Chairman Phil Mendelson

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To enact and amend, on an emergency basis, due to congressional review, provisions of law necessary to support the Fiscal Year 2021 budget.

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BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2021 Budget Support Congressional Review Emergency Act of 2020".

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. ARCHIVES ADVISORY GROUP

Sec. 1001. Short title.

This subtitle may be cited as the "Archives Advisory Group Congressional Review Emergency Act of 2020".

Sec. 1002. Archives Advisory Group.

(a) There is established an Archives Advisory Group to advise the Council of the District of Columbia about Project AB102C in the District's Capital Improvement Plan to construct a new archives facility for the District of Columbia.

(b) The Archives Advisory Group shall consist of no fewer than 5 members and no more than 11 members, all appointed by the Chairman of the Council.

(c) The Archives Advisory Group shall consider such matters as schedule, cost, and building attributes regarding a new archives facility. The group shall make recommendations to the Council whenever useful to the Council's deliberative process.

(d) The Archives Advisory Group shall have access to all draft and final documents relevant to planning and costing a new archives facility, including any feasibility study; provided, that requests for documents shall be made through the Chairman of the Council.

(e) The Archives Advisory Group shall not be subject to the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*); provided, that all meetings shall be open to the public.

(f) Members of the Archives Advisory Group shall not be reimbursed for expenses, or compensated. Any other necessary resources shall be coordinated by the Secretary to the Council.

SUBTITLE B. AUDIT ENGAGEMENT FUND

Sec. 1011. Short title.

This subtitle may be cited as the "Audit Engagement Fund Congressional Review Emergency Act of 2020".

Sec. 1012. Audit Engagement Fund.

(a) There is established as a special fund the Audit Engagement Fund ("Fund"), which shall be administered by the Office of the District of Columbia Auditor in accordance with subsection (c) of this section.

(b) The following shall be deposited into the Fund:

(1) All unspent local fund monies remaining in the operating budget for the Office of the District of Columbia Auditor at the end of each fiscal year; and

(2) Any other funds received on behalf of the Fund or the Office of the District of Columbia Auditor for the purpose of performing audits.

(c) Money in the Fund shall be used for operating expenses related to performing audits.

(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal year or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE C. FREEZE ON PAY INCREASES AND BENEFITS

Sec. 1021. Short title.

This subtitle may be cited as the "Balanced Budget and Financial Plan Freeze on Salary Schedules, Benefits, and Cost-of-Living Adjustments Congressional Review Emergency Act of 2020".

Sec. 1022. Definitions.

For the purposes of this subtitle, the term:

(1) "CMPA" means the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*).

(2) "Covered agency" means an agency, office, or instrumentality of the District government and independent agencies, as defined in section 301(13) of the CMPA (D.C. Official Code § 1-603.01(13)); except, that the term "covered agency" does not include the District of Columbia Housing Authority, the District of Columbia Housing Finance Agency, the District of Columbia Public Charter School Board, the District of Columbia Water and Sewer Authority, the

Not-for-Profit Hospital Corporation, the Board of Trustees of the University of the District of Columbia, or the Washington Convention and Sports Authority.

(3) "Negotiated salary schedule" means a salary schedule specified in a collective bargaining agreement.

(4) "Negotiated salary, wage, and benefits provision" means the salary and benefits provided in a collective bargaining agreement.

(5) "Personnel authority" shall have the same meaning as set forth in section 301(14) of the CMPA (D.C. Official Code § 1-603.01(14)).

Sec. 1023. Freeze on cost-of-living adjustments.

Notwithstanding any other provision of law, rule, or collective bargaining agreement, an employee of a covered agency shall not receive a cost-of-living adjustment during the period from October 1, 2020, through September 30, 2021. Nothing in this subtitle shall be construed to prohibit collective bargaining on non-compensation issues.

Sec. 1024. Maintenance of Fiscal Year 2020 salary schedules and benefits.

Notwithstanding any other provision of law, collective bargaining agreement, memorandum of understanding, side letter, or settlement, whether specifically outlined or incorporated by reference, all Fiscal Year 2020 salary schedules of covered agencies shall be maintained during Fiscal Year 2021 and no increase in salary or benefits, including increases in negotiated salary, wage, and benefits provisions, and negotiated salary schedules, shall be provided in Fiscal Year 2021 from the Fiscal Year 2020 salary and benefits levels of covered agencies.

Sec. 1025. Rules.

To the extent authorized by the CMPA or other applicable law to issue rules to administer the salary or benefits program of a covered agency, the personnel authority for a covered agency may, 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.*), issue rules to implement this subtitle.

Sec. 1026. Revised revenue contingency.

Notwithstanding any other provision of law, a portion of the amount of local recurring revenues included in the Chief Financial Officer's revenue estimates issued prior to January 1, 2021, that exceeds the April 24, 2020, revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2021 shall be deposited in the Workforce Investment Account to satisfy the Fiscal Year 2021 negotiated salary adjustments set aside by section 1023 for employees in the bargaining units covered by the collective bargaining agreements approved pursuant to the Interest Arbitration Award and Collective Bargaining Agreement between the District of Columbia Public Schools and the Office of the State Superintendent of Education and the American Federation of State, County and Municipal Employees, District Council 20, Local 2921, AFL-CIO Emergency Approval Resolution of 2020, effective March 3, 2020 (Res. 23-374; 67 DCR 2735), and the Compensation Collective Bargaining Agreement between the District of Columbia Government and Compensation Units 1 and 2, FY 2018-FY2021, Approval Resolution of 2018, deemed approved February 23, 2018 (P.R. 22-738); provided, that if amounts certified in a single revenue estimate are insufficient to satisfy the combined value of the negotiated salary adjustments under both agreements, the Mayor or appropriate personnel

authority shall consult with the affected bargaining units as to how the available funds shall be allocated.

SUBTITLE D. ADVISORY NEIGHBORHOOD COMMISSIONS TECHNICAL SUPPORT AND ASSISTANCE

Sec. 1031. Short title.

This subtitle may be cited as the "Advisory Neighborhood Commissions Technical Support and Assistance Amendment Congressional Review Emergency Act of 2020".

Sec. 1032. The Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.01 *et seq.*) is amended as follows:

(a) Section 16(j)(3)(A)(iii) (D.C. Code § 1-309.13(j)(3)(A)(iii)), is amended by striking the phrase "shall return to the District's General Fund" and inserting the phrase "shall be deposited in the Advisory Neighborhood Commissions Technical Support and Assistance Fund established in section 16a" in its place.

(b) A new section 16a is added to read as follows:

"Sec. 16a. Advisory Neighborhood Commissions Technical Support and Assistance Fund.

"(a) There is established as a special fund the Advisory Neighborhood Commissions Technical Support and Assistance Fund ("Fund"), which shall be administered by the Office of Advisory Neighborhood Commissions in accordance with subsection (c) of this section.

"(b) Money from the following sources shall be deposited in the Fund:

"(1) Such amounts as may be appropriated to the Fund; and

"(2) Any amounts allocated to Advisory Neighborhood Commissions pursuant to section 738(e) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 824; D.C. Code Official § 1-207.38(e)), that are forfeited pursuant to section 16(d)(3) or (j)(3) or unclaimed by the last day of the fiscal year.

"(c) Money in the Fund shall be used to provide the following services and supports at the request of Advisory Neighborhood Commissions subject to such limitations or prioritization as the Office may establish due to limitation of funding:

"(1) Planning, development, or procurement of a mobile or computer application to assist Advisory Neighborhood Commissioners with outreach and engagement with their constituents;

"(2) Supplementing any funding allocated for communications access services, including sign language interpretation, computer-aided real-time transcription, and other services and supports, for Advisory Neighborhood Commissions; provided, that the funding allocated for this purpose proves insufficient;

"(3) Ensuring that Advisory Neighborhood Commissions have access to remote meeting technologies necessary for their operations;

"(4) Providing or procuring audio-visual technology and services to support Advisory Neighborhood Commissions;

"(5) Providing or procuring printing services for Advisory Neighborhood Commissions; and

"(6) Providing or procuring website assistance for Advisory Neighborhood Commissions.

"(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal year or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE E. RENEWABLE ENERGY FUTURE

Sec. 1041. Short title.

This subtitle may be cited as the "Renewable Energy Future Congressional Review Emergency Amendment Act of 2020".

Sec. 1042. The Department of General Services Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 10-551.01, *et seq.*), is amended as follows:

(a) Section 1026 (D.C. Code § 10-551.05) is amended as follows:

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

(A) Paragraph (8) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(B) Paragraph (9) is amended by striking the period and inserting a semicolon in its place.

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

"(10) Any study of the feasibility of initiating or expanding renewable energy generation, which shall include an analysis of the potential for capturing solar or other forms of renewable energy that is conducted pursuant to subsection (c-1) of this section.".

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

"(c-1) The Department shall produce and publish on its website an analysis of the feasibility of initiating or expanding renewable energy generation, including an analysis of the potential for capturing solar or other forms of renewable energy at each District-owned property under the control of the Mayor on a rolling basis, with each property re-analyzed no less than once every 10 years.".

(b) A new section 1028d is added to read as follows:

"Sec. 1028d. Renewable energy generation at District-owned properties.

"(a) Subject to the availability of funding, the Department shall initiate or expand renewable energy generation at every District-owned property under the control of the Mayor where doing so is found feasible by the analysis required by section 1026(c-1).

"(b) Notwithstanding the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*) ("CBE Act"), or any other provision of District law or regulation, any contract entered into to implement this section, absent a waiver pursuant to section 2351 of the CBE Act (D.C. Official Code § 2-218.51), shall:

"(1) Be awarded to a qualified small business enterprise; provided, that if the Department determines that there are not at least 2 qualified small business enterprises that can provide the services or goods that are the subject of the contract, the Department may use any qualified certified business enterprise; or

"(2) Require that at least 50% of the dollar volume of the contract shall be subcontracted to qualified small business enterprises; provided, that if there are insufficient

qualified small business enterprises to meet the requirement and best efforts are made to ensure that qualified small business enterprises are significant participants in the overall subcontracting work, then the subcontracting requirement may be satisfied by subcontracting 50% of the dollar volume to any qualified certified business enterprise.".

SUBTITLE F. DC CENTER FOR THE LGBT COMMUNITY GRANT

Sec. 1051. Short title.

This subtitle may be cited as the "The DC Center for the LGBT Community Support Congressional Review Emergency Act of 2020".

Sec. 1052. For Fiscal Year 2021, the Department of General Services shall award the DC Center for the LGBT Community a grant in the amount of $70,000 to sustain its operations while the organization anticipates an upcoming move.

SUBTITLE G. ACCESS TO JOBS

Sec. 1061. Short title.

This subtitle may be cited as the "Access to Jobs Congressional Review Emergency Amendment Act of 2020".

Sec. 1062. Section 3(b)(2) of the Office on Ex-Offender Affairs and the Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1302(b)(2)), is amended by adding new subparagraph (L) to read as follows:

"(L) Establish and implement a pilot program to support the employment of 10 returning citizens through grants to employers for 2 years beginning in Fiscal Year 2021; provided, that:

"(i) To qualify for the pilot program, an eligible employer shall:

"(I) Register with the Office on Returning Citizen Affairs to accept applications for employment from eligible individuals;

"(II) Demonstrate that potential employees in the pilot program have opportunities for advancement within the eligible employer's organization or industry;

"(III) Hire one or more eligible individuals who meet the requirements of sub-subparagraph (ii) of this subparagraph;

"(IV) Be located within the District;

"(V) Pay each employed eligible individual at least the minimum wage required pursuant to the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*);

"(VI) Employ each eligible individual for a minimum of 20 hours per week for a minimum of 8 weeks;

"(VII) Submit an application; and

"(VIII) Provide documentation as required by the Office on Returning Citizen Affairs to substantiate the satisfaction of each requirement of the pilot program for the participating eligible employer and for each eligible individual employed.

"(ii) For an eligible employer to receive a grant for the employment of an eligible individual, the eligible individual must:

"(I) Have been previously incarcerated;

"(II) Be a resident of the District;

"(III) Have completed a workforce development and life skills program within the District; and

"(IV) Have been unemployed for a period of at least one month prior to being hired by the participating eligible employer.

"(iii) Grants offered through the pilot program shall be disbursed:

"(I) Initially, after an eligible employer has provided documentation substantiating that the eligible employer employed an eligible individual for a minimum of 20 hours per week for a minimum of 8 weeks;

"(II) Subsequent to the initial disbursement, at the end of each month that the eligible individual is employed pursuant to the requirements of the pilot program;

"(iv) The maximum amount of the grant disbursements offered through the pilot program to each participating eligible employer shall be:

"(I) For the first year that an eligible individual is employed by a participating eligible employer, 40% of the minimum wage for a period not to exceed 40 hours per week and 2,080 hours per year for each eligible individual hired under the pilot program; and

"(II) For the second year that an eligible individual is employed by the same participating eligible employer, 80% of the minimum wage for a period not to exceed 40 hours per week and 2,080 hours per year for each eligible individual hired under the pilot program.

"(v)(I) The total amount of funding expended through the pilot program shall not exceed the amount budgeted for the pilot program.

"(II) Eligible employers shall receive funding in the order that they successfully provide the documentation required pursuant to sub-subparagraph (i)(VII) of this subparagraph for the employment of an eligible individual.

"(III) For each eligible individual for whom documentation successfully has been submitted, an amount of funds shall be set aside such that the eligible employer may be reimbursed for the employment of an eligible individual for a period no shorter than the remainder of the fiscal year during which the documentation was submitted, and the remainder of the assistance shall be subject to the availability of funding.".

SUBTITLE H. PARALEGAL PROGRAM ESTABLISHMENT

Sec. 1071. Short title.

This subtitle may be cited as the "Returning Citizen Paralegal Fellowship Initiative Pilot Program Congressional Review Emergency Amendment Act of 2020".

Sec. 1072. Section 3(b)(2) of the Office on Ex-Offender Affairs and the Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1302(b)(2)), is amended by adding a new subparagraph (M) to read as follows:

"(M) Conduct a Paralegal Fellowship Initiative pilot program that places a cohort of returning citizen students in an accredited, university-based paralegal certification

program located in the District of Columbia, while providing the students with support services necessary for their success.".

SUBTITLE I. NON-PROFIT FAIRNESS ANALYSIS

Sec. 1081. Short title.

This subtitle may be cited as the "Non-Profit Reimbursement Fairness Analysis Congressional Review Emergency Amendment Act of 2020".

Sec. 1082. Section 204(b) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.04(b)), is amended as follows:

(a) Paragraph (15) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (16) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (17) is added to read as follows:

"(17) To issue a report to the Mayor and the Council by April 1, 2021, that includes:

"(A) A review and analysis of the funding of indirect costs in the terms of grant agreements or contracts entered into between nonprofit organizations and the District government;

"(B) A table listing the federal funding associated with contracts or grants passed through to nonprofit organizations by the District government in Fiscal Year 2020, including any funding passed through to nonprofit organizations to meet their indirect costs and any funding retained by the District rather than being passed through for this purpose; and

"(C) Any recommended amendments to law, regulations, policy, or training in order to ensure the legal, fair, and consistent funding of indirect costs to nonprofit organizations by the District.".

SUBTITLE J. INDIGENOUS PEOPLES' DAY

Sec. 1091. Short title.

This subtitle may be cited as the "Indigenous Peoples' Day Congressional Review Emergency Amendment Act of 2020".

Sec. 1092. Section 1202(a)(7) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-612.02(a)(7)), is amended by striking the phrase "Columbus Day" and inserting the phrase "Indigenous Peoples' Day" in its place.

Sec. 1093. Section 25-723(c)(1)(B) of the District of Columbia Official Code is amended by striking the phrase "Columbus Day" and inserting the phrase "Indigenous Peoples' Day" in its place.

Sec. 1094. Section 28-2701 of the District of Columbia Official Code is amended by striking the phrase "Columbus Day" and inserting the phrase "Indigenous Peoples' Day" in its place.

SUBTITLE K. CAMPAIGN FINANCE REFORM IMPLEMENTATION

Sec. 1101. Short title.

This subtitle may be cited as the "Campaign Finance Reform Implementation Congressional Review Emergency Amendment Act of 2020".

Sec. 1102. Section 1108(c-1) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-1)), is amended as follows:

(a) Paragraph (9) is amended by striking the semicolon and inserting the phrase "; and" in its place.

(b) Paragraph (10) is amended by striking the phrase "; and" and inserting a period in its place.

(c) Paragraph (11) is repealed.

Sec. 1103. The Campaign Finance Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1163.01 *et seq.*), is amended as follows:

(a) Section 302a(h) (D.C. Official Code § 1-1163.02a(h)) is amended to read as follows:

"(h) Members of the Campaign Finance Board, including the Chairperson, shall not receive compensation for their service on the Campaign Finance Board.".

(b) Section 309(b) (D.C. Official Code § 1-1163.09(b)) is amended to read as follows:

"(b) The reports required by subsection (a) of this section shall be filed on the 10th day of March, June, August, October, and December in the 7 months preceding the date on which, and in each year during which, an election is held for the office sought, and 8 days before a special or general election, and also by the 31st day of January each year. In addition, the reports shall be filed on the 31st day of July of each year in which there is no election. The reports shall be complete as of the date prescribed by the Director of Campaign Finance, which shall not be more than 5 days before the date of filing, except that any contribution of $200 or more received after

the closing date prescribed by the Director of Campaign Finance for the last report required to be filled before the election shall be reported within 24 hours after its receipt.".

Sec. 1104. Section 10 of the Campaign Finance Reform Amendment Act of 2018, effective March 13, 2019 (D.C. Law 22-250; 66 DCR 985), is amended to read as follows:

"Sec. 10. Applicability.

"(a) Sections 6(b)(4), (8), and (22), and (pp), 8, and 9:

"(1)(A) Shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.

"(B) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan and provide notice to the Budget Director of the Council of the certification.

"(C)(i) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

"(ii) The date of publication of the notice of the certification shall not affect the applicability of sections 6(b)(4), (8), and (22), and (pp), 8, and 9.

"(2) Shall not apply to contracts, as defined in section 101(10C)(A)(ii) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10C)(A)(ii)), including those contracts' option periods or similar contract extensions or modifications, sought, entered into, or executed before the applicability date of sections 6(b)(4), (8), and (22), and (pp), 8, and 9.

"(b)(1) Notwithstanding any other law, the functions and duties transferred to the Campaign Finance Board pursuant to this act shall continue to be implemented by the Elections Board or the Director of Campaign Finance, as applicable, until the date that the Campaign Finance Board has a quorum of members.

"(2) All rules, orders, obligations, determinations, grants, contracts, licenses, and agreements of the Board of Elections transferred to the Campaign Finance Board under this act shall continue in effect according to their terms until lawfully amended, repealed, or modified.".

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. BUSINESS RECOVERY TASK FORCE ESTABLISHMENT

Sec. 2001. Short title.

This subtitle may be cited as the "Business Recovery Task Force Establishment Congressional Review Emergency Act of 2020".

Sec. 2002. There is established the Business Recovery Task Force ("Task Force") to provide recommendations to the Mayor and Council regarding the recovery of the District's businesses following the end of the COVID-19 emergency.

Sec. 2003. Membership; appointment; staff; meetings.

(a) The Task Force shall be composed of:

(1) The following government members, or their designees:

(A) The Deputy Mayor for Planning and Economic Development;

(B) The Director of the Department of Small and Local Business Development ("Department"); and

(C) The Chairperson of the Council's Committee on Business and Economic Development; and

(2) Eight representatives of business enterprises, one from each Ward, all of whom shall be District residents, who collectively represent industries and geographical areas hardest hit by the COVID-19 emergency, with at least one representative being an owner of an equity impact enterprise as defined by section 2302(8A) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)) ("CBE Act").

(b) The business representatives shall be appointed by the Chairman of the Council after receiving recommendations made by the Chairperson of the Council Committee on Business and Economic Development and shall serve without compensation.

(c) The Chairperson of the Task Force shall be designated by the Chairperson of the Council's Committee on Business and Economic Development from among the business representatives.

(d) The Department shall provide administrative support for the Task Force.

(e) If, when all the members have been appointed and the Task Force is functioning, the COVID-19 emergency is still in effect, the Task Force shall convene monthly. After the COVID-19 emergency has been lifted, the Task Force shall meet not less frequently than quarterly until dissolved.

Sec. 2004. Reporting requirement.

Within 180 days after the appointment of the appointed members, the Task Force shall submit a report to the Mayor and the Council that addresses the following:

(1) Recommendations to identify and access available technical and financial assistance opportunities, including the Small Business Administration Disaster Relief funds and other federal funds as they become available;

(2) Support for outreach and educational efforts to small businesses; and

(3) Long-term policy recommendations for economic recovery of small businesses following the COVID-19 emergency.

Sec. 2005. Definitions.

For the purposes of this subtitle, term:

(1) "COVID-19 emergency" means the public health emergencies declared in the Declaration of Public Emergency (Mayor's Order 2020-045) together with the Declaration of Public Health Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any extension of those declared emergencies.

(2) "Small business enterprise" shall have the same meaning as provided in 2302(16) of the CBE Act (D.C. Official Code § 2-218.02(16)).

Sec. 2006. Sunset.

The Task Force shall dissolve, and this subtitle shall expire as of the date the Task Force submits the report required by section 2004.

SUBTITLE B. NEW YORK AVENUE, N.E., RETAIL PRIORITY AREA EXPANSION

Sec. 2011. Short title.

This subtitle may be cited as the "New York Avenue, N.E., Retail Priority Area Expansion Congressional Review Emergency Amendment Act of 2020".

Sec. 2012. Section 4(k) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73(k)), is amended by adding a new paragraph (3) to read as follows:

"(3) In addition to the areas described in paragraphs (1) and (2) of this subsection, the New York Avenue, N.E., Retail Priority Area shall consist of the area beginning at the intersection of Montello Avenue, N.E., and Florida Avenue, N.E., continuing northeast along Montello Avenue, N.E., until Mt. Olivet Road, N.E.".

SUBTITLE C. OPPORTUNITY ZONE TAX BENEFITS

Sec. 2021. Short title.

This subtitle may be cited as the "Aligning Opportunity Zone Tax Benefits with DC Community Priorities Congressional Review Emergency Amendment Act of 2020".

Sec. 2022. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1801.04 is amended by adding new paragraphs (39A), (39B), (39C), and (39D) to read as follows:

"(39A) "Qualified opportunity fund" shall have the same meaning as set forth in section 1400Z-2 of the Internal Revenue Code of 1986, approved December 22, 2017 (131 Stat. 2184; 26 U.S.C. § 1400Z-2) ("section 1400Z-2").

"(39B) "Qualified opportunity zone" shall have the same meaning as set forth in section 1400Z-2.

"(39C) "Qualified opportunity zone business" shall have the same meaning as set forth in section 1400Z-2.

"(39D) "Qualified opportunity zone business property" shall have the same meaning as set forth in section 1400Z-2.".

(b) Section 47-1803.03(a) is amended by adding a new paragraph (20) to read as follows:

"(20) Capital Gains. --

"(A) Deferral of a capital gains tax payment for investing in a qualified opportunity fund ("QOF") shall be realized only if the taxpayer invests in a QOF that meets the criteria set forth in subparagraph (D) of this paragraph;

"(B) Reduction of capital gains tax liability through a 10% step-up in basis, if invested in a QOF for 5 years prior to December 31, 2026, and an additional 5% step-up in basis, if invested in a QOF for 7 years prior to December 31, 2026, shall be realized only if the taxpayer invests in a QOF that meets the criteria set forth in subparagraph (D) of this paragraph;

"(C) Abatement of capital gains tax on an investment of capital gains in a QOF for at least 10 years before December 31, 2047, shall be realized only if the taxpayer invests in a QOF that meets the criteria set forth in subparagraph (D) of this paragraph;

"(D) To receive the benefits described in subparagraphs (A), (B), and (C) of this paragraph, the taxpayer shall:

"(i) Invest in a QOF that:

"(I) Is certified by the Mayor as an eligible QOF pursuant to subparagraph (E) of this paragraph;

"(II) Has invested at least the value of the taxpayer's investment in the QOF in a qualified opportunity zone in the District; and

"(III) Has submitted its IRS Form 8996 to the Office of Tax and Revenue for the tax year in which the taxpayer is seeking the benefits described in subparagraphs (A), (B), and (C) of this paragraph; and

"(ii) Submit an IRS Form 8997 to the Office of Tax and Revenue for the tax year in which the taxpayer is seeking the benefits described in subparagraphs (A), (B), and (C) of this paragraph.

"(E) To be certified by the Mayor as an eligible QOF, a QOF shall submit to the Mayor documentation showing:

"(i) That some or all of its investments in qualified opportunity zone businesses and qualified opportunity zone business property are in businesses or property that:

"(I) Have been selected by the District government for a grant, loan, tax incentive, tax abatement, or other benefit or incentive intended to promote economic or community development in the District;

"(II) Have been selected by the Office of the Deputy Mayor for Planning and Economic Development to manage the redevelopment of a property, with respect to a business, or that are owned or disposed of by the District government, with respect to a property;

"(III) Have an unconditioned resolution of support from the Advisory Neighborhood Commission in which the business or property is located or a

conditional resolution of support from the Advisory Neighborhood Commission in which the business or property is located and the Mayor determines that each of the conditions of the resolution have been met; or

"(IV) Are located in the District and have been scored by the QOF using the Urban Institute's Opportunity Zone Community Impact Assessment Tool, or other assessment tool approved by the Mayor, and received a score of 75 (or its equivalent) or greater; and

"(ii) That the dollar amount of the investments that the QOF has made in qualified opportunity zone businesses and qualified opportunity zone business property meets the standards set forth in sub-subparagraph (i) of this subparagraph.".

SUBTITLE D. STREETSCAPE BUSINESS DEVELOPMENT RELIEF

Sec. 2031. Short title.

This subtitle may be cited as the "Streetscape Business Development Relief Fund Expansion Congressional Review Emergency Amendment Act of 2020".

Sec. 2032. Section 603 of the Streetscape Fund Amendment Act of 2010, effective April 8, 2011 (D.C. Law 18-370; D.C. Official Code § 1-325.191), is amended as follows:

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

(1) Strike the phrase "to any individual" and insert the phrase "to a District Main Streets Program organization or individual" in its place.

(2) Strike the phrase "business inside or adjoining" and insert the phrase "business within the project boundaries of or adjoining" in its place.

(3) Strike the phrase “grant, a retail business” and insert the phrase “grant, a District Main Streets Program organization or individual or entity operating a retail business” in its place.

(4) Strike the phrase “submitted by the retail” and insert the phrase “submitted by the District Main Street Program organization or individual or entity operating a retail” in its place.

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

“(e) Within 180 days of the end of the Fiscal Year 2020, and every year thereafter, the Department of Small and Local Business Development shall submit a report to the Council detailing all loans, grants, and sub-grants issued pursuant to this section, including information on the dollar amount disbursed, recipients of financial assistance, and whether the recipient is a certified business enterprise.”.

SUBTITLE E. EQUITY IMPACT ENTERPRISE ESTABLISHMENT

Sec. 2041. Short title.

This subtitle may be cited as the “Equity Impact Enterprise Establishment Congressional Review Emergency Amendment Act of 2020”.

Sec. 2042. The Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding a new part D-i to read as follows:

“Part D-i. Programs for equity impact enterprises.

“Sec. 2377. Equity impact enterprise.”.

(b) Section 2302 (D.C. Official Code § 2-218.02) is amended by adding a new paragraph (8A) to read as follows:

"(8A) "Equity impact enterprise" means a business enterprise that is a resident-owned business and a small business enterprise that can demonstrate that it is at least 51% owned by an individual who is, or a majority number of individuals who are:

"(A) Economically disadvantaged individuals; or

"(B) Individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities.".

(c) Section 2343(a) (D.C. Official Code § 2-218.43(a)) is amended as follows:

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

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

(B) Subparagraph (H) is amended by striking the period and inserting the phase "; and" in its place.

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

"(I) Five points for an equity impact enterprise.".

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

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

(B) Subparagraph (H) is amended by striking the period and inserting the phase "; and" in its place.

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

"(I) Ten percent for an equity impact enterprise.".

(d) Section 2347 (D.C. Official Code § 2-218.47) is amended to read as follows:

"Sec. 2347. Unbundling requirement; rulemaking requirement.

"(a)(1) No later than January 1, 2021, the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules on unbundling that include procedures to ensure that solicitations are subdivided and unbundled and that smaller contracts are created to the extent feasible and fiscally prudent.

"(2) The proposed rules required by paragraph (1) of this subsection shall be submitted to the Council for a 30-day period of review, excluding days of Council recess. If the Council does not approve or disapprove the proposed rules by resolution within the 30-day review period, the proposed rules shall be deemed approved.

"(b) Beginning on January 1, 2021, and quarterly thereafter, the Department shall publicly make available on its website solicitations that have been subdivided and unbundled.

"(c) Five years from the effective date of the Equity Impact Enterprise Establishment Amendment Act of 2020, passed on 2nd reading on July 28, 2020 (Enrolled version of Bill 23-760), the Mayor shall evaluate the effectiveness of the equity impact enterprise program and whether or not it has resulted in creating more contracting opportunities for equity impact enterprises and submit the evaluation to the Council.

"(d) The Department shall provide targeted technical assistance, networking opportunities, and vendor workshops to prepare equity impact enterprises to compete for contracting and procurement opportunities.".

(e) Section 2349(b) (D.C. Official Code § 2-218.49(b)) is amended to read as follows:

"(b) No later than October 1, 2020, the Mayor shall implement a pilot program for equity impact enterprises.".

(f) Section 2375(d)(1) (D.C. Official Code § 2-218.75(d)(1)) is amended by striking the phrase "or a resident-owned business enterprises pursuant to section 2235" and inserting the phrase "a resident-owned business enterprise pursuant to section 2235, or an equity impact enterprise as defined in section 2302(8A)" in its place.

(g) A new Part D-i is added to read as follows:

"Part D-i. Programs for Equity impact enterprises.

"Sec. 2377. Equity impact enterprise.

"An equity impact enterprise, as defined in section 2302(8A), shall be eligible for certification as an impact enterprise.".

Sec. 2043. Section 2 of the Minority and Women-Owned Business Assessment Act of 2008, effective March 26, 2008 (D.C. Law 17-136; D.C. Official Code § 2-214.01), is amended as follows:

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

(1) Paragraph (2) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) Paragraph (3) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(4) Ensure all District agencies with procurement authority, including independent agencies, are trained to evaluate, collect, and accurately track spending data as well as demographic data such as race and gender, upon request of District contract and procurement awardees, to better assess the District utilization of equity impact enterprises, minority-owned prime contractors and subcontractors, and women-owned prime contractors and subcontractors.".

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

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

"In Fiscal Year 2021, the Mayor shall contract with a person or entity to conduct a District-based study ("disparity study") to:".

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

"(1A) All agencies with procurement authority, including independent agencies, shall coordinate with the Executive Office of the Mayor to provide timely and accurate information to assist with the completion of the disparity study.".

(3) Paragraph (2) is amended by striking the phrase "270 days after October 30, 2018" and inserting the phrase "450 days after October 30, 2020" in its place.

SUBTITLE F. DMPED LIMITED GRANT-MAKING AUTHORITY

Sec. 2051. Short title.

This subtitle may be cited as the "Deputy Mayor for Planning and Economic Development Limited Grant Making Authority Congressional Review Emergency Amendment Act of 2020".

Sec. 2052. Section 2032 of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04), is amended as follows:

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

(1) Paragraph (2) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) Paragraph (3) is amended by striking the period and inserting a semicolon in its place.

(3) New paragraphs (4), (5), and (6) are added to read as follows:

"(4)(A) Funds to equity impact enterprises operating in Ward 5, 7, or 8 to increase economic or community development in an underserved area of the District;

"(B) For the purposes of this paragraph, the term "equity impact enterprise" shall have the same meaning as set forth in section 2302(8A) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A));

"(5) Funds to provide real property tax rebates pursuant to D.C. Official Code § 47-4665, in amount not to exceed $3 million in a fiscal year; except, that in Fiscal Year 2021, the amount shall not exceed $580,366;

"(6) Beginning in Fiscal Year 2021 and annually thereafter, the Deputy Mayor shall award a grant of not less than $200,000 to an organization that advances equitable economic development by facilitating and increasing the number of procurement contracts for products and services between District-based businesses and large-scale anchor institutions, such as universities and hospitals.".

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

"(i)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in Fiscal Year 2021, the Deputy Mayor shall award a grant to a bank chartered under the laws of the District on or before March 11, 2020, in an amount of at least $1 million for purposes that:

"(A) Support an equitable economic recovery for the District of Columbia; and

"(B) Increase access to loans, grants, financial services, and banking products to District residents, businesses, nonprofits, and community-based organizations.

"(2) A grantee who receives a grant pursuant to paragraph (1) of this subsection shall submit to the Deputy Mayor by September 30, 2021, information on the use of the grant funds, including:

"(A) A description of services provided through the grant funds;

"(B) The aggregate number of individuals, businesses, nonprofits, and community-based organization, by recipient type, receiving support from the grantee and the aggregate amount received, by recipient type;

"(C) Except as may be prohibited by federal law, the business name and address for each business receiving support from the grantee and the amount received by each such business; and

"(D) The number of homeowners receiving support from the grantee and the total amount spent to assist District homeowners.

"(3) The Deputy Mayor shall provide to the Council a report based on the information required by paragraph (2) of this subsection, along with a summary analysis of the efficacy and benefits of the grants issued by the grantee, by November 1, 2021.".

Sec. 2053. Section 47-4665 of the District of Columbia Official Code is amended as follows:

(a) The lead-in language of subsection (b) is amended by striking the phrase "shall receive," and inserting the phrase "may receive" in its place.

(b) The lead-in language of subsection (c)(1) is amended by striking the phrase "shall be equal" and inserting the phrase "shall be equal, subject to the availability of funds," in its place.

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

(1) The existing text is designated as paragraph (1).

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

"(2) Notwithstanding paragraph (1) of this subsection, the total combined rebate payments for Fiscal Year 2021 for all occupants under this section shall not exceed $580,366.".

SUBTITLE G. TAX ABATEMENTS FOR AFFORDABLE HOUSING

Sec. 2061. Short title.

This subtitle may be cited as the "Tax Abatements for Affordable Housing in High-Need Areas Congressional Review Emergency Amendment Act of 2020".

Sec. 2062. 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 a new section designation to read as follows:

"47-860. Tax abatement for affordable housing in high-need affordable housing areas.".

(b) A new section 47-860 is added to read as follows:

"§ 47-860. Tax abatement for affordable housing in high-need affordable housing areas.

"(a) Real property tax imposed by § 47-811 on real property certified as eligible pursuant to subsection (d) of this section shall be abated for the period set forth in subsection (c) of this section; provided, that:

"(1) The real property is located in a high-need affordable housing area;

"(2) The real property is designated by the Mayor pursuant to subsection (b) of this section;

"(3) For the duration of the period set forth in subsection (c) of this section, at least one third of the housing units developed or redeveloped on the real property are affordable to and rented by households earning on average 80% or less of the median family income; provided, that during such period no such household earn more than 100% of the median family income;

"(4) The developer files a covenant in the land records of the District, binding on the developer and all of its successors in interest with respect to the property, covenanting to comply with the requirements of paragraph (3) of this subsection;

"(5) The developer enters into an agreement with the District that requires the developer to, at a minimum, contract with certified business enterprises for at least 35% of the contract dollar volume of the construction and operations of the project, in accordance with section 2346 of the CBE Act (D.C. Official Code § 2-218.46);

"(6) The developer enters into a First Source Agreement for the operations of the project; and

"(7) The developer enters into an agreement with the Mayor setting forth the requirements of this subsection and such other terms and conditions as the Mayor considers appropriate.

"(b) The Mayor may, through a competitive process, designate real property to be eligible to receive a tax abatement under this section; provided, that the total amount of the tax abatements associated with real property designated by the Mayor pursuant to this subsection shall not exceed $200,000 in Fiscal Year 2024 and shall not exceed $4 million annually thereafter.

"(c) The tax abatement provided for by this section shall begin in the tax year immediately following the tax year during which the certificate of occupancy was issued for the final housing unit counted toward satisfying the affordability requirement of subsection (a)(3) of this section and shall continue until the end of the 30th tax year after the tax year during which such certificate of occupancy is issued; provided, that the Mayor may opt to continue the tax

abatement provided for by this section until the end of the 40th tax year after the tax year during which such certificate of occupancy is issued; provided further, that the tax abatement provided for by this section shall not begin before October 1, 2023.

"(d)(1) The Mayor shall certify to the Office of Tax and Revenue a real property's eligibility for the abatement provided by this section. The Mayor's certification shall include:

"(A) A description of the real property by street address, square, suffix, and lot;

"(B) The date the certificate of occupancy was issued for the final housing unit counted toward satisfying the affordability requirements of subsection (a)(3) of this section;

"(C) The date the tax abatement begins and ends under subsection (c) of this section;

"(D) A statement that the conditions specified in subsection (a) of this section have been satisfied; and

"(E) The amount of abatement allocated to the property pursuant to subsection (b) of this section; and

"(F) Any other information that the Mayor considers necessary or appropriate.

"(2) If at any time the Mayor determines that the real property has become ineligible for the abatement provided by this section, the Mayor shall notify the Office of Tax and Revenue and shall specify the date that the property became ineligible. The entire property shall be ineligible for the abatement on the first day of the tax year following the date when the ineligibility occurred.

"(e) The tax abatement provided by this section shall be in addition to, not in lieu of, any other tax relief or assistance from any other source.

"(f) The requirements of the First Source Act shall not apply to the construction or development of a project developed on real property designated by the Mayor pursuant to subsection (b) of this section.

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

"(1) "CBE Act" means the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

"(2) "Certified business enterprise" means a business enterprise or joint venture certified pursuant to the CBE Act.

"(3) "Developer" means the owner of housing units on real property eligible for a tax abatement under this section.

"(4) "First Source Act" means the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).

"(5) "First Source Agreement" means an agreement with the District governing certain obligations of the Developer pursuant to section 4 of the First Source Act (D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment.

"(6) "High-need affordable housing area" means the 4 planning areas identified in the District's Housing Equity Report, published in October 2019, with the highest dedicated affordable housing production goals (Rock Creek West, Rock Creek East, Capitol Hill, and

Upper Northeast), plus 1,000 feet in any direction beyond any of those 4 planning area boundaries.

"(7) "Median Family Income" has the meaning set forth in section 101(5) of the Inclusionary Zoning Implementation Amendment Act of 2006, effective September 23, 2017 (D.C. Law 16-275; D.C. Official Code § 6-1041.01(5)).".

"(h) 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 regulations to implement this section.".

SUBTITLE H. HEALTHCARE WORKFORCE PARTNERSHIP

Sec. 2071. Short title.

This subtitle may be cited as the "Healthcare Workforce Partnership Establishment Congressional Review Emergency Act of 2020".

Sec. 2072. Definitions.

(1) "HWI grant" means the grant awarded to the Intermediary pursuant to section 2073.

(2) "Intermediary" means the entity selected to be the Healthcare Workforce Intermediary pursuant to section 2073.

(3) "Partnership" means the Healthcare Workforce Partnership established pursuant to section 2075.

(4) "Training" means occupational skills training for occupations in the healthcare sector.

(5) "WIC" means the Workforce Investment Council.

(6) "WIOA" means the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

Sec. 2073. Establishment of a Healthcare Workforce Intermediary.

(a)(1) By December 1, 2020, the WIC shall select, through award of a grant, the Healthcare Workforce Intermediary to establish, convene, and assist the Healthcare Workforce Partnership.

(2) Consistent with Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the WIC shall issue multi-year grants for a period of 4 years, subject to the availability of funds.

(b) The entity selected to be the Intermediary shall:

(1) Be a nonprofit organization, industry association, or community-based organization;

(2) Have a proven track record of success convening healthcare sector employers or have a significant role in the healthcare sector;

(3) Have existing relationships with training providers; and

(4) Have a proven track record of successful fundraising.

(c) Over the course of the HWI grant, the WIC shall:

(1) Provide technical assistance to the Partnership through the Intermediary, which may include:

(A) Assisting the Partnership in obtaining data and information from District agencies;

(B) Providing the Partnership with customized labor market and economic analysis;

(C) Providing the Partnership with education and guidance on WIOA; and

(D) Providing the Partnership with information on the number of District residents that training providers have the capacity to train in healthcare occupations;

(2) Submit to the Partnership for feedback the proposed statement of work for any grant solicitation for the provision of training at least 30 days before issuing the request for proposals; and

(3) Use the Partnership's Healthcare Occupations Reports to align District government funded workforce development training with current and future healthcare sector hiring needs in the District.

Sec. 2074. Intermediary duties.

The Intermediary shall:

(1) By July 1, 2021:

(A) Appoint members to the Partnership consistent with the criteria specified in section 2075(b)(3);

(B) Convene at least 4 Partnership meetings;

(C) Compose and transmit to the WIC the Partnership's first Healthcare Occupations Report, as described in section 2075(e);

(2) For the duration of the grant:

(A) Provide administrative support to the Partnership;

(B) Convene Partnership meetings at least quarterly;

(C) Compile and transmit to the WIC feedback from the Partnership on any statement of work for a proposed grant solicitation for the provision of training no more than 15 days after receiving the statement of work pursuant to section 2073(d)(2);

(D) Work with the Partnership to coordinate and ensure provision of career coaching, screening and referral services, practice interviews, and job fairs for healthcare sector employment for qualified District training graduates;

(E) Facilitate requests for professional development and learning opportunities for training providers and training participants at healthcare facilities;

(F) Annually, compose and transmit the Partnership's Healthcare Occupations Report, as described in section 2075(e); and

(G) Perform additional duties on behalf of the Partnership consistent with the purposes of this subtitle and as funds permit; and

(3) During the fourth year of the HWI grant, raise private funds equal to the value of the HWI grant for that year, which the Intermediary shall reserve for use until after the expiration of the HWI grant in order to sustain the Partnership without dedicated District government funding.

Sec. 2075. Healthcare Workforce Partnership.

(a) The Intermediary shall establish the Healthcare Workforce Partnership, which shall work to increase the number of District residents employed in the healthcare sector and to meet the staffing needs of District healthcare employers, particularly of hospitals that receive District government funds.

(b)(1) The Director of the WIC, or the Director's designee, shall serve as a member of the Partnership.

(2) The Intermediary shall serve as a member of the Partnership and shall appoint community members in consultation with the WIC.

(3) Community members, the majority of which shall be healthcare sector employers, shall consist of the following:

(A) At least 5 employer representatives of the District's healthcare sector, which shall represent a variety of healthcare disciplines;

(B) At least one representative of a healthcare industry trade association;

(C) At least one representative from a labor organization that represents healthcare workers;

(D) At least one representative from a nonprofit organization that offers training programs; and

(E) At least one representative from an adult education integrated education and training program, as defined in 34 C.F.R. § 463.35, in the healthcare sector.

(c) Community members shall serve for the duration of the HWI grant and may be reappointed.

(d) The Partnership shall meet at least once each quarter for the duration of the HWI grant.

(e) No later than July 1, 2021, and annually thereafter in advance of the start of a new fiscal year, the Partnership shall submit to the WIC, through the Intermediary, its Healthcare Occupations Report, which shall contain the following:

(1) Recommendations of 3 to 5 healthcare occupations requiring less than a bachelor's degree, which may include occupations for which incumbent workers may be upskilled, in which the District should invest in training;

(2) A summary of the occupational hiring needs of hospitals receiving or committed to receive District government funds, including an estimate of the number of workers needed, disaggregated by healthcare occupation;

(3) A recommendation of the number of District residents the WIC should train in the occupations identified pursuant to paragraph (1) of this subsection;

(4) A list of occupational skills required to obtain employment in the occupations identified pursuant to paragraph (1) of this subsection;

(5) Recommendations of curricula for training in the occupations identified pursuant to paragraph (1) of this subsection;

(6) An explanation of the feasibility of providing virtual training or distance learning, and recommendations to implement virtual training;

(7) Customized healthcare career pathway maps for the occupations identified pursuant to paragraph (1) of this subsection;

(8) Recommendations of strategies and tactics to increase the capacity of training providers to train District residents; and

(9) Recommendations to attract District residents to, and retain District residents in, the occupations identified pursuant to paragraph (1) of this subsection, including necessary tactics to increase candidates' hard and soft skills and to reduce barriers to employment.

Sec. 2076. Establishment of a healthcare training program.

(a) By September 1, 2021, the WIC shall establish a healthcare training program ("program") to fund or arrange for training of District residents in a minimum of 2 healthcare occupations identified in the Partnership's first Healthcare Occupations Report, issued pursuant to section 2075(e), which may include one occupation for upskilling of incumbent workers.

(b) To provide training, the WIC may:

(1) Issue healthcare training grants ("grants") to train providers, pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)); or

(2) Partner with the University of the District of Columbia Community College or Office of the State Superintendent of Education.

(c)(1) If the program includes a grant, subject to availability of funds, each grant shall be for not less than $100,000 per year for 3 years to provide training for District residents.

(2) To be eligible for a grant, a grantee shall:

(A) Be licensed by the Higher Education Licensure Commission as a post-secondary institution, degree or non-degree seeking;

(B) Agree to utilize the training curricula recommended by the Partnership pursuant to section 2075(e)(5); and

(C) Demonstrate consistent successful attainment of the following benchmarks for its training participants:

(i) Completion of training;

(ii) Credential attainment;

(iii) Unsubsidized employment in the occupation of training; and

(iv) Retention of employment for 6 months or longer in the occupation of training.

(3) Preference shall be given to grant applicants utilizing an integrated education and training model, as defined 34 C.F.R. § 463.35.

(d)(1) The WIC shall utilize WIOA common performance measures to track program performance.

(2) The WIC shall report on the performance of the program as required by section 102 of the Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018 (D.C. Law 22-95; D.C. Official Code § 32-1622).

(e) The WIC shall make its best effort to use WIOA Title I funds to issue any grants authorized in this section.

Sec. 2077. Monitoring and evaluation.

By August 1, 2021, and annually thereafter, the WIC shall transmit to the Mayor and the Council the Healthcare Occupation Report developed by the Partnership pursuant to section 2075(e).

SUBTITLE I. DC INFRASTRUCTURE ACADEMY EMPLOYER ENGAGEMENT

Sec. 2081. Short title.

This subtitle may be cited as the "DC Infrastructure Academy Employer Engagement Congressional Review Emergency Amendment Act of 2020".

Sec. 2082. The Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 32-241) is amended as follows:

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

"(1A) "Committees" means the Industry Advisory Committees established pursuant to section 2f.".

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

"(2A) "DCIA" means the DC Infrastructure Academy established by the Mayor.".

(b) Section 2a(a-2) (D.C. Official Code § 32-242(a-2)) is repealed.

(c) New sections 2e and 2f are added to read as follows:

"Sec. 2e. DC Infrastructure Academy.

"(a) In addition to duties the Mayor prescribes, the DCIA shall:

"(1) Provide occupational skills training ("skills training") annually in industries for which there is significant demand regionally or by a major employer, including construction, infrastructure, and information technology;

"(2) Provide occupational skills training designed to meet the needs of employers by:

"(A) Aligning skills training, where appropriate, with the annual recommendations the committees submit to the DCIA pursuant to section 2f(c);

"(B)(i) Submitting a proposed curriculum, at least 30 calendar days prior to the start of any skills training taught by DCIA staff, to the relevant committee for its feedback; and

"(ii) Taking into consideration any feedback from a committee when implementing any skills trainings taught by DCIA staff;

"(C)(i) Submitting to the relevant committee, at least 30 calendar days before soliciting applications or bids on a grant or contract to provide skills training, a request that the committee review a grant or contract solicitation's proposed scope of work; and

"(ii) Considering any feedback received from a committee when preparing statements of work for grants and contracts to provide skills training; and

"(D) For any customized skills training provided specifically for a particular employer, seeking input from the employer consistent with the requirements outlined in subparagraphs (B) and (C) of this paragraph;

"(3) Provide test preparation sessions and practice exams to ready participants to obtain the occupational credentials the committees identify in their annual reports pursuant to section 2f(c)(4); and

"(4) Provide job referrals, as defined in 20 C.F.R. § 651.10, to employers in the industry sectors in which training is offered pursuant to paragraph (1) of this subsection for all qualified graduates of DCIA training programs.

"(b) DCIA skills training may include:

"(1) Training services enumerated in section 134(c)(3)(D) of the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1529; 29 U.S.C. § 3174(c)(3)(D));

"(2) Supportive services, as defined in 20 C.F.R. § 651.10;

"(3) Integrated education and training, as defined in 34 C.F.R. § 463.35;

"(4) Workforce preparation activities, as defined in 34 C.F.R. § 463.34; and

"(5) Job development, as defined in 20 C.F.R. § 651.10.

"(c)(1) At least 66% of the participants receiving skills training through the DCIA each fiscal year shall be trained in occupations that pay an average wage that is at least 150% of the minimum wage specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).

"(2) At least 25% of the value of each grant or contract with a skills training provider shall be contingent on the provider achieving at least one of the following results:

"(A) At least 75% of the provider's participants receive an industry-recognized credential; and

"(B) At least 80% of the provider's participants enter permanent, unsubsidized employment in the occupation of training.

"Sec. 2f. Industry advisory committees.

"(a)(1) The Director shall establish industry advisory committees to advise DCIA on occupational skills training offerings with the goal of aligning DCIA's trainings with industry hiring needs.

"(2) There shall be one committee per industry sector in which DCIA offers occupational skills training pursuant to section 2e(a)(1).

"(3) Each committee shall consist of representatives of at least 2 employers from the relevant industry sector, whom the Director shall appoint.

"(4)(A) The Director shall make initial appointments to the committees within 30 days of the effective date of this subtitle.

"(B) Committee members shall disclose all existing and potential conflicts of interest to the Director. No committee member may, in any manner, directly or indirectly,

participate in a deliberation upon, or the determination of, any question affecting the financial interest of any corporation, partnership, or association in which the member or a member of the member's family is directly or indirectly interested. Committee members shall disclose the nature of any financial or personal relationships with any training providers by completing a conflict of interest form.

"(b) No later than December 15, 2020, and annually thereafter in advance of the start of a new fiscal year, each Committee shall submit written recommendations to DCIA, which shall contain the following:

"(1) Recommendations of 2 to 4 specific occupational skills trainings DCIA should offer;

"(2) The number of District residents DCIA should train in the occupations identified pursuant to paragraph (1) of this subsection;

"(3) Occupational skills required to obtain employment in the occupations identified pursuant to paragraph (1) of this subsection;

"(4) A description of tools, equipment, and services necessary to conduct trainings to acquire the skills identified in paragraph (3) of this subsection;

"(5) Industry-recognized credentials required for obtaining employment in the occupations identified pursuant to paragraph (1) of this subsection, when appropriate; and

"(6) The feasibility of providing virtual training or distance learning and recommendations to implement virtual training.

"(c) After receiving a proposed training curriculum from the DCIA pursuant to section 2e(a)(2)(B)(i), a Committee shall provide the DCIA with a written explanation of recommended modifications, if any.

"(d) Within 30 calendar days after receiving a proposed scope of work for a grant or contract from DCIA pursuant to section 2e(a)(2)(C)(i), the Committee shall provide DCIA with a written explanation of recommended modifications, if any.".

SUBTITLE J. WORKPLACE LEAVE NAVIGATORS

Sec. 2091. Short title.

This subtitle may be cited as the "Workplace Leave Navigators Program Establishment Congressional Review Emergency Amendment Act of 2020".

Sec. 2092. Definitions.

For the purposes of this subtitle, the term:

(1) "Director" means the director of DOES.

(2) "DOES" means the Department of Employment Services.

(3) "Family and medical leave" means leave available under the District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*).

(4) "Paid sick leave" means leave available under the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*).

(5) "Universal paid leave" means leave benefits available under the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*).

(6) "Workplace leave" means universal paid leave, paid sick leave, family and medical leave, or any other job-protected leave to which an individual may be entitled under federal or District law.

Sec. 2093. Workplace Leave Navigators Program.

(a) There is established a Workplace Leave Navigators Program ("Program"), which the Director shall administer.

(b) The Program shall be funded with monies from the Universal Paid Leave Administration Fund, established pursuant to section 1153 of the Universal Paid Leave Implementation Fund Congressional Review Emergency Act of 2016, passed on emergency basis on October 6, 2020 (Enrolled version of Bill 23-xxx).

(c) The Program shall provide funds to:

(1) Organizations with demonstrated experience representing employees in matters related to workplace leave solely for the purpose of specific assistance to individuals in obtaining their workplace leave and benefits; and

(2) Nonprofit organizations, businesses, or professional or trade associations with experience representing or assisting employers with the administration or understanding of workplace leave laws for the purpose of providing assistance to employers to share best practices or guidance regarding how to:

(A) Coordinate and accommodate different types of workplace leave, along with employer-sponsored disability plans; and

(B) Ensure compliance with workplace leave laws.

(d)(1) Program funds issued to organizations for the purposes described in subsection (c)(1) of this section:

(A) Shall be used solely to assist individuals with:

(i) Filing an initial claim for universal paid leave;

(ii) Determining the type of workplace leave or employer-offered leave, including an employer-sponsored disability plan, for which an individual may be eligible;

(iii) Filing an administrative complaint related to the provision of workplace leave, including a complaint of retaliation;

(iv) Responding to or appealing an initial administrative decision or determination related to workplace leave; or

(v) Providing an employer with appropriate documentation supporting a request for workplace leave; and

(B) May be used to provide training and guidance to medical providers or healthcare trade or professional associations on the requirements of workplace leave laws pertaining to documentation supporting the need for leave.

(2) Program funds issued to non-profits, businesses, or professional or trade associations assisting employers for the purposes described in subsection (c)(2) of this section:

(A) Shall be used to:

(i) Assist employers with coordinating the employer's workplace leave programs, including employer-sponsored disability plans, with workplace leave laws; provided, that Program funds shall not be used to decide an employee's eligibility for a workplace leave program or for the pre-adjudication of a workplace leave claim;

(ii) Provide guidance, including best practices, to an employer on what an employer must do to comply with District and federal workplace leave laws and regulations;

(iii) Aid employers in responding to DOES's request for information from the employers, including requests related to claim determinations made by DOES;

(iv) Responding to an administrative complaint related to the provision of workplace leave; provided, that Program funds shall not be used to respond to a complaint of retaliation;

(v) Responding to or appealing an initial administrative decision or determination related to workplace leave; and

(B) May be used to provide training and guidance to medical providers or healthcare trade or professional associations on the requirements of workplace leave laws.

(e) Funds for the Program may not be used to prosecute or defend claims in a lawsuit related to the provision of workplace leave.

(f)(1) The Director shall issue Program funds through competitive grants administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and section 2(b-1)

of the Workforce Job Development Grant-Making Authority Act of 2012, effective April 23, 2013 (D.C. Law 19-269; D.C. Official Code § 1-328.05(b-1)).

(2) The Director shall issue an initial Request for Applications no later than October 31, 2020, and annually thereafter. The Director may issue multi-year grants, subject to the availability of appropriations.

(3) In a fiscal year, the amount of grants the Director issues for the purposes described in subsection (c)(1) and (2) of this section shall account for the need for each such purpose, based on the potential numbers of employees and employers to be served.

SUBTITLE K. SCHOOL YEAR INTERNSHIP PILOT PROGRAM

Sec. 2101. Short title.

This subtitle may be cited as the "School Year Internship Pilot Program Congressional Review Emergency Amendment Act of 2020".

Sec. 2102. Section 2a(a) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-242(a)), is amended by adding a new paragraph (2A) to read as follows:

"(2A) School year internship pilot. —

"(A) In Fiscal Year 2021, a pilot program called the School Year Internship Pilot Program ("Program") for 250 District high school students to provide work-based learning opportunities during the school year.

"(B)(i) High school students including students from public schools, public charter schools, private schools, and students who are homeschooled, may apply to the

Department of Employment Services ("DOES") to be matched with an internship host through the Program; provided, that a student may not otherwise participate in an internship, in-school youth employment, or a work-readiness program.

"(ii) DOES shall give the applications of at-risk students priority over all other applications.

"(iii) For the purposes of this subparagraph the term "at-risk" means a public school, public charter school, private school, or homeschool student who is identified as one or more of the following:

"(I) Homeless;

"(II) In the District's foster care system;

"(III) Qualifies for the Temporary Assistance for Needy Families program or the Supplemental Nutrition Assistance Program; or

"(IV) A high school student that is one year older, or more, than the expected age for the grade in which the student is enrolled.

"(C) DOES shall notify students of their placement with an internship host by January 5, 2021.

"(D) Interns shall remain matched with their internship host between January 2021 and June 2021.

"(E) DOES shall pay interns a training rate of $10 per hour, which it shall pay by way of a debit card provided to the intern or by direct deposit.

"(F)(i) Internship hosts may be nonprofit organizations, public schools or public charter schools, government agencies, or private businesses.

"(ii) Prospective internship hosts shall submit applications to participate in the Program no later than December 1, 2020. The application shall include a detailed job description that identifies specific tasks, projects, or duties that the intern will perform and the name and job title of the individual who will directly supervise the intern.

"(iii) DOES shall review internship host applications and shall give priority to applications that will engage an intern in work experience activities, rather than work readiness activities, for the majority of an intern's time.

"(G) DOES shall implement the Program through public-private partnerships between the District government and an internship host that has the ability to employ youth under the Program, subject to all federal and District laws, rules, and regulations relating to the procurement and award of contracts, grants, or other government assistance.

"(H)(i) DOES shall develop benchmarks for interns' growth and development in work readiness, which internship hosts shall utilize to assess an intern's work readiness.

"(ii) An internship host shall provide its written assessment of an intern's work readiness to DOES within 30 days after the end of the internship.".

Sec. 2103. The Department of Employment Services Local Job Training Quarterly Outcome Report Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 32–771), is amended by adding a new section 2083 to read as follows:

"Sec. 2083. Department of Employment Services annual report on year-round youth programs.

"(a) Starting December 15, 2020, and annually thereafter, the Department of Employment Services ("Department") shall publish on its website and submit to the Council a report on the operations of its year-round youth programs, including:

"(1) The In-School Youth Program;

"(2) The Out-of-School Youth Program;

"(3) The Marion Barry Youth Leadership Institute;

"(4) Pathways for Young Adults Program;

"(5) Youth Earn and Learn Program;

"(6) The High School Internship Program;

"(7) In-School Youth Innovation Grants; and

"(8) In-school DCHR internship program.

"(b) The report shall include the following information for each program from the previous fiscal year:

"(1) The number of participants newly enrolled;

"(2) The total number of participants, disaggregated by ward, grade, school, age, and, if known, at-risk status;

"(3) Each program's total expenditures, disaggregated by fund type (federal, local, intra-District, or special purpose revenue funds); and

"(4) The names of any vendors, grantees, host employers (including public schools and public charter schools for the High School Internship Program), host sites, or other organizations providing services to youth.

"(c) The Department may withhold from the report required pursuant to subsection (b) of this section any information precluded from release by federal law, rule, or policy; provided, that, if at a later time, such information may be released, the Department shall supplement the next annual report following the date on which the information may be shared with the withheld information.

"(d) For the purposes of this section, the term "at-risk" means a public school, public charter school, private school, or homeschool student who is identified as one or more of the following:

"(1) Homeless;

"(2) In the District's foster care system;

"(3) Qualifies for the Temporary Assistance for Needy Families program or the Supplemental Nutrition Assistance Program; or

"(4) A high school student that is one year older, or more, than the expected age for the grade in which the student is enrolled.".

SUBTITLE L. UNEMPLOYMENT INSURANCE MODERNIZATION

Sec. 2111. Short title.

This subtitle may be cited as the "Unemployment Insurance Modernization Requirements Congressional Review Emergency Act of 2020".

Sec. 2112. Unemployment insurance modernization requirements.

(a) The Department of Employment Services ("DOES") shall launch an integrated, fully modernized, and fully functioning unemployment insurance information technology benefits and tax system ("benefits system") for public use no later than September 30, 2022.

(b) The benefits system shall include an internet accessible public interface that:

(1) Can be accessed from all major internet browsers and used on mobile devices and personal computers;

(2) Is accessible to people with disabilities in compliance with section 504 of the Rehabilitation Act of 1973, approved September 26, 1973 (87 Stat. 394; 29 U.S.C. § 794), and Title II of the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 337; 42 U.S.C. § 12131 *et seq.*); and

(3) Complies with the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*).

(c)(1) The Office of Contracting and Procurement ("OCP"), in consultation with DOES, should issue a Request for Proposals for the full modernization of the benefits system, consistent with the requirements of subsections (a) and (b) of this section, no later than October 30, 2020.

(2) The OCP should award a contract for the full modernization of the benefits system no later than January 15, 2021.

Sec. 2113. (a) Beginning no later than 15 days after the effective date of this subtitle, on any day when American Job Centers are closed (excluding weekends, holidays, and staff training days), the Department of Employment Services ("DOES") shall provide the following materials at its headquarters from 8:30 a.m. to 5:00 p.m.:

(1) Hard copies of unemployment insurance benefits applications, with hard copies of all instructions that are available online for completing the application;

(2) Hard copies of DOES complaint forms for violations of District labor laws, including wage and hour, accrued paid sick time, and workers' compensation laws, with hard copies of all instructions that are available online for completing each form;

(3) Envelopes individuals may use in submitting their applications and complaint forms, with space on the outside to identify the form being submitted; and

(4) A locked box with a slot into which individuals may deposit their completed applications and complaint forms.

(b) The DOES shall make the materials identified in subsection (a) of this section available in a location at its headquarters that is publicly and handicap accessible.

SUBTITLE M. TRANSGENDER AND NON-BINARY EMPLOYMENT STUDY

Sec. 2121. Short title.

This subtitle may be cited as the "District Government Transgender and Non-Binary Employment Study Congressional Review Emergency Act of 2020".

Sec. 2122. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq*), is amended by adding a new Title VII-B to read as follows:

"TITLE VII-B GENDER IDENTITY STUDY

"Sec. 760. Definitions.

"For the purposes of this title, the term:

"(1) "Cisgender" means individuals whose sex assigned at birth matches the individual's perceived gender.

"(2) "Gender identity" means an individual's internal sense of the individual's gender, which may be the same as or different from sex assigned at birth and can include male, female, neither, or both.

"(3) "Non-binary" includes individuals whose gender identity is neither entirely male nor entirely female, or varies between the two.

"(4) "Transgender" includes individuals whose gender identity or expression is different from that typically associated with their assigned sex at birth.

"Sec. 761. Study of transgender and non-binary employment.

"(a) The Mayor shall contract with an entity to conduct a study of employment data, hiring and recruitment practices, and workplace climate in District government agencies in relation to people who are transgender or non-binary. At a minimum, the study shall include:

"(1) A census of employees who identify as transgender or non-binary, including information on the employees' race and ethnicity, gender identity, and age;

"(2) A review of District government agencies' transgender and non-binary inclusion policies, including policies developed under the Human Rights Act of 1977, effective December 13, 1977, (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*) ("Human Rights Act"), and any regulations promulgated pursuant to the Human Rights Act, and an evaluation of the extent to which District government agencies have implemented such polices and how transgender and non-binary employees experience such polices;

"(3) An evaluation of District government agencies' actual recruitment, hiring, retention, and promotion practices related to prospective and current transgender and non-binary employees;

"(4) An analysis of any disparities in earnings, title, pay grade, length of time in position, and educational attainment between employees who identify as transgender or non-binary and employees who identify as cisgender;

"(5) An assessment of transgender and non-binary employees' workplace experiences as employees of District government agencies, including experiences of discrimination, harassment, or mistreatment on the job;

"(6) An evaluation of data, including participant demographics and program outcomes, for transgender or non-binary participants in the Department of Employment Services' job training programs; and

"(7) Recommendations for District government agencies on improving employment and hiring practices as they relate to individuals who are transgender or non-binary.

"(b) The contractor may survey employees to gather data for the purposes of the study.

"(c) The contractor completing the study shall:

"(1) Have, or partner with another entity with, experience studying and knowledge of sexual orientation and gender identity;

"(2) Include a statement in requests for information and surveys sent to employees explaining that providing information is voluntary;

"(3) Ensure the privacy, dignity, and confidentiality of employees;

"(4) Not disclose, or retain after the study is complete, personally identifiable information gathered in the course of the study; and

"(5) Consult with the Office of Human Rights in developing a detailed proposed plan of the study, surveys to be administered, and any resulting recommendations from the entity.

"(d) The Mayor may use electronic communication tools, including e-mail, to facilitate the contractor's outreach to District government employees.

"(e) The Mayor shall:

"(1) Review the contractor's proposals and recommendations to ensure they are consistent with the Human Rights Act;

"(2) Review data, with personally identifiable information removed, on harassment and discrimination complaints filed by transgender and non-binary employees against District government agencies since January 1, 2015;

"(3) Provide the contractor with the information necessary to facilitate subsection (a) of this section; and

"(4) Submit a final report with findings and recommendations to the Council no later than December 31, 2021. The final report submitted to the Council shall not contain any personally identifiable information.".

SUBTITLE N. TIPPED WAGE WORKERS FAIRNESS CLARIFICATION

Sec. 2131. Short title.

This subtitle may be cited as the "Tipped Workers Fairness Clarification Congressional Review Emergency Amendment Act of 2020".

Sec. 2132. The Tipped Wage Workers Fairness Amendment Act of 2018, effective December 13, 2018 (D.C. Law 22-196; D.C. Official Code § 32-161 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 32-161) is amended as follows:

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

(A) The lead-in language is amended by striking the phrase "By April 1, 2020" and inserting the phrase "Within 120 days after the date this section becomes applicable" in its place.

(B) Subparagraph (F) is repealed.

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

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

(i) The lead-in language is amended by striking the phrase "By April 1, 2020" and inserting the phrase "Within 120 days after the date this section becomes applicable" in its place.

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

"(B) The following text formatted in a large font and for maximum readability, including the use of bullet points to call out each specified right on a separate line:

"EMPLOYEE RIGHTS IN THE DISTRICT OF COLUMBIA: Do you know your rights as an employee working in Washington, D.C.? Employees have the right:

- To be paid at least the minimum wage;
- To be paid on time;
- To receive a detailed pay stub;

- To accrue and use paid sick and safe leave;
- To request time off to attend a child's school-related activities;
- To qualify for unpaid family and medical leave;
- To be compensated for work-related illness or injury;
- To remain free from discrimination;
- To be accommodated in the workplace during pregnancy;
- To remain free from employer retaliation for discussing or exercising any of these rights; and
- To file a complaint for violation of workplace rights with the Department of Employment Services (DOES) or the Office of Human Rights (OHR),

To learn about these and other workplace rights, visit the website below. This notice does not create, expand, or limit rights under District or federal law.".

(B) Paragraph (2) is amended by striking the phrase "The poster" and inserting the phrase "Below the text required pursuant to paragraph (1)(B) of this subsection, the poster" in its place.

(3) Subsection (d)(6) is repealed.

Sec. 2133. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

(a) Section 10a (D.C. Official Code § 32-1009.01) is amended as follows:

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

"(a)(1) As of January 1, 2020, the third-party payroll businesses required pursuant to section 9(a-1) to process payroll for an employer that employs a tipped worker and hotel

employers that employ a tipped worker shall submit a quarterly wage report for the preceding calendar quarter to the Mayor no later than 30 days after the end of each calendar quarter.

"(2) Each quarterly wage report shall certify that each tipped worker was paid at least the required minimum wage, including gratuities, and shall include the following:

"(A) Itemized, for each tipped worker, the worker's:

"(i) Name;

"(ii) Average hourly wage received per week during the quarter;

"(iii) Total hours worked at or above the minimum hourly wage established under section 4(f) per week;

"(iv) Gross wages received per week; and

"(v) Total gratuities received per week.

"(B) For a hotel employer, a certification that all of the information in the report is accurate;

"(C) For a third-party payroll business, a certification that the information in the report was generated using the same payroll data used to generate the information required to be furnished to employees pursuant to section 9(b); and

"(D) If tips were shared, a copy of the employer's tip-sharing policy used during the quarter, unless the third-party payroll business and the employer have agreed that the employer will submit the tip-sharing policy, in which case, a certification that such an agreement was in place during the calendar quarter.

"(3)(A) An employer that agrees to submit its tip-sharing policy directly to the Mayor shall submit the policy to the Mayor no later than 30 days after the end of each calendar quarter.

"(B) If the Mayor does not receive the tip-sharing policy of an employer that employs a tipped worker by the submission deadline for quarterly wage reports, the Mayor shall presume that the employer did not have a tip-sharing policy in place during the calendar quarter.".

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

"(2) A person required to submit documents pursuant to subsection (a) of this section shall submit the documents online through the Internet-based portal, unless the Mayor exempts the person from online reporting because it creates a hardship for the person, in which case, the person shall submit the documents in hard-copy form.".

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

"(d) For the purposes of this section the term "tipped worker" means an employee paid in accordance with section 4(f).".

(b) Section 12(d)(1) (D.C. Official Code § 32-1011(d)(1)) is amended by adding a new subparagraph (E-i) to read as follows:

"(E-i) $500 against an employer for each failure to timely submit the quarterly wage report required pursuant to section 10a, in its entirety, unless the employer proves that it used a third-party payroll business to process the relevant quarter's payroll for the employer.".

SUBTITLE O. UNIVERSAL PAID LEAVE FUND

Sec. 2141. Short title.

This subtitle may be cited as the "Universal Paid Leave Fund Congressional Review Emergency Amendment Act of 2020".

Sec. 2142. The Universal Paid Leave Implementation Fund Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01), is amended as follows:

(a) A new section 1151a is added to read as follows:

"Sec. 1151a. Definitions.

"For the purposes of this subtitle, the term "Act" means the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*).".

"(b) Section 1152 (D.C. Code § 32-551.01) is amended as follows:

"(1) The section heading is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

"(2) Subsection (a) is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

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

"(b) Money in the Fund shall be used to:

(1) Pay benefits provided under the Act; and

(2) Fund the Universal Paid Leave Administration Fund established pursuant to section 1153(a) in the following amounts:

"(A) No more than 8.75% of money in the Fund for the purposes described in section 1153(c)(1);

"(B) No more than .75% of the money in the Fund for the purposes described in section 1153(c)(2); and

"(C) No more than 0.5% of the money in the Fund for the purposes described in section 1153(c)(3).

(c) A new section 1153 is added to read as follows:

"Sec. 1153. Universal Paid Leave Administration Fund.

"(a) There is established as a special fund the Universal Paid Leave Administration Fund ("Fund"), which shall be administered by the Department of Employment Services ("DOES") in accordance with subsections (c), (d), (e), and (f) of this section.

"(b) Pursuant to section 1152(b)(2), amounts appropriated from the Universal Paid Leave Fund annually for the purposes described in subsection (c) of this section shall be deposited in the Fund.

"(c) Money in the Fund shall be used for the following purposes:

"(1) Administration of the Act by DOES, including public education pursuant to section 106(j) of the Act (D.C. Official Code § 32-541.06(j)); provided, that no more than 6% of the money appropriated annually for administration may be used for public education and of those public education funds, at least $500,000 shall be used to fund the Workplace Leave Navigators Program established pursuant to section 2093 of the Workplace Leave Navigators Program Establishment Congressional Review Emergency Amendment Act of 2020, passed on emergency basis on October 6, 2020 (Enrolled version of Bill 23-xxx);

"(2) Enforcement of section 108(e) and section 110(a) and (b) of the Act by the Office of Human Rights, which may include education and outreach on individuals' rights under the Act; and

"(3) Hearing of appeals of claim determinations by the Office of Administrative Hearings, pursuant to section 108(a), (b), and (c) of the Act (D.C. Official Code § 32-541.08(a), (b), and (c)).

"(d) Beginning no later than October 1, 2020, and by October 1 annually thereafter, DOES shall execute a Memorandum of Understanding with the Office of Human Rights for the intradistrict transfer of funds appropriated, pursuant to subsection (c)(2) of this section, for enforcement; provided, that DOES shall transfer funds appropriated for enforcement to the Office of Human Rights no later than October 2 of any year even if the agencies fail to execute a Memorandum of Understanding by October 1 of that year.

"(e) Beginning no later than October 1, 2020 and by October 1 annually thereafter, DOES shall execute a Memorandum of Understanding with the Office of Administrative Hearings for the intradistrict transfer of funds appropriated, pursuant to subsection (c)(3) of this section, for hearing of appeals of claim determinations; provided, that DOES shall transfer funds appropriated for hearing of appeals of claim determinations to the Office of Administrative Hearings no later than October 2 of any year even if the agencies fail to execute a Memorandum of Understanding by October 1 of that year.

"(f) Money deposited into the Fund but not expended in a fiscal year shall revert to the Universal Paid Leave Fund, established pursuant to section 1152.".

Sec. 2143. Conforming amendments.

The Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*), is amended as follows:

(a) Subsection 101 (D.C. Official Code § 32-541.01) is amended as follows:

(1) Paragraph (10)(A) is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

(2) Paragraph (21) is amended by striking the phrase ""Universal Paid Leave Implementation Fund" means the Uniform Paid Leave Implementation Fund" and inserting the phrase ""Universal Paid Leave Fund" means the Universal Paid Leave Fund" in its place.

(b) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

(1) The section heading is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

(2) Subsection (a) is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

(3) Subsection (b) is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

(4) Subsection (c) is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

(5) Subsection (d) is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

(6) Subsection (e) is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

(7) Subsection (f) is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

(c) Section 104(g)(6)(A) (D.C. Official Code § 32-541.04(g)(6)(A)) is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

(d) Section 105(a)(2) (D.C. Official Code § 32-541.05(a)(2)) is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

(e) Section 106(j)(1) (D.C. Official Code § 32-541.06(j)(1)) is amended to read as follows:

"(j)(1) The Mayor shall conduct a public-education campaign, which shall be paid for out of the Universal Paid Leave Administration Fund, pursuant to section 1153(c)(1) of the Universal Paid Leave Implementation Fund Act of 2016, passed on 2nd reading on July 28, 2020 (Enrolled version of Bill 23-760), to inform individuals of the benefits provided for in this act. The Workplace Leave Navigators Program, established pursuant to section 2093 of the Workplace Leave Navigators Program Establishment Congressional Review Emergency Amendment Act of 2020, passed on emergency basis on October 6, 2020 (Enrolled version of Bill 23-xxx), shall be a component of the Mayor's public-education campaign.".

(f) Section 109(c) (D.C. Official Code § 32-541.09(c)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "Universal Paid Leave Implementation" and inserting the phrase "Universal Paid Leave" in its place.

(2) Paragraph (2) is amended by striking the phrase "Universal Paid Leave Implementation" both times it appears and inserting the phrase "Universal Paid Leave" in its place.

SUBTITLE P. SHARED WORK COMPENSATION PROGRAM

Sec. 2151. Short title.

This subtitle may be cited as the "Shared Work Compensation Program Clarification Congressional Review Emergency Amendment Act of 2020".

Sec. 2152. The Keep D.C. Working Act of 2010, effective October 15, 2010 (D.C. Law 18-238; D.C. Official Code § 51-171 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 51-171) is amended as follows:

(1) Paragraph (4) is repealed.

(2) New paragraphs (4A) and (4B) are added to read as follows:

"(4A) "Health and retirement benefits" means employer-provided health benefits, and retirement benefits under a defined benefit plan, as defined in section 414(j) of the Internal Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(j)), or contributions under a defined contribution plan, as defined in section 414(i) of the Internal Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(i)), which are incidents of employment in addition to the cash remuneration earned.

"(4B) "Participating employee" means an employee who voluntarily agrees to participate in an employer's shared work plan.".

(3) Paragraph (5) is amended to read as follows:

"(5) "Usual weekly hours of work" means the usual hours of work per week for full-time or part-time employees in the affected unit when that unit is operating on its regular basis, not to exceed 40 hours and not including hours of overtime work.".

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

"(7) "Shared work benefits" means the unemployment benefits payable to a participating employee in an affected unit under a shared work plan, as distinguished from the unemployment benefits otherwise payable under the employment security law.".

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

"(8) "Shared work plan" means a written plan to participate in the shared work unemployment compensation program approved by the Director, under which the employer requests the payment of shared work benefits to participating employees in an affected unit of the employer to avert temporary or permanent layoffs, or both.".

(b) Section 4 (D.C. Official Code § 51-173) is amended to read as follows:

"Sec. 4. Employer participation in the shared work unemployment compensation program.

"(a) Employer participation in the shared work unemployment compensation program shall be voluntary.

"(b) An employer that wishes to participate in the shared work unemployment compensation program shall submit a signed application and proposed shared work plan to the Director for approval.

"(c) The Director shall develop an application form consistent with the requirements of this section. The application and shared work plan shall require the employer to:

"(1) Identify the affected unit (or units) to be covered by the shared work plan, including:

"(A) The number of full-time or part-time employees in such unit;

"(B) The percentage of employees in the affected unit covered by the plan;

"(C) Identification of each individual employee in the affected unit by name and social security number;

"(D) The employer's unemployment tax account number, and

"(E) Any other information required by the Director to identify participating employees;

"(2) Provide a description of how employees in the affected unit will be notified of the employer's participation in the shared work unemployment compensation program if such application is approved, including how the employer will notify those employees in a collective bargaining unit as well as any employees in the affected unit who are not in a collective bargaining unit. If the employer will not provide advance notice of the shared work plan to employees in the affected unit, the employer shall explain in a statement in the application why it is not feasible to provide such notice;

"(3) Identify the usual weekly hours of work for employees in the affected unit and the specific percentage by which hours will be reduced during all weeks covered by the plan. A shared work plan may not reduce participating employees' usual weekly hours of work by less than 10% or more than 60%. If the plan includes any week for which the employer regularly provides no work (due to a holiday or other plant closing), then such week shall be identified in the application;

"(4) If the employer provides health and retirement benefits to any participating employee whose usual weekly hours of work are reduced under the plan, certify that such benefits will continue to be provided to participating employees under the same terms and conditions as though the usual weekly hours of work of such participating employee had not been reduced or to the same extent as employees not participating in the shared work plan. For defined benefit retirement plans, the hours that are reduced under the shared work plan shall be credited for purposes of participation, vesting, and accrual of benefits as though the participating employee's usual weekly hours of work had not been reduced. The dollar amount of employer contributions to a defined contribution plan that are based on a percentage of compensation may be reduced due to the reduction in the participating employee's compensation. A reduction in health and retirement benefits scheduled to occur during the duration of a shared work plan that is equally applicable to employees who are not participating in the plan and to participating employees does not violate a certification made pursuant to this paragraph;

"(5) Certify that the aggregate reduction in work hours under the shared work plan is in lieu of temporary or permanent layoffs, or both, and provide a good-faith estimate of the number of employees who would be laid off in the absence of the proposed shared work plan;

"(6) Agree to:

"(A) Furnish reports to the Director relating to the proper conduct of the shared work plan;

"(B) Allow the Director or the Director's authorized representatives access to all records necessary to approve or disapprove the application for a shared work plan;

"(C) Allow the Director to monitor and evaluate the shared work plan; and

"(D) Follow any other directives the Director considers necessary for the agency to implement the shared work plan consistent with the requirements for shared work plan applications;

"(7) Certify that participation in the shared work unemployment compensation program and implementation of the shared work plan will be consistent with the employer's obligations under applicable federal and District laws;

"(8) State the duration of the proposed shared work plan, which shall not exceed 365 days from the effective date established pursuant to section 6;

"(9) Provide any additional information or certifications that the Director determines to be appropriate for purposes of the shared work unemployment compensation program, consistent with requirements issued by the United States Secretary of Labor; and

"(10) Provide written approval of the proposed shared work plan by the collective bargaining representative for any employees covered by a collective bargaining agreement who will participate in the plan.".

(c) Section 5 (D.C. Official Code § 51-174) is amended to read as follows:

"Sec. 5. Approval and disapproval of a shared work plan.

"(a)(1) The Director shall approve or disapprove an application for a shared work plan in writing within 15 calendar days of its receipt and promptly issue a notice of approval or disapproval to the employer.

"(2) A decision disapproving the shared work plan shall clearly identify the reasons for the disapproval.

"(3) A decision to disapprove a shared work plan shall be final, but the employer may submit another application for a shared work plan not earlier than 10 calendar days from the date of the disapproval.

"(b) Except as provided in subsections (c) and (d) of this section, the Director shall approve a shared work plan if the employer:

"(1) Complies with the requirements of section 4; and

"(2) Has filed all reports required to be filed under the employment security law for all past and current periods, and:

"(A) Has paid all contributions and benefit cost payments; or

"(B) If the employer is a reimbursing employer, has made all payments in lieu of contributions due for all past and current periods.

"(c) Except as provided in subsection (d) of this section, the Director may not approve a shared work plan:

"(1) To provide payments to an employee if the employee is employed by the participating employer on a seasonal, temporary, or intermittent basis;

"(2) If the employer's unemployment insurance account has a negative unemployment experience rating;

"(3) If the employer's unemployment insurance account is taxed at the maximum tax rate in effect for the calendar year;

"(4) For employers who have not qualified to have a tax rate assigned based on actual experience; or

"(5) For employees who are receiving or who will receive supplemental unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any period a shared work plan is in effect.

"(d) During the effective period of a shared work plan entered into during a public health emergency, subsection (c) of this section shall not apply. During a public health emergency, the Director may not approve a shared work plan:

"(1) To provide payments to an employee if the employee is employed by the participating employer on a seasonal, temporary, or intermittent basis;

"(2) For employees who are receiving or who will receive supplemental unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any period a shared work plan is in effect; or

"(3) For employers that have reported quarterly earnings to the Director for fewer than 3 quarters at the time of the application for the shared work unemployment compensation program.

"(e) For the purposes of this section, the term "public health emergency" means the public health emergency declared in the Declaration of Public Health Emergency (Mayor's Order 2020-046), declared on March 11, 2020, and any extensions thereof.".

(d) Section 6 (D.C. Official Code § 51-175) is amended to read as follows:

"Sec. 6. Effective date and expiration, termination, or revocation of a shared work plan.

"(a) A shared work plan shall be effective on the date that is mutually agreed upon by the employer and the Director, which shall be specified in the notice of approval to the employer.

"(b) The duration of the plan shall be 365 days from the effective date, unless a shorter duration is requested by employer or the plan is terminated or revoked in accordance with this section.

"(c) An employer may terminate a shared work plan at any time upon written notice to the Director, participating employees, and a collective bargaining representative for the participating employees. After receipt of such notice from the employer, the Director shall issue to the employer, the appropriate collective bargaining representative, and participating employees an Acknowledgment of Voluntary Termination, which shall state the date the shared work plan terminated.

"(d) The Director may revoke a shared work plan at any time for good cause, including:

"(1) Failure to comply with the certifications and terms of the shared work plan;

"(2) Failure to comply with federal or District law;

"(3) Failure to report or request proposed modifications to the shared work plan in accordance with section 7;

"(4) Unreasonable revision of productivity standards for the affected unit;

"(5) Conduct or occurrences tending to defeat the purpose and effective operation of the shared work plan;

"(6) Change in conditions on which approval of the plan was based;

"(7) Violation of any criteria on which approval of the plan was based; or

"(8) Upon the request of an employee in the affected unit.

"(e) Upon a decision to revoke a shared work plan, the Director shall issue a written revocation order to the employer that specifies the reasons for the revocation and the date the revocation is effective. The Director shall provide a copy of the revocation order to all participating employees and their collective bargaining representative.

"(f) The Director may periodically review the operation of an employer's shared work plan to ensure compliance with its terms and applicable federal and District laws.

"(g) An employer may submit a new application for a shared work plan at any time after the expiration or termination of a shared work plan.".

(e) Section 7 (D.C. Official Code § 51-176) is amended to read as follows:

"Sec. 7. Modification of a shared work plan.

"(a) An employer may not implement a substantial modification to a shared work plan without first obtaining the written approval of the Director.

"(b)(1) An employer must report, in writing, every proposed modification of the shared work plan to the Director a least 5 calendar days before implementing the proposed modification. The Director shall review the proposed modification to determine whether the modification is substantial. If the Director determines that the proposed modification is substantial, the Director shall notify the employer of the need to request a substantial modification.

"(2) An employer may request a substantial modification to a shared work plan by filing a written request with the Director. The request shall identify the specific provisions of the shared work plan to be modified and provide an explanation of why the proposed modification is consistent with and supports the purposes of the shared work plan. A modification may not extend the expiration date of the shared work plan.

"(c)(1) At the Director's discretion, an employer's request for a substantial modification of a shared work plan may be approved if:

"(A) Conditions have changed since the plan was approved; and

"(B) The Director determines that the proposed modification is consistent with and supports the purposes of the approved plan.

"(2) The Director shall approve or disapprove a request for substantial modification, in writing, within 15 calendar days of receiving the request and promptly shall communicate the decision to the employer. If the request is approved, the notice of approval shall contain the effective date of the modification.".

(f) Section 8 (D.C. Official Code § 51-177) is amended to read as follows:

"Sec. 8. Employee eligibility for shared work benefits.

"(a) A participating employee is eligible to receive shared work benefits with respect to any week only if the individual is monetarily eligible for unemployment compensation, not otherwise disqualified from unemployment compensation, and:

"(1) With respect to the week for which shared work benefits are claimed, the participating employee was covered by a shared work plan that was approved prior to that week;

"(2) Notwithstanding any other provision of the employment security law relating to availability for work and actively seeking work, the participating employee was available for the individual's usual hours of work with the shared work employer, which may include availability to participate in training to enhance job skills approved by the Director, such as employer-sponsored training or training funded under the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*); and

"(3) Notwithstanding any other provision of law, a participating employee is deemed unemployed for the purposes of determining eligibility to receive unemployment compensation benefits in any week during the duration of such plan if the individual's remuneration as an employee in an affected unit is reduced under the terms of the plan.

"(b) A participating employee may be eligible for shared work benefits or unemployment compensation, as appropriate, except that no participating employee may be eligible for combined benefits in any benefit year in an amount more than the maximum entitlement established for regular unemployment compensation; nor shall a participating employee be paid shared work benefits for more than 52 weeks under a shared work plan or in an amount more than the equivalent of the maximum of 26 weeks of regular unemployment compensation.

"(c) The shared work benefit paid to a participating employee shall be deducted from the maximum entitlement amount of regular unemployment compensation established for that individual's benefit year.

"(d) Provisions applicable to unemployment compensation claimants under the employment security law shall apply to participating employees to the extent that they are not inconsistent with this act. A participating employee who files an initial claim for shared work benefits shall receive a monetary determination of whether the individual is eligible to receive benefits.

"(e) A participating employee who has received all of the shared work benefits or combined unemployment compensation and shared work benefits available in a benefit year shall be considered an exhaustee, as defined in section 7(g)(1)(H) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code

§ 51–107(g)(1)(H)) ("Act"), for purposes of eligibility to receive extended benefits pursuant to section 7(g) of the Act (D.C. Official Code § 51–107(g)), and, if otherwise eligible under that section, shall be eligible to receive extended benefits.

"(f) Shared work benefits shall be charged to employers' experience rating accounts in the same manner as unemployment compensation is charged under the employment security law, unless waived by federal or District law. Employers liable for payments in lieu of contributions shall have shared work benefits attributed to service in their employ in the same manner as unemployment compensation is attributed, unless waived by federal or District law.".

(g) Section 9 (D.C. Official Code § 51-178) is amended as follows:

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

"(a)(1) Except as provided in paragraph (2) of this subsection, the weekly benefit for a participating employee shall be the product of the regular weekly unemployment compensation amount for a week of total unemployment multiplied by the percentage of reduction in the participating employee's usual weekly hours of work.

"(2) The shared work benefit for a participating employee who performs work for another employer during weeks covered by a shared work plan shall be calculated as follows:

"(A) If the combined hours of work in a week for both employers results in a reduction of less than 10% of the usual weekly hours of work the participating employee works for the shared work employer, the participating employee is not eligible for shared work benefits;

"(B) If the combined hours of work for both employers results in a reduction equal to or greater than 10% of the usual weekly hours worked for the shared work

employer, the shared work benefit payable to the participating employee is determined by multiplying the weekly unemployment benefit amount for a week of total unemployment by the percentage by which the combined hours of work have been reduced. A week for which benefits are paid under this subparagraph shall be reported as a week of shared work benefits.

"(C) If an individual worked the reduced percentage of the usual weekly hours of work for the shared work employer and is available for all the participating employee's usual hours of work with the shared work employer, and the participating employee did not work any hours for the other employer, either because of the lack of work with that employer or because the participating employee is excused from work with the other employer, the participating employee shall be eligible for the full value of the shared work benefit for that week.".

(2) Subsection (b) is repealed

(3) New subsections (c) and (d) are added to read as follows:

"(c) A participating employee who is not provided any work during a week by the shared work employer or any other employer and who is otherwise eligible for unemployment compensation shall be eligible for the amount of regular unemployment compensation to which the individual would otherwise be eligible.

"(d) A participating employee who is not provided any work by the shared work employer during a week, but who works for another employer and is otherwise eligible for unemployment compensation may be paid unemployment compensation for that week subject to the disqualifying income provision and other provisions applicable to claims for regular unemployment compensation.".

SUBTITLE Q. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESS

Sec. 2161. Short title.

This subtitle may be cited as the "Equitable Impact Assistance for Local Businesses Congressional Review Emergency Act of 2020".

Sec. 2162. Definitions.

For the purposes of this subtitle, the term:

(1) "Economically disadvantaged individual" shall have the same meaning as set forth in section 2302(7) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(7)).

(2)(A) "Eligible business" means an equity impact enterprise that has $2 million or less in annual revenue and certifies in writing that the business is unable to obtain conventional financing or is a business enterprise that cannot reasonably be expected to qualify for financing under the standards of commercial lending.

(B) For the purposes of this paragraph, the phrase "unable to obtain conventional financing" means that the business has attempted but failed in the attempt to obtain financing from conventional sources.

(3) "Equity impact enterprise" shall have the same meaning as set forth in section 2303(8A) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)).

(4) "Fund" means the Equity Impact Fund established in section 2163.

(5) “Fund Manager” means a private financial organization selected by the Mayor pursuant to section 2164.

(6) “Private financial organization” means a partnership, corporation, trust, limited liability company, Community Development Financial Institution, or a consortium of partnerships, corporations, trusts, limited liability companies, or Community Development Financial Institutions, whether organized on a profit or not-for-profit basis, that has as its primary activity the investment of capital into businesses.

Sec. 2163. Establishment of the Equity Impact Fund.

(a)(1) There is established a fund outside the General Fund of the District of Columbia, designated as the Equity Impact Fund (“Fund”), which shall be managed by a Fund Manager selected by the Mayor.

(2) The Deputy Mayor for Planning and Economic Development shall provide, upon selection of the Fund Manager, $1.25 million in the aggregate in Fiscal Year 2021 for deposit into the Fund (“District’s initial investment”).

(b) The Fund shall be funded by money appropriated for the purposes of the Fund, other amounts, if any, received by the District or Fund Manager for deposit into the Fund, and any monies received as gifts, grants, donations, and awards.

(c) Money in the Fund shall be used for the following purposes:

(1) To facilitate investment in businesses that lack access to capital;

(2) To make investments into eligible businesses based on an investment strategy determined by the Fund Manager; and

(3) To administer the Fund, including the provision of technical assistance to eligible businesses; provided, that no more than 15% of the District's initial investment may be used annually for this purpose.

Sec. 2164. Fund Manager selection.

(a) The Mayor shall solicit applications, in a form determined by the Mayor, for the position of Fund Manager from private financial organizations. The application shall contain description of:

(1) The qualifications of the applicant, including demonstrable experience in investing in small businesses, businesses owned by economically disadvantaged individuals, businesses owned by individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities, or businesses that otherwise meet the definition of, or are similar to, an equity impact enterprise;

(2) How the applicant will structure the Fund and investment criteria to achieve the goals and objectives of the Fund;

(3) The ability and plans of the applicant to provide or raise sufficient funds to provide matching contributions for the Fund;

(4) The ability of the applicant to maintain a sufficient fund balance to administer the Fund;

(5) The type of businesses to be targeted for priority investment from the Fund;

(6) A demonstrable ability to offer a variety of financing vehicles, including equity financing, revenue-based financing, royalty financing, and debt financing;

(7) The investment strategies the applicant will employ to achieve the goals and objectives of the Fund; and

(8) Other criteria that the Mayor considers necessary or appropriate.

(b) The Fund Manager shall be selected from among the applicants for the position based on a scoring rubric established by the Mayor; provided, that:

(1) A preference be given to applicants that are at least 51% owned, operated, or controlled by economically disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities; and

(2) If the applicant manages an existing investment fund, the existing fund not exceed $100,000,000 in total investments.

Sec. 2165. Minimum requirements for investment.

(a) The Fund Manager shall source, underwrite, and monitor all investments placed pursuant to this subtitle. Except as otherwise provided by this subtitle, the Mayor shall not determine the recipient, amount, interest rate, or any other requirement related to an investment made pursuant to this subtitle.

(b) The following requirements shall apply to any investment in an eligible business made from the Fund using the District's initial investment or interest earned on the initial investment:

(1) The Fund Manager shall begin accepting applications from eligible businesses seeking investment, on a rolling basis, within 30 days of being selected for the position by the Mayor.

(2) For the Fund Manager to provide an investment from the Fund, the eligible business must agree, in writing, to participate in technical assistance training.

(3) The Fund Manager shall establish, for each selected eligible business, a 12-month individualized business plan. Investments shall be distributed to the eligible business in installments based upon completion of specific milestones clearly described in the business's individualized business plan. The individualized business plan shall include technical assistance, provided at no cost to the business, which shall include education on the management and scale of a business through live training or guided recorded sessions. All eligible businesses that receive an investment from the Fund shall be required to participate in at least 3 months of technical assistance training.

Sec. 2166. Reporting requirements.

The Fund Manager shall submit to the Mayor, on a quarterly basis, a report on the activities of the Fund. The report shall include, at a minimum:

(1) The aggregate amount of dollars invested in eligible businesses during the reporting period;

(2) The number of eligible businesses receiving an investment, including the name and business address for each;

(3) A copy of the individualized business plan for each eligible business, including a description of the technical assistance training provided; and

(4) The aggregate amount of funds in the Fund and a breakdown of the amount of the funds in the Fund used for each of the following, with each amount reported as a percentage of the aggregate amount of the Fund:

(A) The percentage used for technical training assistance;

(B) The percentage used for administration costs; and

(C) The percentage used to compensate the Fund Manager.

Sec. 2167. Recovery of District investment.

The Mayor shall reserve the right to recover the amount of its initial investment into the Fund and may exercise this right if the Fund Manager does not, within a reasonable period, as determined by the Mayor, place investments into eligible businesses in an amount equal to the amount of the District's initial investment into the Fund.

SUBTITLE R. AFFORDABLE HOUSING LOAN FUND AUTHORIZATION

Sec. 2171. Short Title.

This subtitle may be cited as the "Affordable Housing Loan Fund Authorization Congressional Review Emergency Amendment Act of 2020".

Sec. 2172. The Department of Housing and Community Development is authorized to submit an application for the program offered by the U.S. Department of Housing and Urban Development, pursuant to section 108 of the Housing and Community Development Act of 1974, approved August 22, 1974 (88 Stat. 647; 42 U.S.C. § 5308), to provide a gap subsidy resource source for Community Development Block Grant-eligible affordable housing acquisition and rehabilitation projects in Fiscal Year 2021 that also meet the criteria for the use of money in the Housing Preservation Fund, established by section 2032 of the Housing Preservation Fund Establishment Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 1-325.351), or the Housing Production Trust Fund, established by section 3

of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802).

Sec. 2173. Section 2009(d) of the Department of Housing and Community Development Unified Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 42-2857.01(d)), is amended as follows:

(a) The existing text is designated as paragraph (1).

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

"(2) Costs associated with the application or implementation of projects pursuant to the Affordable Housing Loan Fund Authorization Congressional Review Emergency Amendment Act of 2020, passed on emergency basis on October 6, 2020 (Enrolled version of Bill 23-xxx), shall not be considered project-delivery costs for purposes of paragraph (1) of this subsection.".

Sec. 2174. Section 3(b)(10) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(b)(10)), is amended as follows:

(a) The existing text is designated as subparagraph (A).

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

"(B) Costs associated with the application or implementation of projects pursuant to the Affordable Housing Loan Fund Authorization Congressional Review Emergency Amendment Act of 2020, passed on emergency basis on October 6, 2020 (Enrolled version of Bill 23-xxx), shall not be considered administration of the Fund for purposes of this paragraph.".

SUBTITLE S. RENT STABILIZATION EXTENSION

Sec. 2181. Short Title.

This subtitle may be cited as the "Rent Stabilization Extension Congressional Review Emergency Amendment Act of 2020".

Sec. 2182. Section 907 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3509.07), is amended by striking the phrase "shall terminate on December 31, 2020" and inserting the phrase "shall terminate on December 31, 2030" in its place.

SUBTITLE T. EXPENDITURES FROM THE PUBLIC HOUSING AND STRUCTURAL TRANSFORMATION CAPITAL ACCOUNT

Sec. 2191. Short title.

This subtitle may be cited as the "Expenditures from the Public Housing and Structural Transformation Capital Account Congressional Review Emergency Act of 2020".

Sec. 2192. Expenditures from the Public Housing and Structural Transformation capital account.

(a)(1) Capital project DHA21C ("DHA21C") shall be administered by the Office of the Chief Financial Officer ("OCFO"), with available project allotments advanced to the District of Columbia Housing Authority ("Authority") on a quarterly basis for the encumbrances and expenditures planned for that quarter; provided, that the requirements of subsection (b) of this section are met.

(2) DHA21C funds shall be used by the Authority to fund capital-eligible construction, renovation, or rehabilitation subprojects that:

(A) Increase the longevity of public housing units;

(B) Prevent existing tenants from being displaced; or

(C) Increase the availability of public housing units for existing District of Columbia residents listed on the Authority's waitlist.

(3) DHA21C funds shall not be used to fund the Authority’s operating costs, renovation, or rehabilitation of any unit set to be demolished, sold, or otherwise removed from the Authority inventory, or any administrative or overhead costs not specifically attributable to a subproject.

(b)(1) Each fiscal year that DHA21C funds are available, the Authority shall submit to the Mayor, the Council, and the OCFO a proposed spending plan, which shall include:

(A) Documentation that planned encumbrances and expenditures are capital eligible; and

(B) Information on each subproject for which the Authority proposes to use DHA21C funds, including, at a minimum:

(i) The proposed location of the subproject;

(ii) A detailed proposed scope of the subproject;

(iii) A detailed proposed line-item budget for the subproject;

(iv) A detailed proposed timeline for the subproject; and

(v) A statement of whether the implementation of the proposed subproject will require the relocation of tenants and, if relocation is required, a detailed proposed relocation plan.

(2) In the event of significant delays or changes in planned encumbrances and expenditures for any subproject during the fiscal year, the Authority shall update its spending plan and provide additional documentation as needed to minimize unencumbered and unexpended transfers, avoid causing the District to incur unnecessary debt service costs, and ensure that all subproject encumbrances and expenditures are capital eligible.

(c)(1) For each solicitation of a contract valued at $100,000 or more that is funded with money from capital project DHA21C, the Authority shall:

(A) Award preferences to certified business enterprises as provided in section 2343 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.43); and

(B) Exercise its contracting and procurement authority for contracts funded by capital project DHA21C so as to meet, on an annual basis, the goals of procuring and contracting at least 50% of the dollar volume of such contracts ("CBE dollar volume") with certified business enterprises and at least 50% of the CBE dollar volume with small business enterprises.

(2) For the purposes of this subsection, the term:

(A) "Certified business enterprise" shall have the meaning set forth in section 2302(1D) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)).

(B) "Small business enterprise" shall have the meaning set forth in section 2302(16) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(16)).

(d) The Inspector General of the District of Columbia shall audit the Authority's capital project DHA21C financial statements for the previous fiscal year not later than February 1, 2021, and not later than each February 1 thereafter for as long as DHA21C funds remain unspent by the Authority. The Inspector General shall submit to the Mayor, the Chief Financial Officer, and the Council a report on the results of each audit.

SUBTITLE U. DC CENTRAL KITCHEN FACILITY GRANT

Sec. 2201. Short title.

This subtitle may be cited as the "DC Central Kitchen Facility Grant Congressional Review Emergency Act of 2020".

Sec. 2202. Notwithstanding section 4(c) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), and the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2021, the Workforce Investment Council shall award DC Central Kitchen a grant in the amount of $1,000,000 to build a new training facility that will provide culinary training services and community nutrition programming and to aid in the relocation of its headquarters.

SUBTITLE V. C&O CANAL GRANT

Sec. 2211. Short title.

This subtitle may be cited as the "C&O Canal Grant Congressional Review Emergency Act of 2020".

Sec. 2212. (a) In Fiscal Year 2021, the Office of Planning shall award a grant of not less than $500,000 to an organization partnering with the National Park Service to complete concept design plans for the Chesapeake and Ohio Canal in Georgetown.

(b) A grant awarded pursuant to this section shall be in addition to any other grant awarded by the Office of Planning for design work for the Chesapeake and Ohio Canal.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. CRIMINAL CODE REFORM COMMISSION

Sec. 3001. Short title.

This subtitle may be cited as the "Criminal Code Reform Commission Congressional Review Emergency Amendment Act of 2020".

Sec. 3002. The Criminal Code Reform Commission Establishment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-151 *et seq.*), is amended as follows:

(a) Section 3122(c)(1) (D.C. Official Code § 3-151(c)(1)) is amended by striking the phrase ", or until the Commission is dissolved pursuant to section 3127, and" and inserting the phrase ", and" in its place.

(b) Section 3123 (D.C. Official Code § 3-152) is amended as follows:

(1) The section heading is amended to read as follows:

"Sec. 3123. Duties of the Criminal Code Reform Commission.".

(2) The lead-in language of subsection (a) is amended by striking the phrase "By September 30, 2020" and inserting the phrase "By March 31, 2021" in its place.

(3) Subsection (d) is amended by striking the phrase "provide, upon request by the Council, a legal analysis of proposed legislation concerning criminal offenses, including" and inserting the phrase "provide, upon request by the Council or on its own initiative, a legal or policy analysis of proposed legislation or best practices concerning criminal offenses, procedures, or reforms, including" in its place.

(4) Subsection (e) is amended by striking the phrase "regarding criminal code reform to advance" and inserting the phrase "to advance" in its place.

(c) The lead-in language of section 3124(a) (D.C. Official Code § 3-153(a)) is amended by striking the phrase "section 3123" and inserting the phrase "section 3123(a)" in its place.

(d) Section 3125 (D.C. Official Code § 3-154) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "The Commission" and inserting the phrase "Until March 31, 2021, the Commission" in its place.

(2) Subsection (b) is amended by striking the phrase "The Commission shall file an annual report with the Council before March 31 of each year" and inserting the phrase "Before March 31, 2021, the Commission shall file a report with the Council" in its place.

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

"(c) Before March 31, 2022, and annually thereafter, the Commission shall file an annual report with the Council of its activities during the previous calendar year.".

(e) Section 3127 (D.C. Official Code § 3-156) is repealed.

SUBTITLE B. RESTORATIVE JUSTICE COLLABORATIVE

Sec. 3011. Short title.

This subtitle may be cited as the "Restorative Justice Collaborative Congressional Review Emergency Amendment Act of 2020".

Sec. 3012. The Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 7-2411) is amended as follows:

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

(A) Paragraph (2) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(B) Paragraph (3) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(4) The Restorative Justice Collaborative, which shall serve as a centralized hub to coordinate and foster restorative justice programming and practices within the District government and by and in partnership with District community-based organizations.".

(2) Subsection (b) 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) Coordinating and fostering restorative justice programming and practices within the District government and by and in partnership with District community-based organizations, with a focus on the 18-to-35-year old population.".

(b) Section 102(a)(3) (D.C. Official Code § 7-2412(a)(3)) is amended by striking the phrase "programming; and" and inserting the phrase "and restorative justice programming; and" in its place.

SUBTITLE C. EMERGENCY MEDICAL SERVICES TRANSPORT CONTRACT

Sec. 3021. Short title.

This subtitle may be cited as the "Emergency Medical Services Transport Contract Authority Congressional Review Emergency Amendment Act of 2020".

Sec. 3022. Section 3073 of the Emergency Medical Services Transport Contract Authority Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR 10775), is amended by striking the date "September 30, 2021" and inserting the date "September 30, 2023" in its place.

SUBTITLE D. SENIOR POLICE OFFICERS PROGRAM

Sec. 3031. Short title.

This subtitle may be cited as the "Senior Police Officers Retention Congressional Review Emergency Amendment Act of 2020".

Sec. 3032. Section 2(h)(1) of the Retired Police Officer Redeployment Amendment Act of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761(h)(1)), is

amended by striking the date “October 1, 2020” and inserting the date “October 1, 2023” in its place.

SUBTITLE E. OFFICE ON RETURNING CITIZEN AFFAIRS

Sec. 3041. Short title.

This subtitle may be cited as the “Moving the Office on Returning Citizen Affairs Congressional Review Emergency Amendment Act of 2020”.

Sec. 3042. Section 3022 of the Office of the Deputy Mayor for Public Safety and Justice Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-301.191), is amended as follows:

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

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

“(1) Be responsible for providing guidance and support to, and coordination of, public safety, justice, and returning citizen agencies within the District of Columbia government, including the Office on Returning Citizen Affairs, established by section 3 of the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1302);”.

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

“(2) Ensure accountability through general oversight over public safety, justice, and returning citizen agencies, as well as the programs under the jurisdiction of the Office;”.

(3) Paragraph (3) is amended by striking the phrase “public-safety and justice services” and inserting the phrase “public safety, justice, and returning citizen services” in its place.

(4) Paragraph (4) is amended by striking the phrase "criminal justice or public-safety issues, in the coordination, planning, and implementation of public-safety and justice matters" and inserting the phrase "public safety, justice, or returning citizen issues, in the coordination, planning, and implementation of public safety, justice, and returning citizen matters" in its place.

(5) Paragraph (5) is repealed.

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

"(e) For the purposes of this section, the term "returning citizens" shall have the same meaning as provided in section 2(5) of the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301(5)).".

Sec. 3043. Section 3(a) of the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1302(a)), is amended by striking the phrase "established the Office on Returning Citizen Affairs" and inserting the phrase "established, as a subordinate Executive agency within the Public Safety and Justice cluster, the Office on Returning Citizen Affairs" in its place.

SUBTITLE F. CONCEALED PISTOL LICENSING REVIEW BOARD

Sec. 3051. Short title.

This subtitle may be cited as the "Concealed Pistol Licensing Review Board Membership Congressional Review Emergency Amendment Act of 2020".

Sec. 3052. Section 908 of the Firearms Control Regulations Act of 1975, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08), is amended as follows:

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

(1) The lead-in language is amended by striking the phrase "7 members" and inserting the phrase "11 members" in its place.

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

(3) Subparagraph (E) is amended as follows:

(A) The lead-in language is amended by striking the phrase "Three public" and inserting the phrase "Seven public" in its place.

(B) Sub-subparagraph (i) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(C) Sub-subparagraph (ii) is amended by striking the period and inserting a semicolon in its place.

(D) New sub-subparagraphs (iii), (iv), and (v) are added to read as follows:

"(iii) Two District residents with professional experience in the field of gun violence prevention;

"(iv) One District resident with professional experience in the field of victim services or advocacy; and

"(v) One District resident attorney in good standing with the District of Columbia Bar with professional experience in criminal law.".

(b) Subsection (c) is amended by striking the phrase "section. Each hearing panel shall contain at least one member designated by subsection (b)(1)(A), (B), or (D) of this section." and inserting the phrase "section." in its place.

SUBTITLE G. LITIGATION SUPPORT FUND AND GRANT-MAKING AUTHORITY

Sec. 3061. Short title.

This subtitle may be cited as the "Litigation Support Fund and Grant-Making Authority Congressional Review Emergency Amendment Act of 2020".

Sec. 3062. The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.81 *et seq.*), is amended as follows:

(a) Section 106b (D.C. Official Code § 1-301.86b) is amended as follows:

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

(A) Paragraph (1)(B) is amended by striking the phrase "Funding staff positions, up to a maximum amount of $4 million" and inserting the phrase "Funding staff positions, personnel costs, and employee retirement and separation incentives, up to a maximum amount of $6 million" in its place.

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

"(2) Beginning in Fiscal Year 2020, up to $7 million deposited into the Fund each fiscal year may be used for the purposes of crime reduction, violence interruption, and other public safety initiatives.".

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

"(3) In Fiscal Year 2021, the first $500,000 deposited into the Fund shall be transferred to the Office of Victim Services and Justice Grants for victim services grants.".

(2) Subsection (d)(3) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase "$10 million" both times it appears and inserting the phrase "$17 million" in its place.

(B) Subparagraph (B) is amended by striking the phrase "$11.6 million in the Fund until September 30, 2020" and inserting the phrase "$19.1 million in the Fund until September 30, 2021" in its place.

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

"(f) Notwithstanding any other provision of this section, $12,039,659.91 of the amount to be received by the District in Fiscal Year 2021 in settlement of *District of Columbia v. Monsanto Co.*, Superior Court of the District of Columbia Case No. 2020 CA 002445 B, shall be deposited in the Fund and allocated as follows:

"(1) $7,339,659.91 shall be paid in attorney's fees and costs to May Firm/EKM Association on PCBs for legal services received pursuant to Contract No. DCCB-2019-C-0008; and

"(2) $4,700,000 shall be used for the authorized purposes of the Fund pursuant to subsection (c) of this section.".

(b) Section 108c (D.C. Official Code § 1-301.88f) is amended as follows:

(1) The section heading is amended by striking the phrase "reduction and violence interruption" and inserting the phrase "reduction, violence interruption, and assistance to victims of crime and other vulnerable residents" in its place.

(2) Subsection (a) is amended by striking the phrase "reduction and violence interruption" and inserting the phrase "reduction, violence interruption, and assistance to victims of crime and other categories of vulnerable residents served by the Office of the Attorney General, including seniors, children, individuals protected from discrimination under the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), and individuals previously involved in the criminal justice system" in its place.

SUBTITLE H. CHIEF OF POLICE TERM OF OFFICE

Sec. 3071. Short title.

This subtitle may be cited as the "Chief of Police Term of Office Congressional Review Emergency Amendment Act of 2020".

Sec. 3072. Section l of An Act Relating to the Metropolitan police of the District of Columbia, approved February 28, 1901 (31 Stat. 819; D.C. Official Code § 5-105.01), is amended by adding a new subsection (e) to read as follows:

"(e)(1) Effective May 2, 2017, the term of office for Chief of Police shall be 4 years; except, that the Mayor may earlier terminate a Chief of Police with or without cause during that Chief of Police's term of office.

"(2) In the event a Chief of Police leaves office prior to the expiration of a 4-year term, the successor Chief nominated by the Mayor and confirmed by the Council shall serve a new 4-year term of office, subject to removal during that term by the Mayor in accordance with paragraph (1) of this subsection.".

SUBTITLE I. MONSANTO SETTLEMENT ALLOCATION

Sec. 3081. Short title.

This subtitle may be cited as the "Monsanto Settlement Allocation Congressional Review Emergency Act of 2020".

Sec. 3082. Notwithstanding any other provision of law, the $52 million to be received by the District in Fiscal Year 2021 in settlement of *District of Columbia v. Monsanto Co.*, Superior Court of the District of Columbia Case No. 2020 CA 002445 B, shall be recognized as revenue and allocated as follows:

(1) $7,339,659.91 shall be deposited in the Litigation Support Fund, established pursuant to section 106b of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.86b) ("Litigation Support Fund"), to pay attorney's fees and costs to May Firm/EKM Association on PCBs for legal services received pursuant to Contract No. DCCB-2019-C-0008;

(2) $4,700,000 shall be deposited into the Litigation Support Fund and used for the authorized purposes of that fund;

(3) $30,000,000 shall be deposited into the Clean Land Fund, established pursuant to section 308 of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312; D.C. Official Code § 8-633.08), to be used for the authorized purposes of that fund; and

(4) $9,960,340.09 shall be deposited as local funds into the General Fund and shall be made available as set forth in the approved Fiscal Year 2021 Budget and Financial Plan.

SUBTITLE J. ETHICS ENFORCEMENT

Sec. 3091. Short title.

This subtitle may be cited as the "Ethics Enforcement Congressional Review Emergency Amendment Act of 2020".

Sec. 3092. The Government Ethics Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

(a) Section 215 (D.C. Official Code § 1-1162.15) is amended as follows:

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

(A) Paragraph (2) is amended by striking the phrase "the United States Attorney for the District of Columbia for enforcement or prosecution;" and inserting the phrase "the prosecutorial authority with jurisdiction for enforcement or prosecution; or" in its place.

(B) Paragraph (3) is repealed.

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

"(b) The Board may refer information concerning an alleged violation of the Code of Conduct or of this title to the prosecutorial authority with jurisdiction for enforcement or prosecution after the presentation of evidence by the Director of Government Ethics to the Board as provided in section 212(b), 213(e), or 214(a).".

(b) Section 221 (D.C. Official Code § 1-1162.21) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase "not more than $25,000" and inserting the phrase "not more than $5,000" in its place.

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

"(1A) The fine set forth in paragraph (1) of this subsection shall not be limited by section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).".

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

"(2) Prosecutions of violations of this subsection shall be brought by the Attorney General for the District of Columbia.".

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

"(3) For the purposes of this subsection and section 222(a), violations of the following provisions of the Code of Conduct substantially threaten the public trust:

"(A) Section 223; and

"(B) Section 416 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.16).".

(2) Subsection (d) is amended by striking the phrase "the Board, the Attorney General of the District of Columbia, or of the United States Attorney for the District of Columbia" and inserting the phrase "the Board or the Attorney General of the District of Columbia" in its place.

TITLE IV. PUBLIC EDUCATION SYSTEMS

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASE

Sec. 4001. Short title.

This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools Increase Congressional Review Emergency Amendment Act of 2020".

Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

(a) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase "$10,980 per student for Fiscal Year 2020" and inserting the phrase "$11,310 per student for Fiscal Year 2021" in its place.

(b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following tabular array in its place:

"Grade Level	Weighting	Per Pupil Allocation in FY 2021
"Pre-Kindergarten 3	1.34	$15,155
"Pre-Kindergarten 4	1.30	$14,703
"Kindergarten	1.30	$14,703
"Grades 1-5	1.00	$11,310
"Grades 6-8	1.08	$12,215
"Grades 9-12	1.22	$13,798
"Alternative program	1.445	$16,343
"Special education school	1.17	$13,233
"Adult	0.89	$10,066

(c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

"(c) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

"Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Level 1: Special Education	Eight hours or less per school week of specialized services	0.97	$10,971
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	$13,572
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	$22,281
“Level 4: Special Education	More than 24 hours per school week of specialized services, which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	$39,472
“Special Education Compliance Funding	Weighting provided in addition to special education level add-on weightings on a per-student basis for special education compliance.	0.099	$1,120
“Attorney’s Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney’s fees.	0.089	$1,007
“Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	$18,888

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021

“ELL	Additional funding for English Language Learners	0.49	$5,542
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level	0.2256	$2,552

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.37	$4,185
“Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.34	$15,155
“Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	$32,686
“Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited- and non-English-proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	$32,686

“LEP/NEP - Residential	Additional funding to support the after-hours limited- and non-English-proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	$7,555

“Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs.	0.063	$713
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	$2,567
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	$5,553
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	$5,553

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(d) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase “Fiscal Year 2022” and inserting the phrase “Fiscal Year 2024” in its place.

SUBTITLE B. EDUCATION FACILITY COLOCATION

Sec. 4011. Short title.

This subtitle may be cited as the "Education Facility Colocation Congressional Review Emergency Amendment Act of 2020".

Sec. 4012. Section 3422 of the Public School and Public Charter School Facilities Sharing Act of 2002, effective October 1, 2002 (D.C. Law 14-190; D.C. Official Code § 38-1831.01), is amended as follows:

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

"(a) The District of Columbia Public Schools system may allow existing public charter schools that are chartered pursuant to the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-107; D.C. Official Code 38-1800.01 *et seq.*), to utilize space in DCPS facilities, for a period not greater than 15 years, where such facilities are currently or are projected to be underutilized.".

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

(1) Paragraphs (1) and (2) are amended to read as follows:

"(1) As payment for the space allocation, the public charter school shall pay to DCPS an amount agreeable to the charter school and DCPS.

"(2) The amount of payment shall be agreed upon before relocation of any public charter school into a DCPS facility.".

(2) Paragraph (3) is repealed.

(c) Subsection (c) is amended by striking the phrase "Board of Education shall" and inserting the phrase "Mayor may" in its place.

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

"(d)(1) There is established as a special fund the DCPS School Facility Colocation Fund ("Fund"), which shall be administered by DCPS in accordance with paragraph (3) of this subsection.

"(2) All payments received from public charter schools under this section shall be deposited in the Fund.

"(3) Money in the Fund shall be used for the following purposes:

"(A) To fund additional school programming, supplemental staff, special initiatives, and other activities and programs at DCPS schools in which charter schools are colocated; and

"(B) For maintenance of, or improvements to, DCPS schools in which charter schools are colocated.

"(4)(A) The money deposited into the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(B) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

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

"(e) Any funds received by a DCPS school pursuant to this section shall be supplemental to any funds budgeted for the school from the Uniform Per Student Funding Formula or other

fund source. A school's school-based budget shall not be reduced based on funds received pursuant to this section.".

SUBTITLE C. CHILD CARE GRANTS

Sec. 4021. Short title.

This subtitle may be cited as the "Grantmaking Authority to Expand Access to Quality Child Care Congressional Review Emergency Amendment Act of 2020".

Sec. 4022. Child care grantmaking authority.

Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

(a) Paragraph (30) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (31)(C) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (32) is added to read as follows:

"(32) Have the authority to issue grants, from funds under its administration, to non-profit and community-based organizations to increase access to, the affordability of, and the quality of child care in the District.".

SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA FUNDRAISING MATCH

Sec. 4031. Short title.

This subtitle may be cited as the "University of the District of Columbia Fundraising Match Congressional Review Emergency Act of 2020".

Sec. 4032. (a) In Fiscal Year 2021, of the funds allocated to the Non-Departmental agency, $1, up to a maximum of $1.5 million, shall be transferred to the University of the District of Columbia ("UDC") to match dollar-for-dollar the amount UDC raises from private donations by April 1, 2021.

(b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less than one-third of the funds shall be deposited into UDC's endowment fund.

SUBTITLE E. ADULT AND RESIDENTIAL PUBLIC CHARTER SCHOOL STABLIZATION

Sec. 4041. Short title.

This subtitle may be cited as the "Adult and Residential Public Charter School Funding Stabilization Congressional Review Emergency Amendment Act of 2020".

Sec. 4042. Section 107b of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C. Official Code § 38-2906.02), is amended by adding a new subsection (c-1) to read as follows:

"(c-1)(1) Notwithstanding subsections (b), (c), (d), and (g) of this section, for School Year 2020-2021, the annual payment pursuant to the Funding Formula for each adult education program and each residential public charter school shall equal the total estimated costs for the number of District resident students projected to be enrolled in the adult education program or the residential public charter school, during School Year 2020-2021, including the costs of all add-on components provided in sections 106 and 106a, based on the program or school's enrollment projections contained in the Mayor's Fiscal Year 2021 proposed budget, as modified pursuant to section 107(e).

"(2)(A) The first quarterly payment shall be 35% of a school's annual payment.

"(B) A school's October 25, January 15, and April 15 payments shall each equal 1/3 of the school's total remaining annual payment after the first quarterly payment is made.

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

"(A) "Adult education program" means a public charter school or a program in a public charter school that, during School Year 2019-2020, was identified as an adult education performance management framework school by the District of Columbia Public Charter School Board.

"(B) "Residential public charter school" means a public charter school that, during School Year 2019-2020, provided a majority of its students with room and board in a residential setting, in addition to their instructional program.".

SUBTITLE F. SCHOOL FINANCIAL TRANSPARENCY

Sec. 4051. Short title.

This subtitle may be cited as the "School Financial Transparency Congressional Review Emergency Amendment Act of 2020".

Sec. 4052. Section 202 of the Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191), is amended as follows:

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

(1) Paragraph (8) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) Paragraph (9) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(10)(A) By May 31, 2021, establish common financial reporting standards for the non-capital budgets and expenditures of District of Columbia Public Schools and public charter schools. The common financial reporting standards shall:

"(i) Include categories for reporting budgets and expenditures for instructional staff, school administrators, instructional supports, educational materials, and non-educational administrative costs;

"(ii) Permit meaningful and accurate budget and expenditure comparisons, including comparisons of budgets and expenditures for at-risk students, as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)), between all public schools and between all local education agencies;

"(iii) Ensure full and accurate disclosure of administrative costs for each local education agency; and

"(iv) Make it possible to collect comparable data by school campus.

"(B) For the purposes of this paragraph, the term:

"(i) "Local education agency" means the District of Columbia Public Schools system or any individual or group of public charter schools operating under a single charter.

"(ii) "Public schools" includes public charter schools.".

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

"(f)(1) To support the establishment of common financial reporting standards required pursuant to subsection (b)(10) of this section, the Deputy Mayor for Education may issue grants not to exceed $200,000, in Fiscal Year 2021.

"(2) Grants issued pursuant to this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).".

Sec. 4053. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by adding a new paragraph (3A) to read as follows:

"(3A) Beginning in May 2024, and annually thereafter, electronically publish for each public school and public charter school the previous school year's expenditures, based on the common financial reporting standards established by the Department of Education pursuant to section 202(b)(10) of the Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191(b)(10)), in a manner that permits the public to easily compare expenditures between individual schools and between local education agencies.".

Sec. 4054. The Board of Education Continuity and Transition Amendment Act of 2004, effective December 7, 2004 (D.C. Law 15-211; D.C. Official Code §§ 38-2831 and 38-2951 *et seq.*), is amended as follows:

(a) Section 6 (D.C. Official Code § 38-2831) is amended as follows:

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

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

"(1) All funds budgeted for each school, including a summary statement or table of the local-funds budget for each school, by revenue source for activities and service levels, and by revenue source for comptroller source group by activities and service levels;"

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

(C) Paragraph (3)(B) is amended by striking the period and inserting a semicolon in its place.

(D) New paragraphs (4) and (5) are added to read as follows:

"(4) The methodology used to determine each school's local funding; and

"(5) For each school's individual budget, a separate budget line item for funding allocated to at-risk students, as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)), as coded in the District's current official financial system of record.".

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

"(g) By December 1, 2023, and annually thereafter, the Mayor shall transmit a report of the previous school year's actual expenditures, for each school, to the Office of the State Superintendent of Education. The report shall conform to the common financial reporting standards established by the Department of Education pursuant to section 202(b)(10) of the

Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191(b)(10)).".

(b) A new section 6a is added to read as follows:

"Sec. 6a. District of Columbia Public Schools school-level budget model.

"As part of the District of Columbia Public Schools' ("DCPS") regular multi-year strategic planning and goal setting, DCPS shall include, and make publicly available, an analysis of the model used to determine school-level budgets for DCPS schools. The analysis shall include the following:

"(1) A summary of DCPS costs, including personnel costs;

"(2) Research in education and education finance;

"(3) A discussion of budget alignment with DCPS priorities; and

"(4) Recommendations for changes, if applicable.".

Sec. 4055. Section 106a of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 1998, effective February 22, 2014 (D.C. Law 20-87; D.C. Official Code § 38-2905.01), is amended by adding a new subsection (d) to read as follows:

"(d) Beginning December 31, 2023, and annually thereafter, every local education agency that is allocated funds pursuant to this section shall provide the Office of the State Superintendent of Education with data related to expenditures of such funds consistent with reporting standards established by the Department of Education pursuant to section 202(b)(10) of the Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191(b)(10)).".

Sec. 4056. The District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-107; D.C. Official Code § 38-1802.01 *et seq.*), is amended as follows:

(a) Section 2204(c) (D.C. Official Code § 38-1802.04(c)), is amended by adding a new paragraph (23) to read as follows:

"(23) *School expenditures and budgets*. —

"(A) Beginning July 29, 2022, and annually thereafter, the Board of Trustees of each public charter school shall prepare and submit to the Public Charter School Board and OSSE, for each campus under its control, the following data:

"(i) Actual expenditures for the prior school year;

"(ii) The current school year's budget; and

"(iii) A draft budget for the following school year.

"(B) The data submitted pursuant to subparagraph (A) of this paragraph shall conform to the common financial reporting standards established by the Department of Education pursuant to section 202(b)(10) of the Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191(b)(10)).

"(C) The Public Charter School Board shall electronically publish the data it receives pursuant to subparagraph (A) of this paragraph in a uniform manner for each school by November 1 each year.".

(b) Section 2205 (D.C. Official Code § 38-1802.05) is amended by adding a new subsection (e) to read as follows:

"(e) *Open meetings*. — All meetings of a Board of Trustees shall be subject to the requirements of the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*).".

Sec. 4057. The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*), is amended as follows:

(a) Section 404(3) (D.C. Official Code § 2-574(3)) is amended as follows:

(1) The lead-in language is amended by striking the phrase "agency, or" and inserting the phrase "agency, the board of trustees of a public charter school, or" in its place.

(2) Subparagraph (C) is repealed.

(b) Section 405(b) (D.C. Official Code § 2-575(b)) is amended as follows:

(1) Paragraph (10) is amended by striking the semicolon and inserting the phrase ", or of public charter school personnel, where the public body is the board of trustees of a public charter school;" in its place.

(2) Paragraph (11) is amended by striking the phrase "obtained from outside the government" and inserting the phrase "obtained from outside the government or public body" in its place.

(3) Paragraph (13) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(4) Paragraph (14) is amended by striking the period and inserting a semicolon in its place.

(5) New paragraphs (15) and (16) are added to read as follows:

"(15) To discuss matters involving personally identifiable information of students; and

"(16)(A) When the public body is the board of trustees for a public charter school, to meet with the staff of an eligible chartering authority, for the purpose of being evaluated by the eligible chartering authority.

"(B) Subparagraph (A) of this paragraph shall not be construed to permit the board of trustees for a public charter school to close a meeting that would otherwise be open merely because the staff of an eligible charting authority is participating.".

(c) Section 406(3) (D.C. Official Code § 2-576(3)) is amended by striking the phrase "subsection, notice" and inserting the phrase "subsection, except for meetings of boards of trustees for public charter schools, notice" in its place.

(d) Section 408(b)(1) (D.C. Official Code § 2-578(b)(1)) is amended by striking the period and inserting the phrase ", or in the case of a board of trustees for a public charter school, no later than 30 business days after the meeting.".

SUBTITLE G. HEALTHY SCHOOLS FUND RESTORATION

Sec. 4061. Short title.

This subtitle may be cited as the "Healthy Schools Fund Restoration Congressional Review Emergency Amendment Act of 2020".

Sec. 4062. Section 102(f) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.02(f)), is amended by striking the phrase "Beginning on October 1, 2019, an amount of $5,110,000" and inserting the phrase "Beginning on October 1, 2020, an amount of $5,590,000" in its place.

SUBTITLE H. WILKINSON SCHOOL DISPOSITION PROCESS

Sec. 4071. Short title.

This subtitle may be cited as the "Wilkinson School Disposition Process Congressional Review Emergency Amendment Act of 2020".

Sec. 4072. Section 2209(b)(1) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-125; D.C. Official Code § 38-1802.09(b)(1)), is amended by adding a new subparagraph (B-ii) to read as follows:

"(B-ii) Notwithstanding subparagraph (A) of this paragraph, the Mayor may give the right of first offer to purchase, lease, or otherwise use the former Wilkinson Elementary School building to:

"(I) A charter school facility incubator that leased the former Birney Elementary School Building as of October 1, 2020; or

"(II) A public charter school that occupied all, or a portion of, the former Birney Elementary School building as of October 1, 2020.".

Sec. 4073. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended as follows:

(a) Subsection (a)(1) is amended by striking the number "20" and inserting the number "15" in its place.

(b) A new subsection (b-6) is added to read as follows:

"(b-6)(1) Notwithstanding subsections (a-1)(4) and (b-2) of this section, for the disposition of the former Wilkinson Elementary School in Ward 8 ("Wilkinson real property"), the Mayor shall hold at least one public hearing on the finding that the Wilkinson real property is no longer required for public purposes and to obtain community input on the proposed disposition of the Wilkinson real property before submitting the proposed surplus resolution and proposed disposition resolution to the Council pursuant to this section.

"(2) The hearing required by paragraph (1) of this subsection shall be held at an accessible evening or weekend time and in an accessible location in the vicinity of the Wilkinson real property. The Mayor shall provide at least 30 days written notice of the hearing to the affected Advisory Neighborhood Commission and publish notice of the hearing in the District of Columbia Register at least 15 days before the hearing.".

SUBTITLE I. ACADEMIC MIDDLE MENTORING INITIATIVE

Sec. 4081. Short title.

This subtitle may be cited as the "Academic Middle Mentoring Initiative Congressional Review Emergency Act of 2020".

Sec. 4082. In Fiscal Year 2021, the Office of the State Superintendent of Education shall award, on a competitive basis, a grant of $200,000 to support a mentoring program that mentors low-income high school students and low-income, first generation college students in the academic middle, who are enrolled in or who graduated from a District public or public charter school, to provide the students with the skills and experiences needed to successfully complete college and excel in the workforce.

SUBTITLE J. TRUANCY PREVENTION AND LITERACY PILOT FUNDING EXTENSION

Sec. 4091. Short title.

This subtitle may be cited as the "Truancy Prevention and Literacy Pilot Funding Extension Congressional Review Emergency Amendment Act of 2020".

Sec. 4092. Section 403(g) of the Community Schools Incentive Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-754.03(g)), is amended by adding a new paragraph (4) to read as follows:

"(4) Any funds awarded pursuant to paragraph (1) of this subsection but not expended in Fiscal Year 2020 shall be available to the grant recipients until September 30, 2021.".

SUBTITLE K. DCPS AUTHORITY FOR SCHOOL SECURITY

Sec. 4101. This subtitle may be cited as the "DCPS Authority for School Security Congressional Review Emergency Amendment Act of 2020".

Sec. 4102. The School Safety and Security Contracting Procedures Act of 2004, effective April 13, 2005 (D.C. Law 15-350; D.C. Official Code § 5-132.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 5-132.01) is amended as follows:

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

"(1B) "MOA" means the Memorandum of Agreement into which DCPS and MPD enter pursuant to section 104.".

(2) Paragraph (4) is repealed.

(3) Paragraph (5) is amended to read as follows:

"(5) "School security personnel" means individuals, including unarmed security guards, that DCPS hires or contracts to support safety in DCPS schools.".

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

"(5A) "Security-related contract" means any contract to provide physical or personal security services, including school security personnel, at DCPS schools.".

(5) Paragraph (6) is repealed.

(b) Section 102 (D.C. Official Code § 5-132.02) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "security for the District of Columbia Public Schools" and inserting the phrase "school resource officers to the DCPS schools and public charter schools" in its place.

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

"(c) The School Safety Division shall:

"(1) Hire and train school resource officers;

"(2) Deploy school resource officers to:

"(A) DCPS schools, consistent with the terms of the MOA; and

"(B) Public charter schools;

"(3) Coordinate with DCPS and public charter schools regarding the use and sharing of resources and communications between MPD and school-specific safety teams; and

"(4) Provide recommendations to the Mayor, Council, and the DCPS Chancellor regarding the impact of school closings, consolidations, grade reconfigurations, use of swing space during school reconstruction, and gang and crew violence on the safety and well-being of children.".

(c) Section 103 (D.C. Official Code § 5-132.03) is amended as follows:

(1) The section heading is amended by striking the phrase "security personnel" and inserting the phrase "resource officers" in its place.

(2) The lead-in language is amended by striking the phrase "security personnel providing security for DCPS" and inserting the phrase "resource officers" in its place.

(3) Paragraph (7) is amended by striking the phrase "laws and regulations, including Board of Education regulations" and inserting the phrase "laws and regulations" in its place.

(4) Paragraph (8) is amended by striking the phrase "security personnel" and inserting the phrase "resource officers" in its place.

(d) New sections 103a and 103b are added to read as follows:

"Sec. 103a. DCPS responsibilities for school security.

"(a) By October 1, 2020, DCPS shall be responsible for school security personnel within DCPS schools, and shall:

"(1) Oversee the hiring or contracting of school security personnel for DCPS;

"(2) Deploy school security personnel to DCPS schools;

"(3) Provide oversight over school security personnel and be responsible for administering all disciplinary actions related to school security personnel, including termination;

"(4) Execute, approve, administer, monitor, and provide oversight over any security-related contract for school security personnel; and

"(5) Create and implement school building security and emergency operations plans, in consultation with MPD and the Homeland Security and Emergency Management Agency.

"Sec. 103b. Training for school security personnel.

"(a) For the school year beginning in 2020, DCPS may use the training curriculum adopted by MPD pursuant to section 103 to train its school security personnel.

"(b) By the start of the school year beginning in 2021, DCPS shall adopt a school security personnel training curriculum based on the positive youth development philosophy. The curriculum shall focus on training supervisory and on-site personnel to provide security services responsive and appropriate to the student, staff, and family populations at each school building. At a minimum, the curriculum shall include training in the following areas, developed with advice from appropriate other District agencies:

"(1) Child and adolescent development;

"(2) Effective communication skills;

"(3) Behavior management;

"(4) Conflict resolution, including restorative justice practices;

"(5) De-escalation techniques;

"(6) Behavioral health issues for youth and families;

"(7) Child sexual abuse and gender-based violence prevention, identification, and response;

"(8) Availability of social services for youth;

"(9) District of Columbia laws and regulations;

"(10) Constitutional standards for searches and seizures conducted by school security personnel on school grounds; and

"(11) Violence prevention, including gang and crew dynamics.".

(e) Section 104 (D.C. Official Code § 5-132.04) is amended to read as follows:

"Sec. 104. Coordination of school security efforts between DCPS and MPD.

"By October 1, 2020, DCPS and MPD shall enter into a MOA for the purpose of coordinating the agencies' respective security obligations at DCPS schools. The MOA shall:

"(1) Reflect DCPS's role as the administrator of any security-related contract;

"(2) Include provisions for effectuating the transfer of any personnel, property, funds, or records necessary to transfer responsibility for any existing security-related contract from MPD to DCPS;

"(3) Delineate lines of authority, supervision, and communication between MPD and DCPS, including how school resource officers deployed at each school will provide security in coordination with the school's principal and school security personnel; provided, that during emergencies, incident command shall be consistent with the District of Columbia response plan, as defined by section 2(1A) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301(1A));

"(4) Include a process for resolving disagreements between DCPS and MPD at all levels; and

"(5) Provide for MPD advice and consultation on DCPS school building security and emergency operations plans.".

(f) Section 105 (D.C. Official Code § 5-132.05) is amended to read as follows:

"Sec. 105. Authority to issue RFPs for school security-related contracts.

"(a)(1) By October 1, 2020, DCPS shall be responsible for administering and funding any security-related contract effective during the 2020-2021 school year.

"(2) MPD shall transfer to DCPS all personnel, property, funds, or records necessary for DCPS to administer and fund any security-related contract effective during the 2020-2021 school year.

"(b) Responsibility for the issuance of a Request for Proposals ("RFP") for any security-related contract for DCPS for a contract term to begin June 30, 2021, or later shall transfer from the MPD to DCPS as of August 5, 2020. DCPS shall be responsible for awarding, executing, administering, and funding a contract resulting from an RFP issued under this subsection.".

TITLE V. HUMAN SUPPORT SERVICES

SUBTITLE A. MEDICAID HOSPITAL SUPPLEMENTAL AND DIRECTED PAYMENTS

Sec. 5001. Short title.

This subtitle may be cited as the "Medicaid Hospital Supplemental and Directed Payments Congressional Review Emergency Amendment Act of 2020".

Sec. 5002. The Medicaid Hospital Outpatient Supplemental Payment Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.01 *et seq.*), is amended as follows:

(a) Section 5062(5) (D.C. Official Code § 44-664.01(5)) is amended by striking the phrase "September 30 of the period 3 fiscal years prior to the fiscal year the fee is assessed" and inserting the phrase "September 30, 2018" in its place.

(b) Section 5063(c)(1) (D.C. Official Code § 44-664.02(c)(1)) is amended by striking the semicolon and inserting the phrase ", either directly or through payments to managed care organizations;" in its place.

(c) Section 5064(a)(1) and (2) (D.C. Official Code § 44-664.03(a)(1) and (2)) is amended to read as follows:

"(1) An amount equal to the non-federal share of the total available spending room under the outpatient Medicaid upper payment limit for private hospitals applicable to District Fiscal Year 2020, consistent with requirements and approvals from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services; plus

"(2) An amount equal to the non-federal share of the total available spending room under the outpatient Medicaid upper payment limit for District operated hospitals applicable to District Fiscal Year 2020, consistent with the federal approval of the authorizing Medicaid State Plan amendment or associated templates and other authorities; plus".

(d) Section 5065(a) (D.C. Official Code § 44-664.04(a)) is amended by striking the phrase "the Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment" and inserting the phrase "the District obtains approvals required by the Centers for Medicare and Medicaid Services for" in its place.

(e) Section 5066 (D.C. Official Code § 44-664.05) is amended to read as follows:

"Sec. 5066. Medicaid outpatient hospital access payments; payments to MCOs.

"(a) For visits and services beginning October 1, 2020, the District shall pay managed care organizations ("MCOs") at a rate sufficient to support payments to hospitals located in the District for outpatient services at a rate that is not less than 130% of the District Fiscal Year 2020

fee-for-service base rate and shall direct MCOs to pay such rate to their participating hospitals located in the District for such services.

"(b) No payment shall be made under this section until such time that the Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment, associated template, and other authorities authorizing the Medicaid payments described in this section.

"(c) The Medicaid payment methodologies authorized under this section shall not be altered unless such alteration is necessary to gain approval from the Centers for Medicare and Medicaid Services.".

Sec. 5003. Section 5013(a) of the Medicaid Hospital Inpatient Rate Supplement Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.13(a)), is amended to read as follows:

"(a)(1) Beginning October 1, 2020, and except as provided in subsection (b) of this section and section 5087, the District, through the Office of Tax and Revenue, may charge each hospital a fee based on its inpatient net patient revenue.

"(2) The fee shall be charged at a uniform rate necessary to generate no more than $8,454,038 to support inpatient Medicaid Fee-for-Service and managed care rates at the District Fiscal Year 2015 level of not less than 98% of cost to non-specialty hospitals.

"(3) The fee collected pursuant to this section shall be deposited in the Hospital Fund, established by section 5083.".

SUBTITLE B. MEDICAL MARIJUANA PROGRAM ADMINISTRATION

Sec. 5011. Short title.

This subtitle may be cited as the "Medical Marijuana Program Administration Congressional Review Emergency Amendment Act of 2020".

Sec. 5012. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-1671.01), is amended as follows:

(1) Paragraphs (1), (1A), (1B), and (1C) are redesignated as paragraphs (1B), (1C), (1D), and (1E), respectively.

(2) New paragraphs (1) and (1A) are added to read as follows:

"(1) "ABC Board" means the Alcoholic Beverage Control Board.".

"(1A) "ABRA" means the Alcoholic Beverage Regulation Administration.

(3) Paragraph (3)(B) is amended by striking the phrase "with the Department" and inserting the phrase "with ABRA" in its place.

(4) Paragraph (5) is amended by striking the phrase "with the Mayor" and inserting the phrase "with ABRA" in its place.

(5) Paragraph (6) is repealed.

(6) Paragraph (7) is amended by striking the phrase "with the Mayor" and inserting the phrase "with ABRA" in its place.

(7) Paragraph (19) is amended by striking the phrase "if the Department" and inserting the phrase "if ABRA" in its place.

(8) Paragraph (21) is amended by striking the phrase "by the Department" and inserting the phrase "by ABRA" in its place.

(b) Section 3 (D.C. Official Code § 7-1671.02) is amended as follows:

(1) Subsection (c)(1)(B) is amended by striking the phrase "with the Mayor" and inserting the phrase "with ABRA" in its place.

(2) Subsection (d) is amended by striking the phrase "with the Mayor" and inserting the phrase "with ABRA" in its place.

(c) Section 5(b)(2) (D.C. Official Code § 7-1671.04(b)(2)) is amended by striking the phrase "by the Mayor" and inserting the phrase "by ABRA" in its place.

(d) Section 6 (D.C. Official Code § 7-1671.05) is amended as follows:

(1) The lead-in language is amended by striking the phrase "The Program shall be administered by the Mayor and shall" and inserting the phrase "The Program shall" in its place.

(2) Paragraph (1)(A) is amended by striking the phrase "with the Department" and inserting the phrase "with ABRA" in its place.

(3) Paragraph (4)(A) is amended as follows:

(A) Subparagraph (iv) is amended by striking the phrase "by the Department" and inserting the phrase "by the ABC Board" in its place.

(B) Subparagraph (v) is amended by striking the phrase "by the Mayor" and inserting the phrase "by ABRA" in its place.

(4) Paragraph (5A) is amended as follows:

(A) The lead-in language is amended by striking the phrase "by the Department" and inserting the phrase "by the ABC Board" in its place.

(B) Subparagraph (C) is amended by striking the phrase "by the Department" and inserting the phrase "by the ABC Board" in its place.

(5) Paragraph (5B)(D) is amended by striking the phrase "that the Department" and inserting the phrase "that ABRA" in its place.

(6) Paragraph (7) is amended by striking the phrase "if the Mayor determines" and inserting the phrase "if the ABC Board determines" in its place.

(7) Paragraph (10)(A) is amended by striking the phrase "apply to the Mayor" and inserting the phrase "apply to the ABC Board" in its place.

(8) Paragraph (14) is amended by striking the phrase "notify the Department" and inserting the phrase "notify ABRA" in its place.

(e) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase "with the Mayor" and inserting the phrase "with ABRA" in its place.

(B) Paragraph (3)(A) is amended by striking the phrase "determined by rulemaking" and inserting the phrase "determined by the Mayor by rules issued in accordance with section 14" in its place.

(C) Paragraph (4) is amended by striking the phrase "The Mayor" and inserting the phrase "The ABC Board" in its place.

(D) Paragraph (5) is amended to read as follows:

"(5)(A) An application for registration of a dispensary, cultivation center, or testing laboratory submitted by a medical cannabis certified business enterprise, or applicant eligible to be a medical cannabis certified business enterprise, shall be awarded a preference point equal to 50 points or 20% of the available points, whichever is more.

"(B) A medical cannabis certified business enterprise shall:

"(i) Have one or more owners who are economically disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities and who are District residents and individually or collectively own at least 60% of the licensed business enterprise;

"(ii) Have one or more owners whose income does not exceed $349,999, who are residents of the District, and whose net worth, excluding the value of their residence, does not exceed $1 million, and individually or collectively own at least 60% of the licensed business enterprise;

"(iii) Have a chief executive officer and its highest-level managerial employees perform their managerial functions in a principal office located in the District;

"(iv) Have at least 50% of its employees be residents of the District;

"(v) Have at least 50% of its contractors be residents of the District; and

"(vi) Have at least 80% of the assets of the certified business enterprise, including bank accounts, be in the District.

"(C) An applicant seeking to qualify as a medical cannabis certified business enterprise shall submit with the application for registration of a dispensary, cultivation center, or testing laboratory, an affidavit attesting to:

"(i) The number of owners of the applicant who are economically disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities;

"(ii) The ownership interest of any owners of the applicant who are economically disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities;

"(iii) The number of employees of the applicant who are economically disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities; and

"(iv) The number of contractors of the applicant who are economically disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities.

"(D) For the purpose of this paragraph, the term:

"(i) "Economically disadvantaged individual" shall have the same meaning as set forth in section 2302(7) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(7)).

"(ii) "Medical cannabis certified business enterprise" means a certified business enterprise, as that term is defined in section 2302(1D) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)), that operates a medical cannabis business as a dispensary, cultivation center, or testing laboratory.".

(2) Subsection (e)(3) is amended by striking the phrase "that the Mayor may allow" and inserting the phrase "that the ABC Board may allow" in its place.

(3) Subsection (g-2) is amended by striking the phrase "the Mayor" and inserting the phrase "the ABC Board" in its place.

(4) Subsection (g-3) is amended by striking the phrase "the Mayor" and inserting the phrase "the ABC Board" in its place.

(5) Subsection (j) is amended by striking the phrase "the Mayor" and inserting the phrase "the ABC Board" in its place.

(f) Section 8(a) (D.C. Official Code § 7-1671.07) is amended by striking the phrase "to the Department" and inserting the phrase "to ABRA" in its place.

(g) A new section 9a is added to read as follows:

"Sec. 9a. Medical Cannabis Administration Fund.

"(a) There is established as a special fund the Medical Cannabis Administration Fund ("Fund"), which shall be administered by ABRA in accordance with subsection (c) of this section.

"(b) All funds received from medical cannabis licensing, permitting, and registration fees shall be deposited into the Fund.

"(c) Money deposited in the Fund shall be used by ABRA for the purpose of administering the medical marijuana program.

"(d)(1) The money deposited into the Fund 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.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

"(e) Funds received from penalties and fines imposed under section 9 shall be credited to the unassigned fund balance of the General Fund of the District of Columbia.".

(h) Section 14 (D.C. Official Code § 7-1671.13) is amended by adding a new subsection (a-1) to read as follows:

"(a-1) Pursuant to the transfer of functions of the Department of Health to ABRA by D.C. Official Code § 25-204.02, the Mayor shall issue rules in accordance with subsection (b) of this section, which rules shall allow registered dispensaries to provide medical marijuana to qualifying patients through delivery, curbside pickup, and at-the-door options.".

Sec. 5013. Chapter 2 of Title 25 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:

"25-204.02. Medical marijuana program; transfer of functions of the Department of Health.".

(b) A new section 25-204.02 is added to read as follows:

"§ 25-204.02. Medical marijuana program; transfer of functions of the Department of Health.

"(a) The Board and ABRA shall be responsible for carrying out the responsibilities assigned to them by the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*) ("Medical Marijuana Act"), and for any responsibilities of the Mayor under the Medical Marijuana Act that the Mayor delegates to the Board or ABRA.

"(b)(1) Except as provided in paragraph (2) of this subsection, all personal property, assets, records, including both electronic and physical files, licensing agreements, and contracts, equipment, computer software, obligations, and unexpended balances of appropriations, allocations, assets, and liabilities, and other funds available or to be made available relating to the powers, duties, functions, operations, and administration by the Department of Health of the medical marijuana program pursuant to the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), as of September 30, 2020, are transferred to ABRA.

"(2) This subsection shall not apply to the personal property, assets, records, including both electronic and physical files, licensing agreements, and contracts, equipment, computer software, obligations, and unexpended balances of appropriations, allocations, assets, and liabilities, and other funds available or to be made available relating to the powers, duties, functions, operations, and administration by the Department of Health of the medical marijuana program that are within the purview of the Board of Medicine, Board of Nursing, or Board of Dentistry.

"(c) All rules, orders, obligations, determinations, contracts, agreements, and understandings of the Department of Health pertaining to the medical marijuana program shall remain in effect until such time as they may be lawfully amended, modified, or repealed.

"(d) ABRA shall coordinate with the Department of Health regarding the transition of the administration of the medical marijuana program to ABRA.

"(e)(1) The directors of ABRA and the Department of Health shall jointly determine which personnel, if any, of the Department of Health associated with the administration of the medical marijuana program shall be transferred from the Department of Health to ABRA.

"(2) Personnel who are transferred to ABRA pursuant to this subsection shall be subject to the ABRA Director's personnel authority, pursuant to section 406(b)(21) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)(21)), including as it relates to employment classifications and pay scales.".

SUBTITLE C. STEVIE SELLOWS DIRECT SUPPORT PROFESSIONALS QUALITY IMPROVEMENTS

Sec. 5021. Short title.

This subtitle may be cited as the "Stevie Sellows Direct Support Professionals Quality Improvements Congressional Review Emergency Amendment Act of 2020".

Sec. 5022. Section 47-1273(a) of the District of Columbia Official Code is amended by striking the figure "5.5%" and inserting the figure "6.0%" in its place.

SUBTITLE D. MEDICAID RESERVE RE-ESTABLISHMENT

Sec. 5031. Short title.

This subtitle may be cited as the "Medicaid Reserve Re-Establishment Congressional Review Emergency Amendment Act of 2020".

Sec. 5032. The Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended as follows:

(a) Section 8a (D.C. Official Code § 7-771.07a), is amended by adding a new subsection (a-3) to read as follows:

"(a-3) For Fiscal Year 2021, the Director may issue grants pursuant to section 8b(b)(4)(B)(ii) and (iii).".

(b) A new section 8b is added to read as follows:

"Sec. 8b. Medicaid reserve.

"(a) Beginning October 1, 2020, a Medicaid reserve shall be re-established as paper agency of the Department.

"(b) Notwithstanding D.C. Official Code §§ 47-361, 47-362, 47-363, and 47-365, funds may be transferred from the Medicaid reserve to the Department:

"(1) To pay expenses associated with increased Medicaid enrollment or service utilization upon a determination by the Agency Fiscal Officer that available funds within the Department are projected to be exhausted;

"(2) To pay expenses associated increased costs of Medicaid services upon a determination by the Agency Fiscal Officer that available funds within the Department are projected to be exhausted;

"(3) To satisfy the District's requirement that sufficient funds be available to support a Department contract or a grant; and

"(4) Provided that sufficient funds are still available within the Medicaid reserve to ensure a deficiency will not occur at the Department, to support the following health innovations within the Department:

"(A) To create a Medicaid Buy-In Program;

"(B) To fund telehealth programs including:

"(i) Maintaining audio-only telehealth programs after a public health emergency;

"(ii) Funding the Postpartum Coverage Expansion Act of 2020, passed on 2nd reading on July 21, 2020 (Enrolled version of Bill 23-326); and

"(iii) Issuing contracts or grants for the purposes of expanding District health care providers' digital or telehealth capacity, including, for example, such innovations as the creation or expansion of patient care coordination platforms to enable nonprofit entities and practitioners to communicate with Medicaid beneficiaries' clinical and recovery support care teams in real time to improve continuity of care and ensure proper follow-up, including the purchase of telecommunications services, information services, devices, software, remote patient monitoring tools, and digital health tools;

"(C) To fund reforms to the DC Healthcare Alliance Program, including:

"(i) Allowing eligible District residents to submit Alliance applications electronically, without a face-to-face interview with the Department of Human Services, during a public health emergency;

"(ii) Allowing Alliance clients to submit recertification applications to health care providers approved by the Department, without a face-to-face interview with the Department of Human Services, after a public health emergency;

"(iii) Extending the Alliance eligibility period from 6 months to one year; and

"(D) To award a competitive grant in an amount not to exceed $150,000 to fund operating expenses associated with the provision of medical respite care services to individuals who are homeless.

"(c) The Office of the Chief Financial Officer shall notify the Budget Director of the Council of the District of Columbia in writing within 3 business days whenever a transfer is made from the Medicaid reserve pursuant to this section. The notice shall set forth the amount and purpose of the transfer.

"(d) Funds may be reprogrammed from the Medicaid reserve for purposes other than those detailed in subsection (b) of this section, subject to subchapter IV of Chapter 3 of Title 47 of the District of Columbia Official Code; provided, that the Office of the Chief Financial Officer determines that sufficient funds are still available within the Medicaid reserve to ensure a deficiency will not occur at the Department.".

SUBTITLE E. TELEHEALTH REIMBURSEMENT

Sec. 5041. Short title.

This subtitle may be cited as the "Telehealth Reimbursement Congressional Review Emergency Amendment Act of 2020".

Sec. 5042. Section 2(4) of the Telehealth Reimbursement Act of 2013, effective October 17, 2013 (D.C. Law 20-26; D.C. Official Code § 31-3861(4)), is amended by striking the phrase "through audio only telephones, electronic mail messages, or facsimile" and inserting the phrase "through email messages or facsimile" in its place.

SUBTITLE F. HEALTH PROFESSIONAL RECRUITMENT AND RETENTION

Sec. 5051. Short title.

This subtitle may be cited as the "District of Columbia Health Professional Recruitment and Retention Congressional Review Emergency Amendment Act of 2020".

Sec. 5052. The District of Columbia Health Professional Recruitment Program Act of 2005, effective March 8, 2006 (D.C. Law 16-71; D.C. Official Code § 7-751.01 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 7-751.02) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "recruitment tool" and inserting the phrase "recruitment and retention tool" in its place.

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

"(b) Based on the availability of funds, the Program will pay for, among other expenses, the cost of education necessary to obtain a health professional degree. The Program will pay

toward the outstanding principal, interest, and related expense of federal, state, or local government loans and commercial loans obtained by the participant for:

"(1) School tuition and required fees incurred by the participant;

"(2) Reasonable educational expenses; and

"(3) Incentive payments that lead to the retention of existing Program participants to practice in Ward 7 or 8; provided, that retention incentives shall be limited to $15,000 per participant per year.".

(b) Section 9 (D.C. Official Code § 7-751.08), is amended by adding a new subsection (a-1) to read as follows:

"(a-1) Physicians who specialize and practice in obstetrics and gynecology, psychiatry, or other medical specialties specifically identified by the Director shall be eligible to have 100% of their total debt, not to exceed $200,000, repaid by the Program over 4 years of service; provided, that the participants provide full-time service in Ward 7 or 8. For each year of participation, the Program will repay loan amounts according to the following schedule:

"(1) For the first year of service, 18% of their total debt, not to exceed $36,000;

"(2) For the second year of service, 26% of their total debt, not to exceed $52,000;

"(3) For the third year of service, 28% of their total debt, not to exceed $56,000; and

"(4) For the fourth year of service, 28% of their total debt, not to exceed $56,000.".

(c) Section 16a (D.C. Official Code § 7-751.15a) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "loan repayments" and inserting the phrase "loan repayments and retention incentives" in its place.

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

"(d) The Department of Health shall segregate the $1.5 million local funds enhancement provided in the Fiscal Year 2021 budget into a separate subaccount, which shall only be expended for:

"(1) Section 3(b)(3); or

"(2) Section 9(a-1).".

SUBTITLE G. HEALTH CARE GRANT-MAKING AUTHORITY

Sec. 5061. Short title.

This subtitle may be cited as the "Fiscal Year 2021 Health Care Grant-Making Authority Congressional Review Emergency Amendment Act of 2020".

Sec. 5062. Section 4907a of the Department of Health Functions Clarification Act of 2001, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 7-736.01), is amended by adding a new subsection (l) to read as follows:

"(l)(1) For Fiscal Year 2021, the Director of the Department of Health shall have the authority to award one or more competitive grants in an amount not to exceed $250,000 to fund an initiative to connect prenatal care for residents in Wards 7 and 8 to labor and delivery options in other parts of the District.

"(2) In establishing the criteria for the award of grants pursuant to paragraph (1) of this subsection, the Department shall prioritize community-based initiatives that:

"(A) Offer peer support networks;

"(B) Provide co-management of the patient's treatment;

"(C) Arrange for access to maternal and fetal medicine specialty services;

"(D) Utilize a health information exchange; and

"(E) Furnish financial assistance with transportation needs.".

Sec. 5063. Section 8a of the Department of Health Care Finance Establishment Act of 2007, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 7-771.07a), is amended by adding a new subsection (a-4) to read as follows:

"(a-4) For Fiscal Year 2021, the Director may:

"(1)(A) Award a competitive grant in an amount not to exceed $150,000 to fund operating expenses associated with the provision of medical respite care services to individuals who are homeless; provided, that if such a grant is awarded to a Federally Qualified Health Center ("FQHC"), the amount of the grant shall not be offset against the FQHC's expenses for the purpose of determining its allowable cost in accordance with section 4511.2 of Title 29 of the District of Columbia Municipal Regulations (29 DCMR § 4511.2).

"(B) At a minimum, the selected entity shall possess:

"(i) The staff capacity and expertise necessary to provide medical respite care, with a particular emphasis on care for women who are homeless; and

"(ii) The ability to provide case management services, including assistance in accessing permanent housing services.

"(2) If a grant is awarded, then by September 30, 2021, the Director shall submit a report to the Council that sets forth:

"(A) Recommendations for the establishment of medical respite care services for homeless individuals, through either:

"(i) An amendment to the District of Columbia Medicaid State Plan; or

"(ii) A waiver pursuant to section 1115 of the Social Security Act, approved July 25, 1962 (76 Stat. 192; 42 U.S.C. § 1315), for home and community-based services;

"(B) The types of services that may be offered to homeless individuals through a medical care respite program; and

"(C) An identification of any potential restrictions on the provision of services identified pursuant to sub-subparagraph (ii) of this subparagraph, including the use of prior authorization.".

TITLE VI. OPERATIONS AND INFRASTRUCTURE

SUBTITLE A. OPPORTUNITY ACCOUNTS

Sec. 6001. Short title.

This subtitle may be cited as the "Opportunity Accounts Expansion Congressional Review Emergency Amendment Act of 2020".

Sec. 6002. The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-266; D.C. Official Code § 1-307.61 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph (2A) to read as follows:

"(2A) "Commissioner" means the Commissioner of the Department of Insurance, Securities, and Banking.".

(b) Section 8(b) (D.C. Official Code § 1-307.67(b)) is amended as follows:

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

(2) Paragraph (2) is amended by striking the phrase "per account." and inserting the phrase "per account, except as provided in paragraph (3) of this subsection; and" in its place.

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

"(3) The Commissioner may waive the requirement in subsection (a) of this section and may provide matching funds of up to $4 for every dollar the account holder deposits into the opportunity account when adequate federal or private matching funds are not available. For each additional dollar of matching funds that the District provides to an opportunity account pursuant to such a waiver, the aggregate matching funds limit set forth in paragraph (2) of this subsection for that account shall be increased by $1.".

(c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

(1) Paragraph (6) is repealed.

(2) Paragraph (8) is amended by striking the period at the end and inserting the phrase "; and" in its place.

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

"(9) To pay for any cost, expense, or item authorized by a rule issued pursuant to section 14.".

(d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

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

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

(ii) Paragraph (3) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(4) Making health insurance premium payments in the event of a sudden, unexpected loss of income.".

(2) Subsection (c) is repealed.

(3) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

"(c-1) If an account holder makes an emergency withdrawal for the purposes set forth at subsection (b)(2) or (3) of this section, the account holder shall withdraw only funds deposited by the account holder and shall not withdraw matching funds.

"(c-2) If an account holder makes an emergency withdrawal for the purposes set forth at subsection (b)(1) of this section, the account holder shall withdraw only funds deposited by the account holder and shall not withdraw matching funds, unless the withdrawal is for a medical emergency.

"(c-3) If an account holder makes an emergency withdrawal for the purposes set forth at subsection (b)(4) of this section, the account holder may withdraw funds deposited by the account holder and matching funds.".

(4) The lead-in language of subsection (e) is amended to read as follows:

"An account holder shall not be required to repay funds withdrawn from the opportunity account for an emergency withdrawal but shall resume making deposits into the opportunity account no later than 90 days after the emergency withdrawal. If the account holder fails to make a deposit no later than 90 days after the emergency withdrawal:".

Sec. 6003. Repealer.

Section 301 of the Coronavirus Support Temporary Amendment Act of 2020, enacted on July 7, 2020 (D.C. Act 23-334; 67 DCR 8622), is repealed.

SUBTITLE B. GREEN BUILDING FUND USE EXPANSION

Sec. 6011. Short title.

This subtitle may be cited as the "Green Building Fund Use Expansion Congressional Review Emergency Amendment Act of 2020".

Sec. 6012. Section 8(c)(2) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)), is amended as follows:

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

(b) Subparagraph (E) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new subparagraph (F) is added to read as follows:

"(F) Costs incurred to make green building materials accessible to low-income residents.".

SUBTITLE C. GAME OF SKILL MACHINES

Sec. 6021. Short title.

This subtitle may be cited as the "Game of Skill Machines Consumer Protection Congressional Review Emergency Amendment Act of 2020".

Sec. 6022. The Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code §§ 22-1716 to 22-1718 and 36-601.01 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 22-1716) is amended by striking the phrase "Monte Carlo night parties," and inserting the phrase "Monte Carlo night parties, game of skill machines," in its place.

(b) Section 3 (D.C. Official Code § 22-1717) is amended by striking the phrase "or sports wagering regulated, licensed, or operated by the Office of Lottery and Gaming." and inserting the phrase "sports wagering regulated, licensed, or operated by the Office of Lottery and Gaming, or game of skill machines licensed and regulated by the Office of Lottery and Gaming." in its place.

(c) Section 3(a) (D.C. Official Code § 22-1718(a)) is amended by striking the phrase "or the sale, lease, purchase, or possession of tickets, slips, certificates, or cards for sports wagering excepted and permissible pursuant to § 22-1717." and inserting the phrase "the sale, lease, purchase, or possession of tickets, slips, certificates, or cards for sports wagering excepted and permissible pursuant to § 22-1717, or the manufacture, distribution, servicing, retailing, sale, lease, purchase, or possession of machines, tickets, slips, certificates, or cards for game of skill machines excepted and permissible pursuant to § 22-1717." in its place.

(d) Section 4 (D.C. Official Code § 36-601.12) is amended as follows:

(1) The section heading is amended to read as follows:

"Sec. 4. Lottery, Gambling, and Gaming Fund.".

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

"(a) There is established as an enterprise fund the Lottery, Gambling, and Gaming Fund ("Fund"), which shall be administered by the Chief Financial Officer. Revenue from the following sources shall be deposited into the Fund or a division of the Fund, as established by the Chief Financial Officer:

"(1) All funds generated by gambling activities operated or licensed by the Chief Financial Officer; and

"(2) All fees collected pursuant to sections 406 through 409.".

(3) Subsection (c) is amended by striking the word "gambling" and inserting the phrase "gambling and gaming" in its place.

(e) A new Title IV is added to read as follows:

"TITLE IV. GAME OF SKILL MACHINES.

"Sec. 401. Definitions

"For purposes of this title, the term:

"(1) "ABC Board" means the Alcoholic Beverage Control Board.

"(2) "ABRA" means the Alcoholic Beverage Regulation Administration.

"(3) "CFO" means the Chief Financial Officer of the District of Columbia.

"(4) "Centralized accounting system" and "CAS" mean the accounting system linked by a communications network as described in sections 410 and 414.

"(5) "Distributor" means a person licensed under this title to buy, sell, lease, maintain, or service game of skill machines, or any major components or parts of a game of skill machine, for distribution to retailers.

"(6) "Game of skill machine" means a mechanical or electronic gaming device that rewards the winning player or players with cash, a gift card, or a voucher that can be redeemed for cash. The term "game of skill machine" does not include a mechanical or electronic gaming device if:

"(A) The ability of a player to succeed at the game is impacted by the number or ratio of prior wins to prior losses of players playing the game;

"(B) The outcome of the game can be controlled by a source other than a player playing the game;

"(C) The success of a player is or may be determined by a chance event that cannot be altered by the player's actions;

"(D) The ability of a player to succeed at the game is impacted by game features not visible or known to a reasonable player; or

"(E) The ability of a player to succeed at the game is impacted by the exercise of skill that no reasonable player could exercise.

"(7) "Gross game of skill machine revenue" means the total of cash or cash equivalents received from a game of skill machine minus the total of:

"(A) Cash or cash equivalents paid to players as a result of a game of skill machine;

"(B) Cash or cash equivalents paid to purchase annuities to fund prizes payable to players over a period of time as a result of a game of skill machine; and

"(C) The actual cost paid by the license holder for personal property distributed to a player as a result of a game of skill machine, excluding travel expenses, food, refreshments, lodging, and services.

"(8) "Licensed establishment" means an on-premises retail establishment licensed by the ABC Board to sell, serve, and allow for the consumption of alcoholic beverages.

"(9) "Licensed premises" means the physical location of a licensed establishment that is authorized by the Office to offer game of skill machines.

"(10) "Licensee" means a person who possesses a game of skill manufacturer, distributor, supplier, or retailer license issued by the Office.

"(11) "Manufacturer" means a person that is licensed under this title and that manufactures or assembles game of skill machines for sale or lease to distributors.

"(12) "Office" means the Office of Lottery and Gaming.

"(13) "Retailer" means a person that is licensed under this title to offer game of skill machines on its licensed premises.

"(14) "Supplier" means a person that is licensed under this title to supply major components or parts of game of skill machines to licensed manufacturers or distributors.

"Sec. 402. Authorization of game of skill machines.

"The operation of game of skill machines shall be lawful in the District if conducted in accordance with this title and the rules issued pursuant to this title.

"Sec. 403. Game of skill machine license requirements; prohibition.

"(a) Except as provided in subsection (f) of this section, no person may offer or allow a game of skill machine in the District unless all the licenses required by this title, or by a rule issued pursuant to this title, have been duly obtained.

"(b)(1) The Office shall issue the following categories of game of skill machine licenses:

"(A) Manufacturer;

"(B) Distributor;

"(C) Supplier; and

"(D) Retailer.

"(2) The Office shall not grant a license listed in paragraph (1) of this subsection until it has determined that each person that possesses 10% or greater beneficial or proprietary interest in the applicant has been approved for licensure in accordance with this title and rules issued pursuant to this title.

"(c)(1) An applicant for an initial manufacturer, distributor, or supplier license shall be subject to District and national criminal history background checks.

"(2) The applicant shall submit an application to the Office, in a form determined by the Office, for fingerprints for a national criminal records check by the Metropolitan Police Department and the Federal Bureau of Investigation of all individuals required to be named in the application and a signed authorization of each individual submitting fingerprints for the release of information by the Metropolitan Police Department and the Federal Bureau of Investigation.

"(3) In the case of an application for license renewal, the Office may require additional background checks.

"(d) The Office shall require proof of good standing pursuant to D.C. Official Code § 29-102.08 of an applicant for a license pursuant to this title and may, in addition, require certification that the Citywide Clean Hands Database indicates that the proposed licensee is current with its District taxes.

"(e) Proprietary information, trade secrets, financial information, and personal information about a person in an application submitted to the Office pursuant to this title shall not be a public record and shall not be made available under the Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), or any other law.

"(f)(1) A retailer shall display its license as required by section 411(d) and shall make the license immediately available for inspection upon request by an employee of the Office, the Metropolitan Police Department, or ABRA.

"(2) When present at a licensed establishment, an employee of a distributor shall carry a copy of its license and make it readily available for inspection by an employee of the Office, the Metropolitan Police Department, or ABRA.

"(g) A licensed establishment that applied for and obtained a game of skill machine endorsement from the ABC Board pursuant to D.C. Official Code § 25-113.01(e) prior to the effective date of the Game of Skill Machines Consumer Protection Act of 2020, passed on 2nd reading on July 28, 2020 (Enrolled version of Bill 23-760) ("Act"), shall have 180 calendar days after the effective date of the Act to come into compliance with this title or rules issued pursuant to this title. Failure to do so may result in the Office taking action against the licensed establishment in accordance with section 417.

"Sec. 404. License prohibitions; suspensions and revocation of licenses.

"(a) An applicant convicted of a disqualifying offense shall not be licensed. The Office shall define disqualifying offenses by a rule issued pursuant to this title.

"(b) No Office or ABRA employee, or immediate family member of an Office or ABRA employee, may be an applicant for, have an interest in, or obtain a license issued pursuant to this title.

"(c) Failure of an applicant or licensee to notify the Office of a change to the information provided in its application for license or renewal within 10 days after the change may result in the Office suspending or revoking the licensee's license, denying the applicant's license, or issuing a fine.

"(d)(1) The Office shall not grant a license pursuant to this title, and shall revoke a license previously granted, if evidence satisfactory to the Office exists that the applicant or licensee has:

"(A) Knowingly made a false statement of a material fact to the Office;

"(B) Had a license revoked by a governmental authority responsible for regulation of games of skill;

"(C) Been convicted of a felony and has not received a pardon or been released from parole or probation for at least 5 years; or

"(D) Been convicted of a gambling-related offense or a theft or fraud offense.

"(2) The Office may deny a license to an applicant or suspend or revoke a license of a licensee if the applicant or licensee:

"(A) Has not demonstrated, to the satisfaction of the Office, financial responsibility sufficient to adequately meet the requirement of the proposed activity;

"(B) Is not the true owner of the licensed business or has not disclosed the existence or identity of another individual or entity that has an ownership interest in the business; or

"(C) Is a corporation that sells more than 5% of a licensee's voting stock, more than 5% of the voting stock of a corporation that controls the licensee, or sells a licensee's assets to an individual or entity not already determined by the Office to have met the qualifications of a licensee pursuant to this title, or is a non-corporate entity where a person not already determined by the Office to have met the qualifications of a licensee pursuant to this title holds more than 10% interest in the non-corporate entity.

"Sec. 405. Conflicts of interest.

"(a) Before issuing, authorizing the transfer to a new owner of, or renewing a license, the Office shall determine that the applicant is not disqualified because of a conflicting interest in another license.

"(b) In making a determination regarding a conflicting interest, the following standards shall apply:

"(1) No licensee under a supplier's license shall hold a license in another license issued under this title.

"(2) No licensee under a distributor's license shall hold a license in another license issued under this title; except, that the holder of a distributor's license may also hold a manufacturer's license.

"(3) No licensee under a manufacturer's license shall hold another license issued under this title; except, that the holder of a manufacturer's license may also hold a distributor's license.

"Sec. 406. Manufacturer licensure.

"(a) A person may not manufacture a game of skill machine in the District unless the person has a valid manufacturer's license issued under this title. A manufacturer may only sell game of skill machines for use in the District to persons having a valid distributor's license.

"(b) A person applying for a manufacturer's license shall do so on a form prescribed by the Office. The form shall require:

"(1) The name of the applicant;

"(2) The mailing address of the applicant and, if the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;

"(3) A report of the applicant's financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, and tax returns; and

"(4) Any other information the Office considers necessary.

"(c) In considering whether to approve an application for a distributor's license, the Office may consider evidence the distributor submitted to the Office of an existing license as a distributor from another jurisdiction that the Office has determined has licensing requirements similar to those required by the District.

"(d) An applicant for a manufacturer's license shall pay a nonrefundable application fee of $10,000 with the application.

"(e) A manufacturer's license shall be renewed annually; provided, that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of its renewal application a $5,000 renewal fee.

"Sec. 407. Distributor licensure.

"(a) A person may not buy, sell, distribute, lease, maintain, market, or service a game of skill machine or a major component or part of a game of skill machine for distribution in the District unless the person has a valid distributor's license issued by the Office.

"(b) A licensed distributor may buy, sell, distribute, lease, maintain, market, or service a game of skill machine or any major component or part of a game of skill machine for distribution in the District to a licensed establishment that possesses a retailer's license from the Office and a game of skill machine endorsement from the ABC Board pursuant to D.C. Official Code § 25-113.01(e). No distributor may give anything of value, including a loan or financing agreement, to a licensed establishment as an incentive or inducement to locate a game of skill machine in the establishment.

"(c) A person applying for a distributor's license shall do so on a form prescribed by the Office. The form shall require:

"(1) The name of the applicant;

"(2) The mailing address of the applicant and, if the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;

"(3) A report of the applicant's financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, and tax returns; and

"(4) Any other information the Office considers necessary.

"(d) In considering whether to approve an application for a distributor's license, the Office may consider evidence the distributor submitted to the Office of an existing license as a distributor from another jurisdiction that the Office has determined has licensing requirements similar to those required by the District.

"(e) An applicant for a distributor's license shall demonstrate that the equipment, system, or device that the applicant plans to offer to retailers conforms to standards established pursuant to this title, rules issued pursuant to this title, and other applicable law.

"(f) An applicant for a distributor's license shall pay a nonrefundable application fee of $10,000 with the application.

"(g) A distributor's license shall be renewed annually; provided, that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of its renewal application a $5,000 renewal fee.

"(h) A distributor shall submit to the Office, at such times as are established by the Office by rule, a list of all game of skill machines sold, delivered, or offered to a retailer. All such equipment shall be tested and approved by an independent testing laboratory approved by the Office.

"Sec. 408. Supplier licensure.

"(a) A person shall not sell parts or components for a game of skill machine or provide services related to a game of skill machine unless the person has a valid supplier's license. A supplier may only provide parts and components for a game of skill machine or services related to a game of skill machine for use in the District to a person having a valid manufacturer's or distributor's license.

"(b) A person applying for a supplier's license shall do so on a form prescribed by the Office. The form shall require:

"(1) The name of the applicant;

"(2) The mailing address of the applicant and, if the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;

"(3) A report of the applicant's financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, and tax returns; and

"(4) Any other information the Office considers necessary.".

"(c) In considering whether to approve an application for a supplier's license, the Office may consider evidence the supplier submitted to the Office of an existing license as a supplier from another jurisdiction that the Office has determined has licensing requirements similar to those required by the District.

"(d) An applicant for a supplier's license shall demonstrate that the equipment, components, or parts that the applicant plans to offer to manufacturers or distributors conform to

standards established pursuant to this title, rules issued pursuant to this title, and other applicable law.

"(e) An applicant for a supplier's license shall pay a nonrefundable application fee of $2,000 with the application.

"(f) A supplier's license shall be renewed annually; provided, that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of its renewal application a $1,000 renewal fee.

"(g) A supplier shall submit to the Office, at such times as are established by the Office by rule, a list of all components or parts for game of skill machines sold, delivered, or offered to a manufacturer or operator. All such equipment shall be tested and approved by an independent testing laboratory approved by the Office.

"Sec. 409. Retailer licensure; registration of game of skill machines.

"(a)(1) A person may not own, lease, maintain, install, make available, or offer or allow another to play a game of skill machine in the District unless the person:

"(A) Is a licensed establishment;

"(B) Possesses a retailer's license from the Office and a game of skill machine endorsement from ABRA in accordance with D.C. Official Code § 25-113.01(e); and

"(C) Has entered into a written use agreement with a licensed distributor for the placement or installation of a game of skill machine on the licensed premises.

"(2) A person convicted of violating this subsection shall be subject to a fine not to exceed $5,000 or imprisonment not to exceed 6 months, or revocation of the retailer's license, or all of the foregoing.

"(b)(1) Each game of skill machine located on a retailer's licensed premises shall be registered with the Office by the retailer before the game of skill machine is installed on the licensed premises.

"(2) A retailer may register and operate up to 5 game of skill machines on the licensed premises at any time. The registration fee for each game of skill machine shall be $100.

"(3) The Office shall issue to the retailer a registration sticker for placement on each registered game of skill machine.

"(c) A person shall apply for a retailer's license on a form prescribed by the Office. The form shall require:

"(1) The name of the applicant;

"(2) The mailing address of the applicant and, if the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;

"(3) A report of the applicant's financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, and tax returns; and

"(4) Any other information the Office considers necessary.

"(d) An applicant for a retailer's license shall pay a nonrefundable application fee of $300 with the application.

"(e) A retailer's license shall be renewed annually; provided, that the licensee continued to comply with the statutory and regulatory requirements and pays upon submission of its renewal application a $300 renewal fee.

"(f) The Office shall require a retailer to be bonded, in such amounts and in such manner as determined by the Office, and to agree, in writing, to indemnify and hold harmless the District government against any actions, claims, and demands of whatever kind or nature that the District may incur by reason of or in consequence of issuing the retailer's license to the retailer.

"Sec. 410. Minimum requirements of game of skill machines.

"(a)(1) Every game of skill machine offered for play shall first be tested and approved pursuant to this title and rules issued pursuant to this title.

"(2) The Office shall utilize the services of an accredited independent outside testing laboratory to test and assess each game of skill machine.

"(3) The applicant shall be responsible for paying the fees associated with testing the game of skill machines.

"(b) Every game of skill machine offered in the District shall meet the minimum standards approved by the Office, including that a game of skill machine:

"(1) Conform to all requirements of federal law and regulations, including the Federal Communications Commission's Class A emissions standards;

"(2) Pay out a mathematically demonstrable percentage during the expected lifetime of the machine of all amounts played, which shall not be less than 80%;

"(3) Display an accurate representation of the game outcome;

"(4) Not automatically alter pay tables or any function of the game of skill machine based on an internal computation of a hold percentage or have a means of manipulation that affects the random selection process or probabilities of winning a game;

"(5) Not be negatively affected by static discharge or other electromagnetic interference;

"(6) Be capable of displaying the following during idle status: "power reset"; "door open"; or "door closed";

"(7) Be able to detect and display the game's complete play history and winnings for the previous 10 games;

"(8) Not have a theoretical payback percentage capable of being changed without making a hardware or software change in the machine itself;

"(9) Be designed so that the replacement of parts or modules required for normal maintenance does not necessitate replacement of the electromechanical meters;

"(10) Contain a non-resettable meter that shall be located in a locked area of the machine that is accessible only by a key;

"(11) Be capable of storing the meter information required by paragraph (10) of this subsection for a minimum of 180 days after a power loss to the machine;

"(12) Have accounting software that keeps an electronic record that includes:

"(A) Total cash inserted into the game of skill machine;

"(B) The value of winning tickets awarded to players by the game of skill machine;

"(C) The total credits played on the game of skill machine;

"(D) The total credits awarded by the game of skill machine; and

"(E) The payback percentage credited to players of the game of skill machine;

"(13) Be linked to a centralized accounting system that will allow the Office to activate or deactivate the game of skill machine from the centralized system remotely; and

"(14) Be linked to a centralized accounting system in accordance with section 414 by which all approved game of skill machines shall be connected for the purposes set forth in section 414.

"(c) The CFO may issue rules to establish additional licensing and registration requirements.

"Sec. 411. Registration; display of registration sticker, license, and warning sign; locations of game of skill machines.

"(a) A retailer shall register each of its game of skill machines in the District with the Office before the game of skill machine may be installed at the licensed establishment.

"(b) A retailer shall locate its game of skill machines for play only in specific locations approved by ABRA within the retailer's licensed establishment.

"(c) A retailer shall affix and maintain a registration sticker issued by the Office to the game of skill machine at all times the game of skill machine is located at the establishment. If the registration sticker is damaged, destroyed, lost, or removed, the retailer shall pay the Office $75 for a replacement registration sticker.

"(d) A retailer shall post both its retailer's license and a warning sign, maintained in good repair and in a place clearly visible at the point of entry to the designated areas where the game of skill machines are located. The warning sign shall include:

"(1) The minimum age required to play a game of skill machine;

"(2) The contact information for the District's gambling hotline; and

"(3) The contact information for the Office for purposes of filing a complaint against the manufacturer, supplier, distributor, or retailer.

"(e) Failure to display the registration sticker, license, or warning sign may result in the Office revoking or suspending the license or issuing a fine against the licensed establishment pursuant to section 416.

"Sec. 412. Cash award.

"(a) A game of skill machine shall not directly dispense cash awards to a player. If, at the conclusion of the game, a player is entitled to a cash award, the game of skill machine shall dispense a ticket or voucher to the player. The ticket or voucher shall indicate:

"(1) The total amount of the cash award;

"(2) The time of day that the cash award was issued in a 24-hour format showing hours and minutes, the date, the terminal serial number, and the sequential number of the ticket or voucher; and

"(3) An encrypted validation number from which the validity of the cash award may be determined.

"(b) A retailer shall allow a player to take the ticket or voucher to the owner of the licensed establishment or the owner's designee, who shall be located at the licensed establishment, for payment of the cash award.

"Sec. 413. Game of skill machine use by minors prohibited.

"(a) A licensee shall not permit a person under the age of 18 to use or play a game of skill machine.

"(b) The Office may suspend or revoke a license and issue a fine, in accordance with section 416, against a licensee that knowingly allows a person under the age of 18 to use or play a game of skill machine.

"Sec. 414. Centralized accounting system.

"(a)(1) Within 6 months after the effective date of the Game of Skill Machines Consumer Protection Act of 2020, passed on 2nd reading on July 28, 2020 (Enrolled version of Bill 23-760) ("Act"), the Office shall issue a solicitation to procure a centralized accounting system, which shall be administered by the Office and designed and operated to allow the monitoring and reading of all game of skill machines for the purpose of compliance with this title and rules issued pursuant to this title.

"(2) When the Office is satisfied with the operation of the CAS, it shall:

"(A) Certify the effective status of the system; and

"(B) Notify all retailers of the date by which the retailer's game of skill machines must be linked to the CAS.

"(b)(1)(A) A game of skill machine approved prior to the effective date of the Act shall be connected to the CAS within one year after notification pursuant to subsection (a)(2) of this section.

"(B) A game of skill machine approved on or after the effective date of the Act but prior to the deployment of the CAS shall be connected within 6 months after notification pursuant subsection (a)(2) of this section.

"(C) A game of skill machine approved after the effective date of the Act and after deployment of the CAS shall be connected to the CAS prior to operation of the game of skill machine.

"(2) After a game of skill machine has been connected to the CAS, it shall remain connected as required by the Office.

"(c) All game of skill machines registered in the District shall be linked to the CAS for purposes of accounting, reporting, monitoring, and reading machine activities as provided for in this title or rules issued pursuant to this title.

"(d) The CAS shall not provide for the monitoring or reading of personal or financial information concerning patrons of game of skill machines.

"(e) Employees and agents of a contractor or subcontractor of the Office that is engaged in building, operating, maintaining, or contracting to build, operate, or maintain the CAS, and the immediate family members of such employees and agents, shall be prohibited from obtaining a license under this title.

"(f) Unless a retailer's license is canceled, suspended, or revoked, nothing in this section shall authorize the Office to limit or eliminate a registered game of skill from the CAS.

"Sec. 415. Insurance.

"Each distributor shall maintain liability insurance on all game of skill machines that it places in a licensed establishment in an amount set by the Office by rule issued pursuant to this title.

"Sec. 416. Penalties.

"(a) In the event of a violation of this title or a rule issued pursuant to this title, the Office may:

"(1) Impose a fine of not more than $50,000;

"(2) Revoke a licensee's license; or

"(3) Suspend the licensee's license for up to one year.

"(b) A person that has been fined or whose application has been denied, revoked, or suspended pursuant to this section shall have a right to a hearing before the Office and, in the event of the Office's affirmation of the fine, denial, revocation, or suspension, the right to appeal the decision of the Office to the Superior Court of the District of Columbia.

"(c) The Office shall notify ABRA within 48 hours after the Office suspends or revokes a retailer's license.

"Sec. 417. Authority of the Office.

"(a) The Office may enforce the provisions of this title with respect to licensees and any individual or entity not holding a license and offering a game of skill machine in violation of the provisions of this title or rules issued pursuant to this title.

"(b) Subject to subsection (c) of this section, the Office and the Metropolitan Police Department may issue citations for civil violations of this title as set forth in rules issued pursuant to this title.

"(c) A citation for a violation for which the penalty includes the suspension or revocation of a license shall be issued by the Office as a result of an investigation carried out by the Office.

"(d) The Office may request and check the identification of a person who has played, is playing, or is attempting to play a game of skill machine. The Office may seize evidence that

substantiates a violation under this title, which may include seizing the tickets, vouchers, or cash awards issued to a person under the age of 18 and fake identification documents used by a person under the age of 18.

"(e) The Office may seize a game of skill machine license from an establishment if:

"(1) The game of skill machine license has been suspended, revoked, or canceled by the Office;

"(2) The business is no longer in existence; or

"(3) The business has been closed by another District government agency.

"Sec. 418. Investigations and inspections.

"(a) The Office may conduct investigations, searches, seizures, and perform other duties authorized by this title and rules issued pursuant to this title.

"(b) An applicant for a license and each licensee shall allow an authorized member of the Office, an ABRA investigator, or any member of the Metropolitan Police Department full opportunity to examine at any time during business hours:

"(1) The location on the premises where game of skill machines are available to play; and

"(2) The books and records of the licensee or applicant.

"Sec. 419. Unlawful acts; action by the Attorney General.

"(a)(1) No manufacturer, distributor, supplier, licensed establishment, or employee or agent of a manufacturer, distributor, supplier, or licensed establishment shall intentionally make a false or misleading representation concerning an individual's chances, likelihood, or probability of winning at playing a game of skill machine.

"(2) An individual or entity claiming to be aggrieved by a fraudulent act or a false or misleading statement by a licensee shall have a cause of action in a court of competent jurisdiction for damages and any legal or equitable relief as may be appropriate.

"(b) The Attorney General for the District of Columbia, in the name of the District of Columbia, may bring an action in the Superior Court of the District of Columbia to enjoin an individual or entity or to seek a civil penalty of up to $50,000 for a violation of this title or rule issued pursuant to this title.

"Sec. 420. Taxation of game of skill machines.

"(a)(1) On or before the 20th day of each month, each retailer shall:

"(A) File a return, on forms and in the manner prescribed by the CFO, with the CFO indicating the amount of gross game of skill machine revenue for the retailer's game of skill machines for the preceding calendar month; and

"(B) Pay to the District of Columbia Treasurer 10% of the gross game of skill machine revenue for the preceding month.

"(b) All funds owed to the District under this section shall be held in trust within the boundaries of the District for the District by the retailer until the funds are paid to the District of Columbia Treasurer.

"(c) A retailer that falsely reports or fails to report the amount due as required by this section may be fined or imprisoned in accordance with Title 22 of the District of Columbia Official Code and shall have its retailer's license revoked.

"(d) A retailer shall keep a record of the gross game of skill machine revenue, awards, and net income of each game of skill machine in such form as the Office may require.

"(e) A payment required by this section that is not remitted when due shall be assessed a late payment penalty in amount set forth in D.C. Official Code § 47-4213.

"(f) In the case of an underpayment of the tax required by this section, there shall be added to the tax, an amount of interest determined by applying the underpayment rate set forth in D.C. Official Code § 47-4201 to the amount of the underpayment for the period of the underpayment.

"Sec. 421. Deposit of license fees.

"All fees collected under sections 406 through 409 shall be deposited in the Lottery, Gambling, and Gaming Fund, established by section 4 (D.C. Official Code § 36-601.12).".

"Sec. 422. Rules and regulations governing game of skill machines.

"(a) The CFO, pursuant to section 424(d) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24d), shall issue rules to implement the provisions of this title.

"(b) The rules issued by the CFO pursuant to subsection (a) of this section shall include:

"(1) Standards for conducting inspections of game of skill machines for compliance with industry standards;

"(2) Standards for inspecting licensed establishments for compliance with this title;

"(3) Minimum and maximum payment amounts for playing game of skill machines;

"(4) The maximum amount of allowable winnings per game;

"(5) Requirements relating to how fees and taxes are to be remitted;

"(6) The method of accounting to be used by a licensed establishment where a game of skill machine is authorized;

"(7) Methods of age verification;

"(8) Types of records that shall be required to be maintained by a licensee;

"(9) Posting requirements;

"(10) Advertising guidelines, including specific language concerning individuals under the age of 18;

"(11) Penalties for a violation of this title or rule issued pursuant to this title; and

"(12) Internal control standards for game of skill machines.".

Sec. 6023. Title 25 of the District of Columbia Official Code is amended as follows:

(a) Chapter 1 is amended as follows:

(1) Section 25-101 is amended as follows:

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

"(22B) "Game of skill machine" has the meaning set forth in section 401(6) of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, passed on emergency basis on October 6, 2020 (Enrolled version of Bill 23-xxx).".

(B) A new paragraph (53A) is added to read as follows:

"(53A) "Voucher" means a ticket issued by a game of skill machine that is redeemable for cash winnings.".

(2) Section 25-113a is amended as follows:

(A) The section is redesignated as § 25-113.01.

(B) The section heading is amended to read as follows:

"§ 25-113.01. License endorsements.".

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

"(e)(1) A licensee under a manufacturer's license class A or B holding an on-site sales and consumption permit, or an on-premises retailer's license, class C/R, D/R, C/H, D/H, C/T, D/T, C/N, D/N, C/X, or DX, shall obtain a game of skill machine endorsement from the Board in order to offer a game of skill machine on the licensed premises.

"(2)(A) A game of skill machine shall not be placed on outdoor public or private space; provided, that the Board, in its discretion, may allow for the placement of a game of skill machine on outdoor public or private space if, in the Board's determination, activity associated with the game of skill machine is:

"(i) Not visible from a public street or sidewalk;

"(ii) Adequately secured against unauthorized entrance; and

"(iii) Accessible only by patrons from within the establishment.

"(B) Subparagraph (A) of this paragraph shall not apply to a licensee operating a passenger-carrying marine vessel in accordance with § 25-113(h).".

(b) Section 25-401 is amended by adding a new subsection (e) to read as follows:

"(e) An applicant for a game of skill machine endorsement shall submit to the Board with its application:

"(1) A diagram of where the game of skill machines will be placed on the licensed premises; and

"(2) The name of the manufacturer and distributor of the game of skill machines and documentation reflecting that the manufacturer and distributor are licensed to do business and pays taxes in the District of Columbia.".

(c) Section 25-508 is amended to read as follows:

"25-508. Minimum fee for permits, and manager's license, and endorsement.

"The minimum fees for permits, manager's license, and endorsement shall be as follows:

"Tasting permit for class A licensees	$100/year
"Importation permit	$5
"Manager's license	$100/year
"On-site sales and consumption permit	$1,000/year
"Game of skill machine endorsement	$200".

(d) Chapter 7 is amended as follows:

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

"25-786. Game of skill machine operating requirements.".

(2) Section 25-763 is amended by adding a new subsection (g) to read as follows:

"(g) Exterior signs advertising game of skill machines shall be prohibited on the licensed establishment.".

(3) Section 25-765 is amended by adding a new subsection (c) to read as follows:

"(c) Advertisements related to game of skill machines shall not be placed on the interior or exterior of a window or on the exterior of a door that is used to enter or exit the licensed establishment.".

(4) A new section 25-786 is added to read as follows:

"§ 25-786. Game of skill machine operating requirements.

"A licensee with a game of skill machine endorsement shall:

"(1) Not allow or permit a person under 18 years of age to play a game of skill machine and shall designate an employee to regularly monitor the designated area where game of skill machines are played to ensure that no person under 18 years of age is playing or attempting to play a game of skill machine;

"(2) Verify that each person playing a game of skill machine is lawfully permitted to do so by checking the person's government-issued identification document upon entry into either the licensed establishment or the designated area where the game of skill machines are located and where the person seeks to cash out his or her winnings, if any; except, that the failure of a licensee to verify a person's identification shall not be a violation of this paragraph if the person whose identification was not checked is 18 years of age or older;

"(3) Not allow or permit a person that appears intoxicated or under the influence of a narcotic or other substance to play a game of skill machine;

"(4) Not share revenue from the licensee's sale of alcohol with a manufacturer or distributor of a game of skill machine, unless approved by the Board as an owner of the license;

"(5) Not allow or permit the placement of a game of skill machine on an outdoor public or private space that has not been approved by the Board;

"(6) Not allow or permit the placement of a game of skill machine outside of the designated areas contained on the applicant's diagram provided as part of the license application or outside the areas approved by the Board;

"(7) Not have more than 5 game of skill machines on the licensed premises; and

"(8) Install security cameras that are operational and record for 30 days, in the areas designated for game of skill machines, near the cash register or terminal where cash winnings of game of skill machines are processed, and where the licensee's money is stored.".

(e) Section 25-801 is amended by adding a new subsection (h) to read as follows:

"(h) An ABRA investigator may request and check the identification of a person who has played, is playing, or is attempting to play a game of skill machine. An ABRA investigator may seize fake identification used by a person under 18 years of age and may seize such records related to a game of skill machine as the investigator deems appropriate to investigate the playing of a game of skill machine by a person under 18 years of age.".

Sec. 6024. Section 865 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1331; D.C. Official Code § 22-1704), 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) It shall be unlawful to install or operate a game of skill machine in the District except as permitted by D.C. Official Code § 25-113.01(e). Whoever shall install or operate a game of skill machine at a location not licensed under Title 25 of the District of Columbia Official Code shall be punished by imprisonment for a term of 180 days or fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or both.".

SUBTITLE D. PAY-BY-PHONE TRANSACTION FEES FUND

Sec. 6031. Short title.

This subtitle may be cited as the "Pay-By-Phone Transaction Fee Fund Congressional Review Emergency Amendment Act of 2020".

Sec. 6032. Section 9f of the Department of Transportation Establishment Act of 2002, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), is amended to read as follows:

"Sec. 9f. Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund.

"(a) There is established the Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund ("Fund"), which shall be administered by the director of the District Department of Transportation in accordance with subsection (c) of this section.

"(b) The following revenue shall be deposited in the Fund:

"(1) Notwithstanding section 3(h) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50–2603(8)), all transaction fees imposed upon users who pay for parking, transit fares, Capital Bikeshare trips, and other forms of shared mobility and transportation services with the pay-by-phone system; and

"(2) All money remaining in the District Department of Transportation Parking Meter Pay-by-Phone Transaction Fee Fund at the end of Fiscal Year 2020.

"(c) Money in the Fund shall be used to pay vendors responsible for administering pay-by-phone payment systems for parking, transit fares, Capital Bikeshare trips, and other forms of shared mobility and transportation services.

"(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

Sec. 6033. Section 3(h)(1) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2603(8)(A)), is amended by striking the phrase "to be transferred to the District Department of Transportation Parking Meter Pay-by-phone Transaction Fee Fund and the DC Circulator Fund, in accordance with section 9f of the Department of Transportation Establishment Act of 2002, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14)" and inserting the phrase "to be transferred to the Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund, in accordance with section 9f of the Department of Transportation Establishment Act of 2002, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), and the DC Circulator Fund, in accordance with section 11c of the Department of Transportation Establishment Act of 2002, effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-921.33)" in its place.

SUBTITLE E. ENVIRONMENTAL SPECIAL PURPOSE REVENUE ACCOUNTS

Sec. 6041. Short title.

This subtitle may be cited as the "Environmental Special Purpose Funds Reestablishment Congressional Review Emergency Amendment Act of 2020".

Sec. 6042. The Lead-Hazard Prevention and Elimination Act of 2008, effective March 31, 2009 (D.C. Law 17-381; D.C. Official Code § 8-231.01 *et seq.*), is amended by adding a new section 10a to read as follows:

"Sec. 10a. Lead Poisoning Prevention Fund.

"(a) There is established as a special fund the Lead Poisoning Prevention Fund ("Fund"), which shall be administered by the Department of Energy and Environment in accordance with subsection (c) of this section.

"(b) All fees, fines, and penalties received from compliance with and enforcement of this act, and all interest earned on those monies, shall be deposited into the Fund.

"(c) Money in the Fund shall be used to pay for the costs of implementing this act and may be used to provide low-income residents of the District with assistance to comply with the requirements of section 4, in accordance with rules issued by the Mayor.

"(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

Sec. 6043. The District of Columbia Underground Storage Tank Management Act of 1990, effective March 8, 1991 (D.C. Law 8-242; D.C. Official Code § 8-113.01 *et seq.*), is amended by adding a new section 6a to read as follows:

"Sec. 6a. Underground Storage Tank Regulation Fund.

"(a) There is established as a special fund the Underground Storage Tank Regulation Fund ("Fund"), which shall be administered by the Department of Energy and Environment in accordance with subsection (c) of this section.

"(b) All fees, fines, and penalties received from compliance with and enforcement of this act, and contributions and monies received as reimbursement, and all interest earned on those monies, shall be deposited into the Fund.

"(c) Money in the Fund shall be used to pay for the costs of implementing this act and may be used for assessment, clean up, and housing and relocation assistance.

"(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

Sec. 6044. The District of Columbia Hazardous Waste Management Act of 1977, effective March 16, 1978 (D.C. Law 2-64; D.C. Official Code § 8-1301 *et seq.*), is amended by adding a new section 21a to read as follows:

"Sec. 21a. Hazardous Waste and Toxic Chemical Source Reduction Fund.

"(a) There is established as a special fund the Hazardous Waste and Toxic Chemical Source Reduction Fund ("Fund"), which shall be administered by the Department of Energy and Environment in accordance with subsection (c) of this section.

"(b) All fees, fines, and penalties received from compliance with and enforcement of this act, and all interest earned on those monies, shall be deposited into the Fund.

"(c) Money in the Fund shall be used to pay for the costs of implementing this act.

"(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE F. ALCOHOLIC BEVERAGE SALES AND DELIVERY

Sec. 6051. Short title.

This subtitle may be cited as the "Alcoholic Beverage Sales and Delivery Congressional Review Emergency Amendment Act of 2020".

Sec. 6052. Title 25 of the District of Columbia Official Code is amended as follows:

(a) Chapter 1 is amended as follows:

(1) Section 25-112 is amended by adding a new subsection (h) to read as follows:

"(h)(1) A retailer with commercial street frontage at the Walter E. Washington Convention Center that sells food and is approved by the Washington Convention and Sports Authority to sell alcoholic beverages for on-premises consumption ("Convention Center food and alcohol business") that registers as a Convention Center food and alcohol business with the Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed containers to individuals for carry out and may deliver beer, wine, or spirits in closed containers to consumers in the District, pursuant to §§ 25-113(a)(3)(C) and 25-113.01(g); provided, that such carry out and delivery orders are accompanied by one or more prepared food items.

"(2) Board approval shall not be required for a registration under this subsection that occurs before April 1, 2021.

"(3) After March 31, 2021, a Convention Center food and alcohol business that does not hold a valid registration under this subparagraph shall be required to obtain a carry out and delivery license as set forth in § 25-113.01(g) to sell beer, wine, or spirits in closed containers to customers to carry out and to sell and deliver to the homes of District residents beer, wine, or spirits in closed containers for delivery .

"(4) A Convention Center food and alcohol business that has been authorized to offer alcoholic beverages for carry out and delivery in accordance with paragraph (1) of this subsection may only offer alcoholic beverages for carry out and delivery between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.".

(2) Section 25-113(a)(3)(C) is amended to read as follows:

"(C)(i) An on-premises retailer licensee, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that registers with the Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed containers to individuals for carry out, or deliver beer, wine, or spirits in closed containers to consumers in the District between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week; provided, that each such carry out or delivery order is accompanied by one or more prepared food items.

"(ii) Board approval shall not be required for a registration under this subparagraph that occurs prior to April 1, 2021. After March 31, 2021, an on-premises retailer that does not hold a valid registration under this subparagraph shall be required to obtain

a carry out and delivery endorsement as set forth in § 25-113.01(f) in order to sell for carry out and deliver alcoholic beverages.”.

(3) Newly designated section 25-113.01 is amended by adding new subsections (f) and (g) to read as follows:

“(f)(1) Effective April 1, 2021, a licensee under an on-premises retailer’s license, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, shall obtain a carry out and delivery endorsement from the Board to be eligible to sell beer, wine, or spirits in closed containers to individuals for carry out, or deliver beer, wine, or spirits in closed containers to consumers in the District.

“(2) Carry out sales and delivery shall be authorized under paragraph (1) of this subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

“(3) Each carry out or delivery order of an alcoholic beverage pursuant to paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

“(4) The annual fee for a carry out and delivery endorsement shall be established by the Board in an amount not less than $200.

“(5) An on-premises retailer licensee that has registered with the Board under § 25-113(a)(3)(C) before April 1, 2021 (“registered licensee”), shall not be required to apply with the Board for an endorsement under this subsection, and the registered licensee shall be granted the carry out and delivery endorsement upon request to the Board, if the registered licensee makes the request and pays the annual fee required by paragraph (4) of this subsection by March 31, 2021.

"(g)(1) Effective April 1, 2021, a Convention Center food and alcohol business that has registered with the Board under § 25-112(h), shall obtain a carry out and delivery license from the Board to be eligible to sell beer, wine, or spirits in closed containers to individuals for carry out, or deliver beer, wine, or spirits in closed containers to consumers in the District.

"(2) Carry out sales and delivery shall be authorized under paragraph (1) of this subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

"(3) Each carry out or delivery order of an alcoholic beverage pursuant to paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

"(4) The annual fee for a carry out and delivery license shall be established by the Board in an amount not less than $200.

"(5) A Convention Center food and alcohol business that has registered with the Board under § 25-112(h) before April 1, 2021 ("registered Convention Center food and alcohol business"), shall not be required to apply with the Board for a license under this subsection, and the registered Convention Center food and alcohol business shall be granted a carry out and delivery license upon request to the Board, if the registered Convention Center food and alcohol business makes the request and pays the annual fee required by paragraph (4) of this subsection by March 31, 2021.

"(6) Beginning June 30, 2022, and each year thereafter, ABRA shall submit an annual report to the Council on the outcomes of this section, including the number of on-premise licensees participating in the carry-out and delivery option, and the number of on- and off-premise retailer licensees that may have closed after the carry-out and delivery option was implemented".

(b) Chapter 7 is amended as follows:

(1) Section 25-721 is amended as follows:

(A) Subsection (a-1) is amended by striking the phrase “7:00 a.m. and 12:00 a.m.” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

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

(i) Paragraph (1) is amended by striking the phrase “2:00 a.m. and 8:00 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

(ii) Paragraph (2) is amended by striking the phrase “3:00 a.m. and 8:00 a.m.” and inserting the phrase “3:00 a.m. 6:00 a.m.” in its place.

(C) Subsection (d) is amended by striking the phrase “7:00 a.m. and midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

(2) Section 25-722 is amended as follows:

(A) Subsection (a) is amended by striking the phrase “7:00 a.m. and midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

(B) Subsection (b) is amended by striking the phrase “7:00 a.m. and midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

(3) Section 25-723 is amended as follows:

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

(i) Paragraph (1) is amended by striking the phrase “2:00 a.m. and 8:00 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

(ii) Paragraph (2) is amended by striking the phrase “3:00 a.m. and 8:00 a.m.” and inserting the phrase “3:00 a.m. and 6:00 a.m.” in its place.

(B) Subsection (c)(1) is amended as follows:

(i) Subparagraph (C) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(ii) Subparagraph (D) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(E) The Saturday and Sunday adjacent to Veterans Day, Christmas Day, and District of Columbia Emancipation Day as set forth in § 1-612.02(a); except, that if the holiday under this subparagraph occurs on a Tuesday, the extended hours shall occur on the preceding Saturday and Sunday and if a holiday under this subparagraph occurs on a Wednesday or Thursday, the extended hours shall occur on the following Saturday and Sunday.".

(C) Subsection (e)(1) is amended by striking the phrase "2017, January 14 through January 22" and inserting the phrase "2021, January 9 through January 24" in its place.

Sec. 6053. Repealer.

(a) Section 204(a)(1) of the Coronavirus Support Temporary Amendment Act of 2020, enacted on July 7, 2020 (D.C. Act 23-334; 67 DCR 8622), is repealed.

(b) Amendatory section 25-113(a)(3)(C) of the District of Columbia Official Code in section 204(a)(2)(A) of the Coronavirus Support Temporary Amendment Act of 2020, enacted on July 7, 2020 (D.C. Act 23-334; 67 DCR 8622), is repealed.

SUBTITLE G. THIRD-PARTY INSPECTION PLATFORM

Sec. 6061. Short title.

This subtitle may be cited as the "Third-Party Inspection Platform Congressional Review Emergency Amendment Act of 2020".

Sec. 6062. Section 6d of the Construction Codes Approval and Amendments Act of 1986, effective June 25, 2002 (D.C. Law 14-162; D.C. Official Code § 6-1405.04), is amended by adding a new subsection (f) to read as follows:

"(f) The Department may establish an online platform that may, at the Director's discretion, serve as the exclusive mechanism by which an individual or entity may hire a third-party inspector to perform an inspection authorized by this section. The Department may charge a fee for the use of the online platform by an individual or entity and by the third-party inspectors.".

SUBTITLE H. PARKING RECIPROCITY FEE UPDATE AMENDMENT

Sec. 6071. Short title.

This subtitle may be cited as the "Reciprocity Parking Fee Update Congressional Review Emergency Amendment Act of 2020".

Sec. 6072. Section 8(d) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1123; D.C. Official Code § 50-1401.02(d)), is amended by striking the figure "$50" and inserting the figure "$100" in its place.

SUBTITLE I. TAG TRANSFER FEE UPDATE AMENDMENT

Sec. 6081. Short title.

This subtitle may be cited as the "Tag Transfer Fee Update Congressional Review Emergency Amendment Act of 2020".

Sec. 6082. Section 2(e) of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.02(e)), is amended as follows:

(a) Paragraph (2) is amended by striking the figure "$7" and inserting the figure "$12" in its place.

(b) Paragraph (5) is amended by striking the figure "$7" and inserting the figure "$12" in its place.

SUBTITLE J. ATE PROGRAM REPORTING REQUIREMENT AMENDMENT

Sec. 6091. Short title.

This subtitle may be cited as the "ATE Reporting Requirement Congressional Review Emergency Amendment Act of 2020".

Sec. 6092. Title IX of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01 *et seq.*), is amended by adding a new section 905 to read as follows:

"Sec. 905. ATE Reporting to Council.

"Beginning January 1, 2021, the District Department of Transportation, in consultation with the Department of Motor Vehicles, shall report to the Council on a semi-annual basis the following information:

"(1) The top 15 automated traffic enforcement ("ATE") locations by value of citations generated in the District;

"(2) The breakdown of the jurisdictions where those receiving ATE citations and with outstanding ATE citation debt have their vehicles registered;

"(3) The locations where cameras have been added in the last 6 months and the reasons why those locations were chosen; and

"(4) The amount of ATE citations issued in total and by location.".

SUBTITLE K. CAPACITY MARKET WITHDRAWAL FEASABILITY STUDY

Sec. 6101. Short title.

This subtitle may be cited as the "Capacity Market Withdrawal Feasibility Study Congressional Review Emergency Act of 2020".

Sec. 6102. Feasibility study.

By July 1, 2021, the Department of Energy and Environment shall make publicly available a study that evaluates and makes recommendations regarding the District withdrawing from the PJM capacity market, including outlining the potential advantages and disadvantages of withdrawal, the anticipated effects of *Calpine Corp. v. PJM Interconnection, L.L.C.*, 169 FERC ¶ 61,239 (2019) on the District, and the procedure for withdrawal from the PJM capacity market, including any necessary legislative changes.

SUBTITLE L. COMPETITIVE GRANT

Sec. 6111. Short title.

This subtitle may be cited as the "Competitive Grant Congressional Review Emergency Act of 2020".

Sec. 6112. The Department of Energy and Environment shall award an annual grant on a competitive basis, in an amount not to exceed $200,000, to provide wildlife rehabilitation services.

SUBTITLE M. URBAN AGRICULTURE FUNDING

Sec. 6121. Short title.

This subtitle may be cited as the "Urban Agriculture Funding Congressional Review Emergency Amendment Act of 2020".

Sec. 6122. The Food Production and Urban Gardens Program Act of 1986, effective February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as follows:

(a) Section 3a(d)(1) (D.C. Official Code § 48-402.01(d)(1)) is amended by striking the phrase "base period of 5 years" and inserting the phrase "base period of at least 5 years" in its place.

(b) Section 3b (D.C. Official Code § 48-402.02) is amended to read as follows:

"Sec. 3b. Limitations on expenditures.

"Total real property tax abatements provided for certain urban farms established pursuant to D.C. Official Code § 47-868 and the tax-exempt status conferred by D.C. Official Code § 47-1005(c) shall not exceed $150,000 each year.".

Sec. 6123. Section 47-1005(c) of the District of Columbia Official Code is amended by striking the phrase "Department of General Services" and inserting the phrase "Department of Energy and Environment" in its place.

SUBTITLE N. WASTE DISPOSAL FEES

Sec. 6131. Short title.

This subtitle may be cited as the "Waste Disposal Fees Regulation Congressional Review Emergency Amendment Act of 2020".

Sec. 6132. Section 720.8 of Title 21 of the District of Columbia Municipal Regulations (21 DCMR § 720.8) is amended to read as follows:

"720.8 Beginning on October 1, 2020, the applicable fee for the disposal of each ton of solid waste at the waste-handling facilities, excluding those wastes specified in §§ 720.5, 720.6, and 720.7, shall be seventy dollars and sixty-two cents ($70.62) for each ton disposed; provided, that a minimum fee of thirty five dollars and thirty-one cents ($35.31) shall be imposed on each load weighing one thousand pounds (1,000 lb.) or less.".

SUBTITLE O. FAST FERRY GRANT

Sec. 6141. Short title.

This subtitle may be cited as the "Fast Ferry Grant Congressional Review Emergency Act of 2020".

Sec. 6142. (a) In Fiscal Year 2021, the District Department of Transportation ("DDOT") shall award a grant of not less than $250,000 to a regional transportation system supporting efforts to establish M-495 Commuter Fast Ferry Service on the Occoquan, Potomac, and Anacostia River system.

(b) A grant awarded pursuant to this section shall be in addition to any other grant awarded by DDOT for fast ferry service.

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. PERSONAL PROPERTY TAX

Sec. 7001. Short title.

This subtitle may be cited as the "Personal Property Tax Congressional Review Emergency Amendment Act of 2020".

Sec. 7002. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1508(a) is amended by adding a new paragraph (13) to read as follows:

"(13)(A) Computer software, unless:

"(i) The software is incorporated as a permanent component of a computer, machine, piece of equipment, or device, or of real property, and the software is not commonly available separately; or

"(ii) The cost of the software is included as part of the cost of a computer, machine, piece of equipment, or device, or of the cost of real property on the books or records of the taxpayer.

"(B) This paragraph shall not be construed to affect the value of a machine, device, piece of equipment, or computer, or the value of real property, or to affect the taxable status of any other property subject to tax under this title.".

(b) Section 47-1521 is amended as follows:

(1) Paragraph (1) is redesignated as paragraph (1A).

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

"(1) "Computer software" means a set of statements or instructions that when incorporated in a machine-usable medium is capable of causing a machine or device having information processing capabilities to indicate, perform, or achieve a particular function, task, or result.".

(3) Paragraph (4) is amended by striking the phrase "goods and chattels" and inserting the phrase "goods and chattels, including computer software," in its place.

Sec. 7003. Applicability.

This subtitle shall apply as of July 1, 2021.

SUBTITLE B. UNINCORPORATED BUSINESS FRANCHISE TAX

Sec. 7011. Short title.

This subtitle may be cited as the "Unincorporated Business Franchise Tax Congressional Review Emergency Amendment Act of 2020".

Sec. 7012. Section 47-1808.02(1) of the District of Columbia Official Code is amended by striking the phrase "Internal Revenue Code of 1986." and inserting the phrase "Internal Revenue Code of 1986. Taxable income shall include gain from the sale or other disposition of any assets, including tangible assets and intangible assets, including real property and interests in real property, in the District, even when such a sale or other disposition results in the termination of an unincorporated business." in its place.

Sec. 7013. Applicability.

This subtitle shall apply as of January 1, 2021.

SUBTITLE C. BALLPARK REVENUE FUND

Sec. 7021. Short title.

This subtitle may be cited as the "Ballpark Revenue Fund Excess Revenue Congressional Review Emergency Amendment Act of 2020".

Sec. 7022. Section 102(d) of the Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.02(d)), is amended by striking the phrase "due on the bonds." and inserting the phrase "due on the bonds; provided, that

any excess that accrues during Fiscal Year 2020, Fiscal Year 2021, or Fiscal Year 2022 shall be deposited in the unrestricted fund balance of the General Fund during the fiscal year in which it accrues." in its place.

SUBTITLE D. EVENTS DC AUTHORITY

Sec. 7031. Short title.

This subtitle may be cited as the "Events DC Authority Congressional Review Emergency Amendment Act of 2020".

Sec. 7032. Title II of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.01 *et seq.*), is amended as follows:

(a) Section 203 (D.C. Official Code § 10-1202.03) is amended as follows:

(1) Paragraph (10K) is amended by striking the period and inserting a semicolon in its place.

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

"(10L) To issue grants pursuant to section 208(h) to support go-go music in the District of Columbia.".

(b) Section 204(m) (D.C. Official Code § 10-1202.04(m)), is amended by striking the phrase "Fiscal Year 2019 or Fiscal Year 2020" and inserting the phrase "Fiscal Year 2020 or Fiscal Year 2021" in its place.

(c) Section 208 (D.C. Official Code § 10-1202.08) is amended by adding a new subsection (h) to read as follows:

"(h) For Fiscal Year 2021, the Authority shall issue not less than $1 million in grants from the Convention Center Fund to support go-go related programming, branding, tourism, and marketing; provided, that funds are available for such purpose and that the Authority first satisfy its current liabilities and legally required reserves, which shall not include the elective purchase or redemption of outstanding indebtedness, unless such purchase or redemption is for the purpose of securing a lower cost of borrowing and lower debt service payments.".

SUBTITLE E. PARKSIDE PARCEL E AND J MIXED-INCOME APARTMENTS TAX ABATEMENT

Sec. 7041. Short title.

This subtitle may be cited as the "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Congressional Review Emergency Amendment Act of 2020".

Sec. 7042. Section 47-4658 of the District of Columbia Official Code is amended as follows:

(a) Subsection (b) is amended by striking the number "2020" and inserting the number "2022" in its place.

(b) Subsection (c) is amended by striking the number "2020" and inserting the number "2022" in its place.

SUBTITLE F. OFF-PREMISES ALCOHOL TAX RATE

Sec. 7051. Short title.

This subtitle may be cited as the "Off-Premises Alcohol Tax Rate Congressional Review Emergency Amendment Act of 2020".

Sec. 7052. Section 47-2002(a) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (3)(A) is amended by striking the phrase "defined in § 47-2001(g-1)" and inserting the phrase "defined in § 47-2001(g-1) or spirituous or malt liquors, beer, and wine sold by an alcoholic beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or 25-113.01(f) or (g)" in its place.

(b) Paragraph (3A) is amended by striking the phrase "where sold" and inserting the phrase "where sold, unless sold by an alcoholic beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or 25-113.01(f) or (g)" in its place.

Sec. 7053. Section 47-2202(a) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (3)(A) is amended by striking the phrase "defined in § 47-2001(g-1)" and inserting the phrase "defined in § 47-2001(g-1) or spirituous or malt liquors, beer, and wine sold by an alcoholic beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or 25-113.01(f) or (g)" in its place.

(b) Paragraph (3A) is amended by striking the phrase "where sold" and inserting the phrase "where sold, unless sold by an alcoholic beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or 25-113.01(f) or (g)" in its place.

SUBTITLE G. SUBJECT-TO-APPROPRIATIONS REPEALS AND MODIFICATIONS

Sec. 7061. Short title.

This subtitle may be cited as the "Subject-to-Appropriations Repeals and Modifications Congressional Review Emergency Amendment Act of 2020".

Sec. 7062. Section 3 of the DC HealthCare Alliance Recertification Simplification Amendment Act of 2017, effective December 13, 2017 (D.C. Law 22-35; 64 DCR 10929), is repealed.

Sec. 7063. Section 3 of the East End Certificate of Need Maximum Fee Establishment Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-176; 65 DCR 9552), is repealed.

Sec. 7064. Section 301(a) of the Birth-to-Three for All DC Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-179; 65 DCR 9569), is amended by striking the phrase "107(b)," and inserting the phrase "107," in its place.

Sec. 7065. Section 8 of the Tipped Wage Workers Fairness Amendment Act of 2018, effective December 13, 2018 (D.C. Law 22-196; 65 DCR 12049), is repealed.

Sec. 7066. The Ensuring Community Access to Recreational Spaces Act of 2018, effective February 22, 2019 (D.C. Law 22-210; D.C. Official Code § 38-431 *et seq.*), is amended as follows:

(a) Section 4(b) (D.C. Official Code § 38-433(b)) is amended by striking the phrase "Within 180 days after February 22, 2019, the Mayor" and inserting the phrase "The Mayor" in its place.

(b) A new section 7a is added to read as follows:

"Sec. 7a. Applicability.

"(a) Section 4 shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

"(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

"(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

"(2) The date of publication of the notice of the certification shall not affect the applicability of section 4.".

Sec. 7067. Section 3 of the Boxing and Wrestling Commission Amendment Act of 2018, effective February 22, 2019 (D.C. Law 22-228; 66 DCR 200), is repealed.

Sec. 7068. The Senior Strategic Plan Amendment Act of 2018, effective March 28, 2019 (D.C. Law 22-267; 66 DCR 1428), is amended by adding a new section 3a to read as follows:

"Sec. 3a. Applicability.

"(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

"(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

"(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

"(2) The date of publication of the notice of the certification shall not affect the applicability of this act.".

Sec. 7069. Section 5 of the Public Restroom Facilities Installation and Promotion Act of 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is amended to read as follows:

"Sec. 5. Applicability.

"(a) Section 4 shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

"(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan and provide notice to the Budget Director of the Council of the certification.

"(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

"(2) The date of publication of the notice of the certification shall not affect the applicability of section 4.".

Sec. 7070. Section 5 of the Sports Wagering Lottery Amendment Act of 2018, effective May 3, 2019 (D.C. Law 22-312; 66 DCR 1402), is repealed.

Sec. 7071. Section 4 of the Mypheduh Films DBA Sankofa Video and Books Real Property Tax Exemption Act of 2019, effective September 11, 2019 (D.C. Law 23-24; 66 DCR 9759), is repealed.

Sec. 7072. Section 3 of the Certificate of Need Fee Reduction Amendment Act of 2019, effective March 10, 2020 (D.C. Law 23-60; 67 DCR 568), is repealed.

Sec. 7073. Section 3 of the Electronic Medical Order for Scope of Treatment Registry Amendment Act of 2019, effective March 10, 2020 (D.C. Law 23-62; 67 DCR 574), is repealed.

Sec. 7074. Section 5 of the Housing Conversion and Eviction Clarification Amendment Act of 2020, effective April 16, 2020 (D.C. Law 23-72; 67 DCR 2476), is repealed.

Sec. 7075. Section 5 of the Urban Farming Land Lease Amendment Act of 2020, effective April 16, 2020 (D.C. Law 23-80; 67 DCR 2494), is repealed.

Sec. 7076. Section 4 of the Office on Caribbean Affairs Establishment Act of 2020, effective May 6, 2020 (D.C. Law 23-87; 67 DCR 3534), is repealed.

Sec. 7077. Section 3 of the Strengthening Reproductive Health Protections Amendment Act of 2020, effective May 6, 2020 (D.C. Law 23-90; 67 DCR 3537), is repealed.

Sec. 7078. Section 6 of the Certified Professional Midwife Amendment Act of 2020, effective June 17, 2020, (D.C. Law 23-97; 67 DCR 3912), is repealed.

Sec. 7079. Section 3 of the Leave to Vote Amendment Act of 2020, effective June 24, 2020 (D.C. Law 23-110; 67 DCR 5057), is repealed.

Sec. 7080. Section 3 of the Transportation Benefits Equity Amendment Act of 2020, effective June 24, 2020 (D.C. Law 23-113; 67 DCR 5069), is repealed.

Sec. 7081. Section 3 of the Professional Art Therapist Licensure Amendment Act of 2020, effective June 24, 2020, (D.C. Law 23-115; 67 DCR 5077), is repealed.

Sec. 7082. Section 6 of the Ivory and Horn Trafficking Prohibition Act of 2020, effective August 6, 2020 (D.C. Law 23-126; 67 DCR 5060), is repealed.

SUBTITLE H. COUNCIL PERIOD 23 RULE 736 AND OTHER REPEALS

Sec. 7091. Short title.

This subtitle may be cited as the "Council Period 23 Rule 736 and Other Repeals Congressional Review Emergency Amendment Act of 2020".

Sec. 7092. Section 1013(g) of the Innovation Fund Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-325.222(g)), is repealed.

Sec. 7093. The Health Care Provider Facility Expansion Program Establishment Act of 2018, effective May 5, 2018 (D.C. Law 22-97; D.C. Official Code § 7-1941.01 *et seq.*), is repealed.

Sec. 7094. Section 202 of the Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1602.02), is repealed.

Sec. 7095. The School Health Innovations Grant Program Amendment Act of 2018, effective May 5, 2018 (D.C. Law 22-98; D.C. Official Code § 38-671.01 *et seq.*), is repealed.

Sec. 7096. Section 3602(d) of the Restrictions on the Use of Official Vehicles Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(d)), is repealed.

Sec. 7097. Sections 103 and 105(c) of the Employee Transportation Amendment Act of 2012, effective March 5, 2013 (D.C. Law 19-223; D.C. Official Code §§ 50-211.03 and 50-211.05(c)), are repealed.

Sec. 7099. The Exhaust Emissions Inspection Amendment Act of 2017, effective January 25, 2018 (D.C. Law 22-47; 64 DCR 12403) is repealed.

Sec. 7100. The DC Healthcare Alliance Re-Enrollment Reform Amendment Act of 2017, effective February 17, 2018 (D.C. Law 22-62; 65 DCR 9), is repealed.

Sec. 7101. The Ballpark Fee Forgiveness Act of 2017, effective February 28, 2018 (D.C. Law 22-64; 65 DCR 328), is repealed.

Sec. 7102. Section 2(nn) and (oo) of the Homeless Services Reform Amendment Act of 2017, effective February 28, 2018 (D.C. Law 22-65; 65 DCR 331), is repealed.

Sec. 7103. The East End Commercial Real Property Tax Rate Reduction Amendment Act of 2018, effective March 29, 2018 (D.C. Law 22-81; 65 DCR 1582), is repealed.

Sec. 7104. The Relieve High Unemployment Tax Incentives Act of 2018, effective April 25, 2018 (D.C. Law 22-85; 65 DCR 1805), is repealed.

Sec. 7105. The Telehealth Medicaid Expansion Amendment Act of 2018, effective July 3, 2018 (D.C. Law 22-126; 65 DCR 5110), is repealed.

Sec. 7106. The Expenditure Commission Establishment Act of 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

SUBTITLE I. DISTRICT HISTORY GRANT

Sec. 7111. Short title.

This subtitle may be cited as the "District History Grant Congressional Review Emergency Act of 2020".

Sec. 7112. (a) The Washington Convention and Sports Authority ("Events DC") shall award a grant to a nonprofit organization occupying space in the Carnegie Library building that is engaged in collecting, interpreting, and sharing the history of the District.

(b) In Fiscal Year 2021, of the funds allocated to the Non-Departmental Account, $100,000 shall be transferred to Events DC to use for the grant authorized by subsection (a) of this section.

(c) A grant awarded pursuant to this section shall be in addition to any other grant awarded by Events DC in support of historical education and research.

SUBTITLE J. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING MATCH

Sec. 7121. Short title.

This subtitle may be cited as the "National Cherry Blossom Festival Fundraising Match Congressional Review Emergency Act of 2020".

Sec. 7122. National Cherry Blossom Festival Fundraising.

(a) There is established a matching grant program to support the 2021 National Cherry Blossom Festival ("Program"), which shall be administered by the Washington Convention and Sports Authority ("Events DC"). Under the Program, a matching grant shall be awarded to a nonprofit organization that organizes and produces an event or events as part of the official, month-long National Cherry Blossom Festival ("Festival") of up to $1,000,000 at a rate of $2 for every dollar that the organization has raised in donations by April 30, 2021.

(b) In Fiscal Year 2021, of the funds allocated to the Non-Departmental Account, $1,000,000 shall be transferred to Events DC to use for the grant authorized by subsection (a) of this section.

(c) A grant awarded pursuant to this section shall be in addition to any other grant awarded by Events DC in support of the Festival.

SUBTITLE K. MOTOR VEHICLE FUEL TAX

Sec. 7131. Short Title.

This subtitle may be cited as the "Motor Vehicle Fuel Tax Congressional Review Emergency Amendment Act of 2020".

Sec. 7132. Chapter 23 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-2301 is amended as follows:

(1) Subsection (a) is amended by adding a new paragraph (4) to read as follows:

"(4) This subsection shall not apply after September 30, 2020.".

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

"(a-1)(1) The District shall levy and collect a tax and a local transportation surcharge ("surcharge") on motor vehicle fuels sold or otherwise disposed of by an importer or by a user, or used for commercial purposes.

"(2) As of October 1, 2020:

"(A) The rate of tax shall be $.235 per gallon; and

"(B) The surcharge shall be $.053 per gallon;

"(3) As of October 1, 2021, the surcharge shall be $.103 per gallon, increased annually, beginning with the fiscal year commencing on October 1, 2022, by the cost-of-living adjustment.".

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

"(c) The Chief Financial Officer of the District of Columbia shall:

"(1) Transfer annually to the District of Columbia Highway Trust Fund the proceeds of the taxes imposed under subsection (a) and (a-1) of this section; and

"(2) Transfer to the Capital Improvements Program the revenue derived from the surcharge under subsection (a-1) to fund the renovation, repair, and maintenance of local transportation infrastructure.".

(b) Section 47-2302 is amended by adding a new paragraph (24) to read as follows:

"(24)(A) "Cost-of-living adjustment" means the ratio of CPI for the preceding calendar year and the CPI for the base year.

"(B) For the purposes of this paragraph, the term:

"(i) "Base year" means the calendar year ending December 31, 2020.

"(ii) "CPI" means the average of the Consumer Price Index for All Urban Consumers for the Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan Statistical Area (or such successor metropolitan statistical area that includes the District) for the preceding calendar year.".

Sec. 7133. Section 102a of the Highway Trust Fund Establishment Act of 1996, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 9-111.01a), is amended by adding a new subsection (c) to read as follows:

"(c) Revenue derived from the local transportation surcharge on motor vehicle fuels sold or otherwise disposed of by an importer or by a user, or used for commercial purposes, pursuant

to D.C. Official Code § 47-2301(a-1), shall be transferred to the Capital Improvements Program to fund the renovation, repair, and maintenance of local transportation infrastructure.".

SUBTITLE L. NEW COMMUNITIES CLARIFICATION

Sec. 7141. Short title.

This subtitle may be cited as the "New Communities Bond Clarification Congressional Review Emergency Amendment Act of 2020".

Sec. 7142. Section 203(b) of the Housing Production Trust Fund Act of 1988, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 42-2812.03(b)), is amended to read as follows:

"(b)(1) The bonds, which may be issued from time to time, in one or more series, shall be tax-exempt or taxable as the Mayor shall determine.

"(2) The total amount of funds allocated annually from the Housing Production Trust Fund to pay debt service on the bonds shall not exceed $16 million.".

SUBTITLE M. QHTC TAX INCENTIVES MODIFICATION

Sec. 7151. Short Title.

This subtitle may be cited as the "QHTC Tax Incentives Modification Congressional Review Emergency Amendment Act of 2020".

Sec. 7152. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1508(a)(10) is repealed.

(b) Chapter 18 is amended as follows:

(1) Section 47-1803.03(a)(18) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “the lesser of $25,000 (or $40,000 in the case of a Qualified High Technology Company (“QHTC”))” and inserting the phrase “the lesser of $25,000” in its place.

(B) Subparagraph (B) is repealed.

(2) Section 47-1817.01(5)(A)(ii) is amended by striking the number “2” and inserting the number “10” in its place.

(3) Section 47-1817.02 is repealed.

(4) Section 47-1817.03 is amended as follows:

(A) Subsection (a) is amended by striking the phrase “imposed by § 47-1817.06” and inserting the phrase “imposed by § 47-1807.02” in its place.

(B) Subsection (a-1) is amended by striking the phrase “imposed by § 47-1817.06” and inserting the phrase “imposed by § 47-1807.02” in its place.

(5) Section 47-1817.04 is amended as follows:

(A) Subsection (d) is amended by striking the figure “$20,000” and inserting the figure “$10,000” in its place.

(B) Subsection (e) is repealed.

(6) Section 47-1817.05(c) is repealed.

(7) Section 47-1817.06 is repealed.

(8) Section 47-1817.07 is repealed.

(9) Section 47-1817.07a is amended by striking the phrase “For tax years beginning after December 31, 2018, notwithstanding” and inserting the phrase “For the tax year

beginning after December 31, 2018 and ending before January 1, 2020, and for tax years beginning after December 31, 2024, notwithstanding" in its place.

(10) Section 47-1818.06(3) is repealed.

Sec. 7153. Applicability.

This subtitle shall apply as of the effective date of this act, except that section 7152(a) shall apply as of July 1, 2021.

SUBTITLE N. ADAMS MORGAN BID

Sec. 7161. Short title.

This subtitle may be cited as the "Adams Morgan Business Improvement District Congressional Review Emergency Amendment Act of 2020".

Sec. 7162. Section 206(c) of the Business Improvement District Act of 1996, effective March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56(c)), is amended to read as follows:

"(c) The BID taxes for the taxable properties in the Adams Morgan BID shall not exceed $.21 for each $100 in assessed value for all taxable properties and all commercial portions of mixed use properties; provided, that any change in the BID taxes from the current tax year rates shall be made subject to the requirements of section 9.".

SUBTITLE O. SKYLAND TAX EXEMPTION

Sec. 7171. This subtitle may be cited as the "Skyland Tax Exemption Congressional Review Emergency Amendment Act of 2020".

Sec. 7172. Section 302 of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows:

(a) Paragraph (34) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (35) is amended by striking the period at the end and inserting the phrase "; and" in its place.

(c) A new paragraph (36) is added to read as follows:

"(36)(A) Deeds conveying, vesting, granting, or assigning title to, an interest in, a security interest in, or an economic interest in the real property (and any improvements thereon) described as Square 5633, Lots 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 7000, 7009, and 7010 that are recorded between October 1, 2020, and December 31, 2020.

"(B) The amount of all taxes, fees, and deposits exempted under this paragraph and D.C. Official Code § 47-902(28), shall not exceed, in the aggregate, $420,840.".

Sec. 7173. Section 47-902 of the District of Columbia Official Code is amended by adding a new paragraph (28) to read as follows:

"(28)(A) Transfers with respect to the real property (and any improvements thereon) described as Square 5633, Lots 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 7000, 7009, and 7010, as evidenced by the recordation of a deed conveying title to the real property between October 1, 2020, and December 31, 2020.

"(B) The amount of all taxes, fees, and deposits exempted under this paragraph and § 42-1102(36), shall not exceed, in the aggregate, $420,840.".

SUBTITLE P. COMBINED REPORTING TAX DEDUCTION DELAY

Sec. 7181. Short title.

This subtitle may be cited as the "Combined Reporting Tax Deduction Delay Congressional Review Emergency Amendment Act of 2020".

Sec. 7182. Section 47-1810.08(b) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "beginning with the 10th year of the combined filing" and inserting the phrase "beginning with the 15th year of the combined filing" in its place.

(b) Paragraph (2) is amended by striking the number "2015" and inserting the number "2020" in its place.

SUBTITLE Q. ESTATE TAX ADJUSTMENT

Sec. 7191. Short title.

This subtitle may be cited as the "Estate Tax Adjustment Congressional Review Emergency Amendment Act of 2020".

Sec. 7192. Section 47-3701 of the District of Columbia Official Code is amended as follows:

(a) Paragraph (4) is amended as follows:

(1) Subparagraph (E) is amended by striking the phrase "dying after December 31, 2017" and inserting the phrase "whose death occurs after December 31, 2017, but before January 1, 2021" in its place.

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

"(F) For a decedent whose death occurs after December 31, 2020:

"(i) The maximum amount of credit for state death taxes allowed by section 2011 of the Internal Revenue Code;

"(ii) The amount of the unified credit shall be $1,545,800, increased annually, beginning with the year commencing on January 1, 2022, by the cost-of-living adjustment; and

"(iii) An estate tax return shall not be required to be filed if the decedent's gross estate does not exceed the applicable zero bracket amount.".

(b) Paragraph (14) is amended as follows:

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

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

(A) Strike the phrase "after December 31, 2017" and insert the phrase "after December 31, 2017, but before January 1, 2021" in its place.

(B) Strike the period at the end and insert the phrase "; or" in its place.

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

"(D) For a decedent whose death occurs after December 31, 2020, $4 million, increased annually, beginning with the year commencing on January 1, 2022, by the cost-of-living adjustment.".

SUBTITLE R. DISTRICT OF COLUMBIA LOW-INCOME HOUSING TAX CREDIT CLARIFICATION

Sec. 7201. Short title.

This subtitle may be cited as the "District of Columbia Low-Income Housing Tax Credit Clarification Congressional Review Emergency Amendment Act of 2020".

Sec. 7202. Chapter 48 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 "47-4806. Transfer, sale, or assignment" and inserting the phrase "47-4806. Transfer, sale, assignment, or allocation" in its place.

(b) Section 47-4801 is amended as follows:

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

"(1A) "Commissioner" means the Commissioner of the Department of Insurance, Securities, and Banking.".

(2) Paragraph (3) is amended by striking the phrase "cause the construction of affordable housing" and inserting the phrase "cause the acquisition, rehabilitation, or construction of affordable housing" in its place.

(3) Paragraph (6) is amended by striking the phrase ""Low-Income Housing Tax Credit Program" means the program authorized by section 42 of the Internal Revenue Code of 1986" and inserting the phrase ""Federal low-income housing tax credit" means a tax credit claimed pursuant to section 42 of the Internal Revenue Code of 1986" in its place.

(4) Paragraph (7) is repealed.

(5) Paragraph (8) is amended by striking the phrase "a rental housing development that receives an allocation of federal Low-Income Housing Tax Credits from the Department" and inserting the phrase "a rental housing development in the District that receives

an allocation of federal low-income housing tax credits under section 42(h)(1) or (4) of the 1986 Internal Revenue Code (26 U.S.C. § 42(h)(1) or (4)) after October 1, 2021, and receives an executed extended low-income housing commitment pursuant to section 42(h)(6)(B) of the 1986 Internal Revenue Code (26 U.S.C. § 42(h)(6)(B)) from the Department dated on or after October 1, 2021".

(c) Section 47-4802 is amended as follows:

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

"(a) There is established a District of Columbia low-income housing tax credit.".

(2) Subsection (b) is repealed.

(3) Subsection (c) is repealed.

(4) Subsection (d) is amended by striking the phrase "tax credit award" and inserting the phrase "tax credit" in its place.

(d) Section 47-4803 is amended as follows:

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

"(a) An owner of a qualified project may receive a District of Columbia low-income housing tax credit with respect to that qualified project in an amount equal to 25% of the value of the federal low-income housing tax credit received with respect to the qualified project.".

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

"(b)(1) If the owner of a qualified project transfers, sells, or assigns a District of Columbia low-income housing tax credit to another taxpayer, pursuant to § 47-4806, the District of Columbia low-income housing tax credit shall not be taken, pursuant to subsection (c) of this

section, against taxes imposed under this title unless the owner has filed with the Department, in a form determined by the Department, an affidavit certifying that:

"(A) The owner of the qualified project received, as consideration for transferring, selling, or assigning the District of Columbia low-income housing tax credit, at least 80% of the per dollar sale price for a federal low-income housing tax credit associated with the qualified project that the owner has transferred, sold, or assigned; and

"(B) The value received by the owner of the qualified project was used to ensure financial feasibility of the qualified project.

"(2) The Department shall deliver to the Chief Financial Officer and the Commissioner an annual report certifying the ongoing eligibility of an eligible project to receive federal low-income housing tax credits.".

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

"(c)(1) The District of Columbia low-income housing tax credit may be claimed against taxes imposed under Chapter 18 of this title or § 47-2608(a)(1).

"(2) The District of Columbia low-income housing tax credit may be claimed equally for 10 years, subtracted from the tax otherwise due for each taxable period and shall not be refundable; provided, that the credit may not be taken against any tax that is dedicated in whole or in part to the Healthy DC and Heath Care Expansion Fund established by § 31-3514.02.".

"(3) If the District of Columbia low-income housing tax credit is claimed against taxes imposed under Chapter 18 of this title, any amount of the low-income housing tax credit that exceeds the tax due for a taxable year may be carried forward to any of the 10 remaining

subsequent taxable years for taxes imposed under Chapter 18 of this title. If the District of Columbia low-income housing tax credit is claimed against taxes imposed under § 47-2608(a)(1), any amount of the credit that exceeds the tax due for a taxable year may be carried forward to any of the 10 remaining subsequent taxable years for taxes imposed under § 47-2608(a)(1).".

(4) Subsection (d)(1) is amended by striking the phrase "allocated to parties who are eligible under the provisions of subsection (a) of this section" and inserting the phrase "transferred, sold, assigned, or allocated to parties who are eligible pursuant to Chapter 48 of Title 47 of the District of Columbia Official Code" in its place.

(5) Subsection (e) is amended as follows:

(A) The lead-in language is amended by striking the phrase "submitted to the Chief Financial Officer as provided in this section" and inserting the phrase "submitted to the Chief Financial Officer and the Commissioner as provided in this section" in its place.

(B) Paragraph (2) is amended by striking the phrase "each taxpayer subject to the recapture" and inserting the phrase "each transferee, purchaser, assignee, or party to whom a credit is allocated" in its place.

(C) Paragraph (3) is amended by striking the phrase "allocated to such taxpayer" and inserting the phrase "allocated to such transferee, purchaser, assignee, or party to whom a credit is allocated" in its place.

(6) Subsection (f)(1) is amended by striking the phrase "A tax credit allowed under this section shall not be denied to the taxpayer with respect to any qualified project" and

inserting the phrase “A District of Columbia low-income housing tax credit allowed under this section shall not be denied with respect to any qualified project” in its place.

(e) Section 47-4804 is amended as follows:

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

“(a) The owner of a qualified project eligible for the District of Columbia low-income housing tax credit shall submit a copy of the eligibility statement issued by the Department with respect to the qualified project at the time of filing the return required to be filed by the owner pursuant to § 47-1805.02. In the case of failure to attach the eligibility statement, a credit under this section shall not be allowed with respect to such qualified project for that year until the copy is provided to the Chief Financial Officer and the Commissioner.”.

(2) Subsection (b) is amended by striking the phrase “such qualified District of Columbia project shall also be recaptured” and inserting the phrase “such qualified District of Columbia project shall also be recaptured by the Office of Chief Financial Officer or Commissioner of Insurance, Securities, and Banking” in its place.

(f) Section 47-4805 is amended by striking the phrase “The Chief Financial Officer or the Department may require” and inserting the phrase “The Chief Financial Officer, the Commissioner, or the Department may require” in its place.

(g) Section 47-4806 is amended as follows:

(1) The section heading is amended by striking the phrase “Transfer, sale, or assignment” and inserting the phrase “Transfer, sale, assignment, or allocation” in its place.

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

(A) The existing text is designated as paragraph (1) and amended

to read as follows:

"(1) All or any portion of credits issued in accordance with the provisions of this section may be transferred, sold, or assigned to another taxpayer. There is no limit on the total number of transactions for the transfer, sale, or assignment of all or part of the total credit authorized under this section. Collectively, all transfers, sales, assignments, and allocations pursuant to paragraph (2) of this subsection are subject to the maximum credit allowable to a particular qualified project.".

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

"(2) A tax credit earned or purchased by, or transferred or assigned to, a partnership, limited liability company, S corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of that entity in accordance with the provisions of any agreement among the partners, members, or shareholders and without regarding to the ownership interest of the partners, members, or shareholders in the qualified project. A partner, member, or shareholder to whom a tax credit is allocated may further allocate all or part of the allocated credit as provided in this subsection or may transfer, sell, or assign the allocated credit as provided in paragraph (1) of this subsection. There is no limit on the total number of allocations of all or part of the total credit authorized under this section; however, collectively, all transfers, sales, assignments, and allocations, made pursuant to this subsection, are subject to the maximum credit allowable to a particular qualified project.".

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

"(b) An owner, transferee, purchaser, assignee, or taxpayer to whom a tax credit is allocated pursuant to subsection (a)(2) of this section, desiring to make a transfer, sale,

assignment, or allocation pursuant to subsection (a)(2) of this section, shall submit to the Chief Financial Officer and the Commissioner a statement that describes the amount of District of Columbia low-income housing tax credit for which such transfer, sale, assignment, or allocation of District of Columbia low-income housing tax credit is eligible. The owner, transferor, seller, assignor, or taxpayer who is allocating, pursuant to subsection (a)(2) of this section, the tax credit, as applicable, shall provide to the Chief Financial Officer and the Commissioner appropriate information so that the low-income housing tax credit can be properly allocated.".

(4) Subsection (c)(3) is amended to read as follows:

"(3) Amount of credit previously transferred, sold, assigned, or allocated to such transferee, purchaser, assignee, or taxpayer to whom a credit is allocated.".

(h) Section 47-4807 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "The Department, in consultation with the Chief Financial Officer, shall monitor" and inserting the phrase "The Department, in consultation with the Chief Financial Officer and the Commissioner, shall monitor" in its place.

(2) Subsection (b) is amended by striking the phrase "The Department or the Chief Financial Officer shall report" and inserting the phrase "The Department, the Chief Financial Officer, or the Commissioner shall report" in its place.

SUBTITLE S. EXCLUDED WORKERS

Sec. 7211. Short title.

This subtitle may be cited as the "Excluded Workers Congressional Review Emergency Amendment Act of 2020".

Sec. 7212. Assistance for excluded workers.

The Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1201.01 *et seq.*), is amended by adding a new section 203a to read as follows:

"Sec. 203a. Assistance for excluded workers.

"(a) During the public health emergency declared in the Mayor's order dated March 11, 2020 and any extensions thereof, the Washington Convention and Sports Authority ("Events DC") shall issue, subject to the availability of funds, grants or contracts to nonprofit entities to use to provide cash assistance to District residents who are otherwise excluded from District and federal aid related to COVID-19. To qualify for cash assistance from grants or contracts awarded pursuant to this section, a District resident shall, at the time of application for assistance under this section:

"(1) Demonstrate loss of income due to the public health emergency;

"(2)(A) Be ineligible for:

"(i) Unemployment insurance; or

"(ii) COVID-19 relief; or

"(B) Be a returning citizen, as defined by section 2(5) of the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301(5)), whose incarceration ended not more than 6 months before the time of application for assistance under this section; and

"(3) Provide a:

"(A) Signed certification that the resident's loss of income stems from the public health emergency; and

"(B) Proof of residency and eligibility for relief, as determined by Events DC and consistent with rules and standards for COVID-19 relief programs administered by Events DC.

"(b) Any entity receiving a grant or contract pursuant to this section may use no more than 10% of the grant for administrative expenses incurred from administering the cash assistance program.

"(c) Cash assistance provided to eligible individuals pursuant to this section shall not be considered in determining eligibility for any means-tested programs administered by the District.

"(d) For the purposes of this section the term:

"(1) "COVID-19" means the disease caused by the novel coronavirus SARS-CoV-2.

"(2) COVID-19 relief" means means federal monetary unemployment assistance provided under the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), which shall include tax credits but shall not include federal Economic Impact Payments or other stimulus relief for which eligibility is not contingent on the recipient's employment status.".

Sec. 7213. Non-taxability.

Section 47-1803.02(a)(2) of the District of Columbia Official Code is amended to add a new subparagraph (JJ) to read as follows:

"(JJ) Cash assistance for excluded workers given pursuant to grants awarded by the Washington Convention and Sports Authority in 2020.".

TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS

Sec. 8001. Short title.

This subtitle may be cited as the "Designated Fund Transfer Congressional Review Emergency Act of 2020".

Sec. 8002. (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 in Fiscal Year 2021 and in each fiscal year through Fiscal Year 2024 the following recurring amounts from certified fund balances and other revenue in the identified accounts to the unassigned fund balance of the General Fund of the District of Columbia:

Agency Code	Agency	Fund Detail	Fund Name	FY 2021 -2024
CR0	DCRA	6013	Basic Business License Fund	6,000
CR0	DCRA	6040	Corporate Recordation Fund	12,500
HA0	DPR	0602	Enterprise Fund Account	150,000
HC0	DOH	0605	SHPDA Fees	4,000
HC0	DOH	0632	Pharmacy Protection	5,393
HC0	DOH	0633	Radiation Protection	3,500
HC0	DOH	0643	Board of Medicine	145,493
HC0	DOH	0656	EMS Fees	5,250
KG0	DOEE	0646	Stormwater Fees	2,000
KG0	DOEE	0662	Renewable Energy Development Fund	30,000
KG0	DOEE	6700	Sustainable Energy Trust Fund	40,000
LQ0	ABRA	6017	ABC - Import and Class License Fees	245,368
PO0	OCP	4010	DC Surplus Personal Property Sales Operation	10,000
SR0	DISB	2100	HMO Assessment	17,763
SR0	DISB	2200	Insurance Assessment	120,790

SR0	DISB	2350	Securities and Banking Fund	370,403
SR0	DISB	2800	Captive Insurance	82,741
TC0	DFHV	2400	Public Vehicles for Hire	21,000
Total				**1,272,201**

(b) The amounts identified in subsection (a) of this section shall be made available as set forth in the approved Fiscal Year 2021 Budget and Financial Plan.

TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE

Sec. 9001. Applicability.

Except as otherwise provided, this act shall apply as of October 20, 2020.

Sec. 9002. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).