTH FEES

Sec. 5051. Short title.

This subtitle may be cited as the "Department of Health Fee Modifications Amendment Act of 2010".

Sec. 5052. Section 47-2827 of the District of Columbia Official Code is amended by adding a new subsection (k) to read as follows:

"(k) The Mayor may adjust, by rule, the fees established by this section."

Sec. 5053. Section 3500.1 of Title 17 of the District of Columbia Municipal Regulations is amended as follows:

(a) The renewal fee for acupuncturists is amended by striking the phrase "\$145.00" and inserting the phrase "\$290.00" in its place.

(b) The renewal fee for chiropractors is amended by striking the phrase "\$203.00" and inserting the phrase "\$300.00" in its place.

(c) The renewal fee for nursing home administrators is amended by striking the phrase "\$203.00" and inserting the phrase "\$375.00" in its place.

(d) The renewal fee for pharmacists is amended by striking the phrase "\$179.00" and inserting the phrase "\$310.00" in its place.

(e) The renewal fee for social workers is amended by striking the phrase "\$145.00" and inserting the phrase "\$185.00" in its place.

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Sec. 5054. Title 22 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 1923.1 is amended to read as follows:

"1923.1 The fees related to pharmacies are as follows:

"(a) Biennial license fee: \$900.00.

"(b) Late fee: \$125.00.

"(c) Non-resident pharmacy registration fee: \$900.00.

"(d) Duplicate certificate: \$35.00.

"(e) License validation: \$35.00."

(b) Section 3114.3 is amended to read as follows:

"3114.3 License fees for nursing homes are as follows:

"(a) 1-50 beds

Annual Fee	\$390
Late Fee	\$195

"(b) 51-100 beds

Annual Fee	\$520
Late Fee	\$200

"(c) 101 or more beds

Annual Fee	\$1,000
Late Fee	\$250

SUBTITLE G. CHILDREN AND YOUTH INVESTMENT TRUST CORPORATION
 Sec. 5061. Short title.

This subtitle may be cited as the "Children and Youth Investment Trust Corporation Act of 2010".

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Sec. 5062. Gang-intervention funding.

Of the funding provided to the Children and Youth Investment Trust Corporation in fiscal year 2011, \$500,000 shall be provided for competitive grants to support community-based targeted gang intervention and outreach.

SUBTITLE H. DEPARTMENT OF HEALTH CARE FINANCE CONFORMING AMENDMENTS

Sec. 5071. Short title.

This subtitle may be cited as the "Department of Health Care Finance Conforming Amendment Act of 2010".

Sec. 5072. The Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1401 *et seq.*), is amended as follows:

(a) Section 3(a) (D.C. Official Code § 7-1401(a)) is amended by striking the phrase "Department of Health" and inserting the phrase "Department of Health Care Finance" in its place.

(b) Section 6(a) (D.C. Official Code § 7-1404(a)) is amended by striking the phrase "Department of Health" and inserting the phrase "Department of Health Care Finance" in its place.

SUBTITLE I. SNAP EXPANSION

Sec. 5081. Short title.

This subtitle may be cited as the "SNAP Expansion Act of 2010".

Sec. 5082. Implementation of transitional Supplemental Nutrition Assistance Program benefits.

A qualified household that ceases to receive cash assistance under the District's Temporary Assistance for Needy Families ("TANF") program, funded by federal TANF funds, District Maintenance of Effort ("MOE") funds, or any other cash assistance received under a state-funded program (collectively "cash assistance") due to a change in income, shall receive transitional Supplemental Nutrition Assistance program ("SNAP") benefits for a period of 5 months after the date on which the cash assistance was terminated, automatically adjusted for the loss of the cash assistance, pursuant to section 11(s) of the Food Stamp Act Food Stamp Act of 1964, approved August 31, 1964 (78 Stat. 703; 7 U.S.C. § 2020 (s)) ("Food Stamp Act").

Sec. 5083. Implementation of simplified self-employment deduction.

No later than March 31, 2011, the Mayor shall submit to the United States Department of Agriculture, a proposal to use a standard self-employment deduction, with an option for an applicant to prove actual expenses in the event that the applicant's expenses exceed the set

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standard deduction under SNAP, pursuant to section 5(m) of the Food Stamp Act (7 U.S.C. § 2014 (m)) and to 7 C.F.R. § 273.11(b)(3)(v)).

Sec. 5084. Reporting.

Beginning on January 1, 2011, and every 6 months thereafter, the Mayor shall provide the following information, delineated by month, to the Council, the:

- (1) Number of households participating in the District's cash assistance TANF programs;
- (2) Number of households participating in SNAP;
- (3) Number of homeless households participating in SNAP;
- (4) Number of households who left the District's cash assistance TANF programs, including the reasons they left;
- (5) Number of households who left SNAP, including the reasons they left; and
- (6) Number of SNAP participants who are self-employed.

SUBTITLE J. CHILDREN AND YOUTH INITIATIVE ESTABLISHMENT

Sec. 5091. Short title.

This subtitle may be cited as the "Children and Youth Initiative Establishment Amendment Act of 2010".

Sec. 5092. Section 2403 of the Children and Youth Initiative Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D. C. Official Code § 2-1553), is amended as follows:

(a) Subsection (a) is amended by striking the word "non-profit" and inserting the word "nonprofit" in its place.

(b) Subsection (a-1) is amended by adding a new paragraph (3) to read as follows:

"(3) All sub-grants of District funds shall be awarded on a competitive basis, except in the case of an emergency circumstance, as determined by a vote of the Board of Directors."

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

"(a-3) To be eligible to receive a grant pursuant to subsection (a) of this section, the non-service provider, nonprofit organization shall meet the following requirements:

"(1) All positions on the Board of Directors are filled, including any position for nonvoting government officials, unless a vacancy has occurred on the board because a board member's term expired or terminated for any reason; provided, that the position is filled within 90 days of the vacancy.

"(2) Each board member serving has demonstrated knowledge and experience in the disciplines that are the focus of the mission of the non-service provider, nonprofit organization."

"(f) For the purposes of this section, the term "insurer" includes a self-insured plan, a

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

"(ii) Any other information prescribed by the Mayor;"

"(iii) Plan identification number; and

"(ii) Address; and

"(i) Name;

"(i) Each individual's:

the health insurer. The data to be provided shall include:

have been, covered by an insurer and the nature of the coverage that is being, or was, provided by

period that individuals who received, or were eligible for, health care assistance were, or could

provide coverage, eligibility, and paid claims data to the District, or its agent, to determine the

"(D) Upon the request of the Mayor, in a manner prescribed by the Mayor,

claim within 6 years of submitting the claim; and

"(ii) Commences an action to enforce its right with respect to the

date of which the item or service was furnished; and

"(i) Submits the claim within the 3-year period beginning on the

documentation at the point-of-sale that is the basis of the claim; provided, that the District:

submission of the claim, the type or format of the claim form, or for failure to present proper

"(C) Not deny a claim submitted by the District because of the date of

that the health-care item or service was provided;

for payment for a health care item or service that the District submits within 3 years after the date

"(B) Respond to any inquiry by the District, or its agent, regarding a claim

service for which payment has been made under the District State Medicaid Plan;

District of any right of an individual or other entity to payment from the insurer for an item or

"(A) Accept the District's right of recovery and the assignment to the

"(2) An insurer shall:

requirements applicable to an agent or assignee of any other individual so covered.

State Medicaid Plan and covered for health benefits from the insurer that are different from

that has been assigned the rights of an individual eligible for medical assistance under the District

"(1) An insurer shall not impose requirements on a District of Columbia agency

"(e) As a condition of doing business in the District:

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

14, 1995 (D.C. Law 10-202; D.C. Official Code § 1-307.41), is amended as follows:

Sec. 5102. Section 2 of the Medicaid Benefits Protection Act of 1994, effective March

2010"

This subtitle may be cited as the "Medicaid Benefits Protection Amendment Act of

Sec. 5101. Short title.

SUBTITLE K. MEDICAID BENEFITS PROTECTION ACT

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group health plan, as defined in section 607(1) of the Employee Retirement Income Security Act of 1974, approved April 7, 1986 (100 Stat. 231; 29 U.S.C. 1167(1)), a service benefit plan, a managed care organization, a pharmacy benefit manager, or other party that is, by statute, contract, or agreement, legally responsible for payment of a claim for all or part of a health-care item or service."

SUBTITLE L. PHARMACEUTICAL MARKETING COSTS REPORT

Sec. 5111. Short title.

This subtitle may be cited as the "Prescription Drug Marketing Costs Amendment Act of 2010".

Sec. 5112. Section 1800.6 of Title 22 of the District of Columbia Municipal Regulations (22 DCMR § 1800.6) is amended by striking the phrase "two thousand five hundred dollars (\$2,500)" and inserting the phrase "five thousand dollars (\$5,000)" in its place.

SUBTITLE M. SUBSTANCE ABUSE EPIDEMIOLOGY REPORT

Sec. 5121. Short title.

This subtitle may be cited as the "Substance Abuse Epidemiology Report Act of 2010".

Sec. 5122. Substance abuse epidemiology report.

Of the fiscal year 2011 funds allocated to the Addiction Prevention and Recovery Administration, up to \$250,000 shall be used to support improved statistical analysis, outcome measures, data reporting, and policy recommendations related to drug abuse epidemiology in the District of Columbia.

SUBTITLE N. HEALTH PROGRAMS SUPPORT

Sec. 5131. Short title.

This subtitle may be cited as the "Community Access to Health Care Amendment Act of 2010".

Sec. 5132. Section 102(b) of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1932(b)), is amended as follows:

- (a) Paragraph (3) is amended by striking the phrase "\$10 million" and inserting the phrase "\$4.6 million" in its place.
- (b) Paragraph (8) is amended by striking the word "and" at the end.
- (c) Paragraph (9) is amended by striking the period at the end and adding the phrase "; and" in its place.
- (d) A new paragraph (10) is added to read as follows:

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"(10) For fiscal year 2011:

- (A) Allocate \$4.4 million to support health services at the D.C. Jail; and
- (B) Allocate \$1 million to support the District's AIDS Drug Assistance

Program."

SUBTITLE O. COMMISSION ON JUVENILE JUSTICE REFORM

Sec. 5141. Short title.

This subtitle may be cited as the "Commission on Juvenile Justice Reform Establishment Act of 2010".

Sec. 5142. Establishment of the Commission on Juvenile Justice Reform.

(a) There is established a Juvenile Justice Commission ("Commission").

(b) The Commission shall be empaneled within 30 days of the effective date of this act.

(c)(1) The Commission shall be comprised of 12 members, who shall serve without public compensation and who shall be appointed as follows:

(A) Four members to be appointed by the Chairman of the Council of the District of Columbia, in consultation with the Chairs of the related committees of the Council, one of whom shall be a representative of the public;

(B) Four members to be appointed by the Mayor, one of whom shall be a representative of the public; and

(C) Four members to be appointed by the Chief Judge of the Superior Court of the District of Columbia, one of whom shall be a representative of the public.

(2) The Chair of the Commission shall be selected by the members of the Commission.

(d)(1) To be eligible for appointment as a Commissioner, other than as a member of the public, a person shall have individual expertise in a relevant discipline and familiarity with the laws, standards, and services related to youth safety and juvenile justice reform.

(2) To be eligible for appointment as a Commissioner as a representative of the public, a person shall not be required to have special expertise of any kind.

(e) The Office of the City Administrator shall provide administrative and staff support for the Commission and seek private financial support.

Sec. 5143. Juvenile Justice Reform Report.

Within 180 days of the empaneling of the Commission, pursuant to section 5142, the Commission shall submit a report to the Council of the District of Columbia, which shall include:

(1) A review and assessment of the implementation of the reforms recommended in the Report of the Blue Ribbon Commission on Youth Safety and Juvenile Justice Reform;

(2) A review and assessment of the reforms recommended in the Blueprint for

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Action: Responding to Gang, Crew and Youth Violence in D.C.;

- (3) An analysis of Part 1 and Part 2 juvenile-arrest cases of the preceding 3 years;
- (4) An analysis of recidivism rates at the Department of Youth Rehabilitation Services ("DYRS") and Court Social Services ("CSS") of the preceding 3 years;
- (5) An assessment of the federal, local, and private resources available to DYRS and CSS; and
- (6) Recommendations on streamlining available resources and on increased coordination, transparency, and accountability between CSS, DYRS, the Metropolitan Police Department, and other District agencies to ensure the confidential sharing of key information between these agencies and with identified community organizations with professional interest in the well-being of youth.

TITLE VI. PUBLIC WORKS

SUBTITLE A. DISTRICT DEPARTMENT OF TRANSPORTATION UNIFIED FUND

Sec. 6001. Short title.

This subtitle may be cited as the "District Department of Transportation Unified Fund Amendment Act of 2010".

Sec. 6002. Section 9c(c)(2) of the Department of Transportation Establishment Act of 2002, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 50-921.11(c)(2)), is amended to read as follows:

"(2) Except for the dedicated sales tax described in D.C. Official Code § 47-2002.05(d)(4), and any dedicated taxes or fees on parking, as the term "dedicated taxes and fees" is described in section 490(n)(5) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 807; D.C. Official Code § 1-204.90(n)(5)), that were dedicated prior to November 17, 2005, all revenue derived from the sales and use taxes collected by the District for parking and storing; provided, that of the first \$30 million collected each year, \$12.7 million in fiscal year 2009, \$12.2 million in fiscal year 2010, and \$10.2 million in all subsequent years, shall remain in the General Fund of the District of Columbia and that any revenue in excess of \$30 million shall be deposited into the Highway Trust Fund."

SUBTITLE B. PUBLIC SPACE PERMITS TECHNOLOGY SURCHARGE

Sec. 6011. Short title.

This subtitle may be cited as the "Public Space Permit Enhancement Amendment Act of 2010".

Sec. 6012. Section 604 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.04), is amended as follows:

- (a) Paragraph (3) is amended by striking the word "and" at the end.

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(b) Paragraph (4) is amended by striking the period at the end and inserting the phrase "; and" in its place.

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

"(5) Provide for the payment of a technology charge or other surcharge to be added to the fee for each permit issued under section 603."

Sec. 6013. Section 225 of Title 24 of the District of Columbia Municipal Regulations is amended by adding a new subsection 225.8 to read as follows:

"225.8 Beginning on October 1, 2010, there shall be imposed a non-refundable technology fee on each public space permit. The technology fee shall be equal to ten percent (10%) of the total amount of the public space permit fee."

SUBTITLE C. UNCLAIMED DEPOSITS FOR EXCAVATION WORK

Sec. 6021. Short title.

This subtitle may be cited as the "Unclaimed Deposits for Excavation Work Amendment Act of 2010".

Sec. 6022. The Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-101 *et seq.*), is amended by adding a new section 141a to read as follows:

"Sec. 141a. Unclaimed deposits for excavation work in public space.

"This act shall not apply to an unclaimed deposit for excavation work in public space. The Mayor may establish, by rule, the standards and procedures for determining whether and when such a deposit will be considered abandoned, and for determining the custody and ownership of such a deposit."

Sec. 6023. Section 9c(c) of the Department of Transportation Establishment Act of 2002, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 50-921.11(c)), is amended by adding a new paragraph (9) to read as follows:

"(9) All unclaimed public space deposits pursuant to 24 DCMR § 3405.9."

Sec. 6023. Section 3405 of Title 24 of the District of Columbia Municipal Regulations is amended as follows:

(a) Subsection 3405.5 is amended to read as follows:

"3405.5 Return of Deposit. Upon expiration of two (2) years after the satisfactory permanent restoration of the area excavated, a Permittee's Deposit(s), less the deductions made pursuant to subsection 3405.3, may be claimed by the Permittee or its assigns. If a Permittee elected to furnish a single Deposit to cover multiple excavations, the two (2) year period shall not commence until all excavations covered by the deposit have been satisfactorily permanently

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restored. Upon receiving a valid claim, the Deposit shall be returned, less the deductions made pursuant to subsection 3405.3."

(b) A new subsection 3405.9 is added to read as follows:

"3405.9 Unclaimed Deposits. If a Permittee or its assigns does not claim a Deposit under subsection 3405.5 within 30 days after the expiration of the two (2) year period referenced in subsection 3405.5, the Director shall notify the Permittee or its assigns at the Permittee's or assigns' last known address of record of the unclaimed deposit. If the Permittee has not claimed the deposit within one year after the date of the Director's notice, the Director shall deposit the unclaimed deposit into the Department of Transportation Unified Fund, as provided in section 9c(c)(9) of the Department of Transportation Establishment Act of 2002, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 50-921.11(c)(9))."

SUBTITLE D. STEEL PLATE FEE

Sec.6031. Short title.

This subtitle may be cited as the "Steel Plate Fee Amendment Act of 2010".

Sec. 6032. Steel plate fee.

Subsection 225.1 of Title 24 of the District of Columbia Municipal Regulations (24 DCMR § 225.1) is amended by adding a new paragraph (p) to read as follows:

"(p) **Steel Plates: Permit Fee**

<p>Public space covered by 1-4 steel plate(s) at any time between and including January 1 and March 31 and between and including November 1 and December 31.</p>	<p>\$600.00 per plate for the first 5 days in public space \$900.00 per plate for the first 5-day renewal period \$1350.00 per plate for the second and all subsequent 5-day renewal periods</p>
<p>Public space covered by 1-4 steel plate(s) at all other times.</p>	<p>\$300.00 per plate per 5 days in public space \$450.00 per plate for the first 5-day renewal period \$675.00 per plate for the second and all subsequent 5-day renewal periods</p>
<p>Public space covered by an additional 1-4 steel plate(s) at any time between and including January 1 and March 31 and between and including November 1 and December 31.</p>	<p>\$1200.00 per additional plate per 5 days in public space \$1800.00 per additional plate for the first 5-day renewal period \$2700.00 per additional plate for the second and</p>

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	all subsequent 5-day renewal periods
Public space covered by additional 1-4 steel plate(s) at all other times.	\$600.00 per additional plate per 5 days in public space \$900.00 per additional plate for the first 5-day renewal period \$1350.00 per additional plate for the second and all subsequent 5-day renewal periods
Public space covered by more than 8 steel plate(s) at any time between and including January 1 and March 31 and between and including November 1 and December 31.	\$1800.00 for the 9 th and subsequent plate per 5 days in public space \$2700.00 for the 9 th and subsequent plate for the first 5-day renewal period \$4050.00 for the 9 th and subsequent plate for the second and all subsequent 5-day renewal periods
Public space covered by more than 8 steel plate(s) at all other times.	\$900.00 for the 9 th and subsequent plate per 5 days in public space \$1350.00 for the 9 th and subsequent plate for the first 5-day renewal period \$2025.00 for the 9 th and subsequent plate for the second and all subsequent 5-day renewal periods

SUBTITLE E. BUS LOADING AND UNLOADING

Sec. 6041. Short title.

This subtitle may be cited as the "Bus Service Bus Stop Fee Amendment Act of 2010".

Sec. 6042. Subsection 225.1 of Title 24 of the District of Columbia Municipal Regulations (24 DCMR § 225.1) is amended by adding a new paragraph (q) to read as follows:

"(q) **Bus stop:**

Use of public space for buses that park, as that term is defined in 18 DCMR § 9901, at a designated location in public space on a regular schedule to pick up and drop off passengers:	Annual fee of two dollars and fifty cents (\$2.50) multiplied by the total number of hours per week permitted for occupancy further multiplied by fifty-two (52)
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SUBTITLE F. PARKING METER ADVERTISEMENTS

Sec. 6051. Short title.

This subtitle may be cited as the "Parking Meter Advertisement Amendment Act of 2010".

Sec. 6052. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

(a) Section 4(5) (D.C. Official Code § 50-921.03(5)) is amended as follows:

(1) Subparagraph (C) is amended by striking the word "and" at the end.

(2) Subparagraph (D) is amended by adding the word "and" at the end.

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

"(E) Advertisements on parking meters, including the back of receipts printed out by multi-space parking meters;"

(b) Section 5(4) (D.C. Official Code § 50-921.04(4)) is amended as follows:

(1) Subparagraph (E) is amended by striking the word "and" at the end.

(2) Subparagraph (F) is amended by adding the word "and" at the end.

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

"(G) Enter into agreements to allow the placement of advertisements on parking meters, including the back of receipts printed out by multi-space parking meters, and may collect payments under the agreements."

SUBTITLE G. ENVIRONMENTAL IMPACT SCREENING FORM REVIEW

Sec. 6061. Short title.

This subtitle may be cited as the "Environmental Impact Screening Forms and Environmental Impact Statements Amendment Act of 2010".

Sec. 6062. The District of Columbia Environmental Policy Act of 1989, effective October 18, 1989 (D.C. Law 8-36; D.C. Official Code § 8-109.09), is amended as follows:

(a) Section 10(b) (D.C. Official Code § 8-109.09(b)) is amended as follows:

(1) Strike the phrase "Within 180 days of the effective date of this act, the Department of Consumer and Regulatory Affairs" and insert the phrase "The District Department of the Environment" in its place.

(2) Strike the phrase "District agencies" and insert the phrase "District agencies in the review of an environmental impact screening form and" in its place.

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

"Sec. 11b. Fees.

"Whenever the Mayor reviews an environmental impact screening form or prepares, or causes to be prepared, an EIS or supplemental EIS under this act, the Mayor may impose a fee on the applicant to compensate the Mayor for the costs of reviewing the environmental impact

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screening form or preparing the EIS or supplemental EIS.”.

Sec. 6063. Section 7212 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR § 7212) is amended as follows:

(a) Subsection 7212.1 (20 DCMR § 7212.1) is amended by striking the phrase "the EIS" and inserting the phrase "the EISF and the EIS" in its place.

(b) Subsection 7212.2 (20 DCMR § 7212.2) is amended to read as follows:
"7212.2 The EISF and EIS review fee is fifty-five dollars (\$55) per hour.”.

(c) Subsection 7212.3 (20 DCMR § 7212.3) is amended by striking the phrase "any EIS" and inserting the phrase "any EISF or EIS" in its place.

SUBTITLE H. CLEAN AND AFFORDABLE ENERGY ACT

Sec. 6071. Short title.

This subtitle may be cited as the "Clean and Affordable Energy Amendment Act of 2010".

Sec. 6072. Section 210(c) of the Clean and Affordable Energy Amendment Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)), is amended to read as follows:

“(c) The funds in the Sustainable Energy Trust Fund shall be used solely to fund:

“(1) The SEU contract in the following amounts:

“(A) The amount of \$7.5 million in the 1st year of the contract;

“(B) The amount of \$15 million in the 2nd year of the contract;

“(C) The amount of \$17.5 million in the 3rd year of the contract; and

“(D) The amount of \$20 million in the 4th and each subsequent year of the initial contract, and for each year of any subsequent contract;

“(2) The administration of the SEU contract by DDOE, on an annual basis, equal to 10% of the payments under the contract in that fiscal year;

“(3) An independent review of the performance of the SEU under section 205(k) in the amount of \$100,000 annually, beginning in fiscal year 2012;

“(4) The activities of the SEU Advisory Board under section 203 in the amount of \$13,000 annually;

“(5) Existing electricity programs in the amount of \$2.773 million for fiscal year 2011;

“(6) Existing natural gas programs in the amount of \$1.5 million for fiscal year 2011; and

“(7) The renewable energy incentive program under section 209 in the amount of \$1.455 million for fiscal year 2011 and \$2 million in fiscal year 2012, of which up to \$20,000 annually may be used to pay for the installation of monitoring and communications systems.”.

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Sec. 6073. This subtitle shall apply as of October 1, 2011.

SUBTITLE I. SPORT FISH FUNDING PRESERVATION

Sec. 6081. Short title.

This subtitle may be cited as the "Assent to the Dingell-Johnson Sport Fish Restoration Act Amendment Act of 2010".

Sec. 6082. Section 1 of An Act to Modernize the fish and game laws of the District of Columbia, and for other purposes, approved August 23, 1958 (72 Stat. 814; D.C. Official Code § 22-4328), is amended by striking the phrase "provided, that nothing herein contained shall authorize the Council to impose any requirement for a fishing license or fee of any nature whatsoever" and inserting the phrase "provided, that the District assents to the provisions of the Dingell-Johnson Sport Fish Restoration Act, approved August 9, 1950 (64 Stat. 430; 16 U.S.C. §§ 777-777n), the Pittman-Robertson Wildlife Restoration Act, approved September 2, 1937 (50 Stat. 917; 16 U.S.C. §§ 669-669k), and 18 U.S.C. § 701, including a prohibition against the diversion of fishing license fees paid by sport fishermen for any purpose other than the administration of the District's fish and wildlife agency" in its place.

SUBTITLE J. VEHICLE INSPECTION TASK FORCE

Sec. 6091. Short title.

This subtitle may be cited as the "Vehicle Inspection Task Force Act of 2010".

Sec. 6092. Vehicle inspection task force.

(a) There is established a Vehicle Inspection Task Force ("Task Force") to study the impact of the elimination of mandatory vehicle safety inspections for private vehicles, in order to recommend whether the District should restore mandatory vehicle safety inspection for private vehicles of any or all types, and to recommend any improvements to the District's current vehicle safety inspection program for commercial vehicles, or any restored vehicle safety inspection program, for private vehicles that could improve the cost-effectiveness of these programs and reduce the burden of these inspections upon residents and businesses. If the Task Force concludes that some new, restored, or expanded vehicle safety program is in the best interests of the District, the Task Force shall also recommend how to fund such a program.

(b)(1) The Task Force shall consist of at least 7 members, to be selected by the Mayor and the Chairperson of the Council committee with oversight over the Department of Motor Vehicles.

(2) The Chairperson of the Council committee shall choose a chairperson for the task force, who shall represent the interests of the driving public of the District of Columbia, and the Mayor and Chairperson of the Council committee shall each select half of the remaining members.

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- (3) At a minimum, the membership shall include:
- (A) A representative of the Department of Motor Vehicles;
 - (B) A representative of the Metropolitan Police Department;
 - (C) Representatives of the driving public;
 - (D) Traffic safety advocates; and
 - (E) Other governmental bodies that may be considered relevant to the

Task Force's mission:

Sec. 6093. Duration of Task Force.

The Task Force shall complete its study and submit its report to the Council and Mayor no later than February 28, 2011.

SUBTITLE K. SCHOOL CROSSING GUARD PROMOTION OPPORTUNITY

Sec. 6101. Short title.

This subtitle may be cited as the "School Crossing Guard Promotion Opportunity Amendment Act of 2010".

Sec. 6102. Section 6022 of the Civilian School Crossing Guard Function Transfer Amendment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 50-921.05, note) is amended by adding a new subsection (c) to read as follows:

"(c) The time-in-grade restrictions of section 838 of Chapter B8 of Title 6 of the District of Columbia Municipal Regulations (6-B DCMR § 838) shall not apply to any civilian crossing guard, as defined by this section, for the purpose of being promoted to the position of civilian Traffic Control Officer."

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. BUDGET FINANCING CONTINGENCIES

Sec. 7001. Short title.

This subtitle may be cited as the "Budget Financing Contingencies Amendment Act of 2010".

Sec. 7002. Section 3 of the Heights on Georgia Avenue Tax Exemption Act of 2009, effective March 23, 2010 (D.C. Law 18-124; 57 DCR 1175), is repealed.

Sec. 7003. (a) Section 3 of the Studio Theatre Housing Property Tax Exemption and Equitable Relief Act of 2009, effective December 17, 2009 (D.C. Law 18-96; 56 DCR 8526), is repealed.

(b) Section 47-1082(c) and (d) of the District of Columbia Official Code are repealed.

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Sec. 7004. Section 4 of the Affordable Housing Opportunities Residential Rental Project Property Tax Exemption and Equitable Real Property Tax Relief Act of 2010, effective March 23, 2010 (D.C. Law 18-129; 57 DCR 1189), is repealed.

Sec. 7005. Section 802(b) of the Healthy Schools Act of 2010, signed by the Mayor on May 21, 2010 (D.C. Act 18-428; 57 DCR 4779), is repealed.

Sec. 7006. Section 47-3802 of the District of Columbia Official Code is amended as follows:

(a) The existing text is designated as subsection (a).

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

“(b) Notwithstanding the provisions of subsection (a) of this section, a qualified supermarket, qualified restaurant, or retail store shall not be eligible for an exemption beginning on or after October 1, 2010 until the fiscal effect of any such new exemptions is included in an approved budget and financial plan.”.

Sec. 7007. Section 4(b) of the Omnibus Election Reform Amendment Act of 2009, effective February 4, 2010 (D.C. Law 18-103; 56 DCR 9169), is repealed.

Sec. 7008. Section 3 of the Jubilee Housing Residential Rental Project Real Property Tax Exemption Act of 2010, effective May 27, 2010 (D.C. Law 18-163; 57 DCR 2032), is repealed.

Sec. 7009. Section 3 of the Campbell Heights Residents Real Property Tax Exemption Act of 2010, effective May 27, 2010 (D.C. Law 18-164; 57 DCR 3034), is repealed.

Sec. 7010. Section 3 of the IHOP Restaurant #3221 Tax Exemption Clarification Temporary Act of 2010, effective May 27, 2010 (D.C. Law 18-169; 57 DCR 3157), is repealed.

**SUBTITLE B. FIRST CONGREGATIONAL UNITED CHURCH OF CHRIST
PROPERTY TAX ABATEMENT**

Sec. 7011. Short title.

This subtitle may be cited as the "First Congregational United Church of Christ Property Tax Abatement Amendment Act of 2010".

Sec. 7012. 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:

"47-4636. First Congregational United Church of Christ property tax abatement."

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(b) A new section 47-4636 is added to read as follows:

"§ 47-4636. First Congregational United Church of Christ property tax abatement.

"(a) The real property described as Lots 833 through 835 and 7000 through 7011, Square 375, as the land for such lots may be subdivided into a record lot or lots or assessment and taxation lots in the future, known as the First Congregational United Church of Christ property and owned by the First Congregational United Church of Christ, a District of Columbia nonprofit corporation formed for the purpose of religious worship, shall be exempt from taxation under Chapter 8 of this title so long as the First Congregational United Church of Christ owns the real property, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009 as if the exemption were granted administratively.

"(b) The transfer by the First Congregational United Church of Christ of Lots 834, 835, 7003, 7006, 7007, 7008, 7009, 7010, and 7011, Square 375, as the land for such lots may be subdivided into a record lot or lots or assessment and taxation lots in the future, shall be exempt from the tax imposed by Chapter 9 of this title.

"(c) The tax abatement pursuant to this section shall be in addition to, and not in lieu of, any other tax relief or development assistance from any other source applicable to the First Congregational United Church of Christ."

Sec. 7013. Equitable real property tax relief.

(a) Of the deed transfer taxes imposed on the transfer by the First Congregational United Church of Christ of Lots 834, 835, 7003, 7006, 7007, 7008, 7009, 7010, and 7011, Square 375 and the real property taxes, interest, penalties, fees, and other related charges assessed against the First Congregational United Church of Christ on real property located on Lots 823 and 831 (or as the land for such lots may be subdivided into a record lot or lots or assessment and taxation lots in the future), Square 375, for the period beginning February 1, 2008, \$951,000 shall be forgiven by the District and refunded to the First Congregational United Church of Christ.

(b) The District shall make refunding payments to the First Congregational United Church of Christ in the following amounts by the dates specified:

- (1) \$317,000 by January 2, 2011;
- (2) \$317,000 by January 2, 2012; and
- (3) \$317,000 by January 2, 2013.

**SUBTITLE C. PARK PLACE AT PETWORTH, HIGHLAND PARK, AND
HIGHLAND PARK PHASE II ECONOMIC DEVELOPMENT ACT OF 2010**

Sec. 7021. Short title.

This subtitle may be cited as the "Park Place at Petworth, Highland Park, and Highland Park Phase II Economic Development Amendment Act of 2010".

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Sec. 7022. Section 3 of the Park Place at Petworth, Highland Park, and Highland Park Phase II Economic Development Act of 2010, effective March 23, 2010 (D.C. Law 18-128; 57 DCR 1186), is repealed.

Sec. 7023. Section 47-4629 of the District of Columbia Official Code is amended as follows:

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

"(b) Beginning on October 1, 2010, the Park Place at Petworth, Highland Park, and Highland Park Phase II Properties shall be exempt from the real property tax imposed by Chapter 8 of this title for 20 years as follows: 10 years at 50% and a 5% increase in years 11 through 20 until the annual real property taxation equals 100%."

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

"(b-1) All interest and penalties associated with real property taxes that have been assessed for the period beginning on October 1, 2008, and ending 45 days after the effective date of the Fiscal Year 2011 Budget Support Act of 2010 passed on 2nd reading on June 15, 2010 (Enrolled version of Bill 18-731), against the Park Place at Petworth, Highland Park, or Highland Park Phase II Properties, shall be forgiven, and any payments already made for this period, as of the effective date of the Fiscal Year 2011 Budget Support Act of 2010, passed on 2nd reading on June 15, 2010 (Enrolled version of Bill 18-731), shall be refunded or credited against real property taxes owed on the properties."

SUBTITLE D. KELSEY GARDENS REDEVELOPMENT PROJECT REAL PROPERTY LIMITED TAX ABATEMENT ASSISTANCE ACT OF 2009

Sec. 7031. Short title.

This subtitle may be cited as the "Kelsey Gardens Redevelopment Project Real Property Limited Tax Abatement Assistance Amendment Act of 2010".

Sec. 7032. Section 3 of the Kelsey Gardens Redevelopment Project Real Property Limited Tax Abatement Assistance Act of 2009, effective December 17, 2009 (D.C. Law 18-97; 56 DCR 8528), is amended to read as follows:

"Sec. 3. Applicability.

"(a) This act shall apply in fiscal years 2010, 2011, and 2012.

"(b) This act shall apply in fiscal year 2013 and later fiscal years upon the inclusion in an approved budget and financial plan of the fiscal effect of this act in those fiscal years."

SUBTITLE E. NONPROFIT TAX ABATEMENT

Sec. 7041. Short title.

This subtitle may be cited as the "Nonprofit Tax Abatement Act of 2010".

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Sec. 7042. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding the section designations "47-857.11 Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Definitions. 47-857.12. Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Requirements for tax abatement. 47-857.13. Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Application and certification of eligibility. 47-857.14. Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Annual reporting. 47-857.15. Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Abatement caps. 47-857.16. Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Rules." after the section designation "47-857.10 Tax abatements for new residential developments - Regulations."

(b) New sections 47-857.11 through 47-857.16 are added to read as follows:

"§ 47-857.11. Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Definitions.

"For the purposes of §§ 47-857.11 through 47-857.16, the term:

"(1) "Anacostia Nonprofit Zone" means all real property fronting on:

"(A) Good Hope Road, S.E., between the Anacostia Freeway and the 18th Street, S.E.;

"(B) Martin Luther King, Jr. Avenue, S.E., between S Street, S.E., and Suitland Parkway;

"(C) Howard Road, S.E., between the Anacostia Freeway and Bowen Road, S.E.; and

"(D) Shannon Place, S.E., between U Street, S.E., and Chicago Street, S.E.

"(2) "Capitol Riverfront Nonprofit Zone" means the area described as the Capitol Riverfront BID in § 2-1215.58(b).

"(3) "Designated Nonprofit Zone" means an area of the District designated by the Mayor as one that will benefit from the location of a nonprofit organization or an area to which a nonprofit organization seeks to locate and for which the Mayor determines that it is in the best interests of the District to offer a tax abatement under this section to the nonprofit organization and which the Council approves by act.

"(4) "Eligible Nonprofit Zone" means an Emerging Neighborhood Nonprofit Zone or a Designated Nonprofit Zone.

"(5) "Emerging Neighborhood Nonprofit Zone" means the Anacostia Nonprofit Zone, Capitol Riverfront Nonprofit Zone, Minnesota-Benning Nonprofit Zone, Mount Vernon Triangle Nonprofit Zone, and NoMa Nonprofit Zone."

"(6) "Mayor" means the Mayor of the District of Columbia.

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"(7) "Minnesota-Benning Nonprofit Zone" means the area bounded by a line beginning at the intersection of Hayes Street, N.E. and Minnesota Avenue, N.E., continuing northwest to the intersection of Hayes Street, N.E., and Kenilworth Avenue, N.E., continuing northwest along Hayes Street, N.E., to Anacostia Avenue, N.E.; continuing due west to the eastern shoreline of the Anacostia River; continuing south along the eastern shoreline of the Anacostia River to Benning Road, N.E.; continuing east along Benning Road, N.E., to Anacostia Avenue, N.E.; continuing southerly along Anacostia Avenue, N.E., to Dix Street, N.E.; continuing east along Dix Street, N.E., to 34th Street, N.E.; continuing north along 34th Street, N.E., to Eads Street, N.E.; continuing southeast along Eads Street, N.E., to 36th Street, N.E.; continuing south along 36th Street, N.E., to Kenilworth Avenue, N.E.; continuing southeast along a straight line to the intersection of 35th Street, N.E., and Clay Place, N.E.; continuing southeast along Clay Place, N.E., to Minnesota Avenue, N.E., continuing northeast along Minnesota Avenue, N.E., to Clay Place, N.E.; continuing southeast and then east along Clay Place, N.E., to 40th Street, N.E.; continuing northeast along 40th Street, N.E., to Benning Road, N.E. (and including the area to the immediate east of 40th Street, N.E., that is zoned C-3-A); continuing northwest along Benning Road, N.E., to Minnesota Avenue, N.E. (and including the area to the immediate north of Benning Road, N.E., that is zoned C-3-A); continuing northeast along Minnesota Avenue, N.E., to Hayes Street, N.E. (and including the area to the immediate east of Minnesota Avenue, N.E., that is zoned C-3-A), the starting point.

"(8) "Mount Vernon Triangle Nonprofit Zone" means the area described as the Mount Vernon Triangle BID in § 2-1215.55(b).

"(9) "NoMa Nonprofit Zone" means the area described as the NoMa Improvement Association BID in § 2-1215.57(b).

"(10) "Qualified nonprofit organization" means an entity that is exempt from taxation under section 501(c)(3), (4), or (6) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3), (4), and (6)).

"§ 47-857.12. Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Requirements for tax abatement.

"(a) Subject to approval by the Mayor under § 47-857.13 and subject to the caps established by § 47-857.15, a qualified nonprofit organization that purchases office space in an Eligible Nonprofit Zone shall be eligible for an abatement on its real property taxes in the amount of \$8 per square foot, subject to subsection (c) of this section, for a period of 10 years, if:

"(1) The qualified nonprofit organization purchases, after the effective date of this section, a minimum of 5,000 square feet of office space in the Eligible Nonprofit Zone;

"(2) The qualified nonprofit organization occupies at least 75% of the office space purchased by the organization in the Eligible Nonprofit Zone and uses that space for the organization's stated mission;

"(3) The qualified nonprofit organization purchases the office space at the market rate, as determined by the Mayor;

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"(4) The qualified nonprofit organization is not receiving any other real property tax abatement for the office space; and

"(5) The office space is occupied by the qualified nonprofit organization on or before September 30, 2013, if the office space is in the Capitol Riverfront Nonprofit Zone, Mount Vernon Nonprofit Zone, or NoMa Nonprofit Zone, or on or before September 30, 2016, if the office space is in the Anacostia Nonprofit Zone, a Designated Nonprofit Zone, or Minnesota-Benning Nonprofit Zone.

"(b) Subject to approval by the Mayor under § 47-857.13, and subject to the caps established by § 47-857.15, if a qualified nonprofit organization leases office space in an Eligible Nonprofit Zone, the owner of the office space shall be eligible for an abatement on its real property taxes in the amount of \$8 per square foot, subject to subsection (c) of this section, for a period of 10 years, if:

"(1) The qualified nonprofit organization leases, after the effective date of this section, a minimum of 5,000 square feet of office space;

"(2) The qualified nonprofit organization occupies at least 75% of the leased office space and uses that space for the organization's stated mission;

"(3) The qualified nonprofit organization leases the office space at the market rate, as determined by the Mayor;

"(4) The qualified nonprofit organization leases the office space at a rate that is net of real estate taxes;

"(5) The owner of the office space leased by the qualified nonprofit organization is not receiving any other real property tax abatement for the office space; and

"(6) The office space is occupied by the qualified nonprofit organization on or before September 30, 2013, if the office space is in the Capitol Riverfront Nonprofit Zone, Mount Vernon Nonprofit Zone, or NoMa Nonprofit Zone, or on or before September 30, 2016, if the office space is in the Anacostia Nonprofit Zone, a Designated Nonprofit Zone, or Minnesota-Benning Nonprofit Zone.

"(c)(1) The amount of the annual real property tax abatement provided to a qualified nonprofit organization or owner of office space under this section shall not exceed the real property tax liability for the office space that is receiving the abatement.

"(2) A qualified nonprofit organization or owner of office space shall not be eligible to receive a real property tax abatement under §§ 47-857.11 through 47-857.16 for more than 100,000 square feet of office space.

"§ 47-857.13. Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Application and certification of eligibility.

"(a) To be eligible to receive a tax abatement under § 47-857.12, a qualified nonprofit organization shall submit to the Mayor an application and the Mayor shall determine whether the organization is eligible to receive the real property tax abatement. The Mayor shall approve the applications by the eligible qualified nonprofit organizations in the order in which they are

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received subject to the provisions of this section and the caps established by § 47-857.15.

"(b) The application shall include such information and documents as may be prescribed by the Mayor, including a letter of intent or similar document.

"(c) After receiving an application, the Mayor may:

"(1) Reserve the amount of the requested real property tax abatement for the applicant;

"(2) Establish or extend deadlines by which the applicant must:

"(A) Provide documentation of its eligibility under § 47-857.12 and rules promulgated pursuant to § 47-857.16;

"(B) Submit an executed lease or purchase agreement;

"(C) Occupy the office space;

"(D) Submit requested documents and information; and

(3) Cancel the reservation for failure to meet any deadline.

"(d) The Mayor may establish such other application requirements as the Mayor considers necessary or useful.

"(e) A qualified nonprofit organization shall not receive a real property tax abatement under § 47-857.11 through 47-857.16 if it has not received a certification of eligibility from the Mayor under this section.

"§ 47-857.14. Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Annual reporting.

"A qualified nonprofit organization that is receiving a real property tax abatement under this section shall file annually with the Mayor and the Office of Tax and Revenue the report required by § 47-1007 and shall include in such report:

"(1) A certification that the qualified nonprofit organization:

"(A) Continues to lease or purchase (whichever is applicable) the office space for which the organization was granted the tax abatement;

"(B) Continues to occupy at least 75% of the office space and uses that space for the organization's stated mission;

"(C) If it leases the office space, continues to lease the office space at the market rate, subject to verification by the Mayor, and net of real estate taxes; and

"(D) If it owns the office space, or the owner of the office space, if the office space is leased by the qualified nonprofit organization, is not receiving any other real property tax abatement for the office space; and

"(2) Such other information as may be required by the Mayor pursuant to rule.

"§ 47-857.15. Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Abatement caps.

"(a) The total annual dollar amount of tax abatements approved for an Eligible Nonprofit Zone shall not exceed:

"(1) \$600,000 in the Anacostia Nonprofit Zone;

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- "(2) \$2.6 million in the Capitol Riverfront Nonprofit Zone;
- "(3) \$800,000 in all Designated Nonprofit Zones;
- "(4) \$600,000 in the Minnesota-Benning Nonprofit Zone;
- "(5) \$1.2 million in the Mount Vernon Triangle Nonprofit Zone; and
- "(6) \$2.6 million in the NoMa Nonprofit Zone.

"(b) The total amount of real property tax abatements approved for qualified nonprofit organizations in all Eligible Nonprofit Zones shall not exceed \$500,000 in Fiscal Years 2011, 2012, 2013, and 2014.

"§ 47-857.16. Tax abatements for nonprofit organizations locating in emerging commercial neighborhoods - Rules.

"The Mayor, pursuant to Chapter 5 of Title 2, may issue rules to implement the provisions of §§ 47-857.11 through 47-857.16."

SUBTITLE F: SPECIAL PURPOSE FUND TRANSFERS

Sec. 7051. Short title.

This subtitle may be cited as the "Fiscal Year 2011 Transfer of Special Purpose Funds Act of 2010".

Sec. 7052. Fiscal year 2011 transfer of special purpose account balances and revenue to local funds.

(a) Notwithstanding any provision of law limiting the use of funds in the accounts listed in the following chart, the Chief Financial Officer shall transfer from the certified fund balances in those accounts to the unrestricted fund balance of the General Fund of the District of Columbia ("General Fund"), and recognize as fiscal year 2011 revenue, the dollar amounts specified in the chart:

AGENCY NAME (AGENCY CODE)		
FUND DETAIL	FUND/DETAIL NAME	DOLLAR AMOUNT
Office of the Chief Financial Officer (AT0)		
0606	Recorder of Deeds Surcharge	2,635,084
0610	Bank Fees	847,113
Commission on the Arts and Humanities (BX0)		
0600	Special Purpose Revenue	65,627
Office of the Attorney General (CB0)		
0603	Child Support - Temporary Aid to Needy Families (TANF)/Aid to Families with Dependent Children (AFDC) Collections	4,999,999

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0604	Child Support - Reimbursements and Fees	67,000
0605	Child Support - Interest Income	66,725
0612	Anti-Fraud Fund	193,541
District of Columbia Public Library (CE0)		
6109	Miscellaneous Customer Service	9,630
Department of Employment Services (CF0)		
0610	Workers' Compensation Special Fund	7,654,732
0611	Workers' Compensation Administration Fund	16,835,615
0612	Unemployment Insurance Interest/Penalties	107,719
0624	Unemployment Insurance Administrative Assessment Tax	9,299,514
Office of the Tenant Advocate (CQ0)		
6005	Condominium Conversion	1,026,781
Dept. of Consumer and Regulatory Affairs (CR0)		
6008	Real Estate Guarantee and Education Fund	1,509,843
6010	Occupations and Professions Licensure Special Account	306,886
6020	Board of Engineers Fund	72,290
6025	Construction/Zoning Compliance Management Fund	444,340
6030	Green Building Fund	600,066
Office of Cable TV and Telecommunications (CT0)		
0600	Cable Franchise Fees	3,555,982
Dept. of Housing and Community Development (DB0)		
0603	Land Acquisition for Housing Development Opportunities	3,806,186
0605	Multi-Family/ Rehabilitation Repayment	3,947,715
0623	Home Again Revolving Fund	949,807
Office of the People's Counsel (DJ0)		
0631	Advocate for Consumers	164,882
Office of the Deputy Mayor for Planning and Economic Development (EB0)		
0609	Industrial Revenue Bond Program	818,275
0632	Economic Development Special Account	10,104,101
Metropolitan Police Department (FA0)		
1607	Sale of Unclaimed Property	356,297
7278	Asset Forfeiture	192,744

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Fire and Emergency Medical Services Dept. (FB0)		
6100	Special Event Fees	93,232
Office of the Chief Medical Examiner (FX0)		
0601	Medical Examiner Fees	17,121
District of Columbia Public Schools (GA0)		
0603	Lease Income	200,081
0604	Pepeco/Washington Gas	22,851
0607	Custodial	3,940
0608	Nonresident	112,877
0609	Security Deposits	80,852
0611	Cafeteria	101,091
0623	Hoop Dreams Scholarship Fund	178,910
0626	Career Cluster Project at Cardozo	14,543
Department of Parks and Recreation (HA0)		
0602	Enterprise Fund Account	1,406,051
Department of Health (HC0)		
0605	State Health Planning and Development Agency (SHPDA) Fees	74,763
0606	Vital Records Revenue	378,986
0611	Radioactive Waste Fees	11,605
0612	Food Handlers Certification	6,124
0632	Pharmacy Protection	160,382
0633	Radiation Protection	473,269
0638	Animal Control Dog License Fees and Fines	75,323
0643	Board of Medicine	1,409
0649	Health Facility Fee	18,768
0650	Human Services Facility Fee	121,404
0653	DC General Collections	71,141
0655	State Health Planning and Development Agency (SHPDA) Admission Fee	879,854
0656	Emergency Medical Services Fees	2,760
0658	Public Health Laboratory Fees	21,136
0661	Intermediate Care Facilities for Persons with Mental Retardation (ICF-MR) Fees and Fines	81,449
Department of Human Services (JA0)		
0603	Social Security Insurance Payback	250,700

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District Department of Transportation (KA0)		
6140	Tree Fund	539,467
District Department of the Environment (KG0)		
0607	Underground Storage Tank Fines and Fees	24,321
0634	Soil Erosion/Sediment Control	800,000
0645	Pesticide Product Registration	1,740,000
0646	Storm Water Fees	69,508
0662	Renewable Energy Development Fund	7,415
0665	Adjudication Hearings (Water Quality)	16,932
0666	Wells Fund	562
0674	Hazardous Generator Fees	16,309
6201	Economy II	62,037
6700	Sustainable Energy Trust Fund	2,927,809
6800	Energy Assistance Trust Fund	3,057,652
Alcoholic Beverage Regulation Administration (LQ0)		
6018	Keg Registration Fees	42,312
Office of Contracting and Procurement (PO0)		
4010	Surplus Personal Property	615
6102	Supply Schedule Sales Discount	135,953
Office of Unified Communications (UC0)		
1630	911 and 311 Assessments	7,311,000

(b) Notwithstanding any provision of law limiting the use of funds in the accounts listed in the following chart, the Chief Financial Officer shall transfer from the certified revenues deposited in those accounts to the unrestricted fund balance of the General Fund, and recognize as revenue in the fiscal year specified, the dollar amounts specified in the chart:

AGENCY NAME / AGENCY CODE					
AGENCY	FUND DETAIL	FY2011	FY2012	FY2013	FY2014
Department of Real Estate Services (AM0)					
1450	Parking Fees	318,990	318,990	318,990	318,990
Office of the Chief Financial Officer (AT0)					
0602	Payroll Service Fees	1,234	1,234	1,234	1,234
0603	Service Contracts	8,836	8,836	8,836	8,836
0605	Dishonored Check Fees	1,322	1,322	1,322	1,322

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0607	Miscellaneous Revenue	1,038	1,038	1,038	1,038
0613	Unclaimed Property Contingency Fund	4,012	4,012	4,012	4,012
0614	Defined Contribution Plan Administration	124,372	124,372	124,372	124,372
0619	DC Lottery Reimbursement	9,807	9,807	9,807	9,807
0623	OPEB Trust Administration	13,776	13,776	13,776	13,776
Office of Planning (BD0)					
2001	Historic Landmark and Historic District Filing Fees	2,000	2,000	2,000	2,000
Department of Human Resources (BE0)					
0615	Defined Benefits Retirement Program	5,456	5,456	5,456	5,456
1555	Reimbursables from Other Governments	2,952	2,952	2,952	2,952
Office of the Attorney General (CB0)					
0601	DUI	2,851	2,851	2,851	2,851
0612	Antifraud Fund	174,688	174,688	174,688	174,688
Department of Employment Services (CF0)					
0624	Unemployment Insurance Administrative Assessment	3,936,000	3,936,000	3,936,000	3,936,000
Office of the Tenant Advocate (CO0)					
6005	Condominium Conversion	600,000	600,000	600,000	600,000
6015	Rental Accommodation	576,036	576,036	576,036	576,036

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	Fees				
Department of Consumer and Regulatory Affairs (CR0)					
6006	Nuisance Abatement	80,889	80,889	80,889	80,889
6008	Real Estate Guaranty and Education Fund	501	501	501	501
6010	OPLA - Special Account	14,373	14,373	14,373	14,373
6013	Basic Business License Fund	793,509	543,509	793,509	43,509
6025	Construction/Zoning Compliance Management Fund	3,802	3,802	3,802	3,802
6030	Green Building Fund	5,191	5,191	5,191	5,191
Office of Cable Television (CT0)					
0600	Cable Franchise Fees	1,875,030	1,875,030	1,875,030	1,875,030
Office of the People's Counsel (DJ0)					
0631	Advocate for Consumers	50,435	50,435	50,435	50,435
Metropolitan Police Department (FA0)					
1431	Data Processing	5,000	5,000	5,000	5,000
1614	Miscellaneous	994	994	994	994
1660	Automated Traffic Enforcement	1,482,910	1,482,910	1,482,910	1,482,910
2532	Gambling Proceeds	2,476	2,476	2,476	2,476
Department of Corrections (FL0)					
0600	Corrections Trustee Reimbursement	15,264	15,264	15,264	15,264
District of Columbia Public Schools (GA0)					
0608	Nonresident	608	608	608	608
0621	Parking Fees	72,207	72,207	72,207	72,207

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Public Charter School Board (GB0)					
6632	Administrative Fees	21,051	21,051	21,051	21,051
Office of Public Education Facilities Modernization (GM0)					
0603	Lease Income	1,953,213	1,953,213	1,953,213	1,953,213
Department of Parks and Recreation (HA0)					
0602	Enterprise Fund Account	1,298	1,298	1,298	1,298
Department of Health (HC0)					
0606	Vital Records Revenue	1,678	1,678	-1,678	1,678
0612	Food Handlers Certification	227,153	227,153	227,153	227,153
0673	DOH - Regulatory Enforcement Fund	988	988	988	988
Department of Human Services (JA0)					
0603	SSI Payback	825,000	825,000	825,000	825,000
Department of Disabilities Services (JM0)					
0610	Vocation Rehabilitation Service Reimbursement	50,000	50,000	50,000	50,000
District Department of Transportation (KA0)					
6452	Child Safety Seat Program	2,000	2,000	2,000	2,000
6900	DDOT Operating Fund	10,726,563	10,414,563	10,133,763	9,881,043
District Department of the Environment (KG0)					
0607	Underground Storage Tank Fines And Fees	13,532	13,532	13,532	13,532
0646	Storm Water Fees	14,035	14,035	14,035	14,035
0664	Adjudication Hearings (Air Quality)	730	730	730	730

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6400	DC Municipal Aggregation Program	39,253	39,253	39,253	39,253
Department of Public works (DPW)					
6000	General O-Type Revenue Sources	200,000	200,000	200,000	200,000
6082	Solid Waste Disposal Fee Fund	208,973	208,973	208,973	208,973
6591	Clean City Fund	1,350	1,350	1,350	1,350
6700	Sustainable Energy Trust Fund	13,608,600	—	—	—
Department of Public Works (KT0)					
6100	Fee - Out-Of-State Vehicle Registration	21,200	21,200	21,200	21,200
Department of Motor Vehicles (KV0)					
6785	Commercial Drivers License Program	72,160	72,160	72,160	72,160
Office of Contracting and Procurement (PO0)					
6102	DC Supply Schedule	1,531	1,531	1,531	1,531
Department of Mental Health (RM0)					
0610	DMH Federal Beneficiary Reimbursement	53,479	53,479	53,479	53,479
Department of Insurance, Securities, and Banking (SR0)					
2200	Insurance Assessment	135,341	135,341	135,341	135,341
2300	Securities Broker/Dealer Licenses	1,057,314	1,057,314	1,057,314	1,057,314
2500	Investment Advisors Licenses	450,200	450,200	450,200	450,200
2800	Captive Insurance	333,510	333,510	333,510	333,510
2900	Banking Trust	342,868	342,868	342,868	342,868

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	Fund				
—	Title Insurance Fees (new)	750,000	—	750,000	—
D.C. Taxicab Commission (TC0)					
2200	Taxicab Assessment Act	2,155	2,155	2,155	2,155
Office of Motion Pictures and Television Development (TK0)					
0610	Production Support	5,151	5,151	5,151	5,151

(c) Notwithstanding any provision of law limiting the use of funds in the accounts listed in the following chart, the Chief Financial Officer shall transfer, from either the certified fund balances of those accounts or the certified revenues deposited in those accounts, to the unrestricted fund balance of the General Fund, and recognize as revenue in the fiscal year specified, the dollar amounts specified in the chart:

Fund Name	FY11	FY12	FY13	FY14
Baseball Fund	289,000	636,360	1,796,896	17,933,786
Federal Commercial Revitalization Fund	2,046,579	—	—	—
Tobacco Fund	21,180,000	—	—	—
Medical Captive Liability Fund	7,824,000	—	—	—
Office on Aging Client Reserve Account	5,865,282	—	—	—

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SUBTITLE G. CAPITAL BUDGET REALIGNMENTS

Sec. 7061. Short title.

This subtitle may be cited as the "FY 2011 Capital Projects Modification Act of 2010".

Sec. 7062. Realignment of capital project funding.

(a) Adjustments to capital budget allotment and associated budget authority are as follows:

Fund Source	Agency	Project	Title	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	Amount
0200	EDU	EA033C	Darcy Farms	947,700						947,700
0300	CEO	FG037C	Francis Gregory	3,000,000						3,000,000
0300	HAC	OK038C	Douglas Center	6,200,000	2,500,000					8,700,000
0300	HAC	OS039C	Edgewood Recreation				1,000,000		2,000,000	3,000,000
0300	HAC	RG000	General Improvement	1,000,000						1,000,000
0300	HAC	RG001	General Improvement	500,000						500,000
0300	HAC	RG001	General Improvement	500,000						500,000
			TOTAL Sources							17,647,700
0300	CDP	KA019C	Dhabal School	2,000,000						2,000,000
0300	KAD	KA030C	Streeters	1,947,700						1,947,700
0300	HAC	OS039	Edgewood Recreation	3,200,000	2,300,000					5,500,000
0300	HAC	OK038C	Douglas Center				1,000,000		2,000,000	3,000,000
0300	HAC	RG001	Meves Field	1,000,000						1,000,000
0300	HAC	RG002	Nakota Playground	500,000						500,000
0300	HAC	RG002	Therapeutic Recreation	500,000						500,000
			TOTAL Uses							17,647,700

(b) For fiscal year 2011, project KA0 CEL19C, entitled "City Wide Pavement Restoration" in the District Department of Transportation, any remaining unobligated balance of authority and allotment shall be transferred by the Chief Financial Officer to project KA0

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CE301C, entitled "Street Alley Maintenance and Repair" in the District Department of Transportation. No budget shall be reprogrammed into project KA0 CEL19C. Before the close of fiscal year 2011, obligations existing in project KA0 CEL19C upon the effective date of this act shall be liquidated as appropriate for spending on eligible projects and activities, or de-obligated and any remaining unobligated balance transferred to project KA0 CE301C and the project closed.

(c) Fiscal Year 2011 capital budget authority is provided for project GF0 UG706C, entitled "Renovation of University Facilities" in the University of the District of Columbia, in the amount of \$500,000 backed by O-Type revenue received from student fees for use in design and construction of the new student center project.

Sec. 7063. Grant-making authority for Ft. Lincoln and Lincoln Theater capital projects.

The Deputy Mayor for Planning and Economic Development shall have grant-making authority for the purpose of providing funds to implement capital projects for the Ft. Lincoln and the Lincoln Theater capital projects.

Sec. 7064. The fiscal year 2011-2013 allotments and associated budget authority for each capital project in the following chart shall be amended to reflect the amounts listed in the chart, to correct an error in the Mayor's proposed fiscal year 2011 budget:

Agency	Project #	Project Name	FY11 Amount	FY12 Amount	FY13 Amount
OSSE	N2802C	Student Longitudinal Education Data System (SLED)		\$4,000,000	\$3,600,000
OSSE	N2803C	Special Education Data System (SEDS)	\$5,400,000	\$2,500,000	\$1,500,000

Sec. 7065. Streetcar plan.

(a) The Mayor shall submit to the Council a comprehensive plan for financing, operations, and necessary capital facilities of the Streetcar Project, along with a proposed resolution for approval of the plan, 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

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plan, in whole or in part, by resolution, within this 45-day review period, the proposed plan shall be deemed approved.

(b) The \$34.5 million of capital funds allocated for the Streetcar Project in fiscal year 2011 shall not be released until the Council has approved the plan required by subsection (a) of this section.

Sec. 7066. Subject to the provisions of section 7065, the fiscal year 2011 capital borrowing authority is increased by \$47 million over the Mayor's fiscal year 2011 budget proposal and is allocated as follows:

(a) An amount of \$47 million in budget authority and \$34.5 million budget allotment to agency KAO, Streetcars, H Street-Benning line; and

(b) An amount of \$12.5 million in budget allotment to agency RMO, project HX501C, St. Elizabeth's Hospital to repay the amount allocated to the Streetcar Project in fiscal year 2010.

SUBTITLE H. THE CAPITAL PROJECTS MODIFICATION ACT OF FY10

Sec. 7071. Short title.

This subtitle may be cited as the "Capital Projects Modification Act of 2010".

Sec. 7072. Realignment of capital project funding.

(a) The budget authority for each capital project in the following chart shall be realigned by decreasing the specified allotment and associated budget authority for each project in fiscal year 2010 and adding the specified allotment and associated budget authority to the same project in fiscal year 2011 and in the same project phases and from the same type of funding sources as the fiscal year 2010 decreased amounts:

Agency	Project #	Project Name	FY 2010 Decrease (\$)	FY 2011 Appropriation (\$)
EB0	EB402C	Pennsylvania Avenue, SE, Properties	3,400,000.00	3,400,000.00
FB0	LB637C	Engine 15	2,508,459.43	2,508,459.43
FB0	LC337C	Engine 21	479,096.89	479,096.89
FB0	LC437C	Engine 22	3,000,000.00	5,100,000.00
FB0	LC837C	Engine 26	2,051,000.00	2,051,000.00
FB0	LE337C	Engine 5	479,096.89	479,096.89
FB0	LE737C	Engine 27	1,533,743.00	1,533,743.00
FB0	LE937C	Special Operations Facility	238,912.00	857,189.64
FB0	LI237C	Integrated Management Information System	860,639.00	860,639.00

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GE0	MGE03C	Martin Luther King Jr. Memorial Library	901,351.60	901,351.60
TO0	EQ101C	Master Lease Wireless	1,865,215.00	1,865,215.00
TO0	N2101C	Mainframe Relocation	723,372.00	723,372.00

(b) The capital budget allotment and associated budget authority for each of the capital projects listed in the following chart is decreased in the amount set forth in the chart:

Agency	Project #	Project Name	FY10 Rescission Amount (\$)
KA0	EDS01C	Georgia Avenue/7th Street	4,825,286.30
GA0	NL937C	Complete Renovation and Modernization	1,417,422.44
GA0	SG120C	General Improvement	855,952.88
GA0	SG138C	General Improvements	1,008,000.00
GA0	SG305C	Modernization	1,951,935.00
GA0	NR638C	H.D. Woodson	4,139,000.00
ELC	FR102C	Move to Virginia Avenue	\$315,000
HA0	RG005C	Roof Replacement	\$300,000
HA0	RR007C	Facility Renovation	\$300,000
ELC	N1901C	PC Refresh	\$13,729.61
ELC	N1902C	OCTO Application Support Server Refresh	\$60,814.76
ELC	EQ401C	Child Tracking System	\$28,069.70
ELC	Various	Close-out of former PBC accounts	\$991,000
KA0	EDS00C	Great Streets General Planning	\$1,600,000
KA0	EDS02C	Great Streets H Street NE/Benning Road	\$1,200,000.00
KA0	EDS03C	Great Streets Nannie Helen Burroughs Avenue, SE	\$400,000.00
KA0	EDS06C	Great Streets M L King Jr Avenue SE/S Capitol Street	\$800,000.00
AM0	EA710B	Neighborhoods Revitalization	\$ 34,000
AM0	N1401C	Government Centers	\$ 1,600,000
AM0	N1412C	Government Centers	\$ 29,000

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		Pool/Anacostia Gateway	
TOO	N1601B	DC WAN	\$ 27,088.02
TOO	N1704C	IT Infrastructure Implementation	\$ 182,000
TOO	N1707C	Infrastructure Support Systems	\$ 457,000
TOO	N1710C	Data Center Consolidation	\$ 657,912
TOO	N1801C	Shared Facility Upgrade	\$ 646,039
TOO	N2701C	Applications Maintenance Transition Project	\$ 100,000
TOO	N3699C	SMP Pool (Paygo Budget 0301)	\$ 486,000
GM0	YY133C	Selective Additions and New Construction	\$2,000,000
HC0	HC501C	Community Clinics Construction	\$4,350,132.58
TOO	N1702C	DC Cable Net	\$253,961.34
KA0	EDS	Unallocated Great Streets	\$4,000,000
TOO	N1710C	Data Center Consolidation	\$490,000
TOO	N1801C	Shared Facility Upgrade	\$489,000
RM0	HX501C	St Elizabeths Hospital (allotment)	\$12,500,000
AM0	N1415C	Public Safety Hdqts (authority only)	\$12,500,000

(c) The fiscal year 2010 allotments and associated budget authority for the capital projects in the following chart shall be increased by the dollar amounts set forth in the chart, from the funding sources designated in the chart:

Agency	Project #	Project Name	FY10 Addition Amount (\$)
HA0	QI937C	Rosedale Recreation Center	2,042,343.81
KA0	CA302C	Repair/Maintain Curbs/Sidewalks/ Alleys	700,000
KA0	CE301C	Pavement Marking and Traffic Calming	300,000
KA0	SA306C	Streetcars	\$963,101.00

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KAO	SA306C	Streetcars	500,000.76
KAO	SA306C	Streetcars	\$12,500,000
KEO	SA202C	MetroBus (to support the Circulator in East Washington)	\$399,345.41
RL0	RL201C	Performance-Based Contracts	124,000
RM0	HX403C	Mental Health Housing Initiatives	1,000,000
EBO	EB408C	Georgetown Waterfront Park	\$600,000
RL0	RL202C	Performance-Based Contracts (Faces Net)	\$65,000
FBO	NEW	Engine Company 28	\$1,900,000
HA0	QS339C	Edgewood Recreation	\$1,000,000
HA0	OJ901C	Boys & Girls Clubs	\$3,143,000
GM0	NR637C	Woodson Senior High School	\$4,139,000
GM0	NEW	Autism Suites	\$337,088
GM0	NEW	Ward 8 School Playgrounds	\$850,000
GM0	YY230C	Stabilization	\$650,262
GM0	NEW	Murch Demountables	400,000
FA0	CTV10C	MPD Tactical Village Training Facility	\$3,200,000
EBO	EB404C	Lincoln Theater	\$500,000
GM0	NEW	Middle School IT/Arts & Sciences Initiative	\$3,573,345.61
FA0	CTV10C	MPD Tactical Village Training Facility	\$2,000,000
GM0	NEW	Pre-K Classroom Conversions	\$750,285.54
GM0	NEW	Noyes & Hearst Demountables	\$900,000
KT0	NEW	Paygo swap to Street Sweeping	\$486,000
GM0	NEW	DC Schools Kitchen (planning and Design)	\$3,598,000
HCO	HC301C	MMIS Completion	\$1,985,000
HA0	QB338C	Roper-Deanwood	\$300,000
GM0	NF937C	Complete Modernization	\$300,000
GM0	WT337C	Modernization - Whittier ES	\$2,000,000
EBO		Bruce Monroe ES Interim	\$1,500,000
GM0		Middle Schools IT/Arts and	\$600,000

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		Sciences Initiative	
HA0	QI237C	Marvin Gaye Park/Rec.	\$1,200,000
CE0	FGR37C	Francis Gregory Neighborhood Library	\$3,400,000
HA0	QB338	Roper Deanwood Recreation	\$4,300,000
GMO		Rose School Stabilization	\$979,000
HTO	MPM01C	Administrative Service Organization (Medicaid billing system)	\$2,200,000

(d) For fiscal year 2010, the Washington Metropolitan Area Transit Authority Fund, established by the Washington Metropolitan Area Transit Fund Act of 2006, effective June 16, 2006 (D.C. Law 16-132; D.C. Official Code § 9-1108.01) ("Fund"), shall:

(1) Retain Appropriated Fund 0300 budget allotment and associated budget authority of \$12.5 million currently accounted for in the Fund to transfer this subsidy in fiscal year 2010 to the Washington Metropolitan Area Transit Authority ("Authority") as a match for federal funds appropriated by the Congress of the United States pursuant to section 601 of the Passenger Rail Investment and Improvement Act of 2008, approved October 16, 2008 (122 Stat. 4848; Pub. L. No. 110-432), to be used for capital improvements undertaken by the Authority.

(2) Exchange Appropriated Fund 0300 budget allotment and associated budget authority of \$13 million currently accounted for in the Fund with an equal amount of Appropriated Fund 0301 budget in various projects identified by the Chief Financial Officer, as shown in the committee report of the Committee of Whole for the Fiscal Year 2011 Budget Request Act of 2010, passed on 1st and final reading on May 26, 2010 (Enrolled version of Bill 18-728) ("Budget Request Act Report"), to transfer up to this amount as a Paygo capital subsidy in fiscal year 2010 to the Authority to be used as operating budget resources by the Authority;

(3) Redirect Appropriated Fund 0300 budget allotment and associated budget authority of \$3 million currently accounted for in the Fund to the capital projects, in the following chart, which shall be increased by the dollar amounts set forth in the chart from the funding sources and for the project phases designated in the chart:

KA0	EDS00 C	Great Streets: General Planning	600,000.00
KA0	EDS02 C	Great Streets: H Street NE/Benning Road	1,200,000.00
KA0	EDS03 C	Great Streets: Nannie Helen Burroughs Avenue SE	400,000.00
KA0	EDS06 C	Great Streets: M. L. King Jr. Avenue SE/S Capitol Street	800,000.00

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(4) The Streetcars project (KA0 project SA306C) shall be funded in the amount of \$15,447,212 for fiscal year 2010 as follows:

(A) Redirect Appropriated Fund 0300 budget allotment and associated budget authority of \$1,484,111 currently accounted for in the Fund to the capital project, in the following chart, which shall be increased by the dollar amounts set forth in the chart from the funding sources and for the project phases designated in the chart:

KA0	SA306C	Streetcars - Planning & Prelim. Engineering	\$1,484,111.00
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(B) An additional redirection in the amount of \$963,101 from projects accounted for in subsection (a) of this section.

(C) An additional redirection in the amount of \$500,000.76 from Great Streets - Georgia Avenue (KA0 project EDS01C) as accounted for in subsection (b) of this section.

(D) An additional redirection of allotment in the amount of \$12.5 million from Saint Elizabeths Hospital (RM0 project HX501C) and an additional redirection of associated budget authority in the amount of \$12,500,000 from the Public Safety Headquarters (Daly Building) project (AM0 project N1415C) as accounted for in subsection (b) of this section.

(5) Exchange Appropriated Fund 0300 budget allotment and associated budget authority currently accounted for in the Fund with an equal amount of Appropriated Fund 0301 budget in various projects identified by the Chief Financial Officer to redirect this Paygo budget allotment and associated budget authority in fiscal year 2010 to the capital projects in the following chart, which shall be increased by the dollar amounts set forth in the chart from the funding sources and for the project phases designated in the chart:

Agency	Project #	Project Name	Project Phase	Funding Source	FY 2010 Addition Amount (\$)
GM0	NEW	Stuart Hobson MS IT/Arts & Sciences Demonstration	Construction (04)	Paygo (0301b)	\$770,000

(6)(A) Exchange Appropriated Fund 0300 budget allotment and associated budget authority of \$3 million currently accounted for in the Fund with an equal amount of Appropriated Fund 0332 budget in the District Department of Transportation project KA0 CE310C, Street and Alley Maintenance and Repair, to redirect this Paygo budget allotment and associated budget authority in fiscal year 2010 to the capital project in the following chart.

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Agency	Project #	Project Name	Project Phase	FY 2010 Addition Amount (\$)
KA0	NEW	Support for Small Business Survival During Construction of Any Streetscape Improvement	Project Management (03) Paygo (0332)	\$3,000,000

(B) Redirect budget allotment and associated budget authority of \$4 million from Paygo funding from projects accounted for in subsection (b) of this section to the capital project which shall be increased by the dollar amounts set forth in the following chart from the funding sources and for the project phases designated in the chart.

Agency	Project #	Project Name	Project Phase	FY 2010 Addition Amount (\$)
KA0	NEW	Support for Small Business Survival During Construction of Any Streetscape Improvement	Project Management (03)	\$4,000,000

(C) The resulting Paygo budget allotment and associated budget authority in the amount of \$7 million shall be transferred to local funds in the District Department of Transportation and recognized as Other type revenue in a special nonlapsing fund and shall remain available until expended, rescinded, or until the end of fiscal year 2011, whichever occurs first.

(7) Exchange Appropriated Fund 0300 budget allotment and associated budget authority of \$20 million currently accounted for in the Fund with an equal amount of Appropriated Fund 0301 budget in various projects identified by the Chief Financial Officer as shown in their Budget Request Act Report. The resulting Paygo budget allotment and associated budget authority in the amount of \$16,270,598 shall be transferred to local funds and recognized as revenue for the fiscal year in which the Paygo funds are budgeted. The balance shall be used to complete the budget actions enumerated in section 7072(e)(1) and section 7073(a) and (b).

(8) Rescind available allotment and authority of \$ 3,243,418.39 determined by the Chief Financial Officer to no longer be necessary for the following projects in the amount specified in the following chart:

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Agency	Project #	Project Title	Amount
CRO	EB301C	Property Inspection	\$160.00
EBO	AW606	Diamond Teague Close-out	\$185,975.83
EBO	EBO016C	Park Morton Redevelopment	\$39,453.11
EBO	EB405C	Downtown Flood Barricade	118,000
GAO/ GMO	MG137C	Addison Annex Close-Out	\$786,966.98
GAO	NA137C	Adams ES Close-Out	\$205,274.55
GAO	NB437C	Birney ES Close-Out	\$112,816.79
GAO	NK537C	Luke Moore HS Close-Out	\$52.81
GAO	NL937C	Phelps HS Close Out	\$545,784.03
GAO	NM337C	Randle Highlands Close-Out	\$198,849.13
GAO	NO337C	Sousa MS Close-Out	\$54,375.18
GAO	NP637C	Thomson ES Close-Out	\$2,084.19
GAO	NQ937C	Wheatley ES Modernization Close-Out	\$114,097.37
GAO	SG305C	Modernization	\$36,779.35
GAO	NX237C	School Without Walls Close-Out	\$4,920.05
GMO	GM304C	Electrical Upgrades	\$31,530
GMO	GM308C	Professional Fees	\$35,433.53
GMO	ND137C	Complete Modernization/Renov.	\$29.18
	NX237C	Modernization/Renovation	\$4,920.05

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GMO			
HAO	QH138C	New Recreation Center	\$7,309
KAO	SR318C	Potomac Park Levee Improvement	\$2,463.10
KEO	SA301C	Metrorail Rehab	\$740,000
RMO	HY501C	DCGH Campus	\$16,144.16

(e) Section 1161 of the Reallocation of Specific Capital Budget Funding Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended as follows:

(1) Paragraph 7 is amended by striking the phrase "An amount of \$991,000 from project 20600C, entitled "Firefighting Apparatus Replacement" in the Fire and Emergency Medical Services Department" and inserting the phrase "An amount of \$550,000 from project HC104C, entitled "Immunization Program" in the Department of Health; an amount of \$411,000 from project HC103C, entitled "STD Clinic" in the Department of Health; and an amount of \$30,000 from project AH707C, entitled "Public Art Fund" in the Commission on the Arts and Humanities" in its place.

(2) A new paragraph (10) is added to read as follows:

"(10) An amount of \$346,836.50 from project CE301C, entitled "Pavement Marking and Traffic Calming" in the District Department of Transportation, to project BF208C, entitled "Performance Based Budgeting" in the Office of the Chief Financial Officer, to support budgeting requirements of Title VI, Public Works, Subtitle I, Cost Driven Re formulation of the District Department of Transportation Budget for fiscal year 2011."

Sec. 7073. Rescission of budget authority for capital projects.

Section 8011 of the Capital Projects Modification Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended as follows:

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

(1) Strike the phrase "FB0 20600C, entitled "Fire Apparatus Replacement" in the amount of \$354,556".

(2) Add the following phrases:

“(A) "BX0 AH722C, entitled "Public Art Fund" in the Commission on the Arts and Humanities in the amount of \$40,000; project HAO NTE01C, entitled "Technology Acquisition" in the Department of Parks and Recreation in the amount of \$59,000";

“(B) "HA0 RR010C, entitled "Facility Renovation" in the Department of Parks and Recreation in the amount of \$51,000";

“(C) "RR011C, entitled "Facility Renovation" in the Department of Parks and Recreation in the amount of \$145,000";

“(D) "HA0 RR021C, entitled "Mitchell Park" in the Department of Parks and

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Recreation in the amount of \$38,000";

"(E) "RMO XA627C, entitled "Information Technology" in the Department of Mental Health in the amount of \$3,000"; and

"(F) "RMO HX401C, entitled "Construct New Hospital" in the Department of Mental Health in the amount of \$58,000."

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

(1) Strike the figure "\$357,000" and insert the figure "\$394,000" in its place.

(2) Add the phrase "AY0 AWC01C, entitled "Anacostia Waterfront Corporation Subsidy" in the amount of \$2,654,731.90."

Sec. 7074. Appropriation of budget authority for capital projects.

Fiscal year 2010 capital budget authority is provided for project GF0 UG706C, entitled "Renovation of University Facilities" in the University of the District of Columbia, in the amount of \$3.8 million backed by O-type revenue received from student fees for use in design and construction of the new student center project and \$2.2 million backed by revenues received from the District Department of the Environment for design and construction of a "green roof" for Building 52.

Sec. 7075. Charles Young site library.

Subject to available funding, the amount of \$2 million of capital or Paygo funds shall be directed to the District of Columbia Public Library to expand library services at the site of the closed Charles Young Elementary School in Ward 5.

Sec. 7076. Middle School Intelligent Technology, Arts and Science Initiative.

(a)(1) The fiscal year 2010-2015 Capital Improvement Plan and Capital Projects, as approved by Congress, shall be adjusted to continue a project for improvement of internet access and technology in grades 6, 7, and 8.

(2)(A) The project shall be targeted to public schools that have not yet received full or Phase I modernizations, where these improvements have not been made. Funding for the project is as provided for in this act.

(B) The sub-projects within this category shall include:

(i) Stuart Hobson Middle School Intelligent Technology and Arts and Science Demonstration at \$1.277 million, \$500,000 of general obligation funding, which is included in the current fiscal year 2010 spending plan, and \$770,000 of Paygo funds provided in this act;

(ii) Middle School Intelligent Technology and Arts Improvements at \$3.573 million provided in this act;

(iii) Middle School Intelligent Technology Project at \$600,000, and

(iv) Other sub-projects and funds as provided for in this or subsequent acts.

"(C) "Payment" means the payment of lottery winnings.
 "(D) "Payor" means a person responsible to make a payment subject to withholding under section 3402(g) 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 annuitized payment.

defined in section 3402(g) of the Internal Revenue Code of 1986, whether as a lump sum or
 "(B) "Lottery winnings" means winnings which are subject to withholding as determined by Powerball or other lottery drawing.
 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
 "(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

"(1) For the purposes of this subsection, the term:
 "(1) *Withholding from lottery winnings*. -
 adding a new subsection (i) to read as follows:
 Sec. 7092. Section 47-1812.08 of the District of Columbia Official Code is amended by

This subtitle may be cited as the "Withholding of Tax on Lottery Winnings Act of 2010".
 Sec. 7091. Short title.
 SUBTITLE J. WITHHOLDING OF TAX ON LOTTERY WINNINGS ACT OF 2010.

Sec. 7083. Timing of certain tax increment financing issuances.
 (a) Of the aggregate principal amount of bonds authorized under the Southwest Waterfront Bond Financing Act of 2008, effective October 22, 2008 (D.C. Law 17-252; D.C. Official Code § 2-1217.131), not more than \$70 million shall be issued before October 1, 2014.
 (b) Of the aggregate principal amount of bonds authorized under the Southeast Federal Center Payment in Lieu of Taxes Revision Emergency Approval Resolution of 2007, effective July 10, 2007 (Res. 17-302; 54 DCR 7639), not more than \$35 million shall be issued before October 1, 2014.
 (c) Of the aggregate principal amount of bonds authorized under the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), not more than \$55 million shall be issued before October 1, 2014.

Sec. 7082. Title 2 of the Disposition and Redevelopment of Lot 854 in Square 441 Approval Act of 2008, effective March 26, 2008 (D.C. Law 17-132; 55 DCR 1668), is repealed.

Sec. 7081. Short title.
 This subtitle may be cited as the "Timing of the Issuance of Tax Increment Financing Bonds Amendment Act of 2010".

SUBTITLE I. TAX INCREMENT FINANCING ISSUANCE TIMING

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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.

"(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. 7093. Applicability.

Section 7092 shall apply as of April 24, 2010.

SUBTITLE K. ESTATE TAX CLARIFICATION ACT OF 2010.

Sec. 7101. Short title.

This subtitle may be cited as the "Estate Tax Clarification Act of 2010".

Sec. 7102. Chapter 11 of Title 20 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:

"§ 20-1108. Certain formula clauses to be construed to refer to federal estate and generation-skipping transfer tax rules applicable to estates of decedents dying on December 31, 2009."

(b) A new section 20-1108 is added to read as follows:

"20-1108. Certain formula clauses to be construed to refer to federal estate and generation-skipping transfer tax rules applicable to estates of decedents dying on December 31, 2009.

"(a)(1) A will or trust of a decedent who dies after December 31, 2009 and before January 1, 2011, that contains a formula referring to the "unified credit," "estate tax exemption," "applicable exemption amount," "applicable credit amount," "applicable exclusion amount," "generation-skipping transfer tax exemption," "GST exemption," "marital deduction," "maximum marital deduction," or "unlimited marital deduction," or that measures a share of an estate or trust based on the amount that can pass free of Federal estate taxes or the amount that can pass free of Federal generation-skipping transfer taxes, or that is otherwise based on a similar provision of Federal estate tax or generation-skipping transfer tax law, shall be deemed to refer to the Federal estate and generation-skipping transfer tax laws as they applied with respect to

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estates of decedents dying on December 31, 2009.

"(2) This subsection shall not apply with respect to a will or trust that is executed or amended after December 31, 2009, or that manifests an intent that a contrary rule shall apply if the decedent dies on a date on which there is no then-applicable Federal estate or generation-skipping transfer tax.

"(3) The reference to January 1, 2011 in this subsection shall, if the Federal estate and generation-skipping transfer tax becomes effective before that date, refer instead to the first date on which the tax shall become legally effective.

"(b) The personal representative or any affected beneficiary under the will or other instrument may bring a proceeding to determine whether the decedent intended that the references under subsection (a) of this section be construed with respect to the law as it existed after December 31, 2009. The proceeding shall be commenced within 12 months following the death of the testator or grantor, and not thereafter."

Sec. 7103. Applicability date.

Section 7102 shall apply as of January 1, 2010.

SUBTITLE L. RETAIL INCENTIVE ACT AMENDMENT.

Sec. 7111. Short title.

This subtitle may be cited as the "Retail Incentive Amendment Act of 2010".

Sec. 7112. The Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.71 *et seq.*), is amended as follows:

(a) Section 2(8) (D.C. Official Code § 2-1217.71(8)) is amended as follows:

(1) The lead-in text is amended by striking the phrase "shall be limited to" and inserting the phrase "shall meet the requirements of section 4a, shall be limited to restaurants (on a demonstration basis)," in its place.

(2) Subparagraph (A) is amended by striking the phrase "restaurants,".

(b) Section 3(b) (D.C. Official Code § 2-1217.72(b)) is amended by striking the phrase "December 31, 2013" and inserting the phrase "September 30, 2015" in its place.

(c) Section 4 (D.C. Official Code § 2-1217.73(b)) is amended as follows:

(1) Subsection (b)(3) is amended by striking the phrase "4 years from the date that the Mayor establishes the Rules of Operation for the Downtown Retail Priority Area" and inserting the phrase "September 30, 2015" in its place.

(2) Subsection (c) is amended by striking the phrase "December 31, 2013" and inserting the phrase "September 30, 2015" in its place.

(d) A new section 4a is added to read as follows:

"Sec. 4a. Downtown retail priority area—demonstration project.

"In the case of the Downtown Retail Priority Area, Retail Development Projects shall include, on a demonstration project basis, one or more restaurants; provided, that the total amount of Bonds

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available for such demonstration projects shall not be greater than 3% of the aggregate principal amount of Bonds authorized pursuant to section 3(a). Notwithstanding the defined boundaries of the Downtown Retail Priority Area, the Mayor shall use best efforts to ensure that at least one demonstration project is located in Ward 7 or 8. Not later than 3 years from the issuance of Bonds for demonstration projects, the CFO shall report to the Mayor and the Council regarding the economic effects on the District of such projects.”

Sec. 7113. Applicability.

Section 7112(c) shall apply as of November 21, 2009.

SUBTITLE M. PEW CHARITABLE TRUSTS LIMITED TAX ABATEMENT.

Sec. 7121. Short title.

This subtitle may be cited as the "Pew Charitable Trusts Limited Tax Abatement Act of 2010".

Sec. 7122. 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:

“Sec. 47-4637. The Pew Charitable Trusts -- 30-year limited real property tax abatement.”

(b) A new section 47-4637 is added to read as follows:

“Sec. 47-4637. The Pew Charitable Trusts – 30-year limited real property tax abatement.

“Forty percent of the annual real property taxes imposed by Chapter 8 of this title on the real property described as Lot 40, Square 377, that is owned by The Pew Charitable Trusts, shall be abated for 30 years; provided, that the real property continues to be owned by The Pew Charitable Trusts during the duration of the abatement period.”

SUBTITLE N. MEDICAL MARIJUANA TAXATION

Sec. 7131. Short title.

This subtitle may be cited as the "Health Care Expansion Act of 2010".

Sec. 7132. Section 47-2002 of the District of Columbia Official Code is amended as follows:

(a) Paragraph (5) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (6) is amended by striking the period and inserting the phrase “; and” in its place.

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

“(7)(A) The rate of tax shall be 6% of the gross receipts from the sale of or charges for medical marijuana, as defined in the Legalization of Marijuana for Medical Treatment Initiative of 1999, transmitted on December 21, 2009 (D.C. Act 13-138).

“(B) The proceeds of the tax collected under subparagraph (A) of this paragraph 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).”

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SUBTITLE O. AGENCY FISCAL OFFICER REPORTING

Sec. 7141. Short title.

This subtitle may be cited as the "Agency Financial Reporting Act of 2010".

Sec. 7142. Chapter 3 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 "47-355.05. Reporting requirements of the Chief Financial Officer" and inserting the phrase "47-355.05. Reporting requirements of the Chief Financial Officer and Agency Fiscal Officers" in its place.

(b) Section 47-355.05 is amended as follows:

(1) The section title is amended by striking the phrase "Chief Financial Officer" and inserting the phrase "Chief Financial Officer and Agency Fiscal Officers" in its place.

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

"(a-1) Each Agency Financial Officer ("AGO") shall submit quarterly reports to the Chairperson of the Council committee that has purview over the AGO's agency. Each report shall include the agency's actual expenditures, obligations, and commitments, organized by source of funds, and compared to their approved spending plan. The report shall be accompanied by the AGO's analysis of spending patterns and of the steps taken to assure that spending remains within the approved budget."

SUBTITLE P. WITHHOLDING TAX COMPLIANCE REFORM ACT

Sec. 7151. Short title.

This subtitle may be cited as the "Withholding Tax Compliance Reform Act of 2010".

Sec. 7152. Section 47-1812.08(e) of the District of Columbia Official Code is amended as follows:

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

"(1) An employee receiving wages shall on any day be entitled to the withholding exemptions allowed under this chapter, unless the Mayor determines that an alternative withholding method is warranted under paragraphs (9) or (11) of this subsection."

(b) New subparagraphs (9), (10), and (11) are added to read as follows:

"(9) An employer shall base withholding for the employee on zero withholding exemptions if the Mayor notifies an employer that:

"(A) An employee has an unpaid tax liability;

"(B) An employee failed to file a required District of Columbia income tax return; or

"(C) An employee is subject to a tax refund interception request.

"(10) If the conditions of paragraphs (9)(A), (B), and (C) of this subsection no longer apply, the employer may apply to the Mayor to authorize an increase in the number of withholding exemptions. Upon approval, the Mayor may authorize an increase in the number of withholding

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Account in lieu of proposed borrowing. Any use of these funds must be accompanied by the certification of the Chief Financial Officer that the funds are available in the Pay-as-you-go Capital Account and will be used to replace proposed District Bonds (as defined in § 47-443(2)(C)) that otherwise would have been issued for those purposes and that the District will not otherwise borrow such amounts for other purposes. Use of funds in the Pay-as-you-go Capital Account will reduce an identical amount in the existing Capital Improvements Program.

“(B) For purposes of certification, including certification pursuant to the subchapter II of Chapter 3 of Title 47, the Chief Financial Officer shall certify that all expenditures from the Pay-as-you-go Capital Account, if treated as if they were expenditures from District Bond proceeds, assuming repayment at a level debt service with interest at the applicable rate obtained by the District in its most recent general obligation or income tax secured revenue bond offering, would not have caused the District to exceed the borrowing limitations contained in Subchapter II of Chapter 3 of Title 47.”.

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

"(j-1) *Fiscal Stabilization Reserve Account* -

"(1) The Chief Financial Officer shall create a segregated nonlapsing account within the cumulative General Fund of the District of Columbia (“General Fund”) balance to be designated the Fiscal Stabilization Reserve Account.

"(2) The Fiscal Stabilization Reserve Account may be used by the Mayor for those purposes permitted for use of the Contingency Reserve Fund (except for cash flow management purposes) specified in § 1-204.50a(b)(4), as certified by the Chief Financial Officer, with approval of the Council by act.

"(3) At full funding, the Fiscal Stabilization Reserve Account shall be equal to 2.34% of the District’s General Fund operating expenditures for each fiscal year.”.

(c) New subsections (j-2), (j-3), and (j-4) are added to read as follows:

"(j-2) *Cash Flow Reserve Account* -

"(1) The Chief Financial Officer shall create a segregated nonlapsing account within the cumulative General Fund balance to be designated the Cash Flow Reserve Account.

"(2) The Cash Flow Reserve Account may be used by the Chief Financial Officer to cover cash-flow needs; provided, that any amounts used must be replenished to the Cash Flow Reserve Account in the same fiscal year.

"(3) At full funding, the Cash Flow Reserve Account shall be equal to 8.33% of the General Fund operating budget for each fiscal year.

"(j-3) *Fund Balance Deposit Requirements* - If either of the Fiscal Stabilization Reserve Account or the Cash Flow Reserve Account are below full funding, as specified in, respectively, subsections (j-1) and (j-2) of this section, immediately upon issue of the Comprehensive Annual Financial Report, the Chief Financial Officer shall deposit 50% of the undesignated end-of-year fund balance into each account, or 100% of the end-of-year fund balance into the remaining account that has not reached capacity, to fully fund these accounts to the extent that the undesignated end-of-year fund balance allows.

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"(j-4) If amounts required for the Emergency Cash Reserve Fund or the Contingency Reserve Fund pursuant to §1-204.50a are reduced, the amount required to be deposited in Fiscal Stabilization Reserve Account shall be increased by a like amount."

SUBTITLE R. HEALTHY SCHOOLS ACT REVENUE.

Sec. 7171. Short title.

This subtitle may be cited as the "Healthy Schools Revenue Act of 2010".

Sec. 7172. Section 47-2001 of the District of Columbia Official Code is amended as follows:

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

"(r-1) "Soft drink" means a non-alcoholic beverage with natural or artificial sweeteners. The term "soft drink" shall not include a beverage that:

"(1) Contains:

"(A) Milk or milk products;

"(B) Soy, rice, or similar milk substitutes;

"(C) Fruit or vegetable juice, unless the beverage is carbonated; or

"(D) Coffee, coffee substitutes, cocoa, or tea; or

"(2) Is prepared for immediate consumption, as defined in subsection (g-1) of this section."

(b) A new subsection (n)(1)(A)(iv) is added to read as follows: "(iv) Sales of soft drinks."

(c) Subsection (n)(2)(E) is amended by striking the phrase "for immediate consumption;" and inserting the phrase "for immediate consumption and soft drinks;" in its place.

SUBTITLE S. REAL PROPERTY ASSESSMENTS IMPROVEMENT ACT.

Sec. 7181. Short title.

This subtitle may be cited as the "Real Property Assessments Improvement Act of 2010".

Sec. 7182. Section 47-821 of the District of Columbia Official Code is amended by adding by adding new subsections (e) and (f) to read as follows:

"(e)(1) The Office of the Inspector General shall arrange for an independent audit of the Office of Tax and Revenue for the purposes of examining the District's management and valuation of commercial real property assessments. The independent audit shall be prepared by an outside firm, such as the International Association of Assessing Officers, that is knowledgeable and experienced in real property appraisal, assessment administration, and real property tax policy, with a demonstrated history of assisting local and state governments in evaluating assessment practices.

"(2) The scope of the audit shall include the following:

"(A) An evaluation of the commercial real property assessment process;

"(B) An evaluation of the organizational structure, workload statistics, performance measures, compensation requirements, staffing levels, training, qualifications, and staff development functions; and

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“(C) An examination of hiring practices, including whether the human resources rules and regulations to which the Office of the Chief Financial Officer is subject, hinder or enhance the ability of the Office of Tax and Revenue to attract, develop, and retain a well-qualified workforce.

“(3) The independent audit shall include recommendations for improving the commercial real property assessment functions within the Office of Tax and Revenue.

“(4) The Office of the Inspector General shall submit a complete copy of the 1st audit findings, along with all of the recommendations made by the firm which performed the independent audit, to the Council, the Mayor, and the Chief Financial Officer on or before December 1, 2010. Thereafter, the Office of the Inspector General shall arrange for and submit a report meeting the requirements of this section at least once every 3 years, or sooner upon request of the Council or the Mayor.

“(f) The Chief Financial Officer shall submit to the Council, no later than July 1, 2010, an examination of the District's performance for the last 5 years in commercial real property valuation cases appealed by a taxpayer from the Board of Real Property Assessments and Appeals (“BRPAA”) and decided by the Superior Court of the District of Columbia (“Superior Court”) or the District of Columbia Court of Appeals. The information to be provided for each case shall include:

- “(1) Initial valuation of the subject property by the Office of Tax and Revenue;
- “(2) The BRPAA decision on the taxpayer's appeal;
- “(3) Valuation of the subject property presented at trial in Superior Court by the Office of the Attorney General on behalf of the Office of Tax and Revenue;
- “(4) Valuation of the property presented by the taxpayer at trial in Superior Court; and
- “(5) The final valuation decision ordered by Superior Court or the District of Columbia Court of Appeals.”.

Sec. 7183. The Board of Real Property Assessments and Appeals shall enter in a memorandum of understanding with the Office of the Inspector General to provide the funding for the independent audit with the funds appropriated for reform.

SUBTITLE T. EXTENSION OF RETAIL TIF AUTHORITY

Sec. 7191. Short title.

This subtitle may be cited as the “Extension of Tax Increment Financing Authority Amendment Act of 2010”.

Sec. 7192. (a) Section 3(b) of the Tax Increment Financing Authorization Act of 1998, effective September 11, 1998 (D.C. Law 12-143; D.C. Official Code § 2-1217.02(b)), is amended by striking the phrase “January 1, 2010” and inserting the phrase “January 1, 2014” in its place.

(b) This section shall apply as of January 1, 2010.

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TITLE VIII. COMMITTEE REPORTS

Sec. 8001. Short title.

This subtitle may be cited as the "Report Authority Act of 2010".

Sec. 8002. The budget allocations, policy recommendations, and performance measure recommendations set forth in the committee report of the Committee of the Whole for the Fiscal Year 2001 Budget Request Act of 2010, passed on 1st and final reading on May 26, 2010 (Enrolled version of Bill 18-728), which includes the reports of all committees, are incorporated into this act.

TITLE VIV. GENERAL PROVISIONS

Sec. 9001. Applicability.

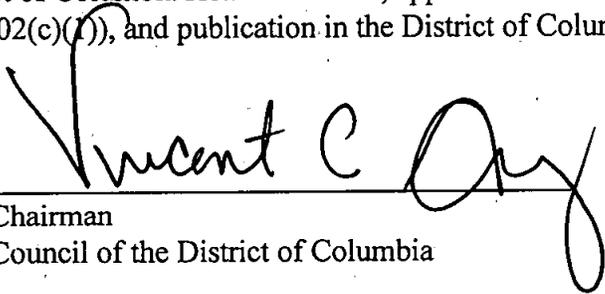
Except as otherwise provided in this act, this act shall apply as of October 1, 2010.

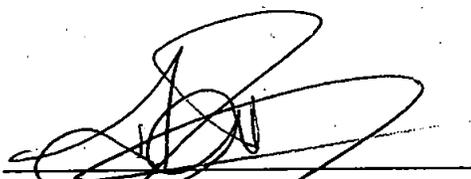
Sec. 9002. Fiscal impact statement.

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. 9003. Effective date.

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



Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
July 2, 2010