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A BILL
20-573

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Clean and Affordable Energy Act of 2008 to require the electric and gas utilities to provide building owners with automated electronic access to aggregated consumption data to facilitate energy benchmarking and conservation, and to amend the Retail Electric Competition and Consumer Protection Act of 1999 and the Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004 to clarify related consumer protection provisions; to amend the Green Building Act of 2006 to clarify the responsibility for the transfer of benchmarking data upon the sale of a privately-owned building covered by the act and to designate the party responsible for reporting the benchmarking data for the calendar year in which the sale occurred; to amend chapter 42 of title 28 of the District of Columbia Official Code to authorize the Mayor to approve organizations that offer radon screening, testing, or mitigation services in the District; to require covered employers to provide a transportation benefit program to covered employees; to amend the Healthy Schools Act of 2010 to establish an environmental literacy program and a reporting requirement for the program; to prohibit the sale, use, or provision of expanded polystyrene containers for food service, and to require disposable food service ware provided by food service businesses to be compostable or recyclable; to amend the Sustainable DC Amendment Act Act of 2012 to expand the Mayor's authority to regulate beekeeping, to refine the responsibilities of beekeepers, to enable the Mayor to regulate the management of colony density and distance from property lines and manage colony disposition; to amend the Urban Forest Preservation Act of 2002 to require the payment for removal of special trees at the time of application for a removal permit, and to remove the option of deferred replacement by planting.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Sustainable DC Omnibus Amendment Act of 2014”.

TITLE I. JOBS AND ECONOMY.

SUBTITLE A. IMPROVING BUILDING BENCHMARKING DATA THROUGH DIRECT ELECTRONIC REPORTING.

39 Sec. 101. The Clean and Affordable Energy Act of 2008, effective October 22, 2008
40 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

41 (a) Section 101 (D.C. Official Code § 8-1773.01) is amended by adding a new paragraph
42 (4A) to read as follows:

43 “(4A) “ENERGY STAR Portfolio Manager” means the ENERGY STAR
44 Portfolio Manager tool developed by the Environmental Protection Agency, or any alternatives
45 approved by the Mayor that rates the performance of a qualifying building, relative to similar
46 buildings nationwide, accounting for the impacts of year-to-year weather variations, building
47 size, location, and several operating characteristics, using the Environmental Protection
48 Agency’s national energy performance rating system.”.

49 (b) Section 207 (D.C. Official Code § 8-1774.07) is amended by adding a new subsection
50 (f) to read as follows:

51 “(f)(1) The electric company shall undertake the following actions to provide a building
52 owner with easier and more complete access to energy consumption data needed to promote
53 energy conservation and comply with the benchmarking and reporting requirements in section
54 4(c) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C.
55 Official Code § 6-1451.03(c)):

56 “(A) Upon written or secure electronic authorization of a building owner
57 or the owner’s authorized agent, aggregate the energy consumption of all meters identified as
58 being in the building and provide the data, separated by month, as long as the following
59 conditions are met:

60 “(i) Sufficient information, including building address, meter
61 numbers, or account numbers, is provided to identify the building and meters;

62 “(ii) At least 5 customer accounts are being aggregated, so as to
63 obscure any customer-specific information; and

64 “(iii) No customer account, other than an account registered to the
65 building owner making the request, represents more than 80% of the total energy consumption
66 for the building;

67 “(B) Provide aggregate data for at least 2 years before the initial request
68 and automatically update the monthly data on an ongoing basis at least once every 45 calendar
69 days;

70 “(C) Provide an online portal for a building owner to use to request the
71 provision and transfer of aggregate account data, or individual customer account data the
72 building owner is duly authorized to access, to manage requests made, and to discontinue active
73 requests; and

74 “(D) Upload requested electric consumption data automatically on an
75 ongoing basis, at least once every 45 calendar days, to the requestor’s ENERGY STAR Portfolio
76 Manager account, as well as make the data available for an account holder to download in a
77 common format.

78 “(2) Access to consumption data under this section shall be subject to any rules
79 and regulations the Commission has adopted or may choose to adopt, where the rules do not
80 conflict with this section.”.

81 (c) Section 208 (D.C. Official Code § 8-1774.08) is amended by adding a new subsection
82 (d) to read as follows:

83 “(d)(1) The gas company shall undertake the following actions to provide a building
84 owner with easier and more complete access to energy consumption data needed in order to
85 promote energy conservation and comply with the benchmarking and reporting requirements in
86 section 4(c) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C.
87 Official Code § 6-1451.03(c)):

88 “(A) Upon written or secure electronic authorization of a building owner
89 or the owner’s authorized agent, aggregate the energy consumption of all meters identified as
90 being in the building and provide the data, separated by month, as long as the following
91 conditions are met:

92 “(i) Sufficient information, including building address, meter
93 numbers, or account numbers is provided to identify the building and meters;

94 “(ii) At least 5 customer accounts are being aggregated,; and

95 “(iii) No customer account, other than an account registered to the
96 building owner making the request, represents more than 80% of the total energy consumption
97 for the building;

98 “(B) Provide aggregate data for at least 2 years before the initial request
99 and automatically update the monthly data on an ongoing basis at least once every 45 calendar
100 days;

101 “(C) Provide an online portal for a building owner to use to request the
102 provision and transfer of aggregate account data, or individual customer account data the
103 building owner is duly authorized to access, to manage requests made, and to discontinue active
104 requests; and

105 “(D) Beginning no later than January 1, 2018, the gas company shall
106 upload requested consumption data automatically on an ongoing basis, at least once every 45
107 calendar days, to the requestor’s ENERGY STAR Portfolio Manager account, as well as make
108 the data available for an account holder to download in a common format.

109 “(2) Access to consumption data under this section shall be subject to any rules
110 and regulations the Commission has adopted or may choose to adopt, where the rules do not
111 conflict with this section.”.

112 Sec. 102. Section 107(a) of the Retail Electric Competition and Consumer Protection Act
113 of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1507(a)), is amended
114 as follows:

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

116 “(2) This restriction shall not apply to:

117 “(A) Lawful disclosures for bill collection or credit rating reporting
118 purposes; or

119 “(B) Lawful disclosures to a building owner about the energy consumption
120 of a non-residential tenant of the building.”.

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

122 “(3) Aggregated consumption data may be provided under the following
123 circumstances:

124 “(A) At least 5 customer accounts are being aggregated;

125 “(B) No single customer account represents more than 80% of the total
126 aggregated energy consumption; and

127 “(C) No individual customer-identifying information is included, unless:

128 “(i) The customer-identifying information is supplied by the person
129 requesting the consumption data; and

130 “(ii) The person requesting the consumption data owns the
131 building for which the consumption data is requested.”.

132 Sec. 103. Section 12(a)(1)(D) of the Retail Natural Gas Supplier Licensing and Consumer
133 Protection Act of 2004, effective March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-
134 1671.11(a)(1)(D)), is amended by striking the phrase “reporting purposes;” and inserting the
135 phrase “reporting purposes or a lawful disclosure about the energy consumption of a non-
136 residential tenant to the tenant’s building owner; provided, that disclosure of aggregated
137 consumption data to the owner of the building for which the data is requested shall be
138 permissible if at least 5 customer accounts are aggregated and no single customer account
139 represents more than 80% of the total aggregated energy consumption;” in its place.

140 **SUBTITLE B. ASSISTING BUILDING OWNERS BY CLARIFYING**
141 **RESPONSIBILITY FOR BENCHMARKING DATA.**
142

143 Sec. 111. Section 4(c)(2) of the Green Building Act of 2006, effective March 8, 2007
144 (D.C. Law 16-234; D.C. Official Code § 6-1451.03(c)(2)), is amended by adding a new
145 subparagraph (E) to read as follows:

146 “(E) If ownership of a building covered by this paragraph is transferred, the seller shall
147 provide the buyer with information necessary for the buyer to timely report benchmarking data
148 for the full reporting year in which the transfer occurred. The buyer shall submit the
149 benchmarking data to DDOE by April 1 of the year after the building is transferred.”.

150 **TITLE II. HEALTH AND WELLNESS.**

151 Sec. 201. Chapter 42 of title 28 of the District of Columbia Official Code is amended as
152 follows:

153 (a) Section 28-4201(a) is amended to read as follows:

154 “(a) No person or company shall conduct or offer to conduct radon screening, testing, or
155 mitigation in the District for a fee unless the person who performs the service has been:

156 “(1) Listed as proficient by the Environmental Protection Agency to offer radon
157 screening, testing, or mitigation services; or

158 “(2) Has received a certificate of proficiency from an organization approved by
159 the Mayor to offer radon screening, testing, or mitigation services.”.

160 (b) Section 28-4202(a) is amended as follows:

161 (1) Strike the phrase “issue proposed rules” and inserting the phrase “promulgate
162 rules to implement this chapter, including rules” in its place.

163 (2) Strike the second sentence in its entirety.

164 **TITLE III. EQUITY AND DIVERSITY.**

165 **SUBTITLE A. REDUCING SINGLE OCCUPANCY VEHICLE USE BY**
166 **ENCOURAGING TRANSIT BENEFITS.**

167
168 Sec. 301. Definitions.

169 For the purposes of this subtitle, the term:

170 (1) “Covered employer” means an employer with 20 or more employees.

171 (2) “Employee” shall have the same meaning as set forth in the Minimum Wage
172 Act Revision Act of 1992 (D.C. Official Code § 32-1002(3)).

173 (3) “Employer” shall have the same meaning as set forth in section 3(3) of the
174 Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C.
175 Official Code § 32-1002(3)).

176 (4) “Transit pass” shall have the same meaning as set forth in section 132(f)(5)(A)
177 of the Internal Revenue Code, approved July 18, 1984 (P.L. 98-369; 26 U.S.C. § 132(f)(5)(A))
178 (“Internal Revenue Code”), and shall include transit passes for travel by bus, streetcar, or train by
179 the Washington Metropolitan Area Transit Authority, Maryland Area Regional Commuter,
180 Virginia Railway Express, or the National Railroad Passenger Corporation (Amtrak).

181 (5) “Vanpool” means a “commuter highway vehicle” within the meaning of
182 section 132(f)(5)(B) of the Internal Revenue Code.

183 Sec. 302. Transportation benefit program.

184 (a) By January 1, 2016, a covered employer shall provide at least one of the following
185 transportation benefit programs to its employees:

186 (1) A pre-tax election transportation fringe benefits program that provides
187 commuter highway vehicle, transit, or bicycling benefits consistent with section
188 132(f)(1)(A),(B), and (D) of the Internal Revenue Code at benefit levels at least equal to the
189 maximum amount that may be deducted for those programs from an employee’s gross income
190 pursuant to section 132(f)(2) of the Internal Revenue Code;

191 (2) An employer-paid benefit program whereby the employer supplies, at the
192 election of the employee, a transit pass for the public transit system requested by each covered
193 employee or reimbursement of vanpool or bicycling costs in amount at least equal to the
194 purchase price of a transit pass for an equivalent trip on a public transit system; or

195 (3) Employer-provided transportation at no cost to the covered employee in a
196 vanpool or bus operated by or for the employer.

197 (b) A covered employer who fails to offer at least one transportation benefit program as
198 required by this section shall be subject to civil fines and penalties pursuant to the Department of
199 Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C.
200 Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) (“Civil Infractions Act”). Enforcement and
201 adjudication of an infraction shall be pursuant to the Civil Infractions Act.

202 Sec. 303. Rules.

203 The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act,
204 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may promulgate
205 rules to implement the provisions of this subtitle. As of January 1, 2017, the Mayor may expand

206 through rulemaking the definition of “covered employer” in section 301(1) to include employers
207 with fewer than 20 employees.

208 **SUBTITLE B. ENCOURAGING ENVIRONMENTAL STEWARDSHIP**
209 **THROUGH EDUCATION AND OUTREACH.**

210
211 Sec. 311. The Healthy Schools Act of 2010, effective July 17, 2010 (D.C. Law 18-209;
212 D.C. Official Code § 38-825.01 *et seq.*), is amended as follows:

213 (a) Section 102 (D.C. Official Code § 38-821.02) is amended as follows:

214 (1) Subsection (c) is amended by adding a new paragraph (8) to read as follows:

215 “(8) To support the development and implementation of an Environmental
216 Literacy Program established in section 502.”.

217 (2) Subsection (g) is amended by striking the phrase “subsection (c)(6) and (7) of
218 this section” and inserting the phrase “subsection (c)(6), (7), and (8) of this section” in its place.

219 (b) Section 502 (D.C. Official Code § 38-825.02) is amended to read as follows:

220 “Sec. 502. Environmental Literacy Program.

221 “(a) An Environmental Literacy Program is established within the Office of the State
222 Superintendent of Education. The Environmental Literacy Program shall:

223 “(1) Coordinate the efforts of the District Department of the Environment, the
224 District of Columbia Public Schools, the Public Charter School Board, the Office of the State
225 Superintendent of Education, the State Board of Education, the University of the District of
226 Columbia, the Department of Parks and Recreation, the Department of General Services, and the

227 Department of Employment Services to triennially develop an environmental literacy plan for
228 public schools, public charter schools, and participating private schools;

229 “(2) Establish and convene an Environmental Literacy Advisory Committee,
230 composed of community organizations, District government agencies, and other interested
231 persons;

232 “(3) Collect data on the location and types of environmental education programs
233 in public schools, public charter schools, and participating private schools;

234 “(4) Provide environmental education guidance and technical assistance to public
235 schools, public charter schools, and participating private schools; and

236 “(5) Provide training, support, and assistance for environmental literacy programs
237 in public schools, public charter schools, and participating private schools.

238 “(b) The environmental literacy plan shall, at minimum, describe the following:

239 “(1) Relevant teaching and learning standards adopted by the State Board of
240 Education;

241 “(2) Professional development opportunities for teachers;

242 “(3) Suitable metrics to measure environmental literacy;

243 “(4) Suitable methods to increase environmental literacy;

244 “(5) Governmental and nongovernmental entities that can assist schools in the
245 achievement of those goals; and

246 “(6) A proposed implementation method for the plan.

247 “(c) One year after the effective date of this act and triennially thereafter, the
248 Environmental Literacy Program shall issue a report about the state of environmental education
249 in the District of Columbia, plans for expansion, and recommendations for improving the
250 program.”.

251 (c) Section 601(b)(2) (D.C. Official Code § 38-826.01(b)(2)), is amended as follows:

252 (1) Subparagraph (B) is amended by striking the word “and”.

253 (2) Subparagraph (C) is amended by striking the period and inserting the phrase “;
254 and”.

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

256 “(D) Developing and implementing an Environmental Literacy Program.”.

257 **TITLE IV. CLIMATE AND THE ENVIRONMENT.**

258 **SUBTITLE A. REDUCING WASTE AND PROTECTING THE DISTRICT'S**
259 **WATERWAYS THROUGH POLLUTION PREVENTION.**

260 Sec. 401. Definitions.
261

262 For the purposes of this subtitle, the following terms shall mean:

263 (1) “Disposable food service ware” means containers, bowls, plates, trays, cartons, cups,
264 lids, straws, forks, spoons, knives, napkins, and other items that are designed for one-time use for
265 beverages, prepared food, or leftovers from meals prepared by a food service business. The term
266 “disposable food service ware” shall not include items composed entirely of aluminum.

267 (2) “Expanded polystyrene” means blown polystyrene and expanded and extruded foams
268 that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by a

269 number of techniques, including fusion of polymer spheres (expandable bead polystyrene),
270 injection molding, foam molding, and extrusion-blow molding (extruded foam polystyrene).

271 (3) “Expanded polystyrene food service products” means food containers, plates, hot and
272 cold beverage cups, meat and vegetable trays, egg cartons, and other products made of expanded
273 polystyrene and used for selling or providing food.

274 (4) “Food service business” means full-service restaurants, limited-service restaurants,
275 fast food restaurants, cafes, delicatessens, coffee shops, supermarkets, grocery stores, vending
276 trucks or carts, food trucks, business or institutional cafeterias, including those operated by or on
277 behalf of District departments and agencies, and other businesses selling or providing food
278 within the District for consumption on or off the premises.

279 Sec. 402. Prohibition on use of expanded polystyrene food service products.

280 (a) By January 1, 2016, no food service business shall sell or provide food in expanded
281 polystyrene food service products, regardless of where the food purchased at the food service
282 business will be consumed.

283 (b) Subsection (a) of this section shall not apply to food or beverages that were filled and
284 sealed in expanded polystyrene containers before a food service business received them.

285 Sec. 403. Compostable or recyclable disposable food service ware required.

286 (a) A District facility, agency, and department using disposable food service ware shall
287 use compostable or recyclable disposable food service ware unless there is no suitable affordable
288 compostable or recyclable product available as determined by the Mayor in accordance with this
289 subtitle; provided, that disposable food service ware supplies already purchased as of the

290 effective date of this subtitle may be used until the supplies are exhausted or until January 1,
291 2017, including disposable food service ware supplies that the District is obligated to purchase
292 under any contracts in force as of the effective date of this subtitle.

293 (b) A District contractor and lessee using disposable food service ware shall use
294 compostable or recyclable disposable food service ware unless there is no suitable affordable
295 compostable or recyclable product available as determined by the Mayor in accordance with this
296 subtitle; provided, that disposable food service ware supplies already purchased as of the
297 effective date of this subtitle may be used until the supplies are exhausted or until January 1,
298 2017, including disposable food service ware supplies that the District contractor or lessee is
299 obligated to purchase under any contracts in force on the effective date of this subtitle.

300 (c) By ~~January 1, 2018~~January 1, 2017, no food service business shall sell or provide
301 food or beverages, for consumption on or off premises, in disposable food service ware unless
302 the disposable food service ware is compostable or recyclable; provided, that this subsection
303 shall not apply to prepackaged food or beverages that were filled and sealed outside of the
304 District before a food service business received them.

305 Sec. 404. Recyclable and compostable food service ware list.

306 No later than 180 days after the effective date of this section, the Mayor shall make
307 public a list of vendors offering affordable compostable or recyclable disposable food service
308 ware products. The Mayor shall update this list annually for at least 5 years after it is first
309 published.

310 Sec. 405. Exemptions and waiver.

311 (a) If the Mayor determines that there is no available affordable compostable or
312 recyclable alternative to a disposable food service ware item, this item shall be listed on an
313 exemption list and made available to the public. Sections 402 and 403 shall not apply to a food
314 service ware item on the exemption list or for the first 6 months after an item is removed from
315 the list. The Mayor shall review the exemption list annually to determine whether any items
316 should be removed because an affordable compostable or recyclable alternative has become
317 available.

318 (b) The Mayor may, consistent with this subtitle, waive any specific requirements of
319 sections 402 and 403 for a period of up to one year if a food service business demonstrates that
320 strict application of the requirements would create an undue hardship or practical difficulty not
321 generally applicable to other food service businesses in similar circumstances.

322 Sec. 406. Rules; enforcement.

323 (a) The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure
324 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may
325 promulgate rules to implement the provisions of this subtitle.

326 (b) Civil fines and penalties may be imposed as sanctions for an infraction of the
327 provisions of this subtitle or any rules promulgated under the authority of this subtitle, pursuant
328 to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective
329 October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) (“Civil Infractions
330 Act”). Enforcement and adjudication of an infraction shall be pursuant to the Civil Infractions
331 Act.

332 (c) In addition to the enforcement authority provided to the Mayor under the Civil
333 Infractions Act, the Mayor may seek injunctive relief or other appropriate remedy in any court of
334 competent jurisdiction to enforce compliance with the provisions of this subtitle.

335 **SUBTITLE B. PROMOTING URBAN AGRICULTURE THROUGH PROGRAM**
336 **IMPROVEMENT.**

337
338 Sec. 411. The Sustainable DC Amendment Act of 2012, effective April 20, 2013 (D.C.
339 Law 19-262; D.C. Official Code § 8-1825.01 *et seq.*), is amended as follows:

340 (a) Section 212 (D.C. Official Code § 8-1825.02) is amended as follows:

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

342 “(7A) “Director” means the Director of the District Department of the
343 Environment.

344 (2) Paragraph (8) is amended by striking the word “intended” and inserting the
345 word “used” in its place.

346 (3) Paragraph (9) is amended to read as follows:

347 “(9) “Honey bee” means *Apis mellifera* or another species designated as suitable
348 for an urban environment by the Director of the District Department of the Environment.

349 (4) Paragraph (10) is amended by striking the phrase “Multi-unit” and inserting
350 the phrase “Multi-unit building” in its place.

351 (5) Paragraph (11) is amended by striking the phrase “private entity” and
352 inserting the phrase “legal entity” in its place.

353 (6) Paragraph (12) is repealed.

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354 (b) Section 213 (D.C. Official Code § 8-1825.03) is amended by striking the period and
355 inserting the phrase “and any regulations promulgated pursuant to this act.” in its place.

356 (c) Section 214 (D.C. Official Code § 8-1825.04) is amended to read as follows:

357 “Sec. 214. Responsibilities of beekeepers.

358 “(a) A colony kept in the District shall be registered annually with the Department.

359 “(b) No person shall bring into the District a colony or portion of a colony, bees on
360 combs, empty used combs, used hives, or other used apiary appliances without complying with
361 the procedures established by the Department in accordance with this act.

362 “(c) A colony may not be established in a multi-unit building without written permission
363 from the property manager or owner.

364 “(d) A hive must be kept and maintained to prevent overcrowding and deter swarming
365 according to procedures established by the Department through rulemaking.

366 “(e) A beekeeper shall be responsible for the remediation of bee swarms and nuisance
367 conditions. In the event a beekeeper fails to fulfill this obligation, the owner of the property on
368 which a hive is located shall be responsible for remediating ~~these conditions~~these conditions, and
369 the beekeeper shall reimburse the property owner for the costs incurred by the remediation.”.

370 (d) Section 215 (D.C. Official Code § 8-1825.05) is repealed.

371 (e) Section 216 (D.C. Official Code § 8-1825.06) is repealed.

372 (f) Section 217(a) (D.C. Official Code § 8-1825.07(a)) is amended to read as follows:

373 “(a) The Department shall establish procedures and may take measures to control the
374 spread of bee diseases and may order a beekeeper to take measures to control the spread of bee
375 diseases.”.

376 (g) Section 218 (D.C. Official Code § 8-1825.08) is repealed.

377 (h) Section 219 (D.C. Official Code § 8-1825.09) is amended as follows:

378 (1) Subsection (a) is amended by inserting the following sentence at the end: “The
379 rules may establish fees necessary to implement the provisions of this act.”.

380 (2) Subsection (d) is repealed.

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

382 “(e) The Mayor may require reimbursement for the District’s costs resulting from
383 services, including inspections, testing, storage, and transportation of hives or bees, or other
384 reasonable costs or fees incurred in implementation of this act or regulations promulgated
385 pursuant to this act.”.

386 **SUBTITLE C. GROWING THE URBAN CANOPY THROUGH ENHANCED**
387 **TREE MANAGEMENT.**

388 Sec. 421. Section 104 of The Urban Forest Preservation Act of 2002, effective June 12,
389 2003 (D.C. Law 14-309; D.C. Official Code § 8-651.04), is amended as follows:

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

391 (1) Paragraph (2) is amended by striking the semicolon and inserting the phrase
392 “; or” in its place.
393

394 (2) Paragraph (3) is amended by striking the phrase “; or” and inserting a period
395 in its place.

396 (3) Paragraph (4) is repealed.

397 (b) Subsection (c) is repealed.

398 **TITLE V. FISCAL IMPACT STATEMENT, APPLICABILITY, AND**
399 **EFFECTIVE DATE.**

400
401 Sec. 501. Fiscal impact statement.

402 The Council adopts the fiscal impact statement contained in the committee report as the
403 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule
404 Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)(2001)).

405 Sec. 502. Applicability.

406 (a) Title I shall apply as of January 1, 2015.

407 (b) Title II shall apply as of the effective date of this act.

408 (c) Title III, Subtitle A, section 301, 302(a), and 303 shall apply as of the effective date of
409 this act.

410 (d) Title III, Subtitle A, section 302(b) shall apply upon the inclusion of its fiscal effect in
411 an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget
412 Director of the Council in a certification published by the Council in the District of Columbia
413 Register.

414 (e) Title III, Subtitle B, shall apply as of the effective date of this act.

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415 (f) Title IV, Subtitle A, sections 401, 402, and 406 shall apply as of the effective date of
416 this act.

417 (g) Title IV, Subtitle A, sections 403, 404, and 405 shall apply upon the inclusion of their
418 fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer
419 to the Budget Director of the Council in a certification published by the Council in the District of
420 Columbia Register.

421 (h) Title IV, Subtitles B and C shall apply as of the effective date of this act.

422 Sec. 503. Effective date.

423 This act shall take effect after approval by the Mayor (or in the event of veto by the
424 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
425 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
426 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)(2001)), and publication in the
427 District of Columbia Register.