AN ACT
D.C. ACT 19-376

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 23, 2012

To amend various acts to correct technical errors, provide clarifications, make conforming amendments and to enact subchapter IV-B of Chapter 3, subchapter III, and parts A through D subchapter IV of Chapter 28 of Title 47 of the District of Columbia Official Code and Chapter 55 of Title 16 of the District of Columbia Official Code.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Technical Amendments Act of 2012".

Title I.

Sec. 2. The District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Official Code § 1-125), is amended by striking the subsection designation "(c-1)" and inserting the section designation “(d)” in its place.

Sec. 3. Section 3(a)(2) of the Independent Personnel Systems Implementation Act of 1980, effective September 26, 1980 (D.C. Law 3-109; D.C. Official Code § 1-301.21(a)(2)), is amended by striking the phrase “this act” and inserting the phrase “this subsection” in its place.

Sec. 4. Section 705 of the District of Columbia Revenue Act of 1970, approved January 5, 1971 (84 Stat. 1939; D.C. Official Code § 1-301.91), is amended as follows:
(a) Subsection (d) is repealed.
(b) Subsection (d-1) is repealed.

Sec. 5. Section 4(c) of the Compliance Unit Establishment Act of 2008, effective June 13, 2008 (D.C. Law 17-176; D.C. Official Code § 1-301.183(c)), is amended by adding the phrase "of this section" after the phrase "subsection (b)".
Sec. 6. Section 1101 of the Independence of Legislative Branch Information Technology and Personnel Authority Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the phrase "as follows: (a) Section 2 (D.C. Official Code §1-301.44) is amended".

Sec. 7. Section 2 of the Disclosure of Information to the Council Amendment Act of 2009, effective March 11, 2010 (D.C. Law 18-119; 57 DCR 906), is amended by striking the section designation "2a" each time it appears and inserting the section designation "2c" in its place.

Sec. 8. Section 202 of the Comprehensive Plan Amendment Act of 2010, effective April 8, 2011 (D.C. Law 18-361; 58 DCR 908), is amended by striking the date "March 8, 2007" and inserting the phrase "the effective date of the Comprehensive Plan Amendment Act of 2006, passed on 2nd reading on December 19, 2006 (Enrolled version of Bill 16-876)," in its place.

Sec. 9. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 et seq.), is amended as follows:

(a) Section 301(q)(43) (D.C. Official Code § 1-603.01(17)(QQ)) is amended by striking the phrase "Office of Property Management" and inserting the phrase "Department of General Services" in its place.

(b) Section 502(f) (D.C. Official Code § 1-605.02(6)) is amended by striking the phrase "notwithstanding any provisions of the District of Columbia Uniform Arbitration Act (D.C. Code § 16-4301 to 16-4319)" and inserting in its place the phrase "notwithstanding any provisions of Chapter 44 of Title 16 of the District of Columbia Official Code."

(c) Section 801A (D.C. Official Code § 1-608.01a) is amended as follows:

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

(A) Subparagraph (B)(i) is amended by striking the phrase "Superintendent for Education" and inserting the phrase "Superintendent of Education" in its place.

(B) Subparagraph (C)(i) is amended by striking the phrase "Superintendent for Education" and inserting the phrase "Superintendent of Education" in its place.

(C) Subparagraph (I) is amended by striking the phrase "Superintendent for Education" and inserting the phrase "Superintendent of Education" in its place.

(2) Subsection (f) is amended by striking the phrase "Each board" and inserting the phrase "The board" in its place.

(d) Section 1111(a-1)(3) (D.C. Official Code § 1-611.11(a-1)(3)) is amended by striking the phrase "Superintendent for Education" both times it appears and inserting the phrase
"Superintendent of Education" in its place.

Sec. 10. Section 2(a) of the Pension Vesting Amendment Act of 2009, effective December 8, 2009 (D.C. Law 18-82; 56 DCR 8140), is amended by striking the phrase "100%" in its place." and inserting the phrase "100%." in its place.

Sec. 11. Section 9(b-1)(3) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 702; D.C. Official Code § 1-1001.09(b-1)(3)), is amended by striking the phrase "Office of Property Management" and inserting the phrase "Department of General Services" in its place.

Sec. 12. The Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2007, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 et seq.), is amended as follows:

(a) Section 2313(c)(2)(A) (D.C. Official Code § 2-218.13(c)(2)(A)) is amended as follows:

1. The lead-in language is amended by striking the semi-colon at the end and inserting a colon in its place.

2. Sub-subparagraph (i) is amended by striking the phrase "certified business" and inserting the phrase "Certified business" in its place.

(b) Section 2342(1) (D.C. Official Code § 2-218.42(1)) is amended by striking the phrase "local and disadvantaged business enterprises, resident-owned businesses, resident businesses, and local" and inserting the word "certified" in its place.

(c) Section 2346(i) (D.C. Official Code § 2-218.46(i)) is amended by striking the word "developer" and inserting the word "contractor" in its place.

Sec. 13. Section 2 of the Department of Small and Local Business Development Amendment Act of 2009, effective April 20, 2010 (D.C. Law 18-141; 57 DCR 1485), is amended as follows:

(a) Subsection (c)(1) is amended by striking the comma after "Enforcement".

(b) Subsection (h)(3) is repealed.

(c) Subsection (n)(2)(B) is amended by striking the word "semicolon" and inserting the word "period" in its place.

Sec. 14. Section 2222(a)(1)(A) of the Department of Small and Local Business Development Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by adding the phrase "the effective date of the" before the word "Department".
Sec. 15. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 et seq.), is amended as follows:
   (a) Section 105(c)(13) (D.C. Official Code § 2-351.05(c)(13) is amended by striking the period at the end and inserting a semicolon in its place.
   (b) The section heading to section 1103 (D.C. Official Code § 2-361.03) is amended to read as follows:
      “Sec. 1103. Supply schedule, purchase card, and training funds.”.

Sec. 16. Section 3(18) of the District of Columbia Administrative Procedure Act, effective October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-502(18)), is amended by adding a comma after the word “used”.

Sec. 17. Section 602 of the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 467; D.C. Official Code § 1-1106.02), is amended by striking the phrase “Board of Real Property Assessments and Appeals” and inserting the phrase “Real Property Tax Appeals Commission for the District of Columbia” in its place.

Sec. 18. Section 405(f) of the District of Columbia Administrative Procedure Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-575(f)), is amended by striking the phrase “with section 405” and inserting the phrase “with this section” in its place.

Sec. 19. Section 4042 of the DCPL Procurement Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the subsection designation "(u)" both times it appears and inserting the subsection designation "(v)" in its place.

Sec. 20. Section 4(b)(2) of the City Market at O Street Tax Increment Financing Act of 2008, effective November 25, 2008 (D.C. Law 17-278; D.C. Official Code § 2-1217.33c(b)(2)), is amended by striking the phrase “which act” and inserting the phrase “which this act” in its place.

Sec. 21. Section 106(a)(5) of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.06(a)(5)), is amended by striking the phrase “section 16-2332” and inserting the phrase “D.C. Official Code § 16-2332” in its place.

Sec. 22. The section heading to section 5064 of the Increase Local Capacity to Serve DYRS Committed Youth Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6226), is amended to read as follows:
   “The Department of Youth Rehabilitation Services Establishment Act of 2004, effective
April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.01), is amended by adding a new section 106a to read as follows:

"Section 106a. Quarterly report on status of Medicaid eligibility."

Sec. 23. Section 5064 of the Increase Local Capacity to Serve DYRS Committed Youth Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6226), is amended by striking the phrase “DYRS shall” and inserting the phrase “the Department shall” in its place.

Sec. 24. Section 7 of the Youth Council of the District of Columbia Establishment Act of 2008, effective October 22, 2008 (D.C. Law 17-251; D.C. Official Code § 2-1565.06), is amended as follows:

1. Strike the paragraph designation (1).
2. Strike the paragraph designation (2) and insert the subsection designation (b) in its place.
3. Strike the paragraph designation (3) and insert the subsection designation (c) in its place.

Sec. 25. The Interagency Collaboration and Services Integration Commission Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 2-1591 et seq.), is amended as follows:

(a) Section 505(c) (D.C Official Code § 2-1595(c)) is amended as follows:
   1. Paragraph (3)(A) is amended by striking the period at the end and inserting a semicolon in its place.
   2. Paragraph (4) is amended by striking the period at the end and inserting a semicolon in its place.

(b) Section 506(a)(21) (D.C. Official Code § 2-1596(a)(21)) is amended by striking the period at the end and inserting a semicolon in its place.

Sec. 26. Section 3 of the Residential Housing Tax Abatement Clarification Amendment Act of 2010, effective March 31, 2011 (D.C. Law 18-352; 57 DCR 5591), is amended by striking the subsection designation “(b-3)” wherever it appears and inserting the subsection designation “(b-5)” in its place.

Sec. 27. Section 2 of the Enhanced Security at Gas Stations Amendment Act of 2009, effective October 22, 2009 (D.C. Law 18-65; 56 DCR 6606), is amended by striking the phrase “Title II-A” both times it appears and inserting the phrase “Title I-A” in its place.
Sec. 28. Section 6(h)(4)(B) of the District of Columbia Funeral Services Regulatory Act of 1984, effective May 22, 1984 (D.C. Law 5-84; D.C. Official Code § 3-405(h)(4)(B)), is amended by striking the phrase “Except as provided by section 22a, the” and inserting the word “The” in its place.

Sec. 29. Section 3(c) of the District of Columbia Commission for Women Act of 1978, effective September 22, 1978 (D.C. Law 2-109; D.C. Official Code § 3-702(c)), is amended by striking the comma after the word “Mayor”.

Sec. 30. Section 2 of the Health Occupations Revision General Amendment Act of 2009, effective July 18, 2009 (D.C. Law 18-26; 56 DCR 4043), is amended as follows:
(a) Subsection (a)(2) is amended by striking the phrase “Scope of license, registration” and inserting the phrase “Sec. 509. Scope of license, registration”.
(b) Subsection (e) is amended as follows:
(1) Paragraph (7) is amended by striking the word “Board” and inserting the word “Board” in its place.
(2) Paragraph (18)(B) is amended by adding a new sub-subparagraph (iii) to read as follows:
“(iii) Strike the word “unlicensed” and inserting the phrase “unlicensed, unregistered, or uncertified” in its place.

Sec. 31. Section 4(a) of 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 § 3-1328(a)), is amended by adding a comma after the phrase “kinship to”.

Sec. 32. The District of Columbia Public Assistance Act of 1982, effective April 8, 2011 (D.C. Law 18-366; D.C. Official Code § 4-201.01 et seq.), is amended as follows:
(a) Section 519m(2)(A) (D.C. Official Code § 4-205.19m(2)(A)) is amended by striking the phrase “defined in § 4-205.19b” and inserting the phrase “defined in section 519b” in its place.
(b) Section 591n (D.C. Official Code § 4-205.19n) is amended by striking the phrase “Family Assessment Plan” and inserting the phrase “Family assessment plan” in its place.

Sec. 33. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01 et seq.), is amended as follows:
(a) Section 4((b)(2)(K) (D.C. Official Code § 4-752.01(b)(2)(K)) is amended by striking the phrase “Office of Property Management” and inserting the phrase “Department of General Services” in its place.
(b) Section 5((b)(6) (D.C. Official Code §4-752.02(b)(6)) is amended by striking the phrase "Office of Property Management" and inserting the phrase "Department of General Services" in its place.

Sec. 34. Section 12(b)(1) of An Act To regulate the placing of children in family homes, and for other purposes, approved April 22, 1944 (58 Stat. 193; D.C. Official Code §4-1412(b)(1)), is amended by striking the phrase "(D) A complete" and inserting the phrase "(E) A complete" in its place.

Sec. 35. Section 301(a) of the Adoption Reform Amendment Act of 2010, effective September 24, 2010 (D.C. Law 18-230; 57 DCR 6951), is amended as follows:
(a) Paragraph (1) is amended by striking the paragraph designation "(14)" and inserting the paragraph designation "(15)" in its place.
(b) Paragraph (2) is amended by striking the paragraph designation "(15)" and inserting the paragraph designation "(16)" in its place.
(c) Paragraph (3) is amended by striking the paragraph designation "(16)" both times it appears and inserting the paragraph designation "(17)" in its place.

Sec. 36. Section 5181 of the Child and Family Services Rapid Housing Assistance Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the section designation "(303x)" both times it appears and inserting the section designation "(303d)" in its place.

Sec. 37. The Omnibus Domestic Partnership Equality Amendment Act of 2008, effective September 12, 2008 (D.C. Law 17-231; 55 DCR 6758), is amended as follows:
(a) Section 14(b) is amended as follows:
(1) Strike the phrase "spouse," the first time it appears and insert the word "spouse" in its place.
(2) Strike the phrase "spouse, domestic partner," and insert the phrase "spouse or domestic partner" in its place.
(b) Section 31(d) is amended as follows:
(1) Strike the phrase "(2) Paragraph (5) is amended as follows:
(2) Strike the phrase "(A) Strike" and insert the phrase "(2) Strike" in its place.
(3) Strike the phrase "(B) Strike" and insert the phrase "(3) Strike" in its place.
(c) Section 41(h)(2) is amended by striking the phrase "spouses and domestic partners" and inserting the phrase "spouse and domestic partner" in its place.
Sec. 38. Section 2(a)(2) of the Emergency Medical Services Improvement Amendment Act of 2008, effective April 15, 2008 (D.C. Law 17-174; 55 DCR 2558), is amended by inserting the phrase “of the District of Columbia” after the phrase “Fire Department”.

Sec. 39. Section 2(b) of the Paramedic and Emergency Medical Technician Transition Amendment Act of 2008, effective March 31, 2009 (D.C. Law 17-356; 56 DCR 1614), is amended by striking the phrase "the effective date of this act" and inserting the phrase "the effective date of the Paramedic and Emergency Medical Technician Transition Amendment Act of 2008, effective March 31, 2009 (D.C. Law 17-356; 56 DCR 1614)" in its place.

Sec. 40. Section 2(a) of the Retired Police Annuity Amendment Act of 2008, effective March 21, 2009 (D.C. Law 17-321; 56 DCR 222), is amended by striking the word “the” before the word “day”.

Sec. 41. Section 2012(c) of the Historic Preservation Fee Authorization Clarification Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6226), is amended by striking the phrase “10 DCMR § C 205” and inserting the phrase “10-C DCMR § 205” in its place.

Sec. 42. Section 2(a-1)(3) of An Act to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes, approved May 1, 1906 (34 Stat. 157; D.C. Official Code § 6-902(a-1)(3)), is amended by striking the phrase “Office of Property Management” and inserting the phrase “Department of General Services” in its place.

Sec. 43. Section 3(d) of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1072(d)), is amended by striking the phrase “Office of Property Management” and inserting the phrase “Department of General Services” in its place.

Sec. 44. Section 2021(a)(2)(A) of the Zoning Enhanced Customer Services Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the subparagraph designation "(N)" and inserting the subparagraph designation "(M)" in its place.

Sec. 45. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; 55 DCR 9225), is amended as follows:

(a) Section 401 is amended by striking the paragraph designation “(96A)” both times it appears and inserting the paragraph designation “(97B)” in its place.

(b) Section 501(b)(2) is amended by striking the subsection designation “(b-1)” both
times it appears and inserting the subsection designation "(c)" in its place.

Sec. 46. Section 10(c)(1)(C) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.09(c)(1)(C)), is amended by striking the phrase "Office of Property Management" and inserting the phrase "Department of General Service" in its place.

Sec. 47. Section 26(3) of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-225(3)), is amended by striking the phrase "Office of Property Management" and inserting the phrase "Department of General Services" in its place.

Sec. 48. Section 1806j(a) of the Office of Property Management Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 10-1015(a)), is amended by striking the last sentence.

Sec. 49. Section 2 of the District Property Secuirty Assessment and Implementation Amendment Act of 2010, effective April 8, 2011 (D.C. Law 18-358; 58 DCR 765), is amended by striking the section designation "1806l" wherever it appears and inserting the section designation "1806m" in its place.

Sec. 50. Section 5101 of the Community Access to Health Care Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended as follows:
   (a) Subsection (a)(2) is amended by striking the paragraph designation "(10)" both times it appears and inserting the paragraph designation "(9)" in its place.
   (b) Subsection (b) is amended by striking the phrase "(9), or (10)" and inserting the phrase "or (9)" in its place.

Sec. 51. Section 603(c) of the Pre-k Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; 55 DCR 6297), is amended by striking the paragraph designation "(4a)" and inserting the phrase "Sec. 4a." in its place.

Sec. 52. The Prohibition Against Selling Tobacco Products to Minors Amendment Act of 2010, effective July 23, 2010 (D.C. Law 18-189; 57 DCR 3019), is amended as follows:
   (a) Section 2 is amended by striking the phrase "section 4c" both times it appears and inserting the phrase "section 4d" in its place.
   (b) Section 3 is amended as follows:
      (1) Subsection (c)(4) is amended by striking the phrase "section 1-1004 of the District of Columbia Municipal Regulations" and inserting the phrase "section 1004 of Title 1 of
the District of Columbia Municipal Regulations (1 DCMR § 1004)" in its place.
(2) Subsection (d) is amended by striking the phrase “sections 4, 5, 6, and 7” and
inserting the phrase “section 4, 5, 6, 7, and 8” in its place.

Sec. 53. Data-Sharing and Information Coordination Amendment Act of 2010, effective
December 4, 2010 (D.C. Law 18-273; D.C. Official Code § 7-241 et seq.), is amended as
follows:
(a) Title I is amended by striking the phrase “this act” wherever it appears and inserting
the phrase “this title” in its place.
(b) Section 204 is amended as follows:
(1) The second subsection (b) designation is designated as subsection (c).
(2) Subsection (c) is designated as subsection (d).
(c) Section 210(c) is amended by striking the word “Authorized” and inserting the word
“authorized” in its place.

Sec. 54. Long-Term Care Ombudsman Program Amendment Act of 2010, effective
March 12, 2011 (D.C. Law 18-321; 57 DCR 12438), is amended as follows:
(a) Subsection (b)(3) is amended by inserting a comma after the word “refer”.
(b) Subsection (c) is amended by striking the phrase “the program” the first time it
appears and inserting the phrase “The program” in its place.

Sec. 55. Section 5002(b) of the Intellectual Disability Services Medicaid Maximization
Reform Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR
6226), is amended by striking the subsection designation “(c)” wherever it appears inserting the
subsection designation “(e)” in its place.

Sec. 56. The Emergency Medical Services Act of 2008, effective March 25, 2009 (D.C.
Law 17-357; 56 DCR 1167), is amended as follows:
(a) Section 19 (D.C. Official Code § 7-2341.18) is amended by striking the comma
before the word “in” and the comma before the word “and”.
(b) Section 25(c) (D.C. Official Code § 7-2341.24(c)) is as follows:
(1) Strike the comma after “Hearings”.
(2) Strike the phrase “and to” before the phrase “the Department”.
(3) Strike the phrase “to rules” and insert the word “rules” in its place.

Sec. 57. The Wastewater System Regulation Amendment Act of 1985, effective March
12, 1986 (D.C. Law 6-95; D.C. Official Code § 8-105.01 et seq.), is amended as follows:
(a) Section 3(3E) (D.C. Official Code § 8-105.02(3E)) is amended by striking the word
“sections” and inserting the word “section” in its place.
(b) Section 14(c) (D.C. Official Code § 8-105.13(c)) is amended by striking the phrase "(7), or (8)" and inserting the phrase "(7), or (8) of this subsection" in its place.

Sec. 58. The District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 et seq.), is amended as follows:
(a) Section 151(c) (D.C. Official Code § 8-152.01(c)) is amended by striking the phrase "Office of Property Management" and inserting the phrase "Department of General Services" in its place.
(b) Section 152(d) (D.C. Official Code § 8-152.02(d)) is amended by adding the word "the" before the phrase "District of Columbia".
(c) Section 153(f) (D.C. Official Code § 8-152.03(f)) is amended by adding the phrase "section 104 of the" before the phrase "District of Columbia".
(d) Section 155 (D.C. Official Code § 8-152.05) is amended as follows:
(1) Subsection (b)(1)(i) is amended by striking the phrase "Office of Property Management" and inserting the phase "Department of General Services" in its place.
(2) Subsection (h) is amended by striking the phrase "this act" and inserting the phrase "the Comprehensive Stormwater Management Enhancement Amendment Act of 2008, effective March 25, 2009 (D.C. Law 17-371; 56 DCR 1353)" in its place.

Sec. 59. Section 2(b) of the Anti-Littering Amendment Act of 2008, effective March 20, 2009 (D.C. Law 17-314; 56 DCR 200), is amended as follows:
(a) Strike the section designation "12" both times it appears and insert the section designation "11a" in its place.
(b) Strike the section designation "13" both times it appears and insert the section designation "11b" in its place.

Sec. 60. 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 as follows:
(a) Section 2(29) (D.C. Official Code §8-231.01(29)) is amended by striking the comma after the date "1978".
(b) Section 3(a) (D.C. Official Code § 8-231.02(a)) is amended by striking the comma after the date "1978".

Sec. 61. Section 2 of the Lead Hazard Prevention and Elimination Amendment Act of 2010, effective March 31, 2011 (D.C. Law 18-348; 58 DCR 717), is amended as follows:
(a) Subsection (c)(2) is amended by striking the phrase "considered necessary to" and inserting the phrase "considered necessary by the Mayor to" in its place.
(b) Subsection (h)(1) is amended by striking the word "dwelling" and inserting the
phrase “a dwelling” in its place.
(c) Subsection (l) is amended by striking the phrase “Conforming amendment.” and inserting the phrase “Enforcement of housing code regulations.” in its place.

Sec. 62. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; 55 DCR 9225), is amended as follows:
(a) Section 101 is amended as follows:
   (1) Paragraph (3) is amended by striking the section designation “34-209” and inserting the section designation “34-207” in its place.
   (2) Paragraph (10) is amended by striking the phrase “Green collar jobs” and inserting the phrase “Green-collar jobs” in its place.
   (3) The second paragraph designated as “(21)” is designated as “(22)”.
(b) Section 210(c)(3) is amended by striking the phrase “section 205(l)” and inserting the phrase “section 205(k)” in its place.

Sec. 63. Section 1042(b)(1) of the Smart Lighting Study Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the phrase “Office of Property Management” and inserting the phrase “Department of General Services” in its place.

Sec. 64. Section 5(j)(1) of the Animal Control Act of 1979, effective October 1979 (D.C. Law 3-30; D.C. Official Code § 8-1804(j)(1)), is amended by striking the phrase "subsection (d) of this section" and inserting the phrase "this subsection" in its place.

Sec. 65. Section 409 of the Animal Protection Amendment Act of 2008, effective December 5, 2008 (D.C. Law 17-281; D.C. Official Code § 8-1841.09), is amended by striking the phrase “this section” and inserting the phrase “this title”.

Sec. 66. Section 3(c)(1) of the Dangerous Dog Amendment Act of 1988, effective October 18, 1988 (D.C. Law 7-176; D.C. Official Code § 8-1902(c)(1)), is amended by striking the phrase “section 3(b)” and inserting the phrase “subsection (b) of this section” in its place.

Sec. 67. Section 2(a) of the District Land Disposition Amendment Act of 2009, effective October 22, 2009 (D.C. Law 18-76; 56 DCR 6895), is amended as follows:
(a) Strike the phrase “All documents” and insert the phrase “All documents” in its place.
(b) Strike the phrase “this section.”” and insert the phrase “this section.”” in its place.
Sec. 68. Section 3(a) of the Public Land Surplus Standards Amendment Act of 2009, effective March 11, 2001 (D.C. Law 18-115; 57 DCR 886), is amended as follows:
   (a) Strike the phrase "Office of" and insert the phrase "an Office of" in its place.
   (b) Strike the phrase "Department of" and insert the phrase "a Department of" in its place.

Sec. 69. Section 1211 of the Old Naval Hospital Grant Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended as follows:
   (a) Strike the section designation "1806k" both times it appears and inserting the section designation "1806l" in its place.
   (b) Strike the phrase "Office of Property Management" both times it appears and insert the phrase "Department of General Services" in its place.

Sec. 70. 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 1023(5)(F) is amended by striking the phrase "this act” and inserting the phrase “this subtitle” in its place.
   (b) Section 1025(b) is amended by striking the phrase "this act” and inserting the phrase “this subtitle” in its place.

Sec. 71. Section 1403 of the Master Facilities Planning and Program coordination Advisory Committee Act of 2003, effective November 13, 2003 (D.C. Law 15-39; D.C. Official Code § 10-1032), is amended as follows:
   (a) Strike the phrase "Office of Property Management ("OPM")" and insert the phrase "Department of General Services ("Department")" in its place.
   (b) Strike the acronym "OPM" and insert the phrase "the Department" in its place.

Sec. 72. Section 2081 of the Washington Convention Center Authority and Sports and Entertainment Commission Merger Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended as follows:
   (a) Subsection (d) is amended by striking the phrase "Office of Property Management" the 4 times it appears and inserting the phase "Department of General Services" in its place.
   (b) Subsection (j)(3)(A) is amended by adding the phrase "the first time it appears” after the phrase ""Fund"”.
   (c) Subsection (n) is amended by adding the phrase "both times it appears" after the phrase ""the convention center”".
Sec. 73. Section 2 of the New Convention Center Hotel Amendment Act of 2009, effective October 22, 2009 (D.C. Law 18-78; 56 D.C.R. 6959), is amended as follows:
(a) Subsection (h) is amended by striking the phrase “Section 801” and inserting the phrase “Section 231” in its place.
(b) Subsection (i) is amended as follows:
(1) Strike the phrase “Title IX” both times it appears and insert the phrase “Title II-C” in its place.
(2) Strike the section designation “901” and insert the section designation “241” in its place.
(3) Strike the section designation “902” and insert the section designation “242” in its place.
(4) Strike the section designation “903” and insert the section designation “243” in its place.
(5) Strike the section designation “904” and insert the section designation “244” in its place.

Sec. 74. Section 5 of the Waterfront Park at the Yards Act of 2009, effective March 3, 2010 (D.C. Law 18-105; 57 D.C.R. 11), is amended by striking the subsection designation “(a)”.

Sec. 75. Title 16 of the District of Columbia Official Code is amended as follows:
(a) Section 16-2331(e)(3) is amended by striking the phrase “§ 23-1331(4)” and inserting the phrase “section 23-1331(4)” in its place.
(b) Section 16-2390(b)(2) is amended by striking the word “and” at the end.
(c) Section 16-4605.03 is amended by adding a comma after the year designation “2001”.
(d) Section 16-5306 is amended as follows:
(1) Add quotation marks before the word “I”.
(2) Add quotation marks before the word “Executed”.
(3) Add quotation marks before the printed name line.
(4) Add quotation marks before the signature line.
(5) Add the phrase “.” at the end.

Sec. 76. Section 21-2060(a-1)(3) of the District of Columbia Official Code is amended by adding a comma after the word “requirements”.

Sec. 77. Section 21-2210(1A) of the District of Columbia Official Code is amended by striking the phrase “intellectual” and inserting the word “intellectual” in its place.
Sec. 78. Section 223(b) of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; 56 DCR 7413), is amended by striking the subsection designation "(b)" and inserting the paragraph designation "(6)" in its place.

Sec. 79. Section 9 of An act for the preservation of the public peace and the protection of property within the District of Columbia, approved July 29, 1892 (27 Stat. 322; D.C. Official Code § 22-1312), is amended by striking the phrase "(a) It is unlawful" and inserting the phrase "It is unlawful" in its place.

Sec. 80. Section 2 of the Safe Release of Inmates Amendment Act of 2010, effective July 23, 2010 (D.C. Law 18-190; 57 DCR 3397), is amended as follows:
(a) Strike the subparagraph designation "(b)" both times it appears.
(b) Strike the phrase "new paragraphs (7) and (8)" and insert the phrase "new subsections (c) and (d)" in its place.
(c) Strike the phrase "(7) If exigent" and insert the phrase "(c) If exigent" in its place.
(d) Strike the phrase "of this subsection" and insert the phrase "of subsection (b) of this section" in its place.
(e) Strike the phrase "(8) The Department" and insert the phrase "(d) The Department" in its place.
(f) Strike the subparagraph designation "(A)" wherever it appears and insert the paragraph designation "(1)" in its place.
(g) Strike the subparagraph designation "(B)" wherever it appears and insert the paragraph designation "(2)" in its place.
(h) Strike the subparagraph designation "(C)" wherever it appears and insert the paragraph designation "(3)" in its place.
(i) Strike the subparagraph designation "(D)" wherever it appears and insert the paragraph designation "(4)" in its place.
(j) Strike the subparagraph designation "(E)" wherever it appears and insert the paragraph designation "(5)" in its place.
(k) Strike the subparagraph designation "(F)" and insert the paragraph designation "(6)" in its place.
(l) Strike the subparagraph designation "(G)" and insert the paragraph designation "(7)" in its place.
(m) Strike the sub-subparagraph designation "(i)" wherever it appears and insert the subparagraph designation "(A)" in its place.
(n) Strike the sub-subparagraph designation "(ii)" wherever it appears and insert the subparagraph designation "(B)" in its place.
(o) Strike the sub-subparagraph designation "(iii)" wherever it appears and insert the subparagraph designation "(C)" in its place.
Sec. 81. Title 25 of the District of Columbia Official Code is amended as follows:
(a) Section 25-340 is repealed.
(b) Section 25-341 is repealed.
(c) Section 25-832(b) is amended by adding a colon after the word "where".

Sec. 82. Section 28-3814(b)(1A) of the District of Columbia Official Code is amended by striking the period at the end and inserting a semicolon in its place.

Sec. 83. The Assistive Technology Device Warranty Act of 2010, effective October 26, 2010 (D.C. Law 18-241; 57 DCR 7550), is amended as follows:
(a) The long title is amended by striking the phrase "To provide specific" and inserting the phrase "To amend Title 28 of the District of Columbia Official Code to provide specific" in its place.
(b) Strike the section designation "Sec. 2." and insert the phrase "Sec. 2. Title 28 of the District of Columbia Official Code is amended as follows:
(a) The table of contents for the title is amended by adding a new Chapter 40A to read as follows:
"Chapter 40A. ASSISTIVE TECHNOLOGY DEVICE WARRANTY --------".
(b) A new Chapter 40A is added to read as follows:
"ASSISTIVE TECHNOLOGY DEVICE WARRANTY .

"Section
"28-4031. Definitions.
"28-4032. Implied warranty; responsibility for repair; return or replacement; certain actions deemed void.
"28-4033. Returned devices; subsequent sale or lease; disclosure.
"28-4034. Legal action.
"§ 28-4031."
(c) Strike the phrase "this act" wherever it appears and insert the phrase "this chapter" in its place.
(d) Strike the section designation "Sec. 3." and insert the section designation "§ 28-4032." in its place.
(e) Strike the section designation "Sec. 4." and insert the section designation "§ 28-4033." in its place.
(f) Strike the section designation "Sec. 5." and insert the section designation "§ 28-4034." in its place."

Sec. 85. The Reasonable Health Insurance Ratemaking Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-360; D.C Official Code § 31-3311.01 et seq.), is amended as follows:
   (a) Section 103(b) (D.C. Official Code § 31-3311.02(b)) is amended by striking the phrase “this act” and inserting the phrase “this title” in its place.
   (b) Section 106(b) (D.C. Official Code § 31-3311.05(b)) is amended by striking the phrase “this act” and inserting the phrase “this title” in its place.

Sec. 86. Section 202(a)(1)(C) of the Healthcare Justice for Victims of Domestic Violence Amendment Act of 2010, effective April 8, 2011 (D.C Law 18-360; 58 DCR 896), is amended to read as follows:
   “(C) Strike the phrase “policy or contract” the second time it appears and insert the phrase “policy or contract of accident or health insurance” in its place.

Sec. 87. Section 501(b) of the Reasonable Health Insurance Ratemaking and Health Care Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-360; 58 DCR 896), is amended by striking the phrase “issued by,” the first time it appears and inserting the phrase “issued by” in its place.

Sec. 88. The Hospital and Medical Services Corporation Regulatory Act of 1996, effective April 9, 1997 (D.C. Law 11-245; D.C. Official Code § 31-3501 et seq.), is amended as follows:
   (a) Section 7(e)(2) (D.C. Official Code § 31-3506(e)(2)) is amended by striking the phrase “section 6(a)” and inserting the phrase “section 6a” in its place.
   (b) Section 15(q) (D.C. Official Code § 31-3514(q)) is amended as follows:
      (1) Paragraph (1) is amended by striking the phrase “(F) The amount” and inserting the phrase “(G) The amount”.
      (2) Paragraph (3) is amended by striking the phrase “(D Prescription” and inserting the phrase “(D Prescription” in its place.
   (c) Section 15b (D.C. Official Code § 31-3514.02) is amended by striking the phrase “(d) Notwithstanding” and inserting the phrase “(e) Notwithstanding” in its place.

Sec. 89. The District of Columbia Official Code Title 29 (Business Organizations) Enactment Act of 2010, effective July 2, 2011 (D.C. Law 18-378; 58 DCR 1720), is amended as follows:
(a) Subsection (x) is amended by striking the phrase “D.C. Law 7-49” and inserting the phrase “D.C. Law 11-234” in its place.
(b) Subsection (y) is amended by striking the phrase “D.C. Law 11-234” and inserting the phrase “D.C. Law 7-49” in its place.
(c) Subsection (jj)(1)(D) is amended by striking the phrase “section 47-1808.06(a)” and inserting the phrase “section 47-1808.06a” in its place.

Sec. 90. The Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.03), is amended as follows:
(a) Section 203 (D.C. Official Code § 34-2202.03) is amended as follows:
(1) Paragraph (30) is amended by striking the word “and” at the end.
(2) Paragraph (31) is amended by striking the period at the end and inserting a semicolon in its place.
(3) Paragraph (32) is amended by striking the period at the end and inserting the phrase “; and” in its place.
(b) Section 216(d-5) (D.C. Official Code § 34-2202.16(d-5)) is amended by adding a period at the end.

Sec. 91. The Eastern Market Real Property Asset Management and Outdoor Vending Act of 1998, effective April 16, 1999 (D.C. Law 12-228; D.C. Official Code § 37-101 et seq.), is amended as follows:
(a) Section 2 (D.C. Official Code § 37-101) is amended as follows:
(1) Paragraph (5) is amended by striking the phrase “District of Columbia Office of Property Management” and inserting the phrase “Department of General Services” in its place.
(2) Paragraph (25) is repealed.
(b) Section 3 (D.C. Official Code § 37-102) is amended by striking the acronym “OPM” and inserting the phrase “Department of General Services” in its place.
(c) Section 11 (D.C. Official Code § 37-110) is amended by striking the phrase “Office of Property Management” and inserting the phrase “Department of General Services” in its place.

Sec. 92. The section heading to section 4052 of the Adult Literacy Report Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6226), is amended to read as follows:
“Sec. 4052. The Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191 et seq.), is amended by adding a new section 203a to read as follows:
“Sec. 203a. Adult literacy reporting.”.
Sec. 93. Section 4051(b)(2) of the Department of Education Establishment Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the word "Subsection" and inserting the phrase "The lead-in language to subsection" in its place.

Sec. 94. Section 602(a)(2) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-826.02(a)(2)), is amended by striking the phrase "Whether your school" wherever it appears and inserting the phrase "Whether the school" in its place.

Sec. 95. Section 4002 of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended as follows:
   (a) Subsection (b) is amended by striking the phrase "Additional funding to support the after hours level 4 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".
   (b) Strike the phrase "(h) Section" and insert the phrase "(f) Section" in its place.

Sec. 96. Section 206(18) of the District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1427; D.C. Official Code § 38-1202.06(18)), is amended by striking the period at the end and inserting the phrase "; and" in its place.

Sec. 97. Section 7013 of the Prior Fiscal Year Conforming Budget Amendments Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6226), is amended as follows:
   (a) Strike the phrase "January 31, 2011" and insert the phrase "March 1, 2011" in its place.
   (b) Strike the phrase "to the Council" and insert the phrase "to the Mayor" in its place.
   (c) Strike the phrase "June 30, 2011" and insert the phrase "September 30, 2011" in its place.

Sec. 98. The Fiscal Year 2012 Transfer of Special Purposes Funds Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6226), is as follows:
   (a) Section 9004(b) is amended by striking the number "816" and inserting the number "820" in its place.
   (b) Section 9059 is amended by striking the phrase "by Congress" and inserting the phrase "by Congress." in its place.
   (c) Section 9063 is amended by adding a comma before the phrase "with the exception" and after the phrase "of this section".
   (d) Section 9067(a) is amended by striking the phrase "Section 502(d)(2)(B) (D.C.

(e) Section 9079 is amended by striking the phrase “D.C. Official Code § 7-731” and insert the phrase “D.C. Official Code § 7-732” in its place.

(f) Section 9103 is amended by striking the phrase “be used exclusively” and inserting the phrase “shall be used exclusively” in its place.

Sec. 99. Section 2071(b) of the Financial Incentives for Motion Picture and Television Productions Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended as follows:

(a) Strike the phrase “(6) The record” and insert the phrase “(4) The record” in its place.

(b) Strike the phrase “(10) "Qualified" and insert the phrase “(10)(A) “Qualified” in its place.

Sec. 100. Section 3a and 12a of the Drug-Related Nuisance Abatement Act of 1998, effective March 26, 1999 (D.C. Law 12-194; D.C. Official Code §§ 42-3102.01 and 42-3111.01), is amended as follows:

(a) Section 3a (D.C. Official Code § 42-3102.01) is amended by striking the phrase “drug or prostitution-related” and inserting the phrase “drug-, firearm-, or prostitution-related” in its place.

(b) Section 12a (D.C. Official Code § 42-3111.01) is amended by striking the phrase “Drug or Prostitution-Related” and inserting the phrase “Drug-, Firearm-, or Prostitution-Related” in its place.

Sec. 101. Section 539b (D.C. Official Code § 42-815.02) is amended as follows:

(a) Subsection (i) is redesignated as subsection (j).

(b) Subsection (h) is redesignated as subsection (i).

(c) Subsection (g) is redesignated as subsection (h).

(d) Subsection (f) is redesignated as subsection (g).

(e) Subsection (e) is redesignated as subsection (f).

Sec. 102. Section 3(i) of the Nuisance Properties Abatement Reform and Real Property Classification Amendment Act of 2008, effective August 15, 2008 (D.C. Law 17-216; 57 DCR 7500), is amended by striking the phase “this title” and inserting the phrase “sections 5 through 16” in its place.

Sec. 103. Section 103 of the Rental Housing Act of 1985, effective, July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.03), is amended as follows:

(a) A new paragraph (8A) is added to read as follows:
"(8A) "Division" means the Rental Accommodations Division established by section 203 or the Rental Conversion and Sale Division established by section 204a.".

(b) Paragraph (10) is repealed.

Sec. 104. Section 2111(b)(1) of the Housing Assistance Payment clarification Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by adding a comma before the phrase "and by the Department".

Sec. 105. 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 adding the phrase "and section 908" after the phrase "titles III and V".

Sec. 106. Section 5(b) of the Abatement of Nuisance Properties and Tenant Receivership Amendment Act of 2008, effective March 21, 2009 (D.C. Law 17-319; 56 DCR 214), is amended by striking the subsection designation "(e)" both times it appears and inserting the subsection designation "(f)" in its place.

Sec. 107. Section 5129 of the Not-for-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6226), is amended by striking the phrase "§§ 1-204.24a, 1-204.24b, and 1-204.24c" and inserting the phrase "§§ 1-204.24a through 1-204.24f" in its place.

Sec. 108. Section 8(b) of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-407(b)), is amended as follows:

(a) Paragraph (11) is amended by striking the word "and" at the end.

(b) Paragraph (12) is amended by striking the period at the end and inserting the phrase "; and" in its place.

(c) Paragraph (13) is amended by striking the phrase "The facility shall" and inserting the phrase "(b-1) For the purposes of a project exempt under subsection (b)(13) of this section, the facility shall" in its place.

Sec. 109. Section 5150 of the Not-for-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6226), is amended as follows:

(a) In the lead-in language, strike the phrase "new paragraph (14)" and insert the phrase "new subsection (b-2)" in its place.

(b) Strike the paragraph designation "(14)" and insert the subsection designation "(b-2)" in its place.

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(c) Strike the subparagraph designation “(A)” and insert the paragraph designation “(1)” in its place.

(d) Strike the subparagraph designation “(B)” and insert the paragraph designation “(2)” in its place.

(e) Strike the subparagraph designation “(C)” and insert the paragraph designation “(3)” in its place.

Sec. 110. Section 5(a)(3) of the Health-Care and Community residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-504 (a)(3)), is amended by striking the word “Safety” and inserting the word “safety” in its place.

Sec. 111. Section 8182 of the Hospital Assessment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6226), is amended by striking the figure “$1,500” and inserting the figure “$2,000” in its place.

Sec. 112. Section 3(c) of the Health Care Facilities Improvement Amendment Act of 2010, effective April 29, 2010 (D.C. Law 18-145; 57 DCR 1834), is amended by striking the phrase “with § 44-504(a)(3)” and inserting the phrase “with section 8(a)(3)” in its place.

Sec. 113. Section 2 of the Old Naval Hospital Real Property Tax Exemption Act of 2012, effective March 14, 2012 (D.C. Law 19-116; 59 DCR 467), is amended by striking the section designation “47-1085” wherever it appears and inserting the section designation “47-1087” in its place.

Sec. 114. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-825.01(f-1)(3) is amended by striking the phrase “pursuant to § 42.3131.15” and inserting the phrase “pursuant to § 42-3131.15” in its place.

(b) Section 47-903(a-5) is amended by striking the phrase “in § 36-301.01(15)” and inserting the phrase “in § 36-301.01(15)” in its place.

(c) Section 47-462(a)(3) is amended by striking the period at the end and adding a semicolon in its place.

(d) Section 47-1078(c) is amended by striking the phrase “Title 47 of this District of Columbia Official Code” and inserting the phrase “this title” in its place.

(e) Section 47-1084 is amended as follows:

(1) Subsection (b) is amended by striking the phrase “Title 47 of this District of Columbia Official Code” and inserting the phrase “this title” in its place.

(2) Subsection (c) is amended by striking the phrase “the effective date of this subtitle” and inserting the phrase “the effective date of the SOME, Inc. and Affiliates Transfer
and Recordation Exemption and Equitable Tax Relief Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6226)” in its place.

(f) Section 47-4701(b)(3)(A)(ii) is amended by striking the phrase “defined by § 47-858.011(A)(i)” and inserting the phrase “defined by § 47-858.011(A)(i)” in its place.

(g) Section 47-1801.04(6)(B) is amended by striking the phrase “Code of 1986 shall” and inserting the phrase “Code of 1986 shall” in its place.

(h) Section 47-1810.04(b)(2) is amended by striking the phrase “and § 47-1810.05, results” and inserting the phrase “and § 47-1810.05 results” in its place.

(i) Section 47-1810.08(b) is amended by striking the phrase “this act” and inserting the phrase “this chapter” in its place.

(j) The chapter heading of Chapter 39A is amended by adding a period at the end.

(k) Section 47-825.01a is amended as follows:

(1) Subsection (c)(1)(A)(i) is amended by striking the phrase “request the a multi-Commissioner” and inserting the phrase “request a multi-Commissioner” in its place.

(2) Subsection (g) is amended by striking the phrase “§§ 47-3303 and 47-3304” and inserting the phrase “§§ 47-3303 and 47-3304” in its place.

(l) Section 47-883 is amended by striking the word “Board” wherever it appears and inserting the word “Commission” in its place.

(m) The lead-in language to section 47-2001(n)(1)(C)(ii) is amended by striking the phrase “this chapter” and inserting the phrase “this subchapter” in its place.

(n) Section 47-2853.44(b)(5)(A) is amended as follows:

(1) Add a comma after the phrase “in the District”.

(2) Strike the phrase “shall be”.

(3) Add a comma after the phrase “under § 47-2853.49”.

(o) Section 47-3801 is amended as follows:

(1) Paragraph (1B) is amended by striking the phrase “a eligible” and inserting the phrase “an eligible” in its place.

(2) Paragraph (2) is amended by striking the phrase “a eligible” and inserting the phrase “an eligible” in its place.

(p) Section 47-463(c) is amended by striking the phrase “section 1108 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 2979 (§ 1-611.08)” and inserting the phrase “§ 1-611.08” in its place.

(q) Section 47-464 is amended as follows:

(1) Strike the phrase “this act” and insert the phrase “this subchapter” wherever it appears.

(2) Subsection (b) is amended by striking the phrase “the Administrative Procedure Act, approved October 21, 1968 (§ 2-501 et seq.)” and inserting the phrase “Chapter 5 of Title 2” in its place.
Sec. 115. Section 7072 of the Owner-Occupant Residential Tax Credit Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the phrase “Section 7091” and inserting the phrase “Section 7071” in its place.

Sec. 116. Section 2 of the KIPP DC Douglass Property Tax Exemption Act of 2009, effective October 22, 2009 (D.C. Law 18-69; 56 DCR 6615), is amended by striking the section designation “47-1082” wherever it appears and inserting the section designation “47-1081” in its place.

Sec. 117. Section 7141 of the Building Bridges Across the River, Inc. Real Property Tax Exemption and Real Property Tax Relief Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the section designation “47-1081” wherever it appears and inserting the section designation “47-1083” in its place.

Sec. 118. Section 7121(a) of the Recovery Act Tax Deduction Decoupling Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended as follows:

(a) Strike the phrase “Subsection (a)” and insert the phrase “Subsection (a)(2)” in its place.

(b) Strike the subparagraph designation “(Y)” both times it appears and insert the subparagraph designation “(Z)” in its place.

Sec. 119. Section 9(a) of the Anacostia River Clean up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; 56 DCR 5703), is amended by striking the section designation “47-1812.11c” wherever it appears and inserting the phrase “47-1812.11d” in its place.

Sec. 120. Section 7241(e)(3) of the Revenue enhancement Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended striking the subsection designation “(v-1)” both times it appears and inserting the subsection designation “(h-1)” in its place.

Sec. 121. Section 2151(b) of the Elevator Maintenance Standards and Licensing Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended to read as follows:

“(b) Section 47-2853.04(a) is amended be adding new paragraphs (12A),(12B), and (12C) to read as follows:

“(12A) Elevator Mechanic;

“(12B) Elevator Contractor;

“(12C) Elevator Inspector;”.
Sec. 122. Section 47-2884.17 of the District of Columbia Official Code is amended by striking the phrase "this act" and inserting the phrase "this part" in its place.

Sec. 123. Section 1063(b) of the OIG Auditing Reform Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 57 DCR 6226), is amended by striking the phrase "Secretary of the Council" and inserting the phrase "Secretary to the Council" in its place.

Sec. 124. Section 201 of the Southwest Waterfront Bond Financing Act of 2008, effective October 22, 2008 (D.C. Law 17-252; 55 DCR 9251), is amended by striking the section designation "47-4615" wherever it appears and inserting the section designation "47-4616" in its place.

Sec. 125. Section 2 of the Eckington One Residential Project Economic Development Act of 2008, effective March 25, 2009 (D.C. Law 17-348; 56 DCR 971), is amended by striking the section designation "47-4616" wherever it appears and inserting the section designation "47-4618" in its place.

Sec. 126. Section 2 of the Walker Jones/Northwest One Unity Health Center Tax Abatement Act of 2008, effective March 25, 2009 (D.C. Law 17-351; 56 DCR 1113), is amended by striking the section designation "47-4616" wherever it appears and inserting the section designation "47-4619" in its place.

Sec. 127. Section 2 of the St. Martin's Apartments Tax Exemption Act of 2008, effective March 25, 2009 (D.C. Law 17-355; 56 DCR 1159), is amended by the striking section designation "47-4619" wherever it appears and inserting the section designation "47-4620" in its place.

Sec. 128. Section 2 of the Gateway Market Center and Residences Real Property Tax Exemption Act of 2008, effective March 25, 2009 (D.C. Law 17-359; 56 DCR 1193), is amended by striking the section designation "47-4618" wherever it appears and inserting the section designation "47-4621" in its place.

Sec. 129. Section 2 of the National Law Enforcement Museum Sales and Use Tax Credit Act of 2009, effective September 23, 2009 (D.C. Law 18-49; 56 DCR 5484), is amended by striking the section designation "47-4624" wherever it appears and inserting the section designation "47-4622" in its place.
Sec. 130. Section 7161 of the Urban Institute Real Property Tax Abatement Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the section designation “47-4620” wherever it appears and inserting the section designation “47-4624” in its place.

Sec. 131. Section 7171 of the Randall School Development Project Tax Relief Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the section designation “47-4621” wherever it appears and inserting the section designation “47-4626” in its place.

Sec. 132. Section 7191 of the 14W and YMCA Anthony Bowen Project Real Property Tax Exemption and Real Property Tax Relief Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the section designation “47-4622” wherever it appears and inserting the section designation “47-4627” in its place.

Sec. 133. Section 2 of the Heights on Georgia Avenue Tax Exemption Act of 2010, effective March 23, 2010 (D.C. Law 18-124; 57 DCR 1175), is amended by striking the section designation “47-4627” wherever it appears and inserting the section designation “47-4628” in its place.

Sec. 134. Section 2 of the Park Place at Petworth, Highland Park, and Highland Park Phase II Economic Development Act of 2010, effective March 23, 2010 (D.C. Law 18-128; 57 DCR 1186), is amended by striking the section designation “47-4624” wherever it appears and inserting the section designation “47-4629” in its place.

Sec. 135. Section 2 of the High Technology Commercial Real Estate Database and Service Providers Tax Abatement Act of 2010, effective March 23, 2010 (D.C. Law 18-133; 57 DCR 1201), is amended by striking the section designation “47-4626” wherever it appears and inserting the section designation “47-4630” in its place.

Sec. 136. Section 3(g) of the Real Property Tax Appeals Commission Establishment Act of 2010, effective April 8, 2011 (D.C. Law 18-363; 58 DCR 963), is amended as follows:
(a) Paragraph (4) is amended as follows:
(1) Subparagraph (A) is amended by striking the phrase “Assessment and Appeals” and inserting the phrase “Assessment and Appeals (‘BRPAA’)” in its place.
(2) Subparagraph (B) is amended by striking the phrase “Paragraph (1)” and inserting the phrase “Paragraph (2)” in its place.
(b) Paragraph (7)(D) is amended as follows:
(1) Strike the phrase “Subsection (c) is amended as follows: (i) Paragraph (1)(A)”
and inserting the phrase "Subsection (c)(2)(A)" in its place.

(2) Strike the phrase "(ii) Paragraph (2) is amended as follows:"
and insert the phrase "(E) Subsection (c-1)(2) is amended as follows:" in its place.

Sec. 137. Section 201 of the AccessRx Act of 2004, effective May 18, 2004 (D.C. Law 15-164; D.C. Official Code § 48-832.01), is amended by striking the phrase "paragraphs (1) and (2)" and inserting the phrase "paragraph (2)" in its place.

Sec. 138. Section 3(d)(3) of the Legalization of Marijuana for Medical Treatment Amendment Act of 2010, effective July 27, 2010 (D.C. Law 18-210; 57 DCR 4798), is amended as follows:

(a) Subparagraph (A) is amended by striking the paragraph designation "(4)" and inserting the paragraph designation "(3A)" in its place.

(b) Subparagraph (B) is amended by striking the paragraph designation "(4)" both times it appears and inserting the paragraph designation "(3A)" in its place.

Sec. 139. Section 6(b)(2) of the Transportation Infrastructure Amendment Act of 2010, effective March 31, 2011 (D.C. Law 18-339; 58 DCR 618), is amended by striking the phrase "phrase "; and"" and inserting the phrase "word "and"" in its place.

Sec. 140. Section 3(a) of the Vehicle Towing, Storage, and Conveyance Fee Amendment Act of 2008, effective March 20, 2009 (D.C. Law 17-303; 55 DCR 12803), is amended by striking the phrase ""Vehicle conveyance fee"" and inserting the phrase "The term "vehicle conveyance fee"" in its place.

Sec. 141. The section heading of section 4 of the Pedestrian Safety Reinforcement Amendment Act of 2008, effective November 24, 2008 (D.C. Law 17-269; D.C. Official Code § 50-2201.30), is amended by striking the phrase "a pedestrian" and inserting the phrase "pedestrians in crosswalks" in its place.

Sec. 142. Section 6003 of the Driver Education Program and Fleet Program Amendment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), is amended by striking the phrase "program. "(f) Notwithstanding" and inserting the phrase "program.". "(f) A new subsection (e-1) is added to read as follows: "(e-1) Notwithstanding" in its place.

Sec. 143. Section 4019(a) of the Office of Public Education Facilities Modernization Personnel Amendment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; 55 DCR 7598), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase "Superintendent for Education" and
inserting the phrase “Superintendent of Education” in its place.

(b) Paragraph (3) is amended by striking the phrase “Superintendent for Education” both times it appears and inserting the phrase “Superintendent of Education” in its place.

Sec. 144. Section 251 of the Technical Amendments Act of 2008, effective March 25, 2009 (D.C. Law 17-353; 56 DCR 1117), is amended by striking the phrase “the fund balance of”.

Sec. 145. The section heading of section 3a of the Performance Parking Pilot Zone Act of 2008, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 50-2532.01), is amended by adding a period at the end.

Sec. 146. Section 10(c) of the Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Act of 2003, effective October 28, 2003 (D.C. Law 15-35; D.C. Official Code § 50-2421.10(c)), is amended by striking the phrase “that day, and all proceeds in this subsection” and inserting the phrase “the day of the auctions. The proceeds from the fee” in its place.

Sec. 147. Section 4(a) of the Redistricting Procedure Act of 1981, effective March 16, 1982 (D.C. Law 4-87; D.C. Official Code § 1-1041.05(a)), is amended as follows:

(a) Strike the phrase "The Council" and insert the phrase "Notwithstanding section 2(h) of the Boundaries Act of 1975, effective December 16, 1975 (D.C. Law 1-38; D.C. Official Code § 1-1011.01(h)), and notwithstanding any other provision, the Council" in its place.

(b) The boundaries for Ward 5 are amended by striking the phrase "to New York Avenue, N.W.; thence in an easterly direction along said New York Avenue, N.W.," and inserting the phrase "to N Street, N.W.; thence east along said N Street, N.W., to Kirby Street, N.W.; thence south along said Kirby Street, N.W., to New York Avenue, N.W.; thence in an easterly direction along said New York Avenue, N.W.," in its place.

(c) The boundaries for Ward 8 are amended by striking the phrase "thence in an easterly direction along said Pennsylvania Avenue, S.E.," and inserting the phrase "thence along a line connecting to the intersection of Nicholson Street, S.E., and Anacostia Drive, S.E.; thence south along said Nicholson Street, S.E., to Minnesota Avenue, S.E.; thence in a northerly direction along said Minnesota Avenue, S.E.," in its place.

Sec. 148. Section 101(u)(50) of the Comprehensive Plan Amendment Act of 2010, effective April 18, 2011 (D.C. Law 18-361; 58 DCR 908), is amended as follows:

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

(b) Subparagraph (F) is redesignated as subparagraph (E).
Sec. 149. The District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 et seq.), is amended as follows:
(a) Section 101(15) is amended by striking the phrase “April 20, 2000”;  
(b) Section 181(b) is amended by striking the phrase “or permit to be used, on property” and inserting the phrase “or permit to be used on property” in its place.

Title II. Procurement Conforming Amendments
Sec. 201. (a) Section 424b of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-204.26), is amended as follows:  
(1) Strike the phrase “the District of Columbia Procurement Practices Act of 1986” and insert the phrase “the Procurement Practices Reform Act of 2010” in its place.  
(2) Strike the phrase “section 105” and insert the phrase “section 201” in its place.  
(b) Subsection (a) of this section shall become effective upon congressional enactment.


Sec. 203. Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), is amended as follows:
(a) Paragraph (6) is amended to read as follows:
(b) Paragraphs (15), (25), (26), and (28) are repealed.


Sec. 205. Section 2(a) of the Year 2000 Government Computer Immunity Act of 1998, effective April 20, 1999 (D.C. Law 12-244; D.C. Official Code § 2-323.01(a)), is amended by striking the phrase “Notwithstanding section 801 of the Procurement Practices Act of 1985,
effective February 21, 1986 (D.C. Law 6-85; D.C. Code § 1-1188.1), no" and inserting the phrase "No" in its place.


Sec. 207. Section 504(b)(5) of the Interagency Collaboration and Services Integration Commission Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 2-1594(b)(5), is amended to read as follows:

"(5) Exercise procurement authority, consistent with the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; 58 DCR 1185) ("PPRA"); except, that section 201(a) of the PPRA shall not apply.".

Sec. 208. Section 303(a-1)(9) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.03(a-1)(9)), is amended by striking the phrase "consistent with the District of Columbia Procurement Practices Act of 1985, except sections 105(a), (b), (c), and (e) of that act" and inserting the phrase "consistent with the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; 58 DCR 1185) ("PPRA"); except, that section 201(a) of the PPRA shall not apply" in its place.

Sec. 209. Section 9(2) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.08(2)), is amended by striking the phrase "consistent with the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 et seq.); except with regard to the powers and duties set forth in sections 105(a), (b), (c), and (e) of the PPA" and inserting the phrase "consistent with the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; 58 DCR 1185) ("PPRA"); except that section 201(a) of the PPRA shall not apply" in its place.

Sec. 210. Section 104(15) of the Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1131.04(15), is amended to read as follows:

"(15) Independent of the Office of Contracting and Procurement, exercise procurement authority to carry out the purposes of the Department, including contracting and
contract oversight and exercise this authority consistent with the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; 58 DCR 1185) ("PPRA"); except that section 201(a) of the PPRA shall not apply; ".


Sec. 212. Section 5042 of the Choice in Drug Treatment Amendment Act of 2005, effective July 18, 2000 (D.C. Law 16-33; D.C. Official Code § 7-3005.01), is amended by striking the phrase "consistent with the Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 et seq.), except with regard to the powers and duties outlined in section 105(a), (b), (c), and (e) of that act" and inserting the phrase "consistent with the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; 58 DCR 1185) ("PPRA"); except that section 201(a) of the PPRA shall not apply" in its place.


Sec. 214. Section 1506(d) of the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official § 22-4235(d)), is amended by striking the phrase "consistent with the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 et seq.), except with regard to the powers and duties outlined in section 105(a), (b), (c), and (e) of that act (D.C. Official Code § 1-1181.05(a), (b), (c), and (e))" and inserting the phrase "consistent with the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; 58 DCR 1185) ("PPRA"); except that section 201(a) of the PPRA shall not apply" in its place.


Sec. 216. The Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2201.01), is amended as follows:


Sec. 218. Section 4a(a) of the District of Columbia Substance Abuse Treatment and Prevention Act of 1989, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 44-1203.01(a)), is amended by striking the phrase "in accordance with section 105b of the District of Columbia Procurement Practices Act of 1985, effective March 19, 1994 (D.C. Law 10-79; D.C. Code § 1-1181.5b) ("PPA"); and section 105c of the PPA, effective March 5, 1996 (D.C. Law 11-98; D.C. Code § 1-1181.5c)" and inserting the phrase "in accordance with section 205 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; 58 DCR 1185)" in its place.

Sec. 219. Title 47 of the District of Columbia Official Code is amended as follows:
(a) Section 47-1303.04 is amended by striking the phrase "provisions of § 2-301.01 et seq. " and inserting the phrase "provisions of Chapter 3A of Title 2" in its place.
(b) Section 47-4002(h) is amended by striking the phrase "that are in compliance with § 2-311.01 et seq.".
Sec. 220. Section 3(d)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(d)(2)), is amended by striking the phrase "shall be exempt from the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 et seq.) ("PPA"), in accordance with section 104(b) of the PPA" and inserting the phrase "shall be exempt from the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; 58 DCR 1185) ("PPRA"), in accordance with section 105(c)(12) of the PPRA" in its place.


Sec. 224. The Energy Efficiency Financing Act of 2010, effective May 27, 2010 (D.C. Law 18-183; D.C. Official Code § 8-1778.01 et seq.), is amended as follows:


(b) Section 305(b) (D.C. Official Code § 8-1778.45(b)) is amended by striking the


Title III. Title 47 Enactments.

Sec. 301. (a) The table of contents for Chapter 3 of Title 47 is amended by adding a new subchapter designation to read as follows:
"Subchapter IV-B. Adjustments to Appropriations.
"Sec.
"47-369.01. General Fund surplus.
"47-369.02. Increases to appropriations.
"47-369.03. Short-term borrowing from certain funds."

(b) Subchapter IV-B of Chapter 3 of Title 47 of the District of Columbia Official Code is enacted into law to read as follows (quotation marks omitted):

Subchapter IV-B. Adjustments to Appropriations.
§ 47-369.01. General Fund surplus.
Beginning in fiscal year 2009 and each fiscal year thereafter, the amount appropriated to the District of Columbia may be increased by no more than $100,000,000 from funds identified in the annual comprehensive annual financial report as the District's immediately preceding fiscal year's unexpended general fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify that the use of any such amounts is not anticipated to have a negative impact on the District's long-term financial, fiscal, and economic vitality.

(2) The District of Columbia may only use these funds for the following expenditures:

(A) One-time expenditures.
(B) Expenditures to avoid deficit spending.
(C) Debt Reduction.
(D) Program needs.
(E) Expenditures to avoid revenue shortfalls.

(3) The amounts shall be obligated and expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

(4) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

(5) The amounts may not be obligated or expended unless the Mayor notifies the Committees on Appropriations of the House of Representatives and the Senate not fewer than 30 days in advance of the obligation or expenditure.

§ 47-369.02. Increases to appropriations.

(a) Beginning in fiscal year 2009 and each fiscal year thereafter, consistent with revenue collections, the amount appropriated as District of Columbia Funds may be increased--

(1) by an aggregate amount of not more than 25 percent, in the case of amounts proposed to be allocated as "Other-Type Funds" in the annual Proposed Budget and Financial Plan submitted to Congress by the District of Columbia; and

(2) by an aggregate amount of not more than 6 percent, in the case of any other amounts proposed to be allocated in such Proposed Budget and Financial Plan.

(b) The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify--

(A) the increase in revenue; and

(B) that the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with the requirements of this subchapter.
(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and the Senate not fewer than 30 days in advance of the obligation or expenditure.

§ 47-369.03. Short-term borrowing from certain funds.

Beginning in fiscal year 2009 and each fiscal year thereafter, the Chief Financial Officer for the District of Columbia may, for the purpose of cash flow management, conduct short-term borrowing from the emergency reserve fund and from the contingency reserve fund established under § 1-204.50a: Provided, That the amount borrowed shall not exceed 50 percent of the total amount of funds contained in both the emergency and contingency reserve funds at the time of borrowing: Provided further, That the borrowing shall not deplete either fund by more than 50 percent: Provided further, That 100 percent of the funds borrowed shall be replenished within 9 months of the time of the borrowing or by the end of the fiscal year, whichever occurs earlier: Provided further, That in the event that short-term borrowing has been conducted and the emergency or the contingency reserve funds are later depleted below 50 percent as a result of an emergency or contingency, an amount equal to the amount necessary to restore reserve levels to 50 percent of the total amount of funds contained in both the emergency and contingency reserve fund must be replenished from the amount borrowed within 60 days.

Sec. 302. (a) The table of contents for Chapter 28 of Title 47 is amended by adding new subchapter designations III and IV to read as follows:

"SUBCHAPTER III. PERMIT AND LICENSE APPLICATION FORMS.

"Sec.

"47-2881. Placement of Inspector General hotline in permit and license application forms.

"SUBCHAPTER IV. OTHER LICENSES.

"PART A. HOME IMPROVEMENT BUSINESSES.

"Sec.

"47-2883.01. Bonding of persons engaged in home improvement business; definitions.

"47-2883.02. Bond requirements.

"47-2883.03. Payment as defense to assertion of lien.

"47-2883.04. Penalty.

"47-2883.05. Prosecutions to be conducted by Attorney General for the District of Columbia.

"47-2883.06. Authority and power of Mayor deemed supplementary.

"47-2883.07. Severability.

PART B. PAWN BROKERS.

"47-2884.01. Definitions.

"47-2884.02. License required; display of sign or emblem.
"47-2884.03. Appointment of Mayor as attorney; application for license; cash capital; application fee; endorsement to master business license.
"47-2884.04. Bond.
"47-2884.05. License--Issuance; fee; contents; display; transferability; change of place or business.
"47-2884.06. License--Revocation; suspension; renewal; renewal fee; procedure; surrender.
"47-2884.07. License--Enforcement of part; annual report; records of licensee; appeal of action, decision, or ruling of Mayor.
"47-2884.08. Advertising; statement of rates.
"47-2884.09. Maximum rate of interest permitted; repayment of loan.
"47-2884.10. Excessive consideration prohibited; instruments for loans made in violation of part invalid; loans made outside of District.
"47-2884.11. Book containing loan transactions required; inspection of books; police to be admitted to premises; daily transcript.
"47-2884.12. Borrower to receive memorandum of loan transaction.
"47-2884.13. Sale of pawn or pledge--Required time of possession.
"47-2884.15. Sale of pawn or pledge--Disposition of surplus moneys.
"47-2884.16. Penalties for violation of part; loan declared void; pledge returned.
"47-2884.17. Rules and regulations.
"47-2884.18. Exceptions to application of part.
"47-2884.19. Severability.

PART C. PHARMACY.
"47-2885.01. Purposes; scope.
"47-2885.02. Definitions.
"47-2885.03. General prohibitions.
"47-2885.04. Board of Pharmacy. [Repealed]
"47-2885.05. Licensing of Pharmacists. [Repealed]
"47-2885.06. Registration of pharmacy interns.
"47-2885.07. Denial, suspension, or revocation of pharmacist's license or pharmacy intern's registration. [Repealed]
"47-2885.08. Licensing of pharmacies.
"47-2885.09. Operation of pharmacy.
"47-2885.10. Denial, suspension, or revocation of pharmacy license.
"47-2885.11. Pharmacy personnel.
"47-2885.12. Bulk sales or transfers.
"47-2885.13. Deteriorating drugs; sample drugs; returned drugs.
"47-2885.15. Records.
"47-2885.16. Inspections.
"47-2885.17. Peddling drugs prohibited.
"47-2885.17a. Public place defined.
"47-2885.18. Duties of Mayor.
"47-2885.19. Fees.
"47-2885.20. Penalties; prosecutions; injunction.
"47-2885.21. Review.
"47-2885.22. Severability.
"47-2885.23. Effect of part on prior regulations.

PART D. PROFESSIONAL ENGINEERS.
"47-2886.01. Short title.
"47-2886.02. Definitions.
"47-2886.03. Declaration of policy.
"47-2886.04. Practice of engineering without registration prohibited.
"47-2886.05. District of Columbia Board of Registration for Professional Engineers--Created; duty; composition; appointment; qualifications; term of office; oath of office; removal; vacancies. [Omitted]
"47-2886.06. District of Columbia Board of Registration for Professional Engineering--Compensation. [Omitted]
"47-2886.07. District of Columbia Board of Registration for Professional Engineers--Meetings; officers; quorum. [Omitted]
"47-2886.08. District of Columbia Board of Registration for Professional Engineers--Powers.
"47-2886.09. District of Columbia Board of Registration for Professional Engineers--Complaints; hearings; appeals.
"47-2886.10. Exemptions from part.
"47-2886.11. Seal of registrant.
"47-2886.13. Fees; Professional Engineers' Fund; expenses of Board; audit.
"47-2886.15. Prosecutions; legal services to Board; investigations; injunctions.
"47-2886.16. Annual report.
"47-2886.17. Severability.
"47-2886.18. Conflicting laws and regulations repealed.”.

(b) Subchapter III and Parts A through D of subchapter IV of Chapter 28 of Title 47 of the District of Columbia Official Code are enacted into law to read as follows (quotation marks omitted):
Subchapter III. Permit and License Application Forms.
§ 47-2881. Placement of Inspector General hotline in permit and license application forms.
   (a) In general. -- Each District of Columbia permit or license application form printed after the expiration of the 30-day period which begins on the date of the enactment of this Act shall include the telephone number established by the Inspector General of the District of Columbia for reporting instances of waste, fraud, and abuse, together with a brief description of the uses and purposes of such number.
   (b) Quarterly reports on use of number. -- Not later than 10 days after the end of such calendar quarter of each fiscal year (beginning with fiscal year 1998), the Inspector General of the District of Columbia shall submit a report to Congress on the number and nature of the calls received through the telephone number described in subsection (a) of this section during the quarter and on the waste, fraud, and abuse detected as a result of such calls.

Subchapter IV. Other Licenses.
Part A. Home Improvement Businesses.
§ 47-2883.01. Bonding of persons engaged in home improvement business; definitions.
   The Council of the District of Columbia is authorized, in connection with the licensing of persons engaged in the home improvement business, whether as principal, agent, salesman, employee, or otherwise, to require the furnishing of bond as a condition to the issuance of such license. For the purposes of this part, the term "home improvement business" means the repair, remodeling, alteration, conversion, or modernization of, or addition to, residential property, all as may be more particularly defined in regulations promulgated by the Council. Such bonding may be required notwithstanding the fact that a person may also be subject to the bonding requirements of any other law.
§ 47-2883.02. Bond requirements.
   (a) The Council of the District of Columbia may, from time to time, and in its discretion, establish classes and subclasses of persons licensed to engage in the home improvement business and specify the amount and conditions of the bond or other security acceptable to the Council to be deposited by each of the members of any such class or subclass. In connection with the licensing of persons to engage in the home improvement business, and the bonding of the members of any such class or subclass of such persons, the Council, in its discretion, may by regulation require applicants for licenses or licenses:
   (1) To furnish and keep in force a bond or bonds running to the District, or other security acceptable to the Council, to protect members of the public against financial loss by reason of the failure of the licensee or of any officer, agent, employee, salesman, or other person acting on behalf of said licensee, to observe any law or regulation in force in the District of Columbia applicable to the licensee's conduct of the licensed business;
   (2) To procure and keep in force public liability insurance or property damage insurance, or both; and
(3) To appoint the Mayor as their true and lawful attorney upon whom all judicial and other process or legal notice directed to such person may be served.

(b) The bonds authorized by this section shall be corporate surety bonds in amounts to be fixed by the Council, but no bond shall exceed $25,000, and such bond shall be conditioned upon the observance by the licensee and any officer, agent, employee, salesman, or other person acting on behalf of said licensee, of all laws and regulations in force in the District applicable to the licensee's conduct of the licensed business, for the benefit of any person who may suffer damages resulting from the violation of any such law or regulation by or on the part of such licensee or any officer, agent, employee, salesman, or other person acting on behalf of the licensee.

(c) Any person aggrieved by the violation of any law or regulation applicable to the licensee's conduct of the licensed activity shall have, in addition to his right of action against such licensee, a right to bring suit against the surety on a bond authorized by this section, either alone or jointly with the principal thereon, and to recover in an amount not exceeding the penalty of the bond any damages sustained by reason of any act, transaction, or conduct of the licensee, or of any officer, agent, employee, salesman, or other person acting on behalf of said licensee, which is in violation of law or regulation in force in the District relating to the licensed activity. The provisions of the second, third, and fifth paragraphs of subsection (b) of § 1-301.01 shall be applicable to each bond authorized by this section as if it were the bond authorized by the first paragraph of such subsection (b) of § 1-301.01; provided, that nothing in this subsection shall be construed to impose upon the surety on any such bond a greater liability than the total amount thereof or the amount remaining unextinguished after any prior recovery or recoveries.

§ 47-2883.03. Payment as defense to assertion of lien.

In any case in which a property owner or occupant has entered into a contract with a person offering to perform or to arrange for the performance of home improvement work, and such property owner or occupant makes payment for such work to the person offering to perform or arrange for the performance of the same, proof of such payment shall constitute a defense against, and render void, any lien sought to be asserted under the authority of subchapter I of Chapter 3 of Title 40, and § 40-303.01.

§ 47-2883.04. Penalty.

Any person who shall violate any provision of this part or of any regulation promulgated by the Mayor under the authority of this part shall be guilty of a misdemeanor and shall be punished by a fine not exceeding $300 or by imprisonment for not more than 90 days, or both. Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this part, or any rules or regulations issued under the authority of this part, pursuant to Chapter 18 of Title 2. Adjudication of any infraction of this part shall be pursuant to Chapter 18 of Title 2.

§ 47-2883.05. Prosecutions to be conducted by Attorney General for the District of Columbia.
Prosecutions for violations of this part, or of the regulations made pursuant thereto, shall be conducted in the name of the District by the Attorney General for the District of Columbia or any of his assistants. As used in this part, the term "Attorney General for the District of Columbia" means the attorney for the District, by whatever title such attorney may be known, designated by the Mayor to perform the functions prescribed for the Attorney General for the District of Columbia in this part. Adjudication of civil infractions shall be pursuant to Chapter 18 of Title 2.

§ 47-2883.06. Authority and power of Mayor deemed supplementary.

The authority and power vested in the Mayor by any provision of this part shall be deemed to be additional and supplementary to authority and power now vested in him, and not as a limitation.

§ 47-2883.07. Severability.

If any provision of this part or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or the application of this part which can be effected without the invalid provision or application, and to this end the provisions of this part are severable.

Part B. Pawnbrokers.

§ 47-2884.01. Definitions.

As used in this part:

(1) The term "person" means an individual, firm, voluntary association, joint-stock company, incorporated society, or corporation.

(2) The term "District" means the District of Columbia.

(3) The term "Mayor" means the Mayor of the District or the agent or agents designated by him to perform any function vested in the Mayor by this part; provided, that for the purposes of subsection (e) of § 47-2884.07 no such agent shall, by way of appeal, review his own action, decision, or ruling.

(4) The term "pawnbroker" means any person who shall in any manner lend or advance money or other things for profit on pledge and possession of personal property or other valuable thing, other than securities or written or printed evidences of indebtedness or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price, and shall include all pawnbrokers referred to in §§ 5-117.01, 5-117.02, and 5-117.03.

§ 47-2884.02. License required; display of sign or emblem.

(a) No person shall engage in business as a pawnbroker except as authorized in this part and without first obtaining a license from the Mayor as hereinafter provided.

(b) No person, other than a licensee under this part, shall display any sign or other device in or about any business premises, or in any advertising matter, which in any manner resembles the emblem or sign commonly used by pawnbrokers nor display any sign which is calculated to
deceive, nor use the word "pawnbroker" in or about any business premises or in any advertising matter, nor shall any such person hold himself out to the public to be a pawnbroker either by advertising, soliciting, signs, or otherwise.

§ 47-2884.03. Appointment of Mayor as attorney; application for license; cash capital; application fee; endorsement to master business license.

(a) No license shall be issued to any person unless and until such person shall, in writing and in the form prescribed by the Mayor, appoint the Mayor as his true and lawful attorney upon whom all judicial and other process or legal notice directed to such person may be served. A copy of any such process or notice so served upon the Mayor shall be forthwith sent by registered mail by the plaintiff or his attorney to the defendant at his residence or his place of business.

(b) Each application for a license under this part shall be in writing, under oath or affirmation, to the Mayor in such form as he may prescribe. Such application shall contain:

1. In the case of an individual, his name and the address of his residence and place of business;

2. In the case of a firm or voluntary association, the name and address of every member thereof and the address of the place where such business is to be conducted;

3. In the case of a joint-stock company, incorporated society, or corporation, the names and addresses of the officers and directors thereof and the address of the place where such business is to be conducted; and

4. Such additional information as the Council of the District of Columbia may prescribe.

(c) Each applicant shall prove to the satisfaction of the Mayor that he has available, for use in the business of making loans authorized by this part at the location specified in his application, cash capital of at least $20,000.

(d) Upon the filing of any such application the applicant shall pay to the Mayor the sum of $50 as a fee for investigating the application, which sum shall be retained by the District whether such application is approved or disapproved.

(e) Any license issued pursuant to this part shall be issued as an Inspected Sales and Services endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of this chapter.

§ 47-2884.04. Bond.

(a) Each applicant shall file with his application a bond running to the District in the sum of $5,000 with 2 or more sufficient sureties, whose liability as such securities shall not exceed the said sum in the aggregate; except that the execution of any such bond by a fidelity or surety company authorized by the laws of the United States to transact business in the District shall be equivalent to the execution thereof by 2 sureties, but such company, if excepted to, shall justify in the manner required by law of fidelity and surety companies. Such bond shall be approved by the Mayor and conditioned upon the compliance by the applicant with all the provisions of this
part and all rules and regulations lawfully made pursuant thereto. Any person injured by
the noncompliance with any such provision, rule, or regulation by any licensee under this part may
maintain a suit in his own name in any court of competent jurisdiction and recover on the bond
such damages as shall be adjudged by such court together with costs of such suit. Recovery upon
any such bond shall not preclude recovery against such licensee for any liability in excess of the
amount recovered upon the bond, and such recovery shall not be held to extinguish any remedy
under other law.

(b) The bond or bonds which the licensee is required to file hereunder shall be renewed
and refiled annually at the time of making payment of the annual license fee. If the Mayor shall
find that any such bond has for any reason become insecure or exhausted, an additional bond in
the sum of not more than $5,000 shall be filed by the licensee within 10 days after written
demand therefor by the Mayor.
§ 47-2884.05. License--Issuance; fee; contents; display; transferability; change of place or
business.

(a) If the Mayor approves the bond filed by the applicant and the form of the application,
and finds after investigation: (1) that the financial responsibility, experience, character, and
general fitness of such applicant, and of the members thereof if the applicant is a firm or
voluntary association, and of the officers and directors thereof if the applicant is a joint-stock
company, incorporated society, or corporation are such as to command the confidence of the
community and to warrant the belief that the business of the applicant will be operated honestly,
fairly, and efficiently in accordance with the purposes of this part; (2) that permitting such
applicant to engage in such business will promote the convenience and advantage of the
community; and (3) that the applicant has available for use in such business at the location
specified in the application cash capital of at least $20,000, the Mayor shall, upon payment by
the applicant of a license fee of $800, issue to the applicant a license to make such loans in
accordance with the provisions of this part at the location specified in such application; except
that if any such license is issued after the 30th day of April of any year the fee for such license
shall be $250. If the Mayor does not so find after investigation he shall notify the applicant
thereof and return the bond filed with the application. Within 60 days from the date of filing the
application for license, accompanied by the investigation fee and bond required by this part, the
Mayor shall either issue or refuse to issue such license, but no applicant shall be denied a license
until after a due hearing by the Mayor, at which the applicant shall have a reasonable opportunity
to be heard and to produce evidence in support of his application. If the application be denied,
the Mayor shall within 20 days thereafter prepare a written decision and findings with respect
thereto containing a summary of the evidence and the reasons supporting the denial and
forthwith serve upon the applicant a copy thereof.

(b) Each license issued under this part shall state fully the name of the licensee and the
place at which the business is to be conducted under such license. Such license shall be kept
conspicuously posted in such place of business. No such license shall be transferable or

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assignable. Not more than 1 place of business shall be maintained under the same license, but the Mayor may issue more than 1 license to the same licensee upon compliance for each such license with all the provisions of this part applicable to the original issuance of licenses. Whenever a licensee shall desire to change his place of business to another location within the District he shall immediately give written notice thereof to the Mayor. Upon receipt of such notice the Mayor shall attach to the license a statement of the change of location and the date thereof, which shall be authority for the operation of such business under such license at the new location.

(c) No licensee shall transact such business or make any loan provided for by this part under any other name or at any other place of business than that named in the license.

§ 47-2884.06. License--Revocation; suspension; renewal; renewal fee; procedure; surrender.

(a) Each license shall remain in full force and effect until the 1st day of November following the date of issuance unless sooner surrendered by the licensee or suspended or revoked as hereinafter provided. Application for license for the following year may be made by any licensee within 20 days prior to the 1st day of November. If the Mayor is satisfied that no fact or condition then exists which clearly would warrant the Mayor in refusing to issue a license on an original application the Mayor is authorized to issue license for the year commencing on the 1st day of November following the date of such application, upon payment of license fee of $550.

(b) The Mayor shall, upon 10 days notice to the licensee stating that he contemplates the revocation or suspension of his license, and, in general, the grounds therefor, revoke or suspend such license, after reasonable opportunity has been afforded to the licensee to be heard, if the Mayor finds: (1) that the licensee has failed to maintain in effect the bond or bonds required under this part; or (2) that the licensee has either, knowingly or without the exercise of due care to prevent the same, violated any provision of this part or has failed to comply with any rule or regulation lawfully made pursuant thereto; or (3) that any fact or condition then exists which clearly would warrant the Mayor in refusing to issue a license on an original application. If the license be revoked or suspended the Mayor shall, within 20 days thereafter, prepare a written decision and findings with respect thereto containing a summary of the evidence and the reasons supporting the revocation or suspension and forthwith serve upon the licensee a copy thereof.

(c) The Mayor may revoke or suspend only the particular license with respect to which there are grounds for revocation or suspension, but if the Mayor finds that such grounds for revocation or suspension apply or extend to more than 1 license issued to any person under this part, he shall revoke or suspend all the licenses affected thereby.

(d) The licensee may at any time surrender any license issued to him under this part upon filing written notice to that effect with the Mayor.

(e) No revocation, suspension, or surrender of any such license shall impair or affect the obligation of any preexisting lawful contract between the licensee and any borrower, or any bond given by such licensee.
§ 47-2884.07. License--Enforcement of part; annual report; records of licensee; appeal of action, decision, or ruling of Mayor.

(a) The provisions of this part shall be enforced by the Mayor, and the Council of the District of Columbia is authorized to make such rules and regulations in addition hereto and not inconsistent herewith, as may be necessary for the enforcement of this part. The Mayor shall make such examination and investigations of the affairs, business, office, and records of every licensee, and such further examinations or investigations as he shall deem necessary for the purpose of discovering violations of this part or of securing information necessary for its proper enforcement. For the purpose of making such examinations or investigations, the Mayor and his duly designated representatives shall have authority to require by subpoena the production of books, papers, and records and the attendance, and examination under oath, of all persons whomsoever whose testimony they may require relative to the loans or business of any such licensee, and shall have free access to the accounts, papers, records, files, safes, vaults, offices, and places of business used in connection with any business conducted under any license issued in accordance with this part. In the event of contumacy or refusal to obey any such subpoena or requirement under this section, the Mayor may make application to the Superior Court of the District of Columbia for an order requiring obedience thereto. Thereupon the Court, with or without notice and hearing, as it in its discretion may decide, may make such order as is proper and may punish as a contempt any failure to comply with such order.

(b) Each licensee shall annually, on or before the 15th day of March, file with the Mayor a report giving such information as the Mayor may require, relevant to the business and operations during the preceding calendar year of each licensed place of business conducted by such licensee in the District. Such report shall be made under oath and in the form prescribed by the Mayor. The Mayor shall make and publish annually an analysis and recapitulation of such reports.

(c) Each licensee shall keep and use in his business and shall preserve, for at least 3 years after making the final entry on any loan recorded therein, such books, accounts, records, or card systems as will enable the Mayor to determine whether such licensee is complying with the provisions of this part and with the rules and regulations made pursuant thereto.

(d) The Mayor is authorized to appoint such assistants, clerks, or other employees as may be required for the purpose of carrying out the provisions of this part.

(e) Any person aggrieved by any action, decision, or ruling of the Mayor under this part may, within 20 days thereafter, or within 20 days after the service upon such person of any written decision and findings required by this part, appeal to the Mayor for a review thereof. Upon any such review, the Mayor may affirm, set aside, or modify such action, decision, or ruling. In any such case the Mayor shall, within 10 days thereafter, prepare a written decision and findings with respect thereto, containing a summary of the evidence and the reasons supporting the affirmation, setting aside, or modification, and forthwith serve upon the aggrieved person a copy thereof.
§ 47-2884.08. Advertising; statement of rates.

(a) No licensee or other person, firm, voluntary association, joint-stock company, incorporated society, or corporation shall advertise, print, display, publish, distribute, or broadcast, or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner whatsoever, any statement or representation with regard to the rates, terms, or conditions for the lending of money, credit, goods, or things in action in the amount or of the value of $1,000 or less, which is false, misleading, or deceptive, or, in the case of a licensee, which refers to the supervision of such business by the District of Columbia, or any department or official thereof. The Mayor may order any licensee to desist from any conduct which he shall find to be a violation of the foregoing provisions.

(b) The Mayor may require that rates of charge, if stated by a licensee, be stated fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers.

§ 47-2884.09. Maximum rate of interest permitted; repayment of loan.

(a) The Mayor shall investigate from time to time the economic conditions and other factors relating to and affecting the business of making pawnbroker loans under this part, and shall ascertain all pertinent facts necessary to determine what maximum rate of interest should be permitted. Upon the basis of such ascertained facts, the Council of the District of Columbia shall determine and fix by regulation or order a maximum rate of interest in connection with such loans which will induce efficiently managed commercial capital to be invested in such business in sufficient amounts to make available adequate credit facilities to individuals seeking such loans at reasonable rates of interest, and which will afford those engaged in such business a fair and reasonable return upon the assets. The Council may from time to time, upon the basis of changed conditions or facts, redetermine and refix any such maximum rate of interest, but, before determining or redetermining any such maximum rate, the Council shall give reasonable notice of its intention to consider doing so to all licensees and a reasonable opportunity to be heard and introduce evidence with respect thereto, and such notice shall also be published once each week for 2 consecutive weeks in one or more of the daily newspapers published in the District. Any such changed maximum rate of interest shall not affect preexisting loan contracts lawfully entered into between any licensee and any borrower. Until such time as a different rate is fixed by the Council in accordance with the authorization contained in this section, every licensed pawnbroker may contract for and receive on any loan of money, not exceeding 2 per centum per month, or fraction thereof, upon any loan not exceeding the sum of $200, or more than 1 per centum per month or fraction thereof, upon any loan exceeding $200 and not exceeding $1,000, and 8 per centum per annum on any loan in excess of $1,000, under a penalty of $100 for each such offense; provided, that pawnbrokers may ask, demand, and receive a minimum charge in lieu of interest of $.50.
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(b) The borrower may pay all or any part of any loan made pursuant to this part at any time before the date of maturity thereof, but any such payment may first be applied by the licensee to all interest unpaid up to the date of such payment.

§ 47-2884.10. Excessive consideration prohibited; instruments for loans made in violation of part invalid; loans made outside of District.

(a) No person, except as authorized by this part, shall directly or indirectly, by any device, subterfuge, or pretense, whatsoever, ask, demand, charge, contract for, or receive, or participate, as agent, broker, procurer, intermediary, or volunteer, or in any other capacity, in asking, demanding, charging, contracting for, or receiving any interest, discount, fee, charge, or other consideration which in the aggregate is greater than the interest which is permitted by §§ 28-3301 to 28-3303, upon any loan or application for loan in the amount of $1,000, or less, whether or not such loan is made.

(b) No person engaged in the business regulated by this part shall pay, directly or indirectly, to any person, any money, service, or thing of value for the doing of any of the acts prohibited in subsection (a) of this section; provided, that this subsection shall apply only to acts done or performed with reference to loan transactions or applications for loans in sums of $1,000 or less, or in inducing or seeking to induce any person to borrow in sums of $1,000 or less.

(c) No instrument evidencing a loan made within the District in violation of the provisions of this part shall be valid or enforceable in the District by the lender or by any other holder thereof who acquired the same with actual knowledge that said loan was made in violation of the provisions of this part or with knowledge of such facts that his action in taking such instrument amounted to bad faith.

(d) Any loan made by any person not licensed under this part for which there has been charged, contracted for, or received a greater rate of interest, discount, or consideration than the interest which is permitted by §§ 28-3301 to 28-3303, and any loan made by a licensee under this part for which there has been charged, contracted for, or received a greater rate of interest, discount, or consideration than licensees are permitted to charge, contract for, or receive under this part is hereby declared to be against the public policy of the District. No such loan made outside the District shall be enforced in the District and every person in anywise participating therein in the District shall be subject to the provisions of this part, except that the provisions of this subsection shall not apply to a loan legally made in any state under and in accordance with the provisions of a duly enacted pawnbroker law.

§ 47-2884.11. Book containing loan transactions required; inspection of books; police to be admitted to premises; daily transcript.

(a) Every pawnbroker shall keep a book in which shall be fairly written, at the time of each loan, an accurate account and description of the goods, article, or thing pawned or pledged, the amount of money loaned thereon, the time of pledging the same, the rate of interest to be paid on such loan, and the name and residence of the person pawning or pledging the said goods,
article, or thing, together with a particular description of such person, including complexion, color of eyes and hair, and his or her height and general appearances.

(b) The said book shall at all reasonable times be open to the inspection of the Mayor. It shall be the duty of every pawnbroker, and of every person in his employ, to admit to his premises during business hours any member of the Metropolitan Police force of the District of Columbia as aforesaid to examine any pledge or pawnbook or other record on the premises, as well as the articles pledged, purchased, or received, and to search for and take possession of any article known by him to be missing or known or believed by him to have been stolen, without the formality of the writ of search warrant or any other process, which search or seizure is hereby authorized.

(c) Except as to any judicial or other official of the District, having a right thereto in his official capacity, it shall be unlawful for any officer or employee of the District to divulge or make known in any manner the contents of such book.

(d) Every pawnbroker shall, every day, except Sunday, before the hour of 11:00 a.m., deliver to the Chief of Police, or his representative, on forms to be prescribed by the Mayor of the District of Columbia, a legible and correct transcript from the book or books provided for in subsection (a) of this section, showing an accurate and complete description of every article or thing received by him, in pawn or pledge, and giving all numbers, marks, monograms, trademarks, manufacturers' names, and other marks of identification appearing on the same, on the business day next preceding, together with the numbers of the pawn ticket issued therefor, the amount of the loan thereon, and the name, residence, and physical description of the person pawning or pledging the said goods, article or thing.


Every pawnbroker shall, at the time of each loan, deliver to the person pawning or pledging any goods, article, or thing a memorandum or note, signed by him, containing the substance of the entry required to be made in his or her book by § 47-2884.11, excepting as to the description of the person and no charge shall be made or received by any pawnbroker for any such entry, memorandum, or note.

§ 47-2884.13. Sale of pawn or pledge--Required time of possession.

No pawnbroker shall sell a pawn or a pledge until the pawn or the pledge has remained 6 months in the pawnbroker's possession, unless by consent in writing by the pawnor.


At least 30 days before selling a pawn or a pledge, the pawnbroker shall send notice of the sale to the pawnor by certified mail. Certificates of mailing of the notice shall be part of the pawnbroker business records required by this part to be kept.

§ 47-2884.15. Sale of pawn or pledge--Disposition of surplus moneys.

The surplus money from the sale, after deducting the amount of the loan, the interest then due on the loan, and the expenses of the notice and sale, shall be paid over by the pawnbroker to the person who would have been entitled to redeem the pledge had the sale not taken place.
§ 47-2884.16. Penalties for violation of part; loan declared void; pledge returned.
   (a) Any individual or any member, officer, director, agent, or employee of any firm,
       voluntary association, joint-stock company, incorporated society, or corporation who shall
       violate or participate in the violation of any of the provisions of this part shall be punished by a
       fine of not more than $300 or by imprisonment for not more than 90 days.
   (b) Any contract of loan in the making or collection of which any act shall have been
       done which constitutes a violation of any of the provisions of this part shall be void and the
       lender shall have no right to collect or receive any principal, interest, or charges whatsoever on
       account thereof. Any person pledging any goods, article, or other thing as security for a loan
       which is void shall be entitled to the return of such goods, article, or thing without being required
       to pay any principal, interest, or other charge on account of such void loan.
   (c) Civil fines, penalties, and fees may be imposed as alternative sanctions for any
       infraction of the provisions of this part, or any rules or regulations issued under the authority of
       this part, pursuant to Chapter 18 of Title 2. Adjudication of any infraction of this part shall be
       pursuant to Chapter 18 of Title 2.

§ 47-2884.17. Rules and regulations.
   The Council of the District of Columbia is authorized to make, and the Mayor of the
   District of Columbia is authorized to enforce, such rules and regulations as the Council deems
   necessary to carry out the purposes of this part.

§ 47-2884.18. Exceptions to application of part.
   Nothing in this part shall apply to any person, firm, joint-stock company, incorporated
   society, credit union, or corporation doing business in the District of Columbia under the
   supervision of the Federal Reserve System, or the Comptroller of the Currency, or the Federal
   Deposit Insurance Corporation, or the Federal Home Loan Bank Board, or the Federal Savings
   and Loan Insurance Corporation, or the Department of Health and Human Services or to loans
   made by them.

§ 47-2884.19. Severability.
   If any provision of this part or the application thereof to any person or circumstances is
   held invalid, the remainder of the part, and the application of such provision to other persons or
   circumstances shall not be affected thereby.

Part C. Pharmacy.

§ 47-2885.01. Purposes; scope.
   (a) The purposes of this part are:
       (1) To license pharmacies and pharmacists;
       (2) To register pharmacy interns;
       (3) To regulate the practice of pharmacy; and
       (4) To establish a Board of Pharmacy in the District of Columbia in order to
           protect the public health and welfare.
(b) This part shall not apply to:
   (1) A duly licensed medical practitioner who personally dispenses or administers
       drugs or poisons as the practitioner deems proper in the treatment of the practitioner's patients;
   (2) The administering of drugs by a registered or licensed nurse under the
       direction of a medical practitioner to the practitioner's patient or patients;
   (3) Or otherwise interfere with the sale of over-the-counter drugs; or
   (4) Any person who is a wholesaler or manufacturer, or any employee of such
       person, when engaged in the discharge of his or her official duties.
(c) Nothing in this part shall be construed as altering or affecting in any way laws of the
   District of Columbia or any federal act requiring a written prescription for controlled substances
   or other dangerous drugs.
§ 47-2885.02. Definitions.
   For purposes of this part:
   (1) The term "Board" means the District of Columbia Board of Pharmacy
       established by the District of Columbia Health Occupations Revision Act of 1985.
   (2) The term "dispense" means to sell, distribute, leave with, give away, dispose
       of, prepare or deliver a drug.
   (3) The term "drug" means:
       (A) Any substance recognized as a drug, medicine, or medicinal chemical
           in the official United States Pharmacopoeia, official National Formulary, official Homeopathic
           Pharmacopoeia, or official Veterinary Medicine Compendium or other official drug compendium
           or any supplement to any of them;
       (B) Any substance intended for use in the diagnosis, cure, mitigation,
           treatment, or prevention of disease in man or other animal;
       (C) Any chemical substance (other than food) intended to affect the
           structure or any function of the body of man or other animal; and
       (D) Any substance intended for use as a component of any items specified
           in subparagraph (A), (B), or (C) of this paragraph, but does not include medical devices or their
           components, parts, or accessories.
   (4) The term "labeling" means the process of affixing a label to any drug
       container, but does not include the labeling by a manufacturer, packer, or distributor of an over-
       the-counter drug, packaged legend drug, or medical device.
   (5) The term "Mayor" means the Mayor of the District of Columbia or the
       Mayor's designated agent.
   (6) The term "medical device" means an instrument, apparatus, implement,
       machine, contrivance, implant, in vitro reagent, or other similar or related article, including any
       component, part, or accessory, which is:
       (A) Recognized in the official National Formulary, the official United
           States Pharmacopoeia, or any supplement thereto;
(B) Intended for use in the diagnosis of disease or any other condition, or in the cure, mitigation, treatment, or prevention of disease in man or other animal; or

(C) Intended to affect the structure or any function of the body of man or other animal, and which does not achieve any of its principal intended purposes through chemical action within or on the body of man or other animal, and which does not depend upon being metabolized for the achievement of any of its principal intended purposes.

(7) The term "medicinal chemicals" means chemicals used in the treatment of illness or disease.

(8) The term "over-the-counter drug" means drugs which may be sold without a prescription and which are prepackaged for use by the consumer and labeled in accordance with the requirements of the laws and regulations of the District of Columbia and the federal government.

(9) The term "person" means any individual, partnership, association, corporation, company, joint stock association, or any organized group of persons whether incorporated or not, or any trustee, receiver, or assignee thereof.

(10) The term "pharmacist" means any person who is licensed in the District of Columbia to engage in the practice of pharmacy.

(11) Repealed.

(12) The term "pharmacy intern" means any person who is registered in the District of Columbia to engage in the practice of pharmacy under the direct supervision of a pharmacist.

(13) The term "practice of pharmacy" means the practice defined in § 3-1201.02(11).

(14) The term "practitioner" means a person licensed and permitted by such license (other than a pharmacist) to prescribe, to dispense, or to conduct research with respect to, or to administer, drugs within the course of such person's professional practice or research.

(15) Repealed.

(16) The term "proprietor of a pharmacy" means a person designated as proprietor in an application for a pharmacy license under § 47-2885.08. The proprietor may be an individual, a corporation, a partnership, or an unincorporated association, and shall at all times own a controlling interest in the pharmacy.

(17) The term "radiopharmaceuticals" means radioactive drugs and chemicals within the classification of legend drugs as defined under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 301 et seq.) or regulations issued by the Mayor pursuant to this part. § 47-2885.03. General prohibitions.

(a)-(c) Repealed.

(d) It shall be unlawful for any person to operate, maintain, open or establish a pharmacy within the District of Columbia without first having obtained a license or registration from the Mayor.
(e) Repealed.

(f) It shall be unlawful for any establishment or institution, or any part thereof, that does not provide services of the practice of pharmacy, as defined within this part, to use or have upon it, or displayed within it, or affixed to or used in connection with it, a sign bearing the word or words "pharmacy," "apothecary," "drugstore," "druggist," or any word or words of similar or like import which would tend to indicate that the practice of pharmacy is being conducted in the establishment or institution.

§ 47-2885.04. Board of Pharmacy. [Repealed]
§ 47-2885.05. Licensing of pharmacists. [Repealed]
§ 47-2885.06. Registration of pharmacy interns.

(a) To register as a pharmacy intern, a person shall establish to the satisfaction of the Board of Pharmacy that the applicant:

(1) Is currently registered in and attending a duly accredited college or school of pharmacy or is a graduate of such college or school of pharmacy; and

(2) Has provided such additional evidence as the Board has determined is necessary for the position of pharmacy intern; and

(3) Has complied with the other standards required for registration by the Non-Health Related Professions and Occupations Licensure Act of 1998.

(b) The Mayor may, by regulation, provide for the registration of pharmacy interns who obtain their practical experience outside of the District of Columbia.

(c) Registration as a pharmacy intern may be renewed for successive periods of 1 year if the Mayor is satisfied that the applicant is in good faith and with reasonable diligence working toward his or her pharmaceutical degree or, if he or she has already received his or her degree, has been unable with reasonable diligence to accumulate the number of hours of service required by the Mayor.

§ 47-2885.07. Denial, suspension, or revocation of pharmacist's license or pharmacy intern's registration. [Repealed]
§ 47-2885.08. Licensing of pharmacies.

(a) The application for a pharmacy license shall be made on a form to be prescribed by the Mayor and shall be accompanied by the required fee. The license shall be valid for a period of time to be determined by the Mayor. No license fee shall be required for the operation of a pharmacy by the United States government or by the District of Columbia government.

(b) Application for renewal of a pharmacy license shall be made not later than 30 days before the expiration date of the license to avoid lapse. An additional fee for late filing not exceeding the amount of the renewal fee shall be established by the Mayor.

(c) Each pharmacy license issued shall apply only to the operation of the pharmacy at the location for which it is issued.

(d) A pharmacy license is not transferable.
(e) Whether or not the proprietor of a pharmacy is a pharmacist, the pharmacy license shall be issued in the name of the proprietor.

(f) When a pharmacy changes proprietorship, the license shall become void and shall be promptly surrendered to the Mayor, and a license shall be obtained by the new proprietor whether or not there is any change in the name of the pharmacy.

(g) Any license issued pursuant to this section shall be issued as a Public Health Pharmacy and Pharmaceuticals endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of this chapter.

§ 47-2885.09. Operation of pharmacy.

(a) A pharmacy shall be operated only by a licensed pharmacist. During all times when the pharmacy is open for business a pharmacist shall be on duty. The pharmacist on duty shall post his or her license in a conspicuous place during the time he or she is on duty. The hours that the pharmacy is open for business shall be conspicuously displayed on the outside of the pharmacy.

(b) The pharmacist on duty shall control all professional aspects of the practice of pharmacy; any usurpation, in reference or impairment of the exercise of professional judgment of the pharmacist on duty by a nonpharmacist proprietor or personnel shall be deemed the practice of pharmacy and constitute a violation of this part.

(c)(1) If only part of an establishment or institution is used as the pharmacy and if the pharmacy is not open to the public at the times when the rest of the establishment is open to the public, the pharmacy shall be securely enclosed so as to prevent unauthorized access to pharmacy areas and to prevent the diversion of drugs stored in pharmacy areas.

(2) The pharmacy and any storage areas for prescription drugs outside of the pharmacy shall be substantially constructed.

(3) All doors shall be capable of being securely locked, and access shall be restricted to pharmacists, the proprietor of the pharmacy, or persons authorized by a pharmacist with the consent of the proprietor.

(4) The key or keys to areas are to be under the control or in the possession of the pharmacist on duty or the proprietor of the pharmacy.

(d) Burglaries and damage to the pharmacy or its contents by fire, flood, or other causes shall be reported immediately to the Mayor. Neither drugs nor other merchandise shall be dispensed, sold, held for sale, or given away in any pharmacy damaged by fire, flood, or other causes until the Mayor has determined that the merchandise is not adulterated or otherwise unfit for sale, use, or consumption. Damaged premises shall be inspected by the Mayor to determine their continued suitability for pharmacy operations.

§ 47-2885.10. Denial, suspension, or revocation of pharmacy license.

(a) The Mayor may refuse the issuance or renewal, or may revoke, or may suspend for not more than 90 days, a license issued pursuant to this part for any 1 or a combination of the following reasons:
(1) Conviction of any felony, or a finding by the Mayor that any provision of this part has been violated, or that any law or regulation of the District of Columbia or of the United States relating to drugs has been violated by any person named in the application for pharmacy licensure;

(2) Furnishing false or misleading information to the Mayor, or failing to furnish information requested by the Mayor, or refusing to allow an inspection in accordance with this section and § 47-2885.16; or

(3) Selling, or offering for sale, adulterated or misbranded drugs or devices.

(b) The Mayor shall forthwith suspend a license issued pursuant to this part whenever the Mayor finds that the failure of a pharmacy to comply with any provision of this part or with any District of Columbia or federal law or regulation applicable to such pharmacy is of such a serious nature and magnitude that an imminent danger to the health or safety of the public is presented. In such a case, if a hearing is requested, such request or hearing shall not serve to stay the issuance of an order suspending the license.

§ 47-2885.11. Pharmacy personnel.

(a)(1) No personnel working in any capacity, the activities of which include contact with any merchandise or drugs in a pharmacy or the care of dispensing, manufacturing, or storage facilities, who is affected by, or believed by the Mayor, upon reasonable grounds to be affected by, a communicable disease and no person who is or is believed by the Mayor, upon reasonable grounds, to be a carrier of a communicable disease shall actively engage in any work in a pharmacy.

(2) No proprietor of any pharmacy or manager of any pharmacy shall intentionally permit any person who is, or is believed by the Mayor, upon reasonable grounds, to be, a carrier of a communicable disease to engage or continue to be engaged in any work in the pharmacy.

(b) No person shall work in any capacity in a pharmacy if he or she:

(1) Has the following conditions: boils, infectious wounds, sores, or an acute respiratory infection;

(2) Is wearing unclean garments;

(3) Is a chronic alcoholic as that term is defined in § 24-602; or

(4) Does not follow hygienic work practices, including the washing of hands thoroughly before commencing work and as often as is necessary thereafter to remove soil and contamination.

§ 47-2885.12. Bulk sales or transfers.

(a)(1) Bulk sales or transfers of drugs or medical devices shall not be made unless the Mayor is notified prior to the proposed transaction and the Mayor finds that the drugs or medical devices are fit for the use for which they were originally intended. For the purposes of this section, the term “bulk sales or transfers” shall mean the sale or transfer of the entire inventory, or any substantial part thereof, in any 1 transaction or in any merchandising effort referred to as
an “auction sale,” a “bankruptcy sale,” “distress sale,” or a “closing-out sale”; but the term “bulk sales or transfers” shall not include transfers between stores having common ownership.

(2) A sale of merchandise to a single customer having a value of $500 or more in any 1-week period shall be considered the sale of a substantial part of the inventory and as 1 transaction unless the sale constitutes the filling of a prescription, or results from a cooperative buying order. If drugs are acquired by such transactions in other jurisdictions, the Mayor shall be notified, and the drugs shall be officially inspected and released by the Mayor prior to sale or other dispositions in the District. Bulk quantities of drugs may be transferred only to persons legally entitled to sell or dispense the drugs.

(b) This section supplements and does not replace Chapter 21 of this title.

§ 47-2885.13. Deteriorating drugs; sample drugs; returned drugs.

(a) Drugs which may deteriorate shall at all times be stored under conditions specified on the label of the original container and in accordance with applicable District of Columbia or federal laws or regulations, and shall not be sold or dispensed after the expiration date designated on the label of the original container, and in accordance with applicable District of Columbia or federal laws or regulations.

(b) Drugs designated “sample” shall not be sold.

(c) A drug which has been returned after leaving the pharmacy shall not be placed in stock for reuse or resale, except manufacturer packaged unit dose or unit of use drugs which have been unopened and unaltered.


All drugs shall be dispensed in a suitable container appropriately labeled for subsequent administration to or use by an individual entitled to the drug. Any drug dispensed, except to inpatients of a licensed hospital, shall include on the label of the container the name of the drug and the strength of the drug when applicable, unless otherwise directed by the prescribing practitioner, and the name, address and telephone number of the pharmacy filling the prescription, the prescription number, the date of issuance and the name of the prescriber, directions for use, the name of the individual for whom the prescription is written, and other information and labeling which may be required by any District of Columbia or federal laws or regulations.

§ 47-2885.15. Records.

(a) There shall be maintained in every pharmacy, or in the establishment or institution where a pharmacy is located, a suitable book, file, or other easily retrievable record, in which shall be preserved for a period of not less than 2 years every prescription compounded or dispensed at said pharmacy.

(b)(1) There shall be maintained a bound volume recording the information required by law or regulation concerning the over-the-counter sales of those drugs which are listed in schedule V established or amended pursuant to the federal Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. § 801 et seq.).
(2) There shall also be maintained a bound volume in which shall be entered similar information concerning each sale of:

(A) Hypodermic syringes, needles, or other medical devices which may be used in the administration of controlled substances;

(B) Gelatin capsules and glassine envelopes in quantities sufficient to indicate an intention to use such items in the distribution of controlled substances; and

(C) Diluents or adulterants, such as lactose or quinine, in quantities sufficient to indicate an intention to use such substances for the illegal distribution or dispensing of any controlled substance.

(c) The records required to be maintained by this section shall be available for inspection by the Mayor during regular business hours.

§ 47-2885.16. Inspections.

(a) Persons designated by the Mayor shall be permitted, after presenting proper identification, to enter at reasonable times any pharmacy or drug outlet for the purpose of making inspections to determine compliance with this part or with other laws or regulations applicable to the practice of pharmacy. Persons designated by the Mayor shall be pharmacists for the purpose of making inspections to determine compliance with those sections of this part and other applicable laws and regulations regarding the practice of pharmacy as defined within this part.

(b) This inspection may include, but shall not be limited to, the examination of the pharmacy's records, including prescriptions, and the obtaining of information and samples pertaining to drugs on hand or dispensed.

§ 47-2885.17. Peddling drugs prohibited.

It shall be unlawful for any person to sell or offer for sale by peddling, or to offer for sale from house to house, or to offer for sale by public outcry, or by vending in the street, any drug, medicine, chemical, or controlled substance as defined in the District of Columbia Uniform Controlled Substances Act of 1981, or any compound or combination thereof, or any implement, appliance, or other agency for the treatment of disease, injury, or deformity; except, as may be otherwise authorized by law, no person shall throw, cast, deposit, drop, scatter, or leave, or cause to be thrown, cast, deposited, dropped, scattered, or left, any drug, medicine, chemical, or controlled substance as defined in the District of Columbia Uniform Controlled Substances Act of 1981, or any compound or combination thereof, upon any public highway or place, or, without the consent of the owner or occupant thereof, upon any premises in the District of Columbia. An offer for sale by peddling includes remaining or wandering about a public place and:

(1) Repeatedly beckoning to, repeatedly stopping, repeatedly attempting to stop, or repeatedly attempting to engage passers-by in conversation;

(2) Repeatedly stopping or attempting to stop motor vehicles; or

(3) Repeatedly interfering with the free passage of other persons for the purpose of selling any controlled substance proscribed by the District of Columbia Uniform Controlled Substances Act of 1981.
§ 47-2885.17a. Public place defined.

For the purposes of § 47-2885.17, the term “public place” means any street, sidewalk, bridge, alley, plaza, park, driveway, parking lot, transportation facility, or the doorways and entrance ways to any building which fronts on any of these locations, or a motor vehicle in or on any such place.

§ 47-2885.18. Duties of Mayor.

(a) The Mayor shall:

(1) Administer and enforce the provisions of this part;
(2) Repealed;
(3) Adopt and publish such regulations as may be necessary for the implementation of this part, including, but not limited to, regulations concerning the following:
   (A)-(C) Repealed;
   (D) The establishment of various classifications of pharmacies, including, but not limited to, retail, institutional, radio, or nuclear pharmacies;
   (E)-(G) Repealed;
   (H) Establishment of minimum standards for the operation of pharmacies, including the minimum requirements for technical equipment and professional reference materials;
   (I) The safe and proper storage, and maintenance of drugs, and the disposal of drugs;
   (J) The requirements to assure that pharmacies shall be clean, in good repair, well ventilated and illuminated, and equipped with the necessary dispensing facilities, and adequate facilities for the purposes of cleansing hands, equipment and utensils, and the premises therein; such facilities may be located in areas adjacent to the pharmacy where only part of an establishment or institution is used as the pharmacy; and
   (K) The establishment of regulations covering the storage and dispensing of radiopharmaceuticals.

(b) Repealed.

§ 47-2885.19. Fees.

(a) The initial fees shall be as follows: (1) Repealed; (2) pharmacy license, $85; (3) every person who sells over-the-counter preparations shall pay an annual license fee of $52. The fees referred to in this subsection shall be established in such amounts as will, in the judgment of the Mayor, approximate the costs to the District of Columbia government for administering this part. The Mayor is authorized to change the fees from time to time for any services rendered under this part; provided, that, the Mayor gives 30 days notice prior to changing such fees.

(b) The Mayor is authorized after 30 days notice to establish and to change, as may be necessary, the expiration dates of licenses and registrations provided for in this part. Upon the change of an expiration date, the renewal fee for the licenses, or registrations, shall be prorated on the basis of the time covered.
§ 47-2885.20. Penalties; prosecutions; injunction.

(a) Any person who violates any provision of this part shall be guilty of a misdemeanor and shall be punished by a fine of not more than $500 or by imprisonment for not more than 6 months or both for each violation.

(b) Prosecutions for violations of any provision of this part shall be conducted in the Superior Court of the District of Columbia, by the Attorney General for the District of Columbia. It shall be sufficient to prove in any prosecution or hearing under this part only a single act prohibited by law or a single holding out, or any attempt thereof, without proving a general course of conduct in order to constitute a violation.

(c) In addition to the remedy set forth in this section, application may be made to a court having competent jurisdiction over the parties and subject matter for a writ of injunction or other civil remedy to restrain violations of the provisions of this part. Such application may be made by the Attorney General for the District of Columbia.

(d) Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this part, or any rules or regulations issued under the authority of this part, pursuant to Chapter 18 of Title 2. Adjudication of any infraction of this chapter shall be pursuant to Chapter 18 of Title 2.

§ 47-2885.21. Review.

Any person aggrieved by an adverse action of the Mayor may file a request for a hearing with the Office of Administrative Hearings. The Office of Administrative Hearings shall provide the aggrieved person with an opportunity for a hearing and shall sustain, modify, or vacate such action by the Mayor as is appropriate in the case. Judicial review of the decision of the Office of Administrative Hearings shall be in accordance with [§ 2-1831.16].

§ 47-2885.22. Severability.

If any provision of this part is for any reason held invalid by any court of competent jurisdiction, the provision shall be deemed a separate, distinct, and independent provision, and its invalidity shall not affect the validity of the remaining provisions.

§ 47-2885.23. Effect of part on prior regulations.

The provisions of this part supplement all other regulations and laws applicable in the District of Columbia. Regulations heretofore in effect in the District of Columbia which are inconsistent with the provisions of this part are hereby superseded with respect to matters covered by this part.

Part D. Professional Engineers.

§ 47-2886.01. Short title.

This part shall be known and may be cited as the Professional Engineers' Registration Act.

§ 47-2886.02. Definitions.

As used in this part:
(1) The term “practice of engineering” shall mean the performance of any professional service or creative work requiring engineering education, training, and experience, and the application of special knowledge of the mathematical, physical, and engineering sciences to such professional services or creative work as consultation, investigation, evaluation, planning, design, and supervision of construction for the purpose of assuring compliance with specifications and design, in connection with the utilization of the forces, energies, and materials of nature in the development, production, and functioning of engineering processes, apparatus, machines, equipment, facilities, structures, works, or utilities, or any combinations or aggregations thereof employed in or devoted to public or private enterprise or uses. The term “practice of engineering” comprehends the practice of those branches of engineering, the pursuit of any of which affects the safety of life, health or property, or the public welfare. Said practice includes the doing of such architectural work as is incidental to the practice of engineering.

(2) The term “professional engineer” shall mean a person who, by reason of his special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, customarily acquired by a prolonged course of specialized intellectual instruction and study and practical experience, is qualified to engage in the practice of engineering as attested by his certificate of registration as a professional engineer.

(3) The term “engineer-in-training” shall mean a candidate for registration as a professional engineer who has been granted a certificate as an engineer-in-training after successfully passing the 1st stage of the prescribed examination in fundamental engineering subjects, and who, upon completion of the requisite years of training and experience in engineering under the supervision of a professional engineer or similarly qualified engineer and satisfactory to the Board, shall be eligible for the 2nd stage of the prescribed examination for registration as a professional engineer.

(4) The term “responsible charge” shall mean such degree of competence and accountability gained by education, training, and experience in engineering of a grade and character sufficient to qualify an individual to engage personally and independently in and be entrusted with the work involved in the practice of engineering.

(5) The term “institution” shall mean a school, college, university, department of a university, or other educational institution granting baccalaureate degrees in engineering, reputable, and in good standing in accordance with the rules prescribed by the Board.

(6) The term “Board” shall mean the District of Columbia Board of Registration for Professional Engineers.

(7) The term “Mayor” shall mean the Mayor of the District of Columbia.

§ 47-2886.03. Declaration of policy.

In order to safeguard life, health, and prosperity, and promote the public welfare, the practice of engineering in the District of Columbia is hereby declared to be subject to regulation in the public interest. It is further declared to be a matter of public interest and concern that the profession of engineering merit and receive the confidence of the public and that only qualified
persons be permitted to engage in the practice of engineering. All provisions of this part relating
to the practice of engineering shall be construed in accordance with this declaration of policy.
§ 47-2886.04. Practice of engineering without registration prohibited.

Any person engaged in or offering to engage in the practice of engineering in the District of Columbia shall submit evidence that he is qualified to practice and shall be registered as hereinafter provided; and it shall be unlawful for any person to engage or offer to engage in the practice of engineering in the District of Columbia, or by verbal claim, sign, advertisement, letterhead, card, or in any other way, represent himself to be a professional engineer, or through the use of the title including the word “engineer” or words of like import, or any other title, imply that he is a professional engineer, unless such person is registered under the provisions of this part.

§ 47-2886.05. District of Columbia Board of Registration for Professional Engineers--Created; duty; composition; appointment; qualifications; term of office; oath of office; removal; vacancies. [Omitted]

§ 47-2886.06. District of Columbia Board of Registration for Professional Engineering--Compensation. [Omitted]

§ 47-2886.07. District of Columbia Board of Registration for Professional Engineers--Meetings; officers; quorum. [Omitted]

§ 47-2886.08. District of Columbia Board of Registration for Professional Engineers--Powers.

The Board shall have power:

1) To investigate and to approve those institutions that provide and maintain satisfactory standards for the education of students desiring to engage in the practice of engineering;

2)(A) To register as a professional engineer any person of good character and repute who is a citizen of the United States, at least 18 years of age, and who speaks and writes the English language, if such person:

   i) Holds a license or certificate of registration to engage in the practice of engineering issued to him by proper authority of a state or territory of the United States in which the requirements and qualifications for obtaining such license or certificate of registration are reasonably equivalent in the opinion of the Board to the standards set forth in this part. A person may be registered under this sub-subparagraph without examination;

   ii) Holds a certificate of qualification issued by the National Bureau of Engineering Registration of the National Council of State Boards of Engineering Examiners; provided, however, that the requirements and qualifications of said body for obtaining such certificate are reasonably equivalent, in the opinion of the Board, to the standards set forth in this part. A person may be registered under the provisions of this sub-subparagraph without examination;

   iii) Has had 4 or more years experience in engineering work of a grade or character satisfactory to the Board, and indicating that he is qualified to assume
responsible charge of the work involved in the practice of engineering and either holds a certificate as an engineer-in-training issued to him by the Board or by proper authority of a state or territory in which the requirements and qualifications of said bodies for obtaining such certificate are reasonably equivalent, in the opinion of the Board, to the standards set forth in this part, or is a graduate in engineering from an institution having a course in engineering of 4 or more years, and who, in either event, successfully passes a written, or written and oral, examination prescribed by the Board of engineering subjects. In the case of the examination of an engineer-in-training, his examination shall be directed and limited to those matters which will test the applicant's ability to apply the principles of engineering to the actual practice of engineering. In the case of an applicant who is not an engineer-in-training, the examination shall be for the purpose of testing the applicant's knowledge of fundamental engineering subjects, including mathematics and the physical sciences, and those matters which will test the applicant's ability to apply the principles of engineering to the actual practice of engineering;

(iv) Has completed an approved secondary-school course of study or equivalent and has had 12 or more years of combined education and experience in engineering of a grade and character satisfactory to the Board and indicating that he is qualified to assume responsible charge of the work involved in the practice of engineering, and who successfully passes a written, or written and oral, examination prescribed by the Board for the purpose of testing the applicant's knowledge of fundamental engineering subjects, including mathematics and the physical sciences, and those matters which will test the applicant's ability to apply the principles of engineering to the actual practice of engineering;

(v) Submits evidence that he is an engineer of established and recognized standing in the engineering profession and that he has been lawfully engaged in the practice of engineering for 12 or more years, of which at least 5 years shall have been in responsible charge of important engineering work of a grade and character satisfactory to the Board. A person may be registered under this sub-subparagraph without examination; or

(vi) Submits evidence that he was a resident of the District of Columbia, or that he was engaged in the practice of engineering in the District of Columbia, prior to September 19, 1950, and for 1 year immediately preceding the date of his application, and submits evidence of experience in engineering, of a grade and character satisfactory to the Board, indicating that he is qualified to assume responsible charge of the work involved in the practice of engineering. Registration shall not be granted under the provisions of this sub-subparagraph unless the application therefor is filed with the Board within 1 year after September 19, 1950. A person may be registered under this sub-subparagraph without examination.

(B) The requirement of this paragraph of residence or practice of engineering in the District of Columbia for 1 year immediately preceding the date of application shall not be applied to applicants who were on active duty in the armed forces of the United States during such year, and who entered on such duty after October 16, 1940, but any such
applicant for license under this paragraph must have been a resident or engaged in the practice of engineering in the District of Columbia for at least 1 year prior to September 19, 1950;

(3) To provide for and to regulate the certification and to certify as an engineer-in-training any person of good character and repute who is a citizen of the United States, at least 18 years of age or has graduated from an institution, and who speaks and writes the English language, if such person:

(A) Is a graduate in engineering from an institution having a course in engineering of 4 or more years and who successfully passes a written, or written and oral, examination prescribed by the Board for the purpose of testing the applicant's knowledge of fundamental engineering subjects, including mathematics and the physical sciences. A person may be certified as an engineer-in-training under this subparagraph without a written, or written and oral, examination; provided, however, that the application therefor is filed with the Board within 1 year after September 19, 1950; or

(B) Has completed an approved secondary-school course of study or equivalent, and has had 8 or more years of combined education, training, and experience in engineering, of a grade and character satisfactory to the Board, and who successfully passes a written, or written and oral, examination prescribed by the Board for the purpose of testing the applicant's knowledge of fundamental engineering subjects, including mathematics and the physical sciences;

(4) To register as a professional engineer any person who is not a citizen of the United States, who is of good character and repute, at least 25 years of age; and speaks and writes the English language, if such person submits evidence, of a grade and character satisfactory to the Board, that he is an engineer of established and recognized standing in the profession of engineering in his own country, and who submits certification as to character and qualifications from at least 2 professional engineers of the District of Columbia. Such registration shall entitle the holder to engage in the practice of engineering only for the duration of and in connection with a specific project for which it was granted, and shall be subject to annual renewal and to suspension or revocation as registration granted as otherwise provided in this part. Engineers to whom such temporary registration has been granted shall be separately listed in the roster;

(5) To require all candidates for registration as professional engineers to file with the Secretary-Treasurer of the Board a written application on a prescribed form and accompanied by the required fee. Such application shall contain statements made under oath, showing the applicant's education, detailed summary of his experience in engineering work, and the general field or fields of engineering in which he has his principal activity, and shall contain not less than 5 references, of whom 3 or more shall be engineers having personal knowledge of his engineering training and experience;

(6) To investigate the allegations contained in any application for registration as a professional engineer in order to determine the truth of such allegations, and to determine the
competency of any person applying for a registration to assume responsible charge of the work involved in the practice of engineering, such competency to be determined by the grade and character of the engineering work actually performed. Any person having the necessary qualifications prescribed in this part to entitle him to registration or certification shall be eligible therefor, although he may not be practicing his profession at the time of making his application. Evaluation of experience in engineering shall be based upon the applicant's knowledge of the fundamental engineering subjects, which shall be broad in scope and of a nature to develop and mature the applicant's engineering knowledge and judgment. In considering the qualifications of an applicant who has graduated in engineering from an approved institution, each year, but not exceeding 2 years, of successful postgraduate study in engineering, and each scholastic year, in excess of 4, of an approved 5- or 6-year engineering curriculum, and each year of teaching engineering subjects, in an approved institution, may be considered as equivalent to 1 year of experience in engineering. In considering the qualifications of an applicant who is an undergraduate in engineering, or who has graduated in a curriculum other than engineering, from an approved institution, each equivalent year of approved engineering education, as determined by evaluation by the Board of the educational records submitted, may be considered as equivalent to 2 years of combined education and experience in engineering. Experience in engineering gained under the supervision of a professional engineer or similarly qualified engineer, and experience in engineering gained subsequent to the attaining of an equivalent to the minimum requirements for certification as an engineer-in-training, of a grade and character satisfactory to the Board, shall be given full credit. In any case when the evidence presented in the application does not appear to the Board conclusive nor warranting the issuance of a certificate of registration or a certificate as engineer-in-training without examination, the applicant may be required to present further evidence for the consideration of the Board, and may also be required to pass an oral or written examination, or both, as the Board may determine. Whenever the Board determines otherwise than by examination that an applicant has not produced sufficient evidence to show that he is competent to assume responsible charge of the work involved in the practice of engineering, and shall refuse to examine or to register such applicant, it shall set forth in writing its findings and the reasons for its conclusions, and furnish a copy thereof to the applicant;

(7) To prescribe the scope, manner, time, and place for the examination of applicants for registration as professional engineers, to provide for the conduct of and to conduct such examinations, and to make written reports of such examinations. The prescribed examinations shall be written, or written and oral, and designed to permit an applicant for registration as a professional engineer to take the examination in 2 stages. The 1st stage of the examination shall be designed to test the applicant's knowledge of fundamental engineering subjects, including mathematics, physical and applied sciences, properties of materials, and the principles of engineering design. Satisfactory passing of this portion of the examination shall constitute a credit for the life of the applicant or until he is registered as a professional engineer.
The 2nd stage of the examination shall be designed to test the applicant's ability to apply the principles of engineering to the actual practice of engineering in the field of engineering in which he has indicated his principal activity. An applicant failing to pass an examination may apply for reexamination at the expiration of 6 months and will be reexamined upon payment of the prescribed fee;

(8) To issue a certificate of registration and a pocket registration card to each professional engineer granted registration under the provisions of this part. The certificate of registration shall authorize the registrant to practice as a professional engineer, show the full name of the registrant, have a serial number, and be signed by the members of the Board under the seal of the Board. The pocket registration card issued with the certificate shall show the full name and registration number of the registrant, state that the person named therein has been granted registration to practice as a professional engineer for the period ending on the 31st day of October in the 2nd year of the then current biennial registration renewal period, and be signed by the Chairman and Secretary-Treasurer of the Board; to provide for and regulate the renewal of registration of professional engineers registered under this part. On or before the 1st day of August 1952, and biennially thereafter, the Secretary-Treasurer of the Board shall mail to every professional engineer registered under this part a blank application for biennial renewal of registration, addressing such application to the last-known post-office address. Upon receipt of such application blank, a registrant shall execute and return the application for his biennial registration renewal card to the Board together with the biennial registration renewal fee of $2. Upon receipt of such application and renewal fee the Board shall issue a pocket registration renewal card which shall show the full name and registration number of the registrant, be signed by the Chairman and Secretary-Treasurer of the Board, and state that the person named therein has been granted registration to practice as a professional engineer for the period beginning November 1st in the year of issue and expiring on the 31st day of October in the 2nd year following. Application shall be made biennially on or before the 1st day of November and if not so made an additional fee of $1 for each 30 days delay beyond the 1st day of November, and up to the 1st day of March following shall be added to the current biennial registration renewal fee to be paid upon renewal; to issue a duplicate certificate of registration to replace a certificate lost, destroyed, or mutilated, subject to the rules of the Board, and upon payment of the prescribed fee. The issuance of a certificate of registration by the Board shall be presumptive evidence in all courts and places that the person named therein is entitled to all the rights and privileges of a registered professional engineer while said certificate remains unsuspended, unrevoked, or unexpired;

(9) To issue a special certificate of registration and pocket registration card to every noncitizen professional engineer granted registration under the provisions of this part. The special certificate of registration shall authorize the registrant to practice as a professional engineer in connection with a specific project, show the full name of the registrant, have a registration number, and be signed by the members of the Board under the seal of the Board. The
special pocket registration card issued with such certificate shall show the full name and 
registration number of the registrant, state that the person named therein has been granted 
temporary registration to practice as a professional engineer, state the specific project in 
connection with which the special registration is granted, the period for which it is granted, not to 
exceed 1 year from the date of issue, and be signed by the Chairman and Secretary-Treasurer of 
the Board. Temporary registration may be renewed at the discretion of the Board for periods not 
in excess of 1 year upon application therefor and payment of the annual renewal fee;

(10) To prescribe and to issue a certificate, attested by its seal and signed by the 
members of the Board, to any applicant who in the opinion of the Board has satisfactorily met all 
the requirements of this part for certification as an engineer-in-training;

(11) To keep a roster of all professional engineers registered under this part, 
showing the registrant’s name, place of business or employment, registration number, and the 
general field or fields of engineering in which registrant qualified to practice, and a roster of 
engineers-in-training certified under this part. These rosters, together with other information 
deemed to be of interest to the engineering profession, shall be published in booklet form by the 
Board on the 1st day of March of each even year, beginning with 1952, or as soon thereafter as 
practicable. The Board shall also, upon the 1st day of March of each odd year, beginning with 
1953, or as soon thereafter as practicable, publish a supplemental roster of all registered 
professional engineers and certified engineers-in-training. Such published rosters shall contain at 
the beginning thereof the words: “Each professional engineer receiving this roster is requested to 
report to the Board the names and addresses of any persons known to be engaged in the practice 
of engineering in the District of Columbia whose names do not appear in this roster. The names 
of persons giving such information shall not be divulged.” Copies of these rosters shall be mailed 
or otherwise sent to each registered professional engineer and engineer-in-training and be 
furnished to other persons upon request;

(12) To adopt and have an official seal, and to keep minutes and records of all its 
transactions and proceedings, and a complete record of the credentials of each applicant and 
registrant. A transcript of an entry in such minutes and records, certified by the Secretary-
Treasurer under the seal of the Board, shall be prima facie evidence of the original entry in such 
minutes and records;

(13) To become a member of the National Council of State Boards of 
Engineering Examiners and to pay such dues as said Council shall establish, and to send a 
delegate to the annual meeting of said Council and to defray his reasonable and necessary 
expenses;

(14) To adopt, amend, rescind, promulgate, and enforce such administrative rules 
and regulations not inconsistent with this part, as are deemed necessary and proper by the Board 
to carry into effect the powers conferred by this part. To employ such clerical or other assistants 
as are necessary for the proper performance of its duties. The regular annual employees of the
Board shall, for the purpose of laws relating to compensation, classification, retirement, and leave, be employees of the District of Columbia;

(15) To enforce the provisions of this part, to investigate for unauthorized and unlawful practice, to employ such persons as it may deem necessary to assist in the investigations and prosecutions incident to enforcement, to require the attendance of witnesses and the production of books and papers, and to require such witnesses to testify as to any and all matters within its jurisdiction. The Chairman and Secretary-Treasurer of the Board shall have power to issue subpoenas, and each shall have authority to administer oaths. Upon the failure of any person to attend as a witness, when duly subpoenaed, or to produce documents when duly directed by said Board, the Board shall have power to refer the said matter to any justice of the Superior Court of the District of Columbia, who may order the attendance of such witness, or the production of such documents, or require the said witness to testify, as the case may be, and upon the failure of the witness to attend, to testify, or to produce such documents, as the case may be, such witness may be punished for contempt of court as for failure to obey a subpoena issued or to testify in a case pending before said Court. Witnesses who have been subpoenaed by the Board, and who testify if called upon, shall be paid the same fees that are paid witnesses in the Superior Court of the District of Columbia;

(16) To refuse to issue a certificate to any person, or to suspend or revoke the certificate of registration of any professional engineer or the certification of any engineer-in-training issued hereunder if such person:

(A) Has been convicted of a felony;
(B) Has been found guilty of deceit, misrepresentation, violation of contract, fraud, or gross incompetency, in his practice;
(C) Has been found guilty of fraud or deceit in obtaining his registration or certification;
(D) Has aided or abetted any person in the violation of any provision of this part;
(E) Has violated any provision of this part; or
(F) Has been declared insane by a court of competent jurisdiction and has not thereafter been lawfully declared sane; and

(17) To reconsider the application of any person whose application has been refused or to reissue a certificate of registration to any professional engineer or a certification to any engineer-in-training whose certificate has been revoked for reasons the Board deems sufficient, upon payment of the prescribed fee for such reissuance.
§ 47-2886.09. District of Columbia Board of Registration for Professional Engineers--Complaints; hearings; appeals.

(a) The Board may upon its own motion, and shall upon the sworn complaint in writing of any person setting forth charges which would constitute grounds for refusal, suspension, or revocation of a certificate, as set forth in § 47-2886.08(16), investigate the acts of any person
holding or claiming to hold a certificate. All charges, unless dismissed by the Board as unfounded or trivial, shall be heard by the Board within 3 months after the date on which they shall have been filed.

(b) The Board shall, at least 30 days prior to the date set for the hearing, notify the accused in writing of any charges made, and shall afford him an opportunity to be heard in person or by counsel in reference thereto. Such notice may be served by its delivery personally to the accused licensee by the United States Marshal in the manner prescribed for service of original process in the Superior Court of the District of Columbia, or by mailing it by registered mail or by certified mail with return receipt demanded, to the place of business last theretofore specified by the accused in his last notification to the Board. At the time and place fixed in the notice, the Board shall proceed to hearing of the charges and both the accused and the complainant shall be accorded ample opportunity to present, in person or by counsel, such testimony, evidence, and argument as may be pertinent to the charges or to any defense thereto. The Board may continue such hearing from time to time and shall give notice in writing to all parties in interest of the date and hour to which the hearing has been continued, and the place at which it is to be held.

(c) The Board shall preserve a complete record of all proceedings at the hearing of any case wherein a certificate is refused, revoked, or suspended. The notice of hearing, complaint, and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, and the orders of the Board shall be the record of such proceedings. The Board shall furnish a transcript of such record at cost to any person interested in such hearing.

(d) If, after completion of the hearing, the Board shall be of the opinion that the accused is guilty of the charges, or any of them, the Board shall issue an order refusing, suspending, or revoking the certificate. Such order shall be served upon the accused person either personally or by mailing it by registered mail to the address specified by the accused person in his last notification to the Board.

(e) Any person aggrieved by the action of the Board may appeal as provided in §§ 2-501 to 2-510.

§ 47-2886.10. Exemptions from part.

Nothing in this part shall be construed to affect or prevent the following:

(1) The practice of engineering by any person who, within 1 year after September 19, 1950, has filed with the Board an application for registration under this part. This exemption shall continue only for such time as the Board may require for consideration of said application;

(2) The practice of engineering for not exceeding 30 days in the aggregate in 1 calendar year by a nonresident not having a place of business in the District of Columbia, if such person is licensed or registered to engage in the practice of engineering in a state or territory in which the requirements and qualifications for obtaining a license or registration are reasonably equivalent to those specified in this part;
(3) The practice of engineering for more than 30 days by a nonresident not having a place of business in the District of Columbia, or by a person who has recently become a resident of or has recently entered the practice of engineering in the District of Columbia, and who has filed with the Board an application for registration, if such person is registered or licensed to engage in the practice of engineering in a state or territory in which the requirements and qualifications for obtaining a license or registration are reasonably equivalent to those specified in this part. Such practice shall be permitted only for such time as the Board requires for the consideration of the application;

(4) The performance of engineering work by any person who acts under the supervision of a professional engineer, or by an employee of a person lawfully engaged in the practice of engineering, and who, in either event, does not assume responsible charge of design or supervision;

(5) The practice of engineering as a consultant, officer, or employee of the government of the United States or the government of the District of Columbia while engaged solely in such practice for said governments;

(6) The practice of any other legally recognized profession;

(7) The practice of engineering exclusively as an officer or employee of a public utility corporation by rendering to such corporation such service in connection with its facilities and property which are subject to supervision with respect to safety and security thereof by the Public Service Commission of the District of Columbia and so long as such person is thus actually and exclusively employed and no longer; provided, however, that each such public utility corporation shall employ at least 1 registered professional engineer who shall be in responsible charge of such engineering work;

(8) The practice of architecture by a person authorized to use the title of architect or registered architect under the provisions of Chapter 16 of Title 3, and his doing such engineering work as is incidental to his architectural work;

(9) The construction or alteration of a building that does not cover over 1,000 square feet of ground area and does not have a height of over 20 feet to the uppermost ceiling, or 2 habitable floors above a basement;

(10) The execution of construction work as a contractor, or the superintendence of such construction work as a foreman or superintendent, or the work performed as a salesman of engineering equipment or apparatus;

(11) The operation or maintenance of boilers, machinery, or equipment when the operators are duly licensed under the provisions of Chapter 27 of Title 3; or

(12) The usual supervision of construction or installation of equipment within a plant under his immediate supervision by a person ordinarily designated as supervising engineer or chief engineer of power.

§ 47-2886.11. Seal of registrant.
(a) Each person registered under this part may obtain a seal of a design authorized by the Board which shall bear the registrant's name and registration number, the legend “Registered Professional Engineer,” and such other words or figures as the Board may deem necessary. Such seal, or a facsimile imprint of same, shall be stamped on all plans, specifications, and reports by the registrant responsible for the accuracy and adequacy of such plans, specifications, and reports, when filed with public authorities.

(b) It shall be unlawful for a registered engineer to affix or permit his seal to be affixed to any plans, specifications, or drawings for which he does not assume full responsibility for the adequacy and accuracy thereof.

(c) It shall be unlawful for any person to use such seal during the period the registration of the holder thereof is expired, suspended, or revoked, or to use a seal of any design not approved by the Board.

Whoever engages in the practice of engineering shall keep displayed in a conspicuous place in his established place of business the certificate of registration granted him under this part, and evidence of current renewal.

§ 47-2886.13. Fees; Professional Engineers’ Fund; expenses of Board; audit.
(a) Each application for registration as a professional engineer shall be accompanied by the appropriate prescribed application fee and the registration fee. A person desiring certification as an engineer-in-training shall pay the prescribed application fee for such certification with his application and shall pay the additional application fee and the registration fee upon filing his application for registration as a professional engineer.

(b) Should the Board deny the issuance of a certificate of registration to any applicant, the registration fee deposited with the application shall be refunded.

(c) The amount of the fees prescribed in this part is that fixed by the following schedule:

(1) The application fee for professional engineer with 1st and 2nd-stage examination is $20;
(2) The application fee for professional engineer without examination is $10;
(3) The application fee for engineer-in-training with examination is $7.50;
(4) The application fee for engineer-in-training without examination is $5;
(5) The application fee for professional engineer with 2nd-stage examination is $12.50;
(6) The fee for reexamination shall be determined by the Board not to exceed $10;
(7) The registration fee for professional engineer is $5;
(8) The biennial registration renewal fee for professional engineer is $6;
(9) The fee for reissuance of a revoked certificate of engineer-in-training is $7.50;
(10) The fee for reissuance of a revoked registration certificate is $20;
(11) The fee for issuance of a duplicate certificate of registration is $5; and
(12) The penalty for delinquency is $1 for each month after the date upon which
the biennial renewal fee became due; provided, however, that the total shall not exceed $4.

(d) The Secretary-Treasurer of the Board shall receive and account for all money derived
from the provisions of this part and shall keep such money in a separate fund to be known as
"Professional Engineers' Fund," such Fund to be disbursed only by the Secretary-Treasurer upon
itemized vouchers approved by the Chairman and attested by the Secretary-Treasurer of the
Board. The Secretary-Treasurer shall furnish bond for the faithful discharge of his duties, in such
form and amount as the Council of the District of Columbia shall require. The premium on such
bond shall be regarded as a proper and necessary expense of the Board. The Secretary-Treasurer
of the Board shall receive such salary as the Mayor shall determine, in addition to the
compensation provided for in § 47-2886.06. The Board may make expenditures from this Fund
for any purpose which, in the opinion of the Board, is reasonably necessary for the proper
performance of its duties under this part; provided, however, that such expenditures shall in no
event exceed the total of receipts. For the purpose of any contemplated investigation or audit by
the Inspector General, the Office of the Inspector General shall have free access to the books of
account, records, and papers of the Board.

Whoever shall engage or offer to engage in the practice of engineering without being
registered, or exempted, as provided in this part, or by verbal claim, sign, letterhead, card, or in
any other way represent himself to be a professional engineer or through the use of any title
including the word "engineer" or words of like import, or any other title, imply that he is a
professional engineer without being registered as provided in this part, or shall present or attempt
to use as his own the registration certificate of another, or shall give any false or forged evidence
of any kind to the Board, or to any member thereof, in order to obtain registration as a
professional engineer, or shall use any suspended or revoked registration, or shall otherwise
violate the laws relating to the practice of engineering shall be guilty of a misdemeanor and shall
be punishable by a fine of not more than $500 or imprisonment for not more than 1 year, or both.
Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the
provisions of this part, or any rules or regulations issued under the authority of this part, pursuant
to Chapter 18 of Title 2. Adjudication of any infraction of this part shall be pursuant to Chapter
18 of Title 2.

§ 47-2886.15. Prosecutions; legal services to Board; investigations; injunctions.

(a) All violations of laws relating to the practice of engineering in the District of
Columbia shall be prosecuted in the Superior Court of the District of Columbia by the Attorney
General for the District of Columbia. The Attorney General for the District of Columbia shall
render such other legal services as may from time to time be required by the Board.
(b) The Chief of Police of the Metropolitan Police Department shall detail such members
of his force as may be necessary to assist the Board in the investigations and prosecutions
incident to the enforcement of this part.

c) The Attorney General for the District of Columbia is hereby authorized to apply for
relief by injunction to restrain a person from the commission of any act which is prohibited by
this part. In such proceedings it shall not be necessary for the Attorney General for the District of
Columbia to allege or prove either that an adequate remedy at law does not exist, or that
substantial and irreparable damage would result, from the continued violation thereof.
§ 47-2886.16. Annual report.
The Board shall submit an annual report to the Mayor, the Inspector General, and the
Office of the Secretary to the Council of the District of Columbia on the 1st Monday in August,
containing a statement of moneys received and disbursed and a summary of its official acts
during the next preceding fiscal year, and recommendations for such further legislation relating
to the practice of engineering as may be necessary in the public interest.
§ 47-2886.17. Severability.
If any section or sections, clause or clauses, of this part, or any regulations promulgated
thereunder, be declared unconstitutional or invalid, that shall not invalidate any other sections or
clauses of this part, or any other regulations promulgated thereunder.
§ 47-2886.18. Conflicting laws and regulations repealed.
All laws or parts of laws and regulations promulgated thereunder in conflict with the
provisions of this part shall be, and the same are hereby, repealed.

Title IV. Title 16 Enactments.
Sec. 401. Chapter 55 of Title 16 of the District of Columbia Official Code is enacted into
law to read as follows (quotation marks omitted):
CHAPTER 55. STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION.
§ 16-5501. Definitions.
For the purposes of this chapter, the term:
(1) "Act in furtherance of the right of advocacy on issues of public interest"
means:

(A) Any written or oral statement made:

(i) In connection with an issue under consideration or review by a
legislative, executive, or judicial body, or any other official proceeding authorized by law; or

(ii) In a place open to the public or a public forum in connection
with an issue of public interest; or

(B) Any other expression or expressive conduct that involves petitioning
the government or communicating views to members of the public in connection with an issue of
public interest.
(2) "Claim" includes any civil lawsuit, claim, complaint, cause of action, cross
claim, counterclaim, or other civil judicial pleading or filing requesting relief.

(3) "Issue of public interest" means an issue related to health or safety;
environmental, economic, or community well-being; the District government; a public figure;
or a good, product, or service in the market place. The term "issue of public interest" shall not be
construed to include private interests, such as statements directed primarily toward protecting the
speaker's commercial interests rather than toward commenting on or sharing information about a
matter of public significance.

(4) "Personal identifying information" shall have the same meaning as provided
in § 22-3227.01(3).

§ 16-5502. Special motion to dismiss.

(a) A party may file a special motion to dismiss any claim arising from an act in
furtherance of the right of advocacy on issues of public interest within 45 days after service of
the claim.

(b) If a party filing a special motion to dismiss under this section makes a prima facie
showing that the claim at issue arises from an act in furtherance of the right of advocacy on
issues of public interest, then the motion shall be granted unless the responding party
demonstrates that the claim is likely to succeed on the merits, in which case the motion shall be
denied.

(c)(1) Except as provided in paragraph (2) of this subsection, upon the filing of a special
motion to dismiss, discovery proceedings on the claim shall be stayed until the motion has been
disposed of.

(2) When it appears likely that targeted discovery will enable the plaintiff to
defeat the motion and that the discovery will not be unduly burdensome, the court may order that
specified discovery be conducted. Such an order may be conditioned upon the plaintiff paying
any expenses incurred by the defendant in responding to such discovery.

(d) The court shall hold an expedited hearing on the special motion to dismiss, and issue
a ruling as soon as practicable after the hearing. If the special motion to dismiss is granted,
dismissal shall be with prejudice.

§ 16-5503. Special motion to quash.

(a) A person whose personal identifying information is sought, pursuant to a discovery
order, request, or subpoena, in connection with a claim arising from an act in furtherance of the
right of advocacy on issues of public interest may make a special motion to quash the discovery
order, request, or subpoena.

(b) If a person bringing a special motion to quash under this section makes a prima facie
showing that the underlying claim arises from an act in furtherance of the right of advocacy on
issues of public interest, then the motion shall be granted unless the party seeking his or her
personal identifying information demonstrates that the underlying claim is likely to succeed on
the merits, in which case the motion shall be denied.
§ 16-5504. Fees and costs.
(a) The court may award a moving party who prevails, in whole or in part, on a motion brought under § 16-5502 or § 16-5503 the costs of litigation, including reasonable attorney fees.
(b) The court may award reasonable attorney fees and costs to the responding party only if the court finds that a motion brought under § 16-5502 or § 16-5503 is frivolous or is solely intended to cause unnecessary delay.
§ 16-5505. Exemptions.
This chapter shall not apply to any claim for relief brought against a person primarily engaged in the business of selling or leasing goods or services, if the statement or conduct from which the claim arises is:
(1) A representation of fact made for the purpose of promoting, securing, or completing sales or leases of, or commercial transactions in, the person's goods or services; and
(2) The intended audience is an actual or potential buyer or customer.

Title V.

Sec. 501. Fiscal impact statement.
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 502. Effective date.
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-602.02(c)(2)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
May 23, 2012 73
COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

[ ] ITEM ON CONSENT CALENDAR
[ X ] ACTION & DATE
[ X ] VOICE VOTE
RECORDED VOTE ON REQUEST

ABSENT

[ ] ROLL CALL VOTE – Result

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X – Indicate Vote
AB – Absent
NV – Present, Not Voting

CERTIFICATION RECORD

Secretary to the Council

ADOPTED FIRST READING, 03-20-12

APPROVED
ALL PRESENT

_____________

Secretary to the Council

ADOPTED FINAL READING, 04-17-12

APPROVED
ALL PRESENT

_____________

Secretary to the Council

CERTIFICATION RECORD

Date

Secretary to the Council

Date