

AN ACT
D.C. ACT 22-167

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
OCTOBER 24, 2017

To enact and amend, on an emergency basis, due to congressional review, provisions of law necessary to support the Fiscal Year 2018 budget.

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BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2018 Budget Support Congressional Review Emergency Act of 2017”.

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. EXECUTIVE SERVICE PAY SCHEDULE CONFORMITY

Sec. 1001. Short title.

This subtitle may be cited as the “Executive Service Pay Schedule Conformity Congressional Review Emergency Amendment Act of 2017”.

Sec. 1002. Section 1052(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-610.52(b)), is amended as follows:

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

(1) The lead-in language is amended by striking the phrase “a compensation level of” and inserting the phrase “the following compensation levels and terms of employment:” in its place.

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

“(A)(i) Antwan Wilson shall be compensated \$280,000 annually, effective February 1, 2017, while serving in the capacity of the Chancellor of the District of Columbia Public Schools.

“(ii) Notwithstanding any other provision of law, the Chancellor may be paid a performance bonus of up to 10% of his annual base salary for goal achievements in the 2017-2018 school year.

“(iii) In addition to such other benefits as the Chancellor may be entitled to receive under existing law or regulation, and notwithstanding section 1058, the Mayor may make a separation payment to the Chancellor of up to 26 weeks of the Chancellor’s base salary if the Chancellor’s contract is terminated, unless the termination is for cause.

“(iv) The restrictions and reporting requirements specified in section 3602(b) of the Restrictions on the Use of Official Vehicles Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(b)), shall not apply to the Chancellor.”.

(3) Subparagraph (D) is repealed.

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

“(2B) For the purposes of paragraph (2)(A) of this subsection, the term “cause” means:

“(A) Being indicted for or convicted of any criminal offense;

“(B) Committing on-duty conduct that is reasonably known to be a violation of law or regulation;

“(C) Using public office for private gain; or

“(D) Committing an act that would warrant removal pursuant to Chapter 16 of Title 6B of the District of Columbia Municipal Regulations (6B DCMR § 1600 *et seq.*).”.

(c) Paragraph (3) is amended as follows:

(1) Subparagraph (A) is repealed.

(2) Subparagraph (B) is repealed.

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

“(4) The existing levels of compensation for officeholders provided in this subsection shall not be the basis of determining the salary of future officeholders in the same position, who shall be subject to compensation within the limits of the DX schedule, except as provided in this act.”.

Sec. 1003. The Chancellor of the District of Columbia Public Schools Salary and Benefits Authorization Temporary Amendment Act of 2017, effective April 7, 2017 (D.C. Law 21-246; 64 DCR 1620), is repealed.

SUBTITLE B. COMPENSATION FOR UNJUST IMPRISONMENT

Sec. 1011. Short title.

This subtitle may be cited as the “Unjust Conviction and Imprisonment Compensation Congressional Review Emergency Amendment Act of 2017”.

Sec. 1012. The District of Columbia Unjust Imprisonment Act of 1980, effective March 5, 1981 (D.C. Law 3-143; D.C. Official Code § 2-421 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 2-421) is amended to read as follows:

“Sec. 2. Administrative petitions and civil claims.

“Any person unjustly convicted of and subsequently imprisoned for a felony offense contained in the District of Columbia Official Code may:

“(1) Present a claim for damages against the District of Columbia; or

“(2) Petition the District of Columbia for compensation as provided under this act.”.

(b) Section 3 (D.C. Official Code § 2-422) is amended to read as follows:

“Sec. 3. Proof required.

“(a) Any person bringing suit under section 2(1) must allege and prove the following:

“(1) The person was incarcerated following a conviction for a felony offense contained in the District of Columbia Official Code;

“(2) The conviction for the offense has been reversed or set aside by the Superior Court of the District of Columbia (“Superior Court”) on the stated ground of innocence and unjust conviction;

“(3) The person has obtained a certificate of innocence from the Superior Court; and

“(4) That, based upon clear and convincing evidence, the person did not commit any of the acts charged or the person’s acts or omissions in connection with such charge constituted no offense against the United States or the District of Columbia the maximum penalty for which would equal or exceed the imprisonment served and the person did not, by his or her misconduct, cause or bring about his or her own prosecution.

“(b) Any person filing a petition under section 2(2) must allege and prove the following:

“(1) The person was incarcerated following a conviction for a felony offense contained in the District of Columbia Official Code;

“(2) The conviction for the offense has been reversed or set aside by the Superior Court on the stated ground of innocence and unjust conviction; and

“(3) The person has obtained a certificate of innocence from the Superior Court.

“(c) Notwithstanding subsections (a) and (b) of this section, a person is not entitled to damages or compensation under this act for any part of a sentence served, whether incarcerated, on parole, on probation, on supervised release, or as a registered sex offender, if that person was also serving a concurrent sentence for another crime to which subsections (a) and (b) of this section do not apply.”.

(c) Section 4 (D.C. Official Code § 2-423) is amended by striking the phrase “by section 3, the” and inserting the phrase “by section 3(a), the” in its place.

(d) New sections 4a, 4b, 4c, and 4d are added to read as follows:

“Sec. 4a. Petition for compensation.

“(a) A person seeking compensation for unjust conviction and imprisonment under section 2(2) shall file a petition for compensation with the Office of Victim Services and Justice Grants (“OVSJG”) that includes the following information:

“(1) An application for compensation on a form prescribed by the Director;

“(2) A copy of the certificate of innocence issued by the Superior Court for the conviction at issue;

“(3) A statement from the United States Bureau of Prisons or the Department of Corrections verifying the length of incarceration;

“(4) A statement from the Court Supervision and Offender Services Agency verifying the length of time spent on parole, probation, supervised release, or as a registered sex offender, if applicable; and

“(5) Any additional documents deemed necessary by the Director and listed as a requirement for a petition on the application for compensation.

“(b)(1)(A) The Director shall approve a petition for compensation filed within 45 days after the date the petition was submitted if all the necessary documents required by subsection (a) of this section have been submitted.

“(B) For the purposes of this paragraph, a petition for compensation shall not be deemed to have been submitted until all required documents under subsection (a) of this section have been filed with OVSJG.

“(2)(A) The Director shall provide written notice of his or her determination to the person who filed the petition.

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“(B) The written notice shall include the amount owed to the petitioner pursuant to section 4b.

“(c)(1) If a petitioner is aggrieved by the Director’s determination under subsection (b) of this section, the petitioner may bring an action in the Superior Court for mandamus relief within 45 days after the petitioner receives written notice of the determination under subsection (b)(2) of this section.

“(2) The Superior Court shall review de novo any request for mandamus relief.

“Sec. 4b. Compensation and other benefits.

“(a) After a petition for compensation is approved under section 4a, the petitioner shall be entitled to the following:

“(1) Within 60 days after a petition for compensation is approved, the Director shall compensate the petitioner as follows:

“(A) For the physical injury of wrongful conviction and incarceration of the petitioner:

“(i) \$200,000 for each year of incarceration, to include a pro-rated amount for partial years served; and

“(ii) \$40,000 for each year served on parole, probation, supervised release, or as a registered sex offender, to include a pro-rated amount for partial years served; and

“(B) Reimbursement for child support payments that became due during the time the person was incarcerated, but were not paid, including any interest on child support arrearages associated with those child support payments, as well as reasonable attorney’s fees for legal proceedings required to remedy outstanding obligations associated with those child support payments.

“(2) In addition to compensation provided under paragraph (1) of this subsection, within 21 days after a petition for compensation is approved, the Director shall provide the petitioner with \$10,000 to assist in immediately securing services such as:

“(A) Housing;

“(B) Transportation;

“(C) Subsistence;

“(D) Re-integrative services; and

“(E) Mental and physical health care.

“(3) In addition to the compensation provided under paragraphs (1) and (2) of this subsection, the petitioner shall be entitled to the following:

“(A) Physical and mental health care for the duration of the petitioner’s life through automatic participation in the D.C. HealthCare Alliance or any successor comprehensive community-centered health care and medical services system established pursuant to section 7 of the Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405);

“(B) Reimbursement for any tuition and fees paid to the University of the District of Columbia or the University of the District of Columbia Community College for the

petitioner's education, including any necessary assistance to meet the criteria required for admittance, or a vocational or employment skills development program; and

“(C)(i) If mandamus relief is granted under section 4a(c), reasonable attorney's fees to be paid by the District of Columbia, as ordered by the Superior Court.

“(ii) The Superior Court shall award attorney's fees for each of the petitioner's attorneys pursuant to the matrix approved in *Laffey v. Northwest Airlines*, 572 F. Supp. 354 (D.D.C. 1983), as published and adjusted by the United States Attorney's Office for the District of Columbia.

“(iii) In computing the hourly rates for attorney's fees under subparagraph (ii) of this subparagraph, the Superior Court shall use the rates in effect at the time the mandamus relief is granted.

“(b) Notwithstanding any other law, compensation awarded pursuant to this act shall not be subject to any taxes or treatment as gross income under District law.

“Sec. 4c. Required notification for compensation.

“Within 5 business days after the release of a person from incarceration because a conviction for a felony offense contained in the District of Columbia Official Code has been reversed or set aside on the ground of innocence and unjust conviction, the Superior Court shall provide information to the person, in writing, that includes guidance on how to obtain compensation under this act, and a list of nonprofit advocacy groups that assist individuals who have been wrongfully convicted and imprisoned.

“Sec. 4d. Statute of limitations.

“Any person filing a claim or petition under section 2 shall file the claim or petition no later than 2 years after the date the person received a certificate of innocence as required by section 3(a)(3) and (b)(3).”.

SUBTITLE C. OFFICE OF ADMINISTRATIVE HEARINGS PAYROLL ADJUSTMENT AND CLARIFICATION

Sec. 1021. Short title.

This subtitle may be cited as the “Office of Administrative Hearings Payroll Adjustment and Clarification Congressional Review Emergency Amendment Act of 2017”.

Sec. 1022. The Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*), is amended as follows:

(a) Section 8(b)(10) (D.C. Official Code § 2-1831.05(b)(10)) is amended by striking the phrase “Corporation Counsel” and inserting the phrase “Attorney General” in its place.

(b) Section 10(a) (D.C. Official Code § 2-1831.07(a)) is amended by striking the phrase “Corporation Counsel,” and inserting the phrase “Attorney General,” in its place.

(c) Section 11(g) (D.C. Official Code § 2-1831.08(g)) is amended by striking the phrase “Corporation Counsel.” and inserting the phrase “Attorney General.” in its place.

(d) Section 12(a)(10) (D.C. Official Code § 2-1831.09(a)(10)) is amended by striking the phrase “Executive Director” and inserting the phrase “Chief Operating Officer” in its place.

(e) Section 15 (D.C. Official Code § 2-1831.12) is amended to read as follows:

“Sec. 15. Chief Operating Officer and other personnel.

“(a) There shall be a Chief Operating Officer of the Office. The Chief Operating Officer shall be responsible for the administration of the Office subject to the supervision of the Chief Administrative Law Judge.

“(b) The Chief Operating Officer shall be appointed by the Chief Administrative Law Judge to the Management Supervisory Service, and shall serve at the pleasure of the Chief Administrative Law Judge pursuant to section 954 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-609.54). In making the appointment, the Chief Administrative Law Judge shall consider experience in administrative hearing procedures and operations. The Chief Operating Officer need not be an attorney and may not concurrently hold an appointment as an Administrative Law Judge appointed under the authority of section 11(b).

“(c) If at the time of application the Chief Operating Officer claimed a hiring preference as a bona fide resident of the District of the Columbia, the Chief Operating Officer shall agree to maintain bona fide District residency for 7 consecutive years from the effective date of hire, pursuant to section 957 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-609.57).

“(d) The Office shall have a Clerk and may have deputy clerks who shall perform such duties as may be assigned to them. The Clerk and deputy clerks may be authorized to administer oaths, issue subpoenas, and perform other appropriate duties.

“(e) With the approval of the Chief Administrative Law Judge, the Chief Operating Officer may appoint and fix the salary of any attorney and non-attorney personnel appointed pursuant to the authority of this act, other than Administrative Law Judges. Law clerks and attorneys employed by the office in a capacity other than as an Administrative Law Judge shall be appointed to the Legal Service or Senior Executive Attorney Service.

“(f) The Chief Operating Officer shall not have supervisory authority over any person appointed as an Administrative Law Judge.”.

(f) Section 16(a) (D.C. Official Code § 2-1831.13(a)) is amended by striking the phrase “Executive Director,” and inserting the phrase “Chief Operating Officer,” in its place.

(g) Section 17(d) (D.C. Official Code § 2-1831.14(d)) is amended by striking the phrase “Office by the Corporation Counsel,” and inserting the phrase “Office by the Attorney General,” in its place.

(h) Section 20(b)(3) (D.C. Official Code § 2-1831.17(b)(3)) is amended by striking the phrase “Corporation Counsel” and inserting the phrase “Attorney General” in its place.

Sec. 1023. Section 908(15) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.08(15)), is amended to read as follows:

“(15) The Chief Administrative Law Judge and the Administrative Law Judges of the Office of Administrative Hearings;”.

**SUBTITLE D. OFFICE OF EMPLOYEE APPEALS MEMBER
COMPENSATION**

Sec. 1031. Short title.

This subtitle may be cited as the “Office of Employee Appeals Member Compensation Congressional Review Emergency Amendment Act of 2017”.

Sec. 1032. Section 1108(c-1)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-1)(2)), is amended by striking the phrase “not to exceed \$3,000 for each member per year” and inserting the phrase “not to exceed \$6,000 for each member per year” in its place.

**SUBTITLE E. UNEMPLOYMENT COMPENSATION FOR DOMESTIC
VIOLENCE SURVIVORS**

Sec. 1041. Short title.

This subtitle may be cited as the “Unemployment Compensation for Domestic Violence Survivors Congressional Review Emergency Amendment Act of 2017”.

Sec. 1042. Section 33 of Title II of the District of Columbia Unemployment Compensation Act, effective June 19, 2004 (D.C. Law 15-171; D.C. Official Code § 51-133), is amended as follows:

(a) Designate the existing text as subsection (a).

(b) The newly designated subsection (a) is amended by striking the phrase “, except that this section shall not apply to employers who have elected to make payments in lieu of contributions under section 3(f) and (h)”.

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

“(b) Employers who have elected to make payments in lieu of contributions under section 3(f) or (h) shall not be liable for benefits paid pursuant to this title.”.

SUBTITLE F. PUBLIC EMPLOYEE RELATIONS BOARD COMPENSATION

Sec. 1051. Short title.

This subtitle may be cited as the “Public Employee Relations Board Compensation Congressional Review Emergency Amendment Act of 2017”.

Sec. 1052. Section 1108(c-1)(5) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-1)(5)), is amended by striking the phrase “not to exceed \$3,000 for each board member per year” and inserting the phrase “not to exceed \$6,000 for each board member per year” in its place.

SUBTITLE G. WAGE THEFT CLARIFICATION

Sec. 1061. Short title.

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This subtitle may be cited as the “Wage Theft Clarification Congressional Review Emergency Amendment Act of 2017”.

Sec. 1062. An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*), is amended as follows:

(a) Section 8(a)(1)(A) (D.C. Official Code § 32-1308(a)(1)(A)) is amended by striking the word “restitution” and inserting the word “relief” in its place.

(b) Section 8a (D.C. Official Code § 32-1308.01) is amended as follows:

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

(A) Paragraph (4) is amended by striking the word “restitution” and inserting the word “relief” in its place.

(B) Paragraph (6) is amended by striking the word “restitution” and inserting the word “relief” in its place.

(C) Paragraph (7) is amended by striking the phrase “and an order requiring the respondent to provide restitution” and inserting the phrase “and, where the Mayor finds in favor of the complainant, the initial determination shall require the respondent to provide relief” in its place.

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

“(10)(A) Upon issuance of an initial determination or administrative order, not issued as a result of conciliation, the Mayor shall notify the parties, by certified mail, of their right to file for a formal hearing before an administrative law judge pursuant to subsection (e) of this section.

“(B) If a party does not timely file for a formal hearing before an administrative law judge pursuant to subsection (e) of this section, the initial determination shall be deemed a final administrative order and shall be enforceable pursuant to subsection (g) of this section.”.

(2) Subsection (e)(1) is amended by striking the phrase “Within 30 days of the issuance of the initial determination or administrative order, not issued as a result of conciliation, either party may file for a formal hearing before an administrative law judge” and inserting the phrase “Within 30 days of the issuance of the initial determination or an administrative order, not issued as a result of conciliation, or within 30 days of receiving notice of a right to file for a formal hearing before an administrative law judge under this subsection, whichever is later, a party may file for a formal hearing before an administrative law judge” in its place.

(3) Subsection (n) is amended by striking the phrase “or fine assessed”.

SUBTITLE H. LEGISLATIVE BRANCH BONUS PAY

Sec. 1071. Short title.

This subtitle may be cited as the “Legislative Branch Performance Bonus Pay Congressional Review Emergency Amendment Act of 2017”.

ENROLLED ORIGINAL

Sec. 1072. The Bonus Pay and Special Awards Pay Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 1-551.01 *et seq.*), is amended as follows:

(a) Section 1002 (D.C. Official Code § 1-551.02) is amended by adding a new subsection (c) to read as follows:

“(c) Notwithstanding subsection (a) of this section, each personnel authority of the Council, the Office of the District of Columbia Auditor, and the Office of Advisory Neighborhood Commissions may use funds to support bonus pay or special awards pay.”.

(b) Section 1003 (D.C. Official Code § 1-551.03) is amended by adding a new subsection (d) to read as follows:

“(d) This section shall not apply to the Council, the Office of the District of Columbia Auditor, and the Office of Advisory Neighborhood Commissions.”.

SUBTITLE I. FISCAL IMPACT STATEMENT CLARIFICATION

Sec. 1081. Short title.

This subtitle may be cited as the “Fiscal Impact Statement for Council Actions Clarification Congressional Review Emergency Amendment Act of 2017”.

Sec. 1082. Section 4a(c) of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a(c)), is amended to read as follows:

“(c) Applicability. — Subsection (a) of this section shall not apply to:

“(1) Emergency declaration resolutions;

“(2) Ceremonial resolutions;

“(3) Confirmation or appointment resolutions;

“(4) Sense of the Council resolutions; and

“(5) Resolutions that express simple determinations, decisions, or directions of the Council of a special or temporary character as provided for in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).”.

SUBTITLE J. AUDITOR LEGAL FUND ELIMINATION

Sec. 1091. Short title.

This subtitle may be cited as the “Auditor Legal Fund Elimination Congressional Review Emergency Amendment Act of 2017”.

Sec. 1092. Section 4a of the District of Columbia Auditor Subpoena and Oath Authority Act of 2004, effective March 11, 2010 (D.C. Law 18-119; D.C. Official Code § 1-301.174), is repealed.

SUBTITLE K. COMPLIANCE UNIT REPEAL

Sec. 1101. Short title.

ENROLLED ORIGINAL

This subtitle may be cited as the “Compliance Unit Repeal Congressional Review Emergency Amendment Act of 2017”.

Sec. 1102. The Compliance Unit Establishment Act of 2008, effective June 13, 2008 (D.C. Law 17-176; D.C. Official Code § 1-301.181 *et seq.*), is repealed.

Sec. 1103. The Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

(a) Section 2346 (D.C. Official Code § 2-218.46) is amended as follows:

(1) Subsection (h) is amended by striking the phrase “project manager, District of Columbia Auditor, and” and inserting the phrase “project manager, and” in its place.

(2) Subsection (i)(1) is amended by striking the phrase “project manager, and District of Columbia Auditor” and inserting the phrase “and project manager” in its place.

(3) Subsection (j)(1) is amended by striking the phrase “project manager, and District of Columbia Auditor” and inserting the phrase “and project manager” in its place.

(4) Subsection (k) is amended by striking the phrase “the Department and District of Columbia Auditor” and inserting the phrase “the Department” in its place.

(b) Section 2353 (D.C. Official Code § 2-218.53) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “the Department and to the District of Columbia Auditor” and inserting the phrase “the Department” in its place.

(2) Subsection (a-1) is amended by striking the phrase “the Department and the Office of the District of Columbia Auditor” and inserting the phrase “the Department” in its place.

(3) Subsection (b) is amended by striking the phrase “the Department and the District of Columbia Auditor” and inserting the phrase “the Department” in its place.

(4) Subsection (d) is repealed.

(5) Subsection (e) is amended by striking the phrase “the agency, the Office of the District of Columbia Auditor,” and inserting the phrase “the agency” in its place.

SUBTITLE L. LEGISLATIVE RETIREMENT MATCH

Sec. 1111. Short title.

This subtitle may be cited as the “Legislative Branch Employee Retirement Benefits Match Congressional Review Emergency Amendment Act of 2017”.

Sec. 1112. Section 2609(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective October 1, 1987 (D.C. Law 7-27; D.C. Official Code § 1-626.09(b)), is amended as follows:

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

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

“(2) On behalf of each employee of the Council, the Office of the District of Columbia Auditor, and the Office of Advisory Neighborhood Commissions participating in the

deferred compensation plan established by section 2605(2), the District shall contribute each pay period an amount equal to that employee's contribution pursuant to paragraph (1) of this subsection for that pay period; provided, that the District's contribution pursuant to this paragraph on behalf of an employee in any pay period shall not exceed 3% of the employee's base salary during that pay period."

SUBTITLE M. SURPLUS PROPERTY SALES FUND CLARIFICATION

Sec. 1121. Short title.

This subtitle may be cited as the "Surplus Property Sales Fund Clarification Congressional Review Emergency Amendment Act of 2017".

Sec. 1122. Section 805(d) of the Procurement Practices Reform Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 2-358.05(d)), is amended by striking the phrase "cost of online auction contracts for surplus personal property" and inserting the phrase "administrative costs of maintaining and disposing of surplus property" in its place.

SUBTITLE N. CONTRACT APPEALS BOARD RULEMAKING

Sec. 1131. Short title.

This subtitle may be cited as the "Contract Appeals Board Rulemaking Congressional Review Emergency Amendment Act of 2017".

Sec. 1132. Section 1106(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-361.06(a)), is amended by adding a new paragraph (3) to read as follows:

"(3) Notwithstanding paragraph (1) of this subsection, the Contract Appeals Board, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of Title X."

SUBTITLE O. STREET AND ALLEY DESIGNATION CLARIFICATION

Sec. 1141. Short title.

This subtitle may be cited as the "Street and Alley Designation Clarification Congressional Review Emergency Amendment Act of 2017".

Sec. 1142. The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 9-201.01) is amended by adding a new paragraph (4A) to read as follows:

"(4A) "Initiator" means the individual or entity that makes a request to the Mayor or a Councilmember to sponsor legislation proposing the designation of an official or symbolic name of an alley or street, or portion thereof, or an official name of a public space other than an

alley or street, or portion thereof, and shall not include the Mayor, the Council, or any Councilmember.”.

(b) Section 421 (D.C. Official Code § 9-204.21) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase “of the public hearing to each resident and owner of property” and inserting the phrase “of the Council hearing to each owner of property and household occupying property” in its place.

(B) Paragraph (2) is amended by striking the phrase “of the public hearing at each intersection of the portion of the alley or street proposed to be designated with any other alley or street” and inserting the phrase “of the Council hearing at each intersection with any other alley or street of the portion of the alley or street proposed to be designated” in its place.

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

(A) Strike the phrase “At least 15 days” and insert the phrase “At least 5 days” in its place.

(B) Strike the phrase “shall submit a petition to the Council in support of the proposal that has been signed by a majority of the residents and owners of property” and insert the phrase “shall submit to the Council letters or a petition in support of the proposal that have been signed by a majority of the owners of property and households occupying property” in its place.

(3) Subsection (g) is amended as follows:

(A) The lead-in language is amended by striking the phrase “a vote of a committee of the Council” and inserting the phrase “a vote by a committee of the Council” in its place.

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

“(2) The square or squares in which the portion of the alley or street to be designated is located and any adjacent squares; and”.

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

“(3) The recorded lots in the square or squares depicted.”.

(4) Subsection (h) is amended by striking the phrase “proposal by the Mayor.” and inserting the phrase “proposal by the Mayor; provided, that fees shall not be assessed pursuant to this subsection on an initiator that is a governmental entity, including an Advisory Neighborhood Commission.” in its place.

(5) Subsection (i) is amended to read as follows:

“(i) If there is no initiator within the meaning of section 101(4A), the Mayor shall discharge the responsibilities of the initiator set forth in this section; provided, that the requirements of subsection (f) of this section shall not apply and no fee shall be assessed pursuant to subsection (h) of this section.”.

(c) Section 422 (D.C. Official Code § 9-204.22) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase “to be designated;” and inserting the phrase “to be designated; and” in its place.

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

“(2) The square or squares in which the public space is located and any adjacent squares.”.

(C) Paragraph (3) is repealed.

(2) Subsection (d) is amended by striking the phrase “proposal by the Mayor.” and inserting the phrase “proposal by the Mayor; provided, that fees shall not be assessed pursuant to this subsection on an initiator that is a governmental entity, including an Advisory Neighborhood Commission.” in its place.

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

“(e) If there is no initiator within the meaning of section 101(4A), the Mayor shall discharge the responsibilities of the initiator set forth in this section; provided, that no fee shall be assessed pursuant to subsection (d) of this section.”.

(d) Section 423 (D.C. Official Code § 9-204.23) is amended by adding a new subsection (c) to read as follows:

“(c) If there is no initiator within the meaning of section 101(4A), the Mayor shall discharge the responsibilities of the initiator set forth in this section.”.

(e) Section 424(a)(1) (D.C. Official Code § 9-204.24(a)(1)) is amended by adding a new subparagraph (B-i) to read as follows:

“(B-i) District Department of Transportation and Office of the Chief Technology Officer records;”.

SUBTITLE P. PUBLIC USE OF PUBLIC BUILDINGS

Sec. 1151. Short title.

This subtitle may be cited as the “Public Use of Public Buildings Congressional Review Emergency Amendment Act of 2017”.

Sec. 1152. Section 603a of the Fiscal Year 1997 Budget Support Act of 1996, effective December 2, 2011 (D.C. Law 19-48; D.C. Official Code § 10-1141.03a), is amended as follows:

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

(1) The lead-in language is amended by striking the phrase “permit fee,” and inserting the phrase “liability insurance requirement or permit, custodial, and security fee,” in its place.

(2) Paragraph (1) is amended by striking the phrase “civic association” and inserting the phrase “civic association, Advisory Neighborhood Commission,” in its place.

(3) Paragraph (3) is amended by striking the phrase “government;” and inserting the phrase “government, except for the costs of custodial and security services;” in its place.

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

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

(2) The newly designated subparagraph (A) is amended by striking the period and inserting the phrase “; or” in its place.

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

“(B) A member of the D.C. Federation of Civic Associations or the Federation of Citizens Associations of the District of Columbia.”.

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

“(c) Beginning November 30, 2019, the Mayor shall report annually to the Council regarding the waiver of fees pursuant to the Public Use of Public Buildings Amendment Act of 2017, enacted on July 31, 2017 (D.C. Act 22-130; 64 DCR 7652), and shall include the following information in the report:

“(1) The total amount of fees waived;

“(2) The amount of fees waived broken out by liability insurance, permit fees, custodial fees, and security fees; and

“(3) The types and number of organizations for which the fees were waived.”.

Sec. 1153. Section 225.12 of Title 24 of the District of Columbia Municipal Regulations is amended as follows:

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

(1) The lead-in language is amended by striking the phrase “permit fees” and inserting the phrase “any liability insurance requirement or permit, custodial, and security fee,” in its place.

(2) Subparagraph (1) is amended by striking the phrase “civic association” and inserting the phrase “civic association, Advisory Neighborhood Commission,” in its place.

(3) Subparagraph (3) is amended by striking the phrase “government;” and inserting the phrase “government, except for the costs of custodial and security services;” in its place.

(b) Paragraph (b)(3) is amended as follows:

(1) Designate the existing text as sub-subparagraph (i).

(2) The newly designated sub-subparagraph (i) is amended by striking the period and inserting the phrase “; or” in its place.

(3) A new sub-subparagraph (ii) is added to read as follows:

“(ii) A member of the D.C. Federation of Civic Associations or the Federation of Citizens Associations of the District of Columbia.”.

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. HISTORIC-ONLY PERMIT FEE REDUCTION

Sec. 2001. Short title.

This subtitle may be cited as the “Historic-Only Permit Fee Reduction Congressional Review Emergency Amendment Act of 2017”.

Sec. 2002. The chart set forth at section 101.1(a) of Title 12-M of the District of Columbia Municipal Regulations (12-M DCMR § 101.1(a)) is amended by inserting a new row after the row labeled “Grandstand” to read as follows:

“Historic-only permits	Permits issued pursuant to 12-A DCMR § 105.2.5	\$33
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SUBTITLE B. PUBLIC SERVANTS AND FIRST-RESPONDERS HOUSING INCENTIVE

Sec. 2011. Short title.

This subtitle may be cited as the “Public Servants and First-Responders Housing Incentive Congressional Review Emergency Amendment Act of 2017”.

Sec. 2012. The Government Employer-Assisted Housing Amendment Act of 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2501 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 42-2501) is amended by adding a new paragraph (4A) to read as follows:

“(4A) “First-responder” means a District of Columbia police officer, correctional officer, firefighter, paramedic, or emergency medical technician, or an individual who has accepted an offer of employment as a District of Columbia police officer, correctional officer, firefighter, paramedic, or emergency medical technician.”.

(b) Section 3 (D.C. Official Code § 42-2502) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “payment;” and inserting the phrase “payment pursuant to section 5;” in its place.

(2) Paragraph (2) is amended by striking the phrase “\$10,000; and” and inserting the phrase “\$20,000 pursuant to section 6;” in its place.

(3) Paragraph (3) is amended by striking the phrase “applicants.” and inserting the phrase “applicants pursuant to this act; and” in its place.

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

“(4) A grant of up to \$10,000, for first-responders pursuant to section 6a.”.

(c) Section 4 (D.C. Official Code § 42-2503) is amended as follows:

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

“(1) A District of Columbia government employee, an employee of a District of Columbia public charter school, a first-responder, or a person who has accepted an offer to be a District of Columbia public school teacher or public charter school teacher; and”.

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

“(d) Nothing in this act shall be construed to prohibit participation in the Home Purchase Assistance Program established by the Home Purchase Assistance Fund Act of 1978, effective September 12, 1978 (D.C. Law 2-103; D.C. Official Code § 42-2601 *et seq.*).”.

(d) Section 5 (D.C. Official Code § 42-2504) is amended as follows:

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

“(b) Except as provided in subsection (b-1) of this section, for each Participant in the Program who sets aside \$2,500 under an Agreement, the District shall obligate \$1,000 in the financial management system. The District shall match succeeding Participant saving increments of \$2,500 with a \$1,000 obligation until the District obligation totals \$5,000. Matching contributions by the District shall not exceed \$5,000 for any individual Participant. The District shall disburse its cash contribution at the time of settlement.”.

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

“(b-1) For each first-responder Participant in the Program who sets aside \$2,500 under an Agreement, the District shall obligate \$1,500 in the financial management system. The District shall match succeeding first-responder Participant saving increments of \$2,500 with a \$1,500 obligation until the District obligation totals \$15,000. Matching contributions by the District shall not exceed \$15,000 for any individual first-responder Participant. The District shall disburse its cash contribution at the time of settlement.”.

(e) Section 6(a) (D.C. Official Code § 42-2505(a)) is amended as follows:

(1) Strike the phrase “section 5(b)” and insert the phrase “section 5(b) or (b-1) and section 6a” in its place.

(2) Strike the phrase “up to \$10,000” and insert the phrase “up to \$20,000” in its place.

(f) A new section 6a is added to read as follows:

“Sec. 6a. First-responder grant.

“(a) In addition to the assistance provided in section 5(b-1) and section 6, the Department shall make available a grant of up to \$10,000 to provide financial assistance for the purchase of a housing unit to each first-responder who is a Participant.

“(b) In order to receive financial assistance for the purchase of a housing unit under this section, a first-responder Participant must agree to a 5-year service obligation, which shall begin at the date of settlement on the purchase of the housing unit, or, if the first-responder Participant is not yet a District employee on the date of settlement, on the first-responder’s first day of employment with the District.

“(c) The grant shall convert into a loan to be repaid by the Participant if:

“(1) Within 5 years after the date of settlement on the purchase of the housing unit, the housing unit is sold, transferred, or ceases to be the principal residence of the first-responder Participant; or

“(2) The first-responder Participant does not complete the 5-year service obligation required by subsection (b) of this section.”.

SUBTITLE C. HOUSING PRODUCTION TRUST FUND

Sec. 2021. Short title.

This subtitle may be cited as the “Housing Production Trust Fund Congressional Review Emergency Amendment Act of 2017”.

Sec. 2022. Section 3 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802), is amended as follows:

(a) Subsection (b)(10) is amended to read as follows:

“(10) Funds for the administration of the Fund, not to exceed 15% per fiscal year of the funds deposited into the Fund pursuant to subsection (c) of this section; and”.

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

“(e) Money in the Fund shall not be used in connection with any property identified in section 2(a) of the Historic Preservation of Derelict District Properties Act of 2016, effective March 11, 2017 (D.C. Law 21-223; 64 DCR 182).”.

SUBTITLE D. HOUSING PRESERVATION FUND ESTABLISHMENT

Sec. 2031. Short title.

This subtitle may be cited as the “Housing Preservation Fund Establishment Congressional Review Emergency Act of 2017”.

Sec. 2032. Housing Preservation Fund.

(a) There is established as a special fund the Housing Preservation Fund (“Fund”), which shall be administered by the Department of Housing and Community Development in accordance with subsections (c) and (d) of this section.

(b) In Fiscal Year 2018, \$10 million from local appropriations shall be deposited into the Fund.

(c) Money in the Fund shall be used to provide debt or equity to finance housing preservation activities, including acquisition bridge loans, predevelopment expenses, environmental remediation, critical repairs, and other activities necessary to preserve the affordability of housing units; provided, that for any property benefited by an expenditure of funds pursuant to this subsection, a covenant shall be recorded with respect to affordability, the terms and conditions of which shall be determined by the Mayor.

(d) Money in the Fund shall not be used to provide debt or equity to finance housing preservation activities involving any property identified in section 2(a) of the Historic Preservation of Derelict District Properties Act of 2016, effective March 11, 2017 (D.C. Law 21-223; 64 DCR 182).

(e)(1) The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

SUBTITLE E. ST. ELIZABETHS EAST CAMPUS REDEVELOPMENT FUND

Sec. 2041. Short title.

This subtitle may be cited as the “St. Elizabeths East Campus Redevelopment Fund Establishment Congressional Review Emergency Act of 2017”.

Sec. 2042. St. Elizabeths East Campus Redevelopment Fund.

(a) There is established as a special fund the St. Elizabeths East Campus Redevelopment Fund (“Fund”), which shall be administered by the Office of the Deputy Mayor for Planning and Economic Development in accordance with subsection (c) of this section.

(b)(1) Beginning with the tax year commencing October 1, 2018, through the tax year ending September 30, 2021, the Chief Financial Officer shall deposit into the Fund taxes, including penalties and interest, if any, collected pursuant to D.C. Official Code §§ 47-1005.01

and 47-2002 attributable to taxable payments or transactions generated from the St. Elizabeths East Campus Entertainment and Sports Arena Site in an amount not to exceed \$855,000 per fiscal year. Any taxes imposed with respect to possessory interest in the St. Elizabeths East Campus Entertainment and Sports Arena Site pursuant to D.C. Official Code § 47-1005.01 in excess of \$855,000 per fiscal year shall be abated.

(2) Beginning with the tax year commencing on October 1, 2021, the Chief Financial Officer shall deposit into the Fund all taxes, including penalties and interest, if any, collected pursuant to D.C. Official Code §§ 47-1005.01 and 47-2002 attributable to taxable payments or transactions generated from the St. Elizabeths East Campus Entertainment and Sports Arena Site for the period ending on the last day of the tax year that the Ground Lease is in effect, in accordance with the requirements of the Ground Lease.

(c)(1) The Fund shall be used solely to support the maintenance, operation, and construction activities on the St. Elizabeths East Campus Redevelopment Site.

(2) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Office of the Deputy Mayor for Planning and Economic Development may use funds from the Fund to award grants to recipients to further the purposes set forth in this subsection.

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

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

(e) For the purposes of this section, the term:

(1) "Ground Lease" means the lease entered into by and between the District of Columbia and the tenant for the St. Elizabeths East Campus Entertainment and Sports Arena Site.

(2) "St. Elizabeths East Campus Entertainment and Sports Arena Site" means that portion of the St. Elizabeths East Campus, located at 1100 Alabama Avenue, S.E., Washington, D.C., known for tax and assessment purposes as Lot 838, in Square 5868, Suffix S.

(3) "St. Elizabeth East Campus Redevelopment Site" means the real property known as Square 5868, Suffix S.

SUBTITLE F. LAND DISPOSITION TRANSPARENCY

Sec. 2051. Short title.

This subtitle may be cited as the "Land Disposition Transparency Congressional Review Emergency Amendment Act of 2017".

Sec. 2052. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended as follows:

(a) Subsection (b)(9) is amended by striking the phrase "with this resolution, unless" and inserting the phrase "with this resolution in accordance with subsection (b-1)(2) of this section, unless" in its place.

(b) A new subsection (b-5) is added to read as follows:

“(b-5)(1) Notwithstanding subsections (a-1)(4) and (b-2) of this section, for each of the following projects, the Mayor shall hold at least one public hearing on the finding that the real property is no longer required for public purposes before submitting the proposed surplus resolution and proposed disposition resolution to the Council:

- “(A) Franklin School (Ward 2);
- “(B) Grimke School (Ward 1);
- “(C) Parcel 42 (Ward 6);
- “(D) Water Front Station II (Ward 6);
- “(E) Crummell School (Ward 5);
- “(F) Truxton Circle (Ward 5);
- “(G) MLK Gateway (Ward 8);
- “(H) 1125 Spring Road, N.W. (Ward 4);
- “(I) 200 K Street, N.W. (Parking Deck) (Ward 6); and
- “(J) Northwest One (New Communities) (Ward 6).

“(2) The hearing required by paragraph (1) of this subsection shall be held at an accessible evening or weekend time and in an accessible location in the vicinity of the real property. The Mayor shall provide at least 30 days written notice of the public hearing to the affected Advisory Neighborhood Commission and publish notice of the hearing in the District of Columbia Register at least 15 days before the hearing.”.

SUBTITLE G. MARION S. BARRY SUMMER YOUTH EMPLOYMENT PROGRAM

Sec. 2061. Short title.

This subtitle may be cited as the “Marion S. Barry Summer Youth Employment Program Congressional Review Emergency Amendment Act of 2017”.

Sec. 2062. Section 2(a)(1) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)), is amended as follows:

(a) Subparagraph (A) is amended as follows:

(1) Sub-subparagraph (i) is amended to read as follows:

“(i) A summer youth jobs program to provide for the employment or training each summer of not fewer than 10,000 or more than 21,000 youth. Youth shall be 14 through 24 years of age on the date of enrollment in the program; provided, that the program shall provide employment or training each summer to no more than 900 youth ages 22 through 24 years of age on the date of enrollment.”.

(2) Sub-subparagraph (iv) is amended by striking the phrase “at no less than” and inserting the phrase “at an hourly rate equal to” in its place.

(b) Subparagraph (A-i) is amended to read as follows:

“(A-i) Registration for the summer youth jobs program shall occur annually.”.

**SUBTITLE H. BUSINESS LICENSE TECHNOLOGY FEE
REAUTHORIZATION**

Sec. 2071. Short title.

This subtitle may be cited as the “Business License Technology Fee Reauthorization Congressional Review Emergency Amendment Act of 2017”.

Sec. 2072. Section 500.4 of Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 500.4) is amended to read as follows:

“500.4 Starting on October 1, 2010, the Director shall charge an additional fee of ten percent (10%) on the total cost of each basic business license to cover the costs of enhanced technological capabilities of the basic business licensing system.”.

SUBTITLE I. WALTER REED OMNIBUS

Sec. 2081. Short title.

This subtitle may be cited as the “Walter Reed Omnibus Congressional Review Emergency Amendment Act of 2017”.

Sec. 2082. Section 5(4) of the Walter Reed Omnibus Act of 2016, effective May 18, 2016 (D.C. Law 21-119; D.C. Official Code § 2-1227.04(4)), is amended by striking the phrase “public utilities” and inserting the phrase “utility providers” in its place.

**SUBTITLE J. PUBLICLY ACCESSIBLE RENT CONTROL HOUSING
CLEARINGHOUSE**

Sec. 2091. Short title.

This subtitle may be cited as the “Publicly Accessible Rent Control Housing Clearinghouse Congressional Review Emergency Amendment Act of 2017”.

Sec. 2092. Section 203a of the Rental Housing Act of 1985, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 42-3502.03c), is amended as follows:

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

“(a) The Office of the Tenant Advocate (“OTA”), with the assistance of and in close consultation with the Department of Consumer and Regulatory Affairs, the Office of Tax and Revenue, the Rental Accommodations Division (“RAD”) of the Department of Housing and Community Development, the Housing Provider Ombudsman of the Department of Housing and Community Development, and the Office of the Chief Technology Officer, shall develop a demonstration project (“demonstration project”) to establish the initial framework of a user-friendly, Internet-accessible, and searchable database for the submission, management, and review of all documents and relevant data housing providers are required to submit to the RAD pursuant to title II of this act.”.

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

“(a-1) The Chief Tenant Advocate may contract to implement the database established by this section. Any contract under this section shall be in accordance with 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.*).”.

(c) Subsection (c)(20), is amended by striking the phrase “RAD” and inserting the phrase “OTA” in its place.

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

“(e) The demonstration project shall be completed within 2 years after the effective date of the Publicly Accessible Rent Control Housing Clearinghouse Amendment Act of 2017, enacted on July 31, 2017 (D.C. Act 22-130; 64 DCR 7652).”.

(e) Subsection (f) is repealed.

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

“(g) OTA shall report to the Council regarding the progress of the demonstration project on a quarterly basis. Following completion of the demonstration project, OTA shall prepare a final report that includes OTA’s recommendations for the development of a permanent rent control housing database.”.

SUBTITLE K. ADMINISTRATION OF HOUSING AUTHORITY REHABILITATION AND MAINTENANCE FUND

Sec. 2101. Short title.

This subtitle may be cited as the “District of Columbia Housing Authority Rehabilitation and Maintenance Fund Administration Congressional Review Emergency Amendment Act of 2017”.

Sec. 2102. Section 3(c-1) of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-202(c-1)), is amended as follows:

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

“(1) There is established as a special fund the DCHA Rehabilitation and Maintenance Fund (“R&M Fund”), which shall be administered by the Office of the Chief Financial Officer (“OCFO”). Once the Authority has provided documentation of planned encumbrances and expenditures consistent with the authorized uses of the R&M Fund, the OCFO shall advance funds to the Authority for use in accordance with paragraphs (3) and (4) of this subsection.”.

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

“(3) Money in the R&M Fund shall be used for maintenance, repair, and rehabilitation projects that will increase the availability of public housing units for existing District of Columbia residents listed on the Authority’s waitlist or prevent existing residents from being displaced.”.

(c) Paragraph (6) is amended as follows:

(1) The lead-in language is amended by striking the phrase “By January 1 and by July 1 of each year,” and inserting the phrase “By March 1 of each year,” in its place.

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

“(A) The number of vacant public housing units within the District, and, for each unit, the address and unit number, the needed repairs for the unit, and a budget for renovating the unit;”.

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

“(A-i) The number and location of units that were made available to new tenants during the prior year as a result of R&M Fund investments, including the number that were made available to existing District residents; and”.

(4) Subparagraph (B)(iii) is amended by striking the phrase “The number of residents” and inserting the phrase “The number of residents, if any,” in its place.

SUBTITLE L. COALITION FOR NONPROFIT HOUSING AND ECONOMIC DEVELOPMENT GRANT

Sec. 2111. Short title.

This subtitle may be cited as the “Coalition for Nonprofit Housing and Economic Development Grants Congressional Review Emergency Act of 2017”.

Sec. 2112. For Fiscal Year 2018, the Office of the Deputy Mayor for Planning and Economic Development shall award the Coalition for Nonprofit Housing and Economic Development a grant in the amount of \$200,000 to:

(1) Research current spending levels of District educational and medical institutions that have agreed to participate in the DC Anchor Partnership;

(2) Collect, research, and provide data analysis of priority purchasing categories based on expenditure data and supply firm data of District educational and medical institutions that have agreed to participate in the DC Anchor Partnership; and

(3) Provide any additional support to launch the DC Anchor Partnership.

SUBTITLE M. DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT COMPETITIVE GRANTS

Sec. 2121. Short title.

This subtitle may be cited as the “Department of Small and Local Business Development Competitive Grants Congressional Review Emergency Act of 2017”.

Sec. 2122. (a) In Fiscal Year 2018, the Department of Small and Local Business Development (“Department”) shall award a grant, on a competitive basis, in an amount not to exceed \$100,000, for a study to evaluate the circumstances under which insufficient market capacity of certified business enterprises results in a waiver of subcontracting requirements under section 2351 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.51)(“section 2351”). The study shall include:

(1) Data collection and analysis regarding the projects, and the goods or services that comprise the projects, for which a waiver was granted pursuant to section 2351;

(2) An explanation of how the Department understands and applies the term

“market capacity”; and

(3) Recommendations on ways to improve the market capacity of certified business enterprises for the type of projects, and the goods or services that comprise those projects, for which waivers have been routinely granted.

(b) Within 270 days after the effective date of this subtitle, the Department shall submit the study to the Council.

(c) For the purposes of this subtitle, the term “certified business enterprise” shall have the same meaning as provided in section 2302(1D) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)).

SUBTITLE N. WARD 7 AND WARD 8 ENTREPRENEUR GRANT FUND ESTABLISHMENT

Sec. 2131. Short title.

This subtitle may be cited as the “Ward 7 and Ward 8 Entrepreneur Grant Fund Establishment Congressional Review Emergency Act of 2017”.

Sec. 2132. Ward 7 and Ward 8 Entrepreneur Grant Fund.

(a) There is established as a special fund the Ward 7 and Ward 8 Entrepreneur Grant Fund (“Fund”), which shall be administered by the Department of Small and Local Business Development (“Department”) in accordance with subsections (c) and (d) of this section.

(b) In Fiscal Year 2018, \$300,000 from local appropriations shall be deposited into the Fund.

(c)(1) Money in the Fund shall be used to provide grants to support the establishment or expansion of small businesses in Ward 7 and Ward 8.

(2) No single grant shall exceed \$10,000.

(d)(1) To qualify for a grant, the proposed or existing small business shall have:

(A) A location in Ward 7 or Ward 8;

(B) Fewer than 5 full-time employees;

(C) Ward 7 or Ward 8 residents representing more than 50% of the ownership of the proposed or existing small business; and

(D) A clear and deliverable business plan demonstrating the proposed use of the grant.

(2) A grant shall support startup or expansion efforts, including product or service development, market research, customer development, licensing, prototyping, providing engineering design, leasing equipment, providing professional services, such as accounting, tax, and legal services or capital-asset management, or such other activity that the Department determines is consistent with the purposes of this section.

(e) The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

SUBTITLE O. GEORGIA AVENUE RETAIL PRIORITY AREA

Sec. 2141. Short title.

This subtitle may be cited as the “Georgia Avenue Retail Priority Area Congressional Review Emergency Amendment Act of 2017”.

Sec. 2142. Section 2(4) of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended to read as follows:

“(4) Ward 4 Georgia Avenue Retail Priority Area, consisting of the parcels, squares, and lots within or abutting the area bounded by a line beginning at the intersection of Euclid Street, N.W., and Georgia Avenue, N.W.; continuing north along Georgia Avenue, N.W., to Kenyon Street, N.W.; then continuing west along Kenyon Street, N.W., to Sherman Avenue, N.W.; then continuing north along Sherman Avenue, N.W., to New Hampshire Avenue, N.W.; then continuing northeast along New Hampshire Avenue, N.W., to Spring Road, N.W.; then continuing northwest along Spring Road, N.W., to 14th Street, N.W.; then continuing north along 14th Street, N.W., to Longfellow Street, N.W.; then continuing east along Longfellow Street, N.W., to Georgia Avenue, N.W.; then continuing north along Georgia Avenue, N.W., to Eastern Avenue, N.W.; then continuing southeast along Eastern Avenue, N.W., to Kansas Avenue, N.E.; then continuing southwest along Kansas Avenue, N.E., to Blair Road, N.W.; then continuing south along Blair Road, N.W., to North Capitol Street, N.E.; then continuing south along North Capitol Street, N.E., to Kennedy Street, N.W.; then continuing west along Kennedy Street, N.W., to Kansas Avenue, N.W.; then continuing southwest along Kansas Avenue, N.W., to Varnum Street, N.W.; then continuing east along Varnum Street, N.W., to 7th Street, N.W.; then continuing south along the center line of 7th Street, N.W., until the point where 7th Street, N.W., becomes Warder Street, N.W.; then continuing further south along Warder Street, N.W., to Kenyon Avenue, N.W.; then continuing west along Kenyon Avenue, N.W., to Georgia Avenue, N.W.; and then south on Georgia Avenue, N.W., to the beginning point;”.

SUBTITLE P. H STREET, N.E., RETAIL PRIORITY AREA CLARIFICATION

Sec. 2151. Short title.

This subtitle may be cited as the “H Street, N.E., Retail Priority Area Clarification Congressional Review Emergency Amendment Act of 2017”.

Sec. 2152. Section 4(g) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73(g)), is amended to read as follows:

“(g) There is established the Bladensburg Road, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of Holbrook Street, N.E., and Mount Olivet Road, N.E.; thence east on Mount Olivet Road, N.E.,

to Bladensburg Road, N.E.; thence south on Bladensburg Road, N.E., to 17th Street, N.E.; thence south on 17th Street, N.E., to H Street, N.E.; thence east on H Street, N.E., to 19th Street, N.E.; thence south on 19th Street, N.E., to Benning Road, N.E.; thence east on Benning Road, N.E., to Oklahoma Avenue, N.E.; continuing southwest along Oklahoma Avenue, N.E., to the center line of E Street, N.E.; continuing west on E Street, N.E., to the center line of 21st Street, N.E.; continuing north on 21st Street, N.E., to the center line of Gales Street, N.E.; thence northwest on Gales Street, N.E., to 15th Street, N.E.; thence west on G Street, N.E., to 14th Street, N.E.; thence north on 14th Street, N.E., to Florida Avenue, N.E.; thence west on Florida Avenue, N.E., to Holbrook Street, N.E.; thence north on Holbrook Street, N.E., to the point of beginning.”.

Sec. 2153. Section 4(c)(2) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.173(c)(2)), is amended to read as follows:

“(2) Frontage on a commercial corridor within the H Street, N.E., Retail Priority Area;”.

SUBTITLE Q. SURPLUS AND DISPOSITION NOTIFICATION

Sec. 2161. Short title.

This subtitle may be cited as the “Surplus and Disposition Notification Congressional Review Emergency Amendment Act of 2017”.

Sec. 2162. An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), is amended by adding a new section 1b to read as follows:

“Sec. 1b. Email notifications regarding the surplus and disposition of real property.

“(a) Within 180 days after the effective date of the Surplus and Disposition Notification Amendment Act of 2017, enacted on July 31, 2017 (D.C. Act 22-130; 64 DCR 7652), the Department of General Services (“DGS”), in coordination with the Deputy Mayor for Planning and Economic Development (“DMPED”), shall allow individuals to sign up, on the DGS website, to receive email notifications, pursuant to subsection (b) of this section, relating to the surplus and disposition of real property, within Advisory Neighborhood Commissions (“ANC”) selected by the individual.

“(b) DGS shall send an email notification to individuals who sign up under subsection (a) of this section within 2 days after the following events:

“(1) The Mayor publishes notice of a surplus hearing pursuant to section 1(a-1)(4), which shall describe:

“(A) The date, time, and location of the hearing; and

“(B) How a person who cannot attend the hearing can comment on the finding that the real property is no longer required for public purposes;

“(2) The introduction of a proposed resolution pursuant to section 1(a-1), which shall include a link to the website on the Council’s Legislative Information Management System about the proposed resolution;

“(3) The Council publishes notice of a hearing on a proposed resolution submitted by the Mayor pursuant to section 1(a-1), which shall describe:

“(A) The date, time, and location of the hearing; and

“(B) How a person who cannot attend the hearing can comment on the finding that the real property is no longer required for public purposes;

“(4) The Council’s approval, disapproval, or passive disapproval of a proposed resolution pursuant to section 1(a-1)(3);

“(5) The Mayor publishes notice of a public hearing pursuant to section 1(b-2) on a proposed disposition of District-owned property, which shall describe:

“(A) The date, time, and location of the hearing; and

“(B) How a person who cannot attend the hearing can comment on the finding that the real property is no longer required for public purposes;

“(6) The introduction of a proposed resolution pursuant to section 1(b), which shall include a link to the website on the Council’s Legislative Information Management System about the proposed resolution;

“(7) The Council publishes notice of a hearing on a proposed resolution submitted by the Mayor pursuant to section 1(b), which shall describe:

“(A) The date, time, and location of the hearing; and

“(B) How a person who cannot attend the hearing can comment on the finding that the real property is no longer required for public purposes;

“(8) The Council’s approval or disapproval, in whole or in part, or passive disapproval of a proposed resolution pursuant to section 1(c);

“(9) The introduction of a resolution seeking additional time for the disposition of a property pursuant to section 1(d), which shall include a link to the website on the Council’s Legislative Information Management System about the resolution; and

“(10) The Council’s approval, disapproval, or passive disapproval of a resolution seeking additional time for the disposition of a property pursuant to section 1(d).

“(c) All e-mail notifications issued pursuant to this section shall include:

“(1) The address of the District-owned property that is the subject of the event listed in subsection (b) of this section; and

“(2) The contact information for the DMPED Project Manager managing the District-owned property that is the subject of the event listed in subsection (b) of this section.”.

SUBTITLE R. ARCHIVES LOCATION

Sec. 2171. Short title.

This subtitle may be cited as the “Archives Location Prohibition Congressional Review Emergency Act of 2017”.

Sec. 2172. No operating, capital, contingency, or other District funds shall be used to construct or alter any structure located in Square 3574 for the purpose of serving as the District of Columbia Archives or District of Columbia Records Center, or for any use by the Secretary of the District of Columbia.

**SUBTITLE S. DISPOSAL OF ABANDONED AND DETERIORATED
PROPERTY**

Sec. 2181. Short title.

This subtitle may be cited as the “Disposal of Abandoned and Deteriorated Property Congressional Review Emergency Amendment Act of 2017”.

Sec. 2182. Section 433(a)(1) of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3171.03(a)(1)), is amended by striking the phrase “notice; or” and inserting the phrase “notice; and” in its place.

**SUBTITLE T. HISTORIC PRESERVATION OF DERELICT DISTRICT
PROPERTIES**

Sec. 2191. Short title.

This subtitle may be cited as the “Historic Preservation of Derelict District Properties Congressional Review Emergency Amendment Act of 2017”.

Sec. 2192. Section 2 of the Historic Preservation of Derelict District Properties Act of 2016, effective March 11, 2017 (D.C. Law 21-223; 64 DCR 182), is amended by adding new subsections (c-1) and (c-2) to read as follows:

“(c-1) Funds in the Housing Production Trust Fund, established pursuant to section 3 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802), and the Housing Preservation Fund, established by section 2032 of the Housing Preservation Fund Establishment Act of 2017, enacted on July 31, 2017 (D.C. Act 22-130; 64 DCR 7652), shall not be used in connection with any property identified in subsection (a) of this section.

“(c-2) No operating, capital, contingency, or other District funds shall be used for any purpose, including debt or equity financing, for any property identified in subsection (a) of this section; provided, that this prohibition shall not apply to the maintenance of the properties and stabilization of the improvements thereon; provided further, that this prohibition shall not apply to the execution of this act.”.

**SUBTITLE U. LOCAL RENT SUPPLEMENT PROJECT-BASED AND
SPONSOR-BASED FUNDING**

Sec. 2201. Short title.

This subtitle may be cited as the “Local Rent Supplement Project-Based and Sponsor-Based Funding Congressional Review Emergency Amendment Act of 2017”.

Sec. 2202. Section 26b(e) of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-227(e)), is amended to read as follows:

“(e)(1) Beginning in Fiscal Year 2019, and for each fiscal year thereafter, the Authority subsidy shall include an additional \$1 million for project-based and sponsor-based voucher assistance. This funding shall be in addition to any amount allocated for project-based and sponsor-based voucher assistance as of October 1, 2017.

“(2) In Fiscal Year 2018, the Authority shall issue a Notice of Funding Availability for the awarding of the additional funds for project-based and sponsor-based voucher assistance referenced in paragraph (1) of this subsection.”.

SUBTITLE V. RENTAL UNIT FEE INCREASE

Sec. 2211. Short title.

This subtitle may be cited as the “Rental Unit Fee Increase Congressional Review Emergency Amendment Act of 2017”.

Sec. 2212. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) Section 205(a-1) (D.C. Official Code § 42-3502.05(a-1)) is amended to read as follows:

“(a-1) If a housing provider comes into possession of a housing accommodation as a result of a transfer pursuant to section 402(c)(2) of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.02(c)(2)), then the housing provider shall be eligible for the exemption provided by subsection (a)(3) of this section only if the housing provider was eligible for the exemption at the time of the transfer.”.

(b) Section 401(a) (D.C. Official Code § 42-3504.01(a)) is amended to read as follows:

“(a)(1) Each housing provider required to register under this act, including those otherwise exempt from rental control and registration pursuant to section 205(a)(3), shall pay an annual rental unit fee of \$25 for each rental unit in a housing accommodation registered by the housing provider. The rental unit fee shall be:

“(A) Paid to the District government at the time the housing provider applies for a basic business license or a renewal of the basic business license, or in the case of a housing accommodation for which no basic business license is required, at the time and in the manner that the licensing agency may determine; and

“(B) Deposited as set forth in paragraph (2) of this subsection.

“(2) The first \$21.50 of each rental unit fee shall be deposited in the fund established pursuant to section 1(b) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01(b)). The remainder shall be deposited in the Rental Unit Fee Fund established by section 401a.”.

(c) A new section 401a is added to read as follows:

“Sec. 401a. Rental Unit Fee Fund.

“(a) There is established as a special fund the Rental Unit Fee Fund (“Fund”), which shall be administered by the Office of the Tenant Advocate in accordance with subsection (c) of this

section.

“(b) The source of revenue for the Fund shall be the fee charged to a housing provider pursuant to section 401(a), excluding \$21.50 of that fee, which shall be deposited in the fund established pursuant to section 1(b) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01(b)).

“(c) Money in the Fund shall be used solely to support the activities of the Office of the Tenant Advocate.

“(d) The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.”.

SUBTITLE W. DCRA INFRACTION FINE ADJUSTMENTS

Sec. 2221. Short title.

This subtitle may be cited as the “DCRA Infraction Fine Increase Congressional Review Emergency Amendment Act of 2017”.

Sec. 2222. The Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.*), is amended as follows:

(a) Sections 2 through 10c (D.C. Official Code §§ 6-1401 through 6-1412) are designated as Part A.

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

“Part B.

“Sec. 11. DCRA housing and building infractions fine; periodic adjustments.

“(a) Beginning on January 1, 2018, a fine amount listed in section 3201.1 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3201.1), when assessed for an infraction listed in sections 3301 through 3313 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3301 through 16 DCMR § 3313), shall be adjusted according to the most recent Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical area, as published by the United States Bureau of Labor Statistics.

“(b) Beginning on or after January 1, 2018, and on or after January 1 of every year thereafter, there shall be published in the District of Columbia Register a schedule of the fine amounts for each infraction listed in sections 3301 through 3313 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3301 through 16 DCMR § 3313), as adjusted according to the most recent Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical area, as published by the United States Bureau of Labor Statistics.”.

Sec. 2223. Section 3201 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3201) is amended by adding new subsections 3201.8 and 3201.9 to read as follows:

“3201.8 (a) Beginning on January 1, 2018, a fine amount listed in section 3201.1 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3201.1), when assessed for an infraction listed in sections 3301 through 3313 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3301 through 16 DCMR § 3313), shall be adjusted

according to the most recent Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical area, as published by the United States Bureau of Labor Statistics.

“(b) Beginning on or after January 1, 2018, and on or after January 1 of every year thereafter, there shall be published in the District of Columbia Register a schedule of the fine amounts for each infraction listed in sections 3301 through 3313 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3301 through 16 DCMR § 3313), as adjusted according to the most recent Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical area, as published by the United States Bureau of Labor Statistics.

“3201.9 The fine amounts for the following infractions shall be double the amounts provided in subsection 3201.01, after adjusting for inflation pursuant to subsection 3201.08:

“(a) 16 DCMR § 3305.1(a). Any flagrant, fraudulent, or willful violation by a housing provider of any of the Housing Regulations, Subtitle A of Title 14 DCMR, that constitutes an imminent danger to the health or safety of any tenant or occupant of a housing unit or housing accommodation, or that imminently endangers the health, safety, or welfare of the surrounding community including, but not limited to, the interruption of electrical, heat, gas, water, or other essential services when the interruption results from other than natural causes, or any successor Class 1 infraction for any flagrant, fraudulent, or willful violation by a housing provider of any of the Housing Regulations, Subtitle A of Title 14 DCMR, that constitutes an imminent danger to the health or safety of any tenant or occupant of a housing unit or housing accommodation, or that imminently endangers the health, safety, or welfare of the surrounding community;

“(b) 16 DCMR § 3305.1(b). Section 1 of An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, approved March 1, 1899 (30 Stat. 923; D.C. Official Code § 6-801) (failure to secure or repair an unsafe structure), or any successor Class 1 infraction for failure to secure or repair an unsafe structure;

“(c) 16 DCMR § 3305.1(c). Section 3 of An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, approved March 1, 1899 (30 Stat. 923; D.C. Official Code § 6-803) (attempting to repair after expiration of allowed period, or interfering with authorized agents), or any successor Class 1 infraction for attempting to repair after expiration of allowed period, or interfering with authorized agents;

“(d) 16 DCMR § 3305.1(d). Section 4 of An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, approved March 1, 1899 (30 Stat. 923; D.C. Official Code § 6-804) (allowing a nuisance to exist on any lot or parcel of land in the District of Columbia which affects the public health, comfort, safety, and welfare of citizens), or any successor Class 1 infraction for allowing a nuisance to exist on any lot or parcel of land in the District of Columbia which affects the public health, comfort, safety, and welfare of citizens;

“(e) 16 DCMR § 3305.1(q). 14 DCMR § 1201.1 (failure to maintain an office or agent in the District of Columbia), or any successor Class 1 infraction for failure to maintain an office or agent in the District of Columbia;

“(f) 16 DCMR § 3306.1.1(a). 12-A DCMR §§ 105.1, 105.1.1, and 105.1.3 (failure to obtain required permit; working without a required permit), or any successor Class 1 infraction for working without a required permit;

“(g) 16 DCMR § 3306.1.1(b). 12-A DCMR § 105.1 (work or conditions exceeding scope of permit), or any successor Class 1 infraction for exceeding scope of permit;

“(h) 16 DCMR § 3306.1.1(g). 12-A DCMR §§ 114.1, 114.1.1, 114.6, 114.7, and 114.9 (failure to comply with terms of a “Stop Work Order”), or any successor Class 1 infraction for failure to comply with terms of a “Stop Work Order”;

“(i) 16 DCMR § 3306.1.1(h). 12-A DCMR § 114.3 (unauthorized removal of a posted stop work order), or any successor Class 1 infraction for unauthorized removal of a posted stop work order;

“(j) 16 DCMR § 3306.1.1(i). 12-A DCMR § 115.5 (failure to comply with terms of posted “Unsafe Notice”), or any successor Class 1 infraction for failure to comply with terms of posted “Unsafe Notice”;

“(k) 16 DCMR § 3306.1.1(p). 12-A DCMR § 115.1 (allowing/creating unsafe structures, conditions or equipment), or any successor Class 1 infraction for allowing or creating an unsafe structure, condition, or equipment; and

“(l) 16 DCMR § 3306.1.1(q). 12-A DCMR § 115.3 (failure to comply with notice of unsafe structure or equipment), or any successor Class 1 infraction for failure to comply with notice of unsafe structure or equipment.”.

SUBTITLE X. PURCHASE CARD PROGRAM BUDGETING

Sec. 2231. Short title.

This subtitle may be cited as the “Purchase Card Program Budgeting Congressional Review Emergency Act of 2017”.

Sec. 2232. Beginning in Fiscal Year 2018, the Chief Financial Officer shall assign an individual agency-level code for transactions made pursuant to the Purchase Card Program, as defined in section 104(51) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.04(51)), in the District’s financial system. The agency-level code shall be used to track the operating budget for the District’s Purchase Card Program and any funds that are appropriated for that purpose.

SUBTITLE Y. PORTRAITS TRANSFER OF CUSTODY

Sec. 2241. Short title.

This subtitle may be cited as the “Historic Portrait Archival Congressional Review Emergency Amendment Act of 2017”.

Sec. 2242. Section 4 of the District of Columbia Public Records Management Act of 1985, effective September 5, 1985 (D.C. Law 6-19; D.C. Official Code § 2-1703), is amended by adding a new subsection (e) to read as follows:

“(e) Notwithstanding any other provision of this act, the Council shall maintain custody

of the following District property located at 1300 Naylor Court, N.W., as of June 1, 2016:

“(1) Each painted portrait of:

“(A) A District of Columbia Recorder of Deeds;

“(B) A Commissioner of the District of Columbia;

“(C) A Mayor of the District of Columbia;

“(D) A United States Senator or United States Representative; or

“(E) Benjamin Banneker.

“(2) Each sculpture of:

“(A) A Commissioner of the District of Columbia; or

“(B) A United States Senator or United States Representative.”.

SUBTITLE Z. DCRB FAIR CREDIT IN EMPLOYMENT

Sec. 2251. Short title.

This subtitle may be cited as the “DCRB Fair Credit in Employment Congressional Review Emergency Amendment Act of 2017”.

Sec. 2252. Section 211(d) of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1402.11(d)), is amended by adding a new paragraph (3A) to read as follows:

“(3A) To the District of Columbia Retirement Board;”.

SUBTITLE AA. WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY SAFETY REGULATION

Sec. 2261. Short title.

This subtitle may be cited as the “Washington Metropolitan Area Transit Authority Safety Regulation Congressional Review Emergency Amendment Act of 2017”.

Sec. 2262. The Washington Metropolitan Area Transit Authority Safety Regulation Act of 1997, effective September 23, 1997 (D.C. Law 12-20; D.C. Official Code § 9-1109.01 *et seq.*), is amended by adding a new section 8a to read as follows:

“Sec. 8a. Formation of a replacement independent interstate legal entity.

“(a) Notwithstanding any other provision of law and pursuant to the authority and subject to the requirements set forth in 49 U.S.C. § 5329, to enable the Metropolitan Washington Council of Governments (“COG”) to assist the District in the formation of an independent interstate legal entity to replace the Tristate Oversight Committee as the joint state oversight agency contemplated by this act, the Mayor is authorized to transfer funds by contract, grant, subgrant, or other available means to COG.

“(b) The authority under this section shall include the authority to transfer:

“(1) Federal funds received by the District for expenses related to the formation of the replacement independent interstate legal entity; and

“(2) Any matching funds required to be appropriated by the District in order to receive and spend such federal funds.

“(c) Any agreement or proposal to form an independent interstate legal entity to replace the joint state oversight agency authorized by this act shall be submitted to the Council for approval.”.

SUBTITLE BB. INTERIOR DESIGN REGULATION

Sec. 2271. Short title.

This subtitle may be cited as the “Interior Design Regulation Congressional Review Emergency Amendment Act of 2017”.

Sec. 2272. Section 105.3.10 of Title 12-A of the District of Columbia Municipal Regulations (12-A DCMR § 105.3.10) is amended to read as follows:

“105.3.10 Design Professional in Responsible Charge. All design for new construction work, alteration, repair, expansion, addition, or modification work involving the practice of professional architecture, which shall have the same meaning as the term “practice of architecture” in D.C. Official Code § 47-2853.61, shall be prepared only by an architect licensed by the District and work involving the practice of professional engineering, which shall have the same meaning as the term “practice of engineering” in D.C. Official Code § 47-2853.131, shall be prepared only by an engineer licensed by the District. All drawings, computations, and specifications required for a building permit application for such work shall be prepared by or under the direct supervision of a licensed architect or licensed engineer and shall bear the signature and seal of the architect or the engineer. Plans for non-structural alterations and repairs of a building, including the layout of interior spaces, which do not adversely affect any structural member or any part of the structure having a required fire resistance rating, or the public safety, health, or welfare, and which do not involve the practice of engineering as defined by applicable District of Columbia laws, shall be deemed to comply with this section when such plans are prepared, signed, and sealed by an interior designer licensed and registered in the District of Columbia in accordance with applicable District of Columbia laws.”.

SUBTITLE CC. PROTECTING PREGNANT WORKERS

Sec. 2281. Short title.

This subtitle may be cited as the “Protecting Pregnant Workers Fairness Congressional Review Emergency Amendment Act of 2017”.

Sec. 2282. The Protecting Pregnant Workers Fairness Act of 2014, effective March 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*), is amended as follows:

(a) Section 2(1) (D.C. Official Code § 32-1231.01(1)) is amended to read as follows:

“(1) “OHR” means the Office of Human Rights.”.

(b) Section 6 (D.C. Official Code § 32-1231.05) is amended as follows:

(1) The section heading is amended by striking the phrase “Department of Employment Services;” and inserting the phrase “Office of Human Rights;” in its place.

(2) Strike the phrase “The DOES” and insert the acronym “OHR” in its place.

(c) Section 7 (D.C. Official Code § 32-1231.06) is amended by striking the phrase “maintain an administrative action or a civil action.” and inserting the phrase “maintain an administrative action with OHR or a civil action in a court of competent jurisdiction within one year after the violation or discovery of the violation.” in its place.

(d) Section 8 (D.C. Official Code § 32-1231.07) is amended as follows:

(1) The section heading is amended by striking the acronym “DOES” and inserting the acronym “OHR” in its place.

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

“(a) An employee who claims that an employer has violated the employee's rights under this act and seeks redress may file a complaint with OHR.”

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

(A) The lead-in language is amended by striking the phrase “The DOES,” and inserting the phrase “OHR,” in its place.

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

“(3) If it is determined probable cause exists:

“(A) An attempt to resolve the complaint by conciliation as set forth under section 306 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1403.06);

“(B) If conciliation fails, certifying the case for a hearing before the Commission on Human Rights as set forth under section 310 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1403.10), or for matters involving the District government, forwarding the case to an independent hearing examiner as set forth under 4 DCMR § 116; and

“(C) A requirement that the hearing under this paragraph be conducted in accordance with Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*); and”.

(4) Subsection (c) is amended by striking the phrase “If DOES determines, after its hearing, that the employer has violated any provision of this act, DOES shall order the employer to provide affirmative remedies including:” and inserting the phrase “If the Commission on Human Rights or an independent hearing examiner determines, after the hearing, that the employer has violated any provision of this act, the Commission shall order or the independent hearing examiner shall recommend the employer to provide affirmative remedies, including:” in its place.

(5) Subsection (d)(1) is amended by striking the acronym “DOES” and inserting the acronym “OHR” in its place.

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

“(e) If an employer is determined to not be in compliance with this act, OHR may make a referral to licensing agencies as provided under section 317 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1403.17).”.

(e) Section 9 (D.C. Official Code § 32-1231.08) is amended to read as follows:

“Sec. 9. Judicial review.

“(a) A party contesting a determination of the Commission on Human Rights shall have the right to judicial review as provided by section 314 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1403.14).

“(b) A party contesting a final decision of the Director shall have the right to judicial review as provided by 4 DCMR § 121.”.

(f) Section 13(a) (D.C. Official Code § 32-1231.12(a)) is amended by striking the acronym “DOES” and inserting the phrase “an agency designated by the Mayor” in its place.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. DEPARTMENT OF FORENSIC SCIENCES ESTABLISHMENT

Sec. 3001. Short title.

This subtitle may be cited as the “Department of Forensic Sciences Establishment Congressional Review Emergency Amendment Act of 2017”.

Sec. 3002. The Department of Forensic Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.01 *et seq.*), is amended as follows:

(a) A new section 7a is added to read as follows:

“Sec. 7a. Department Laboratory Fund.

“(a) There is established as a special fund the Department of Forensic Sciences Laboratory Fund (“Fund”), which shall be administered by the Director in accordance with subsection (c) of this section.

“(b) Revenue from the following sources shall be deposited in the Fund:

“(1) Annual revenue transferred from the United States Department of Homeland Security for the BioWatch program; and

“(2) Fees collected for forensic science services provided by the Department.

“(c) Money in the Fund shall only be used to fund the expenses of the Department’s laboratories, including the funding of forensic science services, materials, non-grant funded research, equipment, laboratory staff, and trainings.

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

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

(b) Section 16(a) (D.C. Official Code § 5-1501.15(a)) is amended to read as follows:

“(a)(1) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act, including:

“(A) A fee schedule for environmental testing services provided by the Department, which may account for the provision of bulk services; and

“(B) A fee schedule for reasonable costs related to expert witness testimony provided by Department employees to entities not listed in section 7(b), including the cost of any preparation, travel, and related administrative functions; provided, that no fee shall be charged for costs related to expert witness testimony provided by Department employees:

“(i) Regarding services the Department provided pursuant to section 7(a) or (b); or

“(ii) When the employee would be testifying as an expert in a criminal case in a District of Columbia court.

“(2) The fee schedule established pursuant to paragraph (1)(A) of this subsection may be applied on a sliding scale based on a recipient’s ability to pay for the services.”.

SUBTITLE B. CHIEF MEDICAL EXAMINER

Sec. 3011. Short title.

This subtitle may be cited as the “Chief Medical Examiner Congressional Review Emergency Amendment Act of 2017”.

Sec. 3012. The Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1401 *et seq.*), is amended by adding a new section 2907a to read as follows:

“Sec. 2907a. Mass fatality management and response.

“(a) The OCME shall serve as the lead agency for the District’s mass fatality management and mass fatality incident response.

“(b) The CME shall create a District mass fatality management response plan.

“(c)(1) The CME may enter into, request, or provide assistance under a mutual aid agreement with states or local jurisdictions within the National Capital region or with the federal government for the purpose of mass fatality management or mass fatality incident response; provided, that any financial obligation created by a mutual aid agreement is consistent with the limitations under D.C. Official Code § 47-355.02, as determined by the General Counsel of OCME after consultation with the Office of the Attorney General and the Office of the Chief Financial Officer.

“(2) The CME may enter into a mutual aid agreement that creates a financial obligation for the District if there is clear legal and budgetary authority to do so, as determined by the General Counsel of OCME after a legal sufficiency review by the Office of the Attorney General and a budgetary authority review by the Office of the Chief Financial Officer.

“(3) Any requests by the CME for federal assistance shall be coordinated with the Mayor’s authorized representative, designated pursuant to 44 C.F.R. § 206.41(d).

“(d) For the purposes of this section, the term:

“(1) “Mass fatality incident” means a situation resulting in more human remains to be investigated, recovered, and examined than can be managed using District resources, or any other exceptional circumstance that results in the inability to process human remains under routine conditions.

“(2) “Mass fatality management” means the training of and cooperation among governmental and nongovernmental agencies, organizations, associations, and other entities to ensure the accomplishment of the following after a mass fatality incident:

“(A) The proper recovery, handling, identification, transportation, tracking, storage, and certification of cause and manner of death of victims; and

“(B) Facilitating access to mental and behavioral health services to family members, responders, and survivors.

“(3) “National Capital region” shall have the same meaning as provided in section 1(b)(1) of An Act Providing for a comprehensive development of the park and playground system of the National Capital, approved June 6, 1924 (43 Stat. 463; D.C. Official Code § 2-1001(b)(1)).”.

SUBTITLE C. AFFORDABLE EMERGENCY TRANSPORTATION AND PRE-HOSPITAL MEDICAL SERVICES

Sec. 3021. Short title.

This subtitle may be cited as the “Affordable Emergency Transportation and Pre-Hospital Medical Services Congressional Review Emergency Amendment Act of 2017”.

Sec. 3022. Section 3(a) of the Access to Emergency Medical Services Act of 1998, effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)), is amended as follows:

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

(b) New paragraphs (2) and (3) are added to read as follows:

“(2) Reimbursement for pre-hospital medical care and transport delivered pursuant to paragraph (1) of this subsection by the Fire and Emergency Medical Services Department (“Department”) or a third party contracted by the District to provide such services pursuant to section 1(b) of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401(b)), shall be at the fee rate authorized by the Council pursuant to section 502(a) of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law 1-124; D.C. Official Code § 5-416(a)).

“(3) This subsection shall not apply to any group health plan or multiple employer welfare arrangement to the extent the plan or arrangement is not subject to state insurance regulation under section 514 of the Employee Retirement Income Security Act of 1974, approved September 2, 1974 (88 Stat. 897; 29 U.S.C. § 1144).”.

Sec. 3023. Section 502 of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law 1-124; D.C. Official Code § 5-416), is amended by adding a new subsection (c) to read as follows:

“(c)(1) There is established as a special fund the Fire and Emergency Medical Services Department EMS Reform Fund (“Fund”), which shall be administered by the Fire and Emergency Medical Services Department in accordance with paragraph (3) of this subsection.

“(2) Revenue from the following sources shall be deposited in the Fund:

“(A) Fees collected under section 3(a)(2) of the Access to Emergency Medical Services Act of 1998, effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)); and

“(B) Monies in excess of the Fiscal Year 2016 revenue collected in accordance with this section.

“(3) The Fund shall be used for the purpose of reform and improvement of the delivery of emergency medical services in the District of Columbia.

“(4)(A) The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

Sec. 3024. Applicability.

This subtitle shall apply to all health benefit plans issued or renewed in the District 90 or more days after the effective date of the Affordable Emergency Transportation and Pre-Hospital Medical Services Amendment Act of 2017, enacted on July 31, 2017 (D.C. Act 22-130; 64 DCR 7652).

SUBTITLE D. NEIGHBORHOOD ENGAGEMENT ACHIEVES RESULTS

Sec. 3031. Short title.

This subtitle may be cited as the “Neighborhood Engagement Achieves Results Congressional Review Emergency Amendment Act of 2017”.

Sec. 3032. The Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended as follows:

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

“Sec. 101. Office of Neighborhood Safety and Engagement establishment.

“(a) There is established an Office of Neighborhood Safety and Engagement (“ONSE”). The ONSE shall include the following programs:

“(1) The Community Stabilization Program, which shall be transferred to the ONSE from the Office of the Deputy Mayor for Public Safety and Justice, along with all functions assigned, authorities delegated, positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available for the purposes of the program; and

“(2) The Safer, Stronger DC Community Partnerships Program, which shall be transferred to the ONSE from the Office of the Deputy Mayor for Health and Human Services, along with all functions assigned, authorities delegated, positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available for the purposes of the program.

“(b) The ONSE shall be responsible for:

“(1) Coordinating the District’s overall violence prevention strategy and programs, with a focus on utilizing public health approaches to respond to and prevent violence;

“(2) Identifying, recruiting, and engaging individuals determined to be at high risk of participating in, or being a victim of, violent crime;

“(3) Collaborating with other District agencies and nonprofit organizations to provide immediate wrap-around services to victims and families affected by violent crime;

“(4) Identifying priority neighborhoods and Metropolitan Police Department Police Service Areas (“PSAs”) with high trends of violent crime and connecting residents in those neighborhoods and PSAs to services through a streamlined approach;

“(5) Developing positive relationships with youth and young adults using recreational and other positive behavior reinforcement activities; and

“(6) Coordinating with District agencies and community-based organizations to develop programs that focus on employment and job-training opportunities for individuals residing in priority neighborhoods or PSAs or who are most at risk of participating in, or being a victim of, violent crime, including through the use of financial incentives for participation.

“(c) The ONSE shall be headed by an Executive Director who shall report to the Deputy Mayor for Public Safety and Justice. The Executive Director shall have at least 3 years of relevant experience in criminal justice and public health-based approaches to violence, including matters affecting the deterrence of violent criminal behavior.

“(d) Beginning on January 31, 2018, and by January 31 of each year thereafter, the ONSE shall provide a report to the Mayor and Council that excludes personally identifiable information and includes the following information from the reporting period and in the aggregate:

“(1) The number of individuals successfully recruited and engaged;

“(2) The duration of individuals’ participation;

“(3) The status of participants’ progress; and

“(4) The participants’ age, race or ethnicity, gender, and ward of residence.

“(e) The ONSE may apply for and receive grants and accept private donations to fund its program activities.

“(f) The ONSE shall have grant-making authority for the purpose of providing funds that seek to reduce and prevent violent crime. Grants made pursuant to this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).”.

(b) Section 102 (D.C. Official Code § 7-2412) is amended to read as follows:

“Sec. 102. Duties of the Executive Director.

“(a) The duties of the Executive Director shall include:

“(1) Identifying individuals who pose a high risk of participating in, or being a victim of, violent crime;

“(2) Recruiting such individuals, as feasible, to participate in programs incorporating mental or behavioral health counseling and that are designed to discourage violent crime;

“(3) Coordinating with District agencies to develop workforce development programming; and

“(4) Producing reports as required under section 101(d).

“(b)(1) The Executive Director shall ensure that any personally identifiable information that the ONSE collects or maintains concerning existing or potential participants in its programs remains confidential.

“(2) The Executive Director shall regularly conduct assessments and evaluations, to be performed by a qualified research entity, of outcomes for participants in ONSE programs.”.

(c) Section 103 (D.C. Official Code § 7-2413) is amended as follows:

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

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

(B) Paragraph (3) is amended by striking the phrase “the public; and” and inserting the phrase “public and private entities.” in its place.

(C) Paragraph (4) is repealed.

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

“(c) Money in the Fund shall be used to fund the activities of the ONSE, including:

“(1) Providing financial incentives to eligible participants, which may be issued by ONSE or an agency designated by the Mayor;

“(2) Providing grants to eligible community organizations; and

“(3) Appropriate overhead or administrative expenses related to the ONSE and the Fund.”.

(d) A new section 103a is added to read as follows:

“Sec. 103a. Rules.

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

SUBTITLE E. ACCESS TO JUSTICE

Sec. 3041. Short title.

This subtitle may be cited as the “Access to Justice Initiative Congressional Review Emergency Amendment Act of 2017”.

Sec. 3042. The Access to Justice Initiative Amendment Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1701.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 4-1701.01) is amended as follows:

(1) Paragraph (8) is amended by striking the phrase “associated with obtaining a law degree”.

(2) Paragraph (16) is amended by striking the phrase “for law school”.

(b) Section 201 (D.C. Official Code § 4-1702.01) is amended by striking the phrase “The Office of the Deputy Mayor for Public Safety and Justice” and inserting the phrase “The Office of Victim Services and Justice Grants” in its place.

(c) Section 202 (D.C. Official Code § 4-1702.02) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "Deputy Mayor" and inserting the phrase "Office of Victim Services and Justice Grants" in its place.

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

(A) Paragraph (1)(A) is amended by striking the phrase "Deputy Mayor" wherever it appears and inserting the phrase "Office of Victim Services and Justice Grants" in its place.

(B) Paragraph (3) is amended by striking the word "Deputy" and inserting the phrase "Office of Victim Services and Justice Grants" in its place.

(d) Section 301 (D.C. Official Code § 4-1703.01) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "Deputy Mayor" and inserting the phrase "Office of Victim Services and Justice Grants" in its place.

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

(A) Strike the phrase "Deputy Mayor" and insert the phrase "Office of Victim Services and Justice Grants" in its place.

(B) Strike the phrase "5%" and insert the phrase "10%" in its place.

(e) Section 401 (D.C. Official Code § 4-1704.01) is amended as follows:

(1) Subsection (b)(1) is amended by striking the phrase "Deputy Mayor" and inserting the phrase "Office of Victim Services and Justice Grants" in its place.

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

(A) Strike the phrase "Deputy Mayor" wherever it appears and insert the phrase "Office of Victim Services and Justice Grants" in its place.

(B) Paragraph (2) is amended by striking the phrase "fiscal year 2012" and inserting the phrase "Fiscal Year 2018" in its place.

(f) Section 402(b) (D.C. Official Code § 4-1704.02(b)) is amended by striking the phrase "associated with obtaining a law degree".

(g) Section 404(c) (D.C. Official Code § 4-1704.04(c)) is amended as follows:

(1) Strike the phrase "in excess of \$60,000, or".

(2) Strike the phrase "Deputy Mayor" and insert the phrase "Office of Victim Services and Justice Grants" in its place.

(h) Section 405 (D.C. Official Code § 4-1704.05) is amended as follows:

(1) Subsection (b) is amended by striking the phrase "subsection (c)" and inserting the phrase "subsections (c) and (d)" in its place.

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

"(d) For the purposes of this act, a participant who provides adequate notice to the Administrator of voluntary withdrawal from eligible employment shall be forgiven for the loan through the date of the voluntary withdrawal from eligible employment if the participant has satisfied the obligations under section 403 and this section for 3 or more years. The participant shall be required to repay the loan from the date of voluntary withdrawal from eligible employment through the end of the calendar year."

SUBTITLE F. CIVIL LEGAL COUNSEL PROJECTS

Sec. 3051. Short title.

This subtitle may be cited as the “Expanding Access to Justice Congressional Review Emergency Amendment Act of 2017”.

Sec. 3052. Definitions.

For the purposes of this subtitle, the term:

(1) “Bar Foundation” shall have the same meaning as provided in section 101(6) of the Access to Justice Initiative Amendment Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1701.01(6)).

(2) “Covered proceeding” means an actual or reasonably anticipated administrative or judicial proceeding in the District of Columbia to evict an eligible individual or group.

(3) “Designated legal services provider” means a nonprofit organization or clinical program headquartered in the District of Columbia that provides legal services under this subtitle.

(4) “Eligible individual or group” means a tenant or occupant, or group of tenants or occupants, residing in a rental unit in a housing accommodation in the District of Columbia, whose gross household income falls at or below 200% of the federal poverty guidelines issued by the United States Department of Health and Human Services, or an individual, family, or group of individuals seeking, receiving, or eligible for service from a program covered by section 3 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-754.01).

(5) “Housing accommodation” shall have the same meaning as provided in section 103(11) of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.03(11)).

(6) “Legal services” means representation of an eligible individual or group through the provision of advice or brief services, or representation in a covered proceeding, including limited scope representation.

(7) “Licensed legal professional” means:

- (A) A member of the District of Columbia Bar authorized to practice law;
- (B) A law student participating in an authorized, attorney-supervised clinical program through an accredited law school in the District of Columbia; or
- (C) A member of the bar of another jurisdiction who is legally permitted to appear and represent a specific client in a particular proceeding in the court or other forum in which the matter is pending.

(8) “Rental unit” shall have the same meaning as provided in section 103(16) of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.03(16)).

Sec. 3053. Civil legal counsel projects for eligible individuals or groups in covered proceedings.

(a) There is established the Civil Legal Counsel Projects Program (“Program”) for the purpose of providing legal services to eligible individuals or groups in eviction proceedings.

(b)(1) The Office of Victim Services and Justice Grants shall award a grant each fiscal year to the Bar Foundation for the purposes of the Bar Foundation administering the Program. Payment

of the award shall be submitted by October 15th of each fiscal year in the amount specified in an act of the Council.

(2) Paragraph (1) of this subsection shall not be used to supplant funds made available pursuant to section 301(a) of the Access to Justice Initiative Establishment Act of 2010, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 4-1703.01(a)), or section 401 of the Access to Justice Initiative Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 4-1704.01).

(c) The Bar Foundation shall:

- (1) Serve as the grant-managing entity for the Program; and
- (2) Adopt policies, procedures, guidelines, and requirements for the Program, including policies designed to permit designated legal service providers to limit representation to eligible individuals or groups in covered proceedings.

Sec. 3054. Requirements for designated legal service providers.

(a) The Bar Foundation shall only award subgrants to legal services providers that:

- (1) Are headquartered in the District of Columbia and maintain a practice of furnishing free legal services to individuals who cannot afford the services of a licensed legal professional;
- (2) Possess expertise in housing law, landlord-tenant law, or related experience in representing eligible individuals or groups in covered proceedings;
- (3) Demonstrate expertise in recognizing and responding to the multiple legal issues facing low-income residents of the District of Columbia; and
- (4) Possess adequate infrastructure and expertise to provide consistent, high-quality oversight, training, evaluation, and strategic responses to emerging or changing needs in the client communities served.

(b) Nothing in this section requires designated legal services providers to serve eligible individuals or groups in covered proceedings beyond the provider's contractual agreement to the Bar Foundation under this subtitle.

Sec. 3055. Financial audit and reporting requirements.

(a) The Bar Foundation shall provide the Council with:

- (1) An annual financial audit of its activities prepared by a certified public accountant licensed in the District of Columbia and carried out in accordance with generally accepted auditing standards; provided, that the audit may be conducted as part of the Bar Foundation's annual audit;
- (2) Biannual reporting that includes the following information:
 - (A) The gender, race, ethnicity, and age of eligible individuals served;
 - (B) The election ward of residence of eligible individuals served;
 - (C) The incomes of eligible individuals served;
 - (D) Legal services provided to eligible individuals; and

(E) A list of designated legal services providers and the amount of grant funding provided to each, including how the grant funding is used by each designated legal services provider; and

(3) Annual programmatic reporting that includes:

(A) An evaluation of the performance of each designated legal services provider;

(B) The legal outcomes for each eligible individual or group served;

(C) An evaluation of implementation challenges and recommendations for future improvements; and

(D) An assessment of unmet legal needs in the provision of legal services for covered proceedings.

Sec. 3056. Other criminal and civil proceedings.

This subtitle shall not be construed to negate, alter, or limit any right to counsel in any civil or criminal action or proceeding otherwise provided by District or federal law or regulation.

SUBTITLE G. OFFICE OF OPEN GOVERNMENT ESTABLISHMENT

Sec. 3061. Short title.

This subtitle may be cited as the “Office of Open Government Budget Authority Congressional Review Emergency Amendment Act of 2017”.

Sec. 3062. Section 207(a) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.07(a)), is amended as follows:

(a) Strike the phrase “The Director of Government Ethics” and insert the phrase “The Director of Government Ethics and the Director of Open Government” in its place.

(b) Strike the phrase “necessary for the operation of the Ethics Board for the year” and insert the phrase “necessary for the operation of their respective offices for the year” in its place.

SUBTITLE H. OFFICE OF THE ATTORNEY GENERAL LITIGATION SUPPORT FUND AND ATTORNEY GENERAL RESTITUTION FUND

Sec. 3071. Short title.

This subtitle may be cited as the “Office of the Attorney General Litigation Support Fund and Attorney General Restitution Fund Congressional Review Emergency Amendment Act of 2017”.

Sec. 3072. The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.81 *et seq.*), is amended as follows:

(a) Section 106b(d)(3) (D.C. Official Code § 1-301.86b(d)(3)) is amended by striking the phrase “\$3 million” both times it appears and inserting the phrase “\$5 million” in its place.

(b) A new section 106c is added to read as follows:

“Sec. 106c. Attorney General Restitution Fund.

“(a) There is established as a special fund the Attorney General Restitution Fund (“Fund”), which shall be administered by the Office of the Attorney General (“OAG”) in accordance with subsections (c) and (d) of this section.

“(b) Revenue from the following awards shall be deposited into the Fund:

“(1) Awards of restitution for property lost or damages suffered by consumers made under a court order, judgment, or settlement in any action or investigation under D.C. Official Code § 28-3909(a); and

“(2) Awards on behalf of an aggrieved employee made under a court order, judgment, or settlement in any action or investigation under section 6(a)(2)(A)(iii) of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1306(a)(2)(A)(iii)).

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

“(1) The payment of awards as required by a court order, judgment, or settlement in an action or investigation OAG conducts under D.C. Official Code § 28-3909(a) or section 6(a)(2)(A)(iii) of an Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1306(a)(2)(A)(iii)); and

“(2) The payment of costs and expenses related to maintaining the Fund, including costs associated with the claims process described in subsection (e) of this section.

“(d) Before the OAG authorizes any payments from the Fund to an individual under this section, the Office of the Chief Financial Officer shall determine whether the individual owes any amount to the District and deduct the amount owed from the award to the individual, if any.

“(e)(1) Upon receipt of revenue resulting from an award under this section, OAG shall conduct a claims procedure to:

“(A) Locate each person entitled to receive an award; and

“(B) Distribute the awarded amounts to these individuals, minus any amounts deducted under subsection (d) of this section.

“(2) At the conclusion of the claims procedure under paragraph (1) of this subsection or the time period for payment designated by a court order, judgment, or settlement, and if not otherwise directed by the court order, judgment, or settlement, OAG may apply any part of the award to the costs and expenses related to maintaining the Fund and conducting the claims process under subsection (c)(2) of this section.

“(3) After paragraphs (1) and (2) of this subsection have been completed, any excess funds remaining from the award shall be treated as unclaimed property pursuant to the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-287; D.C. Official Code § 41-101 *et seq.*).

“(f)(1) The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

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

“(g) The Attorney General, pursuant to Title I of the District of Columbia Administrative

Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this section.

“(h) On an annual basis, the Office of the Inspector General shall conduct an audit of the income and expenditures of the Fund and shall submit the audit to the Attorney General, the Mayor, and the Council.”.

SUBTITLE I. REPEAL OF TREATMENT INSTEAD OF JAIL FOR CERTAIN NON-VIOLENT DRUG OFFENDERS INITIATIVE

Sec. 3081. Short title.

This subtitle may be cited as the “Treatment Instead of Jail for Certain Non-Violent Drug Offenders Initiative Congressional Review Emergency Amendment Act of 2017”.

Sec. 3082. The Treatment Instead of Jail for Certain Non-Violent Drug Offenders Initiative of 2002, effective June 5, 2003 (D.C. Law 14-308; D.C. Official Code § 24-751.01 *et seq.*), is repealed.

SUBTITLE J. CHIEF OF POLICE LEAVE AND RETIREMENT MODIFICATIONS

Sec. 3091. Short title.

This subtitle may be cited as the “Leave and Retirement Modifications for Chief of Police Peter Newsham Congressional Review Emergency Amendment Act of 2017”.

Sec. 3092. Section 1061 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1988 (D.C. Law 12-124; D.C. Official Code § 1-610.61), is amended as follows:

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

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

“(b) Notwithstanding subsection (a) of this section, Peter Newsham, while serving as Chief of Police, shall earn leave under section 1203, consistent with the leave he earned as a member of the Metropolitan Police Department based upon his years of service immediately before his appointment as Chief of Police.”.

Sec. 3093. Section 12(h) of the Policemen and Firemen’s Retirement and Disability Act, approved August 21, 1957 (71 Stat. 395; D.C. Official Code § 5-712), is amended by adding a new paragraph (7A) to read as follows:

“(7A) Notwithstanding paragraph (1) of this subsection, at the time that Chief of Police Peter Newsham voluntarily retires or is otherwise separated from the Metropolitan Police Department, he shall be entitled to an annuity computed at 80% of his average highest base pay for 24 consecutive months.”.

SUBTITLE K. COMPREHENSIVE YOUTH JUSTICE TECHNICAL AMENDMENTS

Sec. 3101. Short title.

This subtitle may be cited as the “Comprehensive Youth Justice Congressional Review Emergency Amendment Act of 2017”.

Sec. 3102. Section 101(a)(3) of the Attorney General for the District of Columbia Certification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.81(a)(3)), is amended by striking the phrase “By October 1, 2018,” and inserting the phrase “By October 1, 2017,” in its place.

Sec. 3103. Section 104(15) of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.04(15)), is amended by striking the phrase “Within 180 days after the effective date of the Comprehensive Youth Justice Amendment Act of 2016, passed on 2nd reading on November 1, 2016 (Enrolled version of Bill 21-683),” and inserting the phrase “Within 180 days after the effective date of the Comprehensive Youth Justice Amendment Act of 2017, enacted on July 31, 2017 (D.C. Act 22-130; 64 DCR 7652),” in its place.

SUBTITLE L. EMERGENCY MEDICAL SERVICES DIRECTOR

Sec. 3111. Short title.

This subtitle may be cited as the “Emergency Medical Services Director Congressional Review Emergency Amendment Act of 2017”.

Sec. 3112. Section 3a of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, effective April 15, 2008 (D.C. Law 17-147; D.C. Official Code § 5-404.01), is amended by adding a new subsection (c-1) to read as follows:

“(c-1) The requirements in subsections (b)(3) and (c) of this section shall not apply to Medical Director Robert Holman, confirmed by the Council pursuant to the Fire and Emergency Medical Services Department Medical Director Robert Holman Confirmation Emergency Resolution of 2017, passed on emergency basis on June 27, 2017 (Res. 22-169; 64 DCR ____).”.

TITLE IV. PUBLIC EDUCATION

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS

Sec. 4001. Short title.

This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools Congressional Review Emergency Amendment Act of 2017”.

ENROLLED ORIGINAL

Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2903 *et seq.*), is amended as follows:

(a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase “\$9,682 per student for fiscal year 2017” and inserting the phrase “\$10,257 per student for Fiscal Year 2018” in its place.

(b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following tabular array in its place:

“

“Grade Level	Weighting	Per Pupil Allocation in FY 2018
“Pre-Kindergarten 3	1.34	\$13,744
“Pre-Kindergarten 4	1.30	\$13,334
“Kindergarten	1.30	\$13,334
“Grades 1-5	1.00	\$10,257
“Grades 6-8	1.08	\$11,078
“Grades 9-12	1.22	\$12,514
“Alternative program	1.44	\$14,770
“Special education school	1.17	\$12,001
“Adult	0.89	\$9,129

”.

(c) Section 106 (D.C. Official Code § 38-2905) is amended as follows:

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

“(a-1) Pursuant to section 106a, supplemental allocations shall be provided on the basis of the count of students identified as at-risk.”.

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

“(c) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

“Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018

ENROLLED ORIGINAL

"Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,949
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$12,308
"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$20,206
"Level 4: Special Education	More than 24 hours per week of specialized services, which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$35,797
"Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.069	\$708
"Attorney's Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney's fees.	0.089	\$913
"Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$17,129

"General Education Add-ons:

ENROLLED ORIGINAL

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
"ELL	Additional funding for English Language Learners.	0.49	\$5,026
"At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$2,246

"Residential Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
"Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.368	\$3,775
"Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.337	\$13,714

ENROLLED ORIGINAL

"Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	\$29,653
"Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non-English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	\$29,653
"LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	\$6,852

"Special Education Add-ons for Students with Extended School Year ("ESY") Indicated in Their Individualized Education Programs ("IEPs"):

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018

ENROLLED ORIGINAL

"Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$646
"Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.227	\$2,328
"Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.491	\$5,036
"Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.491	\$5,036

..

(d) Section 109 (D.C. Official Code § 38-2908) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "(b) and (b-1)" and inserting the phrase "(b), (b-1), and (b-2)" in its place.

(2) Subsection (b-1) is amended by striking the phrase "and succeeding fiscal years".

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

(A) Paragraph (2) is amended by striking the phrase "and succeeding fiscal years".

(B) New paragraphs (2A), (2B), (2C), and (2D) are added to read as follows:

"(2A) For Fiscal Year 2018:

ENROLLED ORIGINAL

“(A) The non-residential per pupil facility allowance for Public Charter Schools shall be \$ 3,193; and

“(B) The residential per pupil facility allowance for Public Charter Schools shall be \$ 8,621.

“(2B) For Fiscal Year 2019, the per pupil facility allowance for Public Charter Schools shall be \$ 3,263.

“(2C) For Fiscal Year 2020, the per pupil facility allowance for Public Charter Schools shall be \$ 3,335.

“(2D) For Fiscal Year 2021, and succeeding fiscal years, the per pupil facility allowance for Public Charter Schools shall be \$ 3,408.”.

(C) Paragraph (3) is amended by striking the phrase “(1) and (2)” and inserting the phrase “(1), (2), (2A), (2B), (2C), and (2D)” in its place.

Sec. 4003. (a) It is the intent of this subtitle that the increase in the District of Columbia Public Schools appropriation in Fiscal Year 2018 resulting from the increase to the Uniform Per Student Funding Formula in Fiscal Year 2018 shall be used for instructional staffing and support provided directly in public schools.

(b) For District of Columbia Public Schools, no more than \$30,200,000 of the Fiscal Year 2018 increase to the Uniform Per Student Funding Formula foundation level over the Fiscal Year 2017 foundation level, effectuated by section 4002, shall be used in Fiscal Year 2018 to satisfy compensation terms required by a collective bargaining agreement that becomes effective in Fiscal Year 2018.

SUBTITLE B. CHILD AND YOUTH, SAFETY AND HEALTH OMNIBUS

Sec. 4011. Short title.

This subtitle may be cited as the “Child and Youth, Safety and Health Omnibus Congressional Review Emergency Amendment Act of 2017”.

Sec. 4012. The Criminal Background Checks for the Protection of Children Act of 2004, effective April 13, 2005 (D.C. Law 15-353; D.C. Official Code § 4-1501.01 *et seq.*), is amended as follows:

(a) Section 202(3) (D.C. Official Code § 4-1501.02(3)) is amended by striking the phrase “any private entity that contracts with” and inserting the phrase “any private entity that is licensed by or contracts with” in its place.

(b) Section 206(a) (D.C. Official Code § 4-1501.06(a)) is amended by striking the phrase “including those of private entities that contract with the District to provide direct services to children or youth and that are under the contractual purview of the agency” and inserting the phrase “including those of private entities that are covered child or youth services providers and that are licensed by or under the contractual purview of the agency” in its place.

SUBTITLE C. CHILD DEVELOPMENT FACILITIES FUND

Sec. 4021. Short title.

This subtitle may be cited as the “Child Development Facilities Fund Congressional Review Emergency Amendment Act of 2017”.

Sec. 4022. The Child Development Facilities Regulation Act of 1998, effective April 13, 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031 *et seq.*), is amended by adding a new section 7a to read as follows:

“Sec. 7a. Child Development Facilities Fund.

“(a) There is established as a special fund the Child Development Facilities Fund (“Fund”), which shall be administered by the Office of the State Superintendent of Education in accordance with subsection (c) of this section.

“(b) Revenue from all payments, fees, and fines collected pursuant to this act shall be deposited in the Fund.

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

“(1) To fund activities regulating child development facilities, including the enforcement and monitoring activities concerning the licensure of child development facilities, pursuant to this act; and

“(2) Appropriate overhead and administrative expenses related to the Fund.

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

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

SUBTITLE D. PUBLIC CHARTER SCHOOL ASSETS AND FACILITIES PRESERVATION

Sec. 4031. Short title.

This subtitle may be cited as the “Public Charter School Assets and Facilities Preservation Congressional Review Emergency Amendment Act of 2017”.

Sec. 4032. Section 2213a of the District of Columbia School Reform Act of 1995, effective March 14, 2007 (D.C. Law 16-268; D.C. Official Code § 38-1802.13a), is amended as follows:

(a) Subsection (b) is amended by striking the phrase “with section 48 of the Nonprofit Corporation Act and”.

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

(1) The lead-in language is amended by striking the phrase “require that” and inserting the phrase “provide that” in its place.

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

“(B) The corporation’s assets shall be distributed pursuant to a plan of distribution that is in accordance with subsection (d) of this section.”.

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

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

(A) The lead-in language is amended by striking the phrase “The chartering authority” and inserting the phrase “Following completion of the closeout audit described in paragraph (3) of this subsection, the chartering authority” in its place.

(B) Subparagraph (A) is amended by striking the word “assets” and inserting the phrase “unencumbered assets” in its place.

(C) Subparagraph (C) is amended to read as follows:

“(C) Distributing the corporation’s remaining assets in accordance with this section.”.

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

(A) Subparagraph (A) is amended to read as follows:

“(A) Provide either that:

“(i) All tangible personal property purchased with District funds, including funds received pursuant to the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), and any assets remaining after satisfaction of the corporation’s debts and the use of assets authorized in subsection (f) of this section shall be transferred or conveyed to the District of Columbia, to be controlled by and subject to the disposition instructions of the Office of the State Superintendent of Education and used solely for educational or similar purposes; or

“(ii) The assets described in sub-subparagraph (i) of this subparagraph, including cash, shall be transferred to another charter school in a transaction overseen by the chartering authority if the acquiring school agrees to enroll the closing school’s students at the start of the following school year; and”.

(B) Subparagraph (B) is amended as follows:

(i) Strike the word “Be” and insert the phrase “Notwithstanding subparagraph (A) of this paragraph, be” in its place.

(ii) Strike the phrase “existing creditor agreements and” and insert the phrase “existing creditor agreements, grant agreements, and” in its place.

(3) Paragraph (3) is amended by striking the phrase “feasible,” and inserting the phrase “feasible upon notice of an event described in subsection (a) of this section,” in its place.

(4) Paragraph (4) is amended by striking the phrase “or the District of Columbia” and inserting the phrase “, the District of Columbia, or a charter school that acquires a corporation’s assets pursuant to this section” in its place.

SUBTITLE E. ACADEMIC CERTIFICATION AND TESTING FUND

Sec. 4041. Short title.

This subtitle may be cited as the “Academic Certification and Testing Fund Congressional Review Emergency Amendment Act of 2017”.

ENROLLED ORIGINAL

Sec. 4042. Section 3(c)(1) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(c)(1)), is amended by striking the word “nonlapsing” and inserting the word “special” in its place.

SUBTITLE F. POSTSECONDARY AND CAREER GRANT-MAKING

Sec. 4051. Short title.

This subtitle may be cited as the “Postsecondary and Career Grant-Making Authority Congressional Review Emergency Amendment Act of 2017”.

Sec. 4052. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

(a) Paragraph (27) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (28) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new paragraph (29) is added to read as follows:

“(29) Have the authority to issue grants, from funds under its administration, to District of Columbia public schools or public charter schools, local education agencies, institutions of higher education, nonprofit organizations, and other education service providers to increase access to postsecondary and career education opportunities, including:

“(A) Programs implementing career and technical education;

“(B) SAT or ACT preparation programs;

“(D) Dual enrollment programs; and

“(D) Programs focused on a successful transition to college and careers.”.

SUBTITLE G. HEALTHY TOTS

Sec. 4061. Short title.

This subtitle may be cited as the “Healthy Tots Congressional Review Emergency Amendment Act of 2017”.

Sec. 4062. Section 4073a of the Healthy Tots Act of 2014, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 38-282.01), is amended as follows:

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

(1) Strike the phrase “are eligible” and insert the phrase “are eligible for at least 6 continuous months” in its place.

(2) Strike the phrase “unless OSSE grants it an exemption” and insert the phrase “unless the facility is exempt pursuant to subsection (a-1) of this section or OSSE grants the facility a hardship exemption” in its place.

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

“(a-1) Subsection (a) of this section shall not apply to a child development facility that is on the U.S. Department of Agriculture (“USDA”) CACF Program National Disqualification List

for the period of time that the child development facility is on the USDA CACF Program National Disqualification List.”.

(c) Subsection (b) is amended by striking the phrase “an exemption, a child development facility must provide OSSE with a written statement describing why participation in the CACF Program constitutes a hardship” and inserting the phrase “a hardship exemption, a child development facility must provide OSSE with a written statement describing why participation in the CACF Program constitutes a hardship, and provide OSSE documentation demonstrating that the child development facility is in compliance with the current CACF Program Meal Patterns” in its place.

(d) Subsection (c) is repealed.

SUBTITLE H. PATRICIA R. HARRIS FACILITY EXCLUSIVE USE

Sec. 4071. Short title.

This subtitle may be cited as the "UDC Patricia R. Harris Facility Exclusive Use Congressional Review Emergency Amendment Act of 2017".

Sec. 4072. Section 422 of the University of the District of Columbia Expansion Act of 2010, effective April 8, 2011 (D.C. Law 18-370; D.C. Official Code § 10-507.01, note), is amended as follows:

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

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

“(b) Subsection (a) of this section shall not apply if the Mayor submits to the Council a proposed resolution pursuant to section 1(b) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b)), to dispose of the Patricia R. Harris Educational Center School building that contains a provision to lease or sublease space in the building to the University of the District of Columbia and such resolution is approved by the Council.”.

SUBTITLE I. DPR PARKS ADOPTION AND SPONSORSHIP

Sec. 4081. Short title.

This subtitle may be cited as the “DPR Parks Adoption and Sponsorship Congressional Review Emergency Amendment Act of 2017”.

Sec. 4082. Section 5 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-304), is amended as follows:

(a) Subsection (b) is repealed.

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

“(c) The Department may enter into a written agreement with a BID corporation, as defined in section 3(4) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(4)) (“BID act”), to authorize the BID corporation to:

ENROLLED ORIGINAL

“(1) Perform maintenance and operations of Franklin Square Park, upon its transfer or lease to the District from the National Park Service, Yards Park, Canal Park, and parks within the NoMa Improvement Association BID, as defined by section 207 of the BID act (D.C. Official Code § 2-1215.57); and

“(2) Enter into contracts, including contracts for concessions and programs, with third parties to generate revenue to fund the maintenance and operations of the parks identified in paragraph (1) of this subsection.

“(d) The Department may make a grant in accordance with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), to a BID corporation for maintenance and operations of the parks identified in subsection (c)(1) of this section.”.

SUBTITLE J. MY SCHOOL DC TRANSFER

Sec. 4091. Short title.

This subtitle may be cited as the “My School DC Transfer Congressional Review Emergency Amendment Act of 2017”.

Sec. 4092. The Department of Education Establish Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191 *et seq.*), is amended as follows:

(a) Section 205(a)(1) (D.C. Official Code § 38-194(a)(1)) is amended by striking the phrase “Department of Education” both times it appears and inserting the phrase “Office of the State Superintendent of Education” in its place.

(b) Section 206(a) (D.C. Official Code § 38-195(a)) is amended by striking the phrase “Deputy Mayor for Education” and inserting the phrase “State Superintendent of Education” in its place.

Sec. 4093. Section 4122 of the My School DC EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 38-196.01), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “Deputy Mayor for Education” and inserting the phrase “State Superintendent of Education” in its place.

(b) Subsection (f) is amended by striking the phrase “Deputy Mayor for Education” and inserting the phrase “State Superintendent of Education” in its place.

Sec. 4094. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by adding a new paragraph (4A) to read as follows:

“(4A) Administer the common lottery system for admission to public schools in the District of Columbia;”.

SUBTITLE K. ACCESS TO QUALITY CHILD CARE FUND ESTABLISHMENT

Sec. 4101. Short title.

This subtitle may be cited as the “Access to Quality Child Care Fund Establishment Congressional Review Emergency Act of 2017”.

Sec. 4102. Definitions.

For the purposes of this subtitle, the term:

(1) “Child development facility” means a center, home, or other structure that provides care and other services, supervision, and guidance for children, infants, and toddlers on a regular basis, regardless of its designated name. The term “child development facility” does not include a public or private elementary or secondary school engaged in legally required educational and related functions or a pre-kindergarten education program licensed pursuant to the Pre-K Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.01 *et seq.*).

(2) “Infant” means an individual younger than 12 months of age.

(3) “Operator” means an individual or entity that owns or is responsible for the operations of a child development facility.

(4) “OSSE” means the Office of the State Superintendent of Education, established by section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601).

(5) “Subsidized child care” means part-time or full-time child care services, subsidized in whole or in part to eligible families pursuant to local and federal law, including sections 5a and 6 of the Day Care Policy Amendment Act of 1998, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code §§ 4-404.01 and 4-405), and the Child Care and Development Block Grant Act of 2014, approved November 19, 2014 (128 Stat. 1971; 42 U.S.C. § 9858, note).

(6) “Toddler” means an individual older than 12 months but younger than 36 months of age.

Sec. 4103. Access to Quality Child Care Fund.

(a) There is established as a special fund the Access to Quality Child Care Fund (“Fund”), which shall be administered by the Office of the State Superintendent of Education in accordance with section 4104 and subsection (c) of this section.

(b) There shall be deposited into the Fund:

(1) In Fiscal Year 2018, \$11 million from local appropriations; and

(2) Private donations, gifts, and grants.

(c) Money in the Fund shall be used to provide grants or contracts to fund the following activities that expand access to child care:

(1) Improving the supply of child care services for infants and toddlers, which may include establishing new or expanding existing child development facilities serving infants and toddlers; provided, that at least 50% of amounts expended pursuant to this paragraph are used to improve the supply of child care services for infants and toddlers eligible for subsidized child care;

(2) Supporting the costs of certification, higher education, and credentialing of child development facility staff;

(3) Providing technical assistance and training to child development facility operators to support compliance with the licensure process or efficient and effective operations;

(4) Evaluating and assessing the availability, quality, and willingness of child development facility operators to expand services for infants and toddlers in the District and conducting studies authorized pursuant to the Child Care Study Act of 2017, effective August 1, 2017 (D.C. Law 22-11; 64 DCR 5610); and

(5) Carrying out other activities as determined by OSSE related to expanding access to infant and toddler child care and improving the quality of child care services provided in the District.

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

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

Sec. 4104. Access to quality child care grant-making authority.

(a) Except as provided in subsection (b) of this section, the Office of the State Superintendent of Education shall award funds from the Access to Quality Child Care Fund available pursuant to section 4103(c)(1), on a competitive basis, as grants to:

(1) Organizations that provide child care services to infants and toddlers to open child development facilities;

(2) Existing child development facilities to expand available space to serve infants and toddlers; or

(3) Organizations that provide child care services to carry out other activities necessary to expand access to child care and improve the quality of child care services provided in the District consistent with the findings of the evaluation and studies conducted pursuant to section 4103(c)(4).

(b)(1) The OSSE may award a grant or contract to a single nonprofit organization that does not provide child care services to infants and toddlers; provided, that:

(A) The grantee or contractor has a proven track record of success in grant-making related to child development facilities;

(B) The grantee or contractor agrees to use 90% of OSSE's award to award subgrants to organizations that provide child care services, for the purposes of expanding child care services in accordance with the terms of this section;

(C) The grantee or contractor agrees to undergo an annual audit and submit quarterly reports to OSSE on its financial health and its use of the OSSE award; and

(D) The grantee or contractor has a proven track record in providing financing and investment approaches and technical assistance in child development facility financing and development.

(2) A grant or contract awarded pursuant to this subsection shall be awarded for a term of at least 2 years, subject to the availability of funding.

(3)(A) The grantee or contractor shall award subgrants for terms of at least 2 years, subject to the availability of funding.

(B) All subgrants of District funds shall be awarded on a competitive basis.

(C) Subgrants shall be awarded for the following purposes:

(i) Improving the supply of child care services for infants and toddlers, which may include establishing new, renovating existing, or expanding child development facilities serving infants and toddlers; or

(ii) Carrying out other activities necessary to expand access to child care and improving the quality of child care services provided in the District consistent with the findings of the evaluation and studies conducted pursuant to section 4103(c)(4).

(c) At least 50% of amounts awarded under this section shall be used to improve the supply of child care services for infants and toddlers eligible for subsidized child care.

(d) The OSSE may not award a grant or contract under this section in excess of \$1 million during a 12-month period, either singularly or cumulatively, unless the grant is first submitted to the Council for approval, in accordance with section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), or by act.

Sec. 4105. The Child Care Services Assistance Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-220; D.C. Official Code § 7-2001 *et seq.*), is repealed.

Sec. 4106. Section 5 of the Child Care Study Act of 2017, effective August 1, 2017 (D.C. Act 22-11; 64 DCR 5610), is amended to read as follows:

“Sec. 5. The OSSE shall submit the studies required in section 3 and section 4 to the Council no later than August 1, 2018.”.

SUBTITLE L. SPECIAL EDUCATION ENHANCEMENT FUND

Sec. 4111. Short title.

This subtitle may be cited as the “Special Education Enhancement Fund Congressional Review Emergency Amendment Act of 2017”.

Sec. 4112. Section 7g of the State Education Office Establishment Act of 2000, effective March 10, 2015 (D.C. Law 20-196; D.C. Official Code § 38-2613), is amended by adding a new subsection (c-1) to read as follows:

“(c-1) (1) The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

**SUBTITLE M. OFFICE OF STATE SUPERINTENDENT OF EDUCATION
EARLY LITERACY GRANT PROGRAM**

Sec. 4121. Short title.

This subtitle may be cited as the “Office of the State Superintendent of Education Early Literacy Grant Program Congressional Review Emergency Amendment Act of 2017”.

Sec. 4122. Section 3(b)(24) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(24)), is amended by striking the phrase “competitive grant program” and inserting the phrase “competitive, multiyear grant program, subject to available funding,” in its place.

**SUBTITLE N. OFFICE OF OUT OF SCHOOL TIME GRANTS AND YOUTH
OUTCOMES**

Sec. 4131. Short title.

This subtitle may be cited as the “Office of Out of School Time Grants and Youth Outcomes Congressional Review Emergency Amendment Act of 2017”.

Sec. 4132. Section 5 of the Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016, effective April 7, 2017 (D.C. Law 21-261; 64 DCR 2090), is amended as follows:

(a) Subsection (b)(1) is amended by striking the phrase “paragraph (2)” and inserting the phrase “paragraphs (2) and (3)” in its place.

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

“(3) The Office may award grants to nonprofit organizations for the purpose of providing training or technical assistance to the Commission or to nonprofit organizations that provide out-of-school time programs.”.

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

“(e) Except for grants supporting out-of-school time summer programs, grants awarded under subsection (b)(1) of this section shall be for terms of at least 3 years, subject to the availability of funding.”.

**SUBTITLE O. OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
REPORTING REQUIREMENTS**

Sec. 4141. Short title.

This subtitle may be cited as the “Office of the State Superintendent of Education Reporting Requirements Congressional Review Emergency Amendment Act of 2017”.

Sec. 4142. Section 10(e) of the Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-409(e)), is repealed.

Sec. 4143. [Reserved.]

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Sec. 4144. Section 202(d) of the Attendance Accountability Amendment Act of 2013, effective June 23, 2015 (D.C. Law 21-12; D.C. Official Code § 38-236(d)), is amended by striking the date “October 1” and inserting the date “December 15” in its place.

Sec. 4145. The Pre-k Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.01 *et seq.*), is amended as follows:

(a) Section 103(e) (D.C. Official Code § 38-271.03(e)) is amended by striking the date “September 15” and inserting the date “December 30” in its place.

(b) Section 104 (D.C. Official Code § 38-271.04) is amended by striking the date “September 30” and inserting the date “December 30” in its place.

(c) Section 105(a) (D.C. Official Code § 38-271.05(a)) is amended by striking the date “September 30” and inserting the date “December 30” in its place.

Sec. 4146. Section 15c of the District of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312.03), is amended by striking the date “May 9” and inserting the date “July 31” in its place.

Sec. 4147. Section 303 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-823.03), is amended by striking the date “June 30” and inserting the date “September 30” in its place.

Sec. 4148. Section 116(a) of the Protection of Students with Disabilities Amendment Act of 2008, effective March 20, 2009 (D.C. Law 17-304; D.C. Official Code § 38-2561.16(a)), is amended by striking the phrase “to the Council”.

Sec. 4149. Section 112(a)(2) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2911(a)(2)), is amended by striking the date “2016” and inserting the date “2017” in its place.

SUBTITLE P. PER CAPITA DISTRICT OF COLUMBIA PUBLIC SCHOOL AND PUBLIC CHARTER SCHOOL FUNDING AMENDMENT

Sec. 4151. Short title.

This subtitle may be cited as the “Per Capita District of Columbia Public School and Public Charter School Funding Congressional Review Emergency Amendment Act of 2017”.

Sec. 4152. The District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.01 *et seq.*), is amended as follows:

(a) Section 2402 (D.C. Official Code § 38-1804.02) is amended as follows:

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

(A) The lead-in language is amended to read as follows:

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“(b) COLLECTION OF ENROLLMENT FIGURES. — Not later than October 15 of each year, the Office of the State Superintendent of Education shall collect the following from local education agencies:”.

(B) Paragraphs (2), (4), and (6) are repealed.

(C) Paragraph (7) is amended by striking the semicolon at the end and inserting the phrase “; and” in its place.

(D) Paragraph (8) is repealed.

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

“(c) ANNUAL REPORTS. — Not later than December 31 of each year, the Office of the State Superintendent of Education shall transmit to the Mayor and the Council, and make publicly available, a report on the verified enrollment of each local education agency, disaggregated by the categories of students identified in subsection (b) of this section, and an explanation of the systems, procedures, and methodology used to verify enrollment pursuant to subsection (d) of this section.”.

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

“(d) VERIFICATION OF STUDENT ENROLLMENT. — The Office of the State Superintendent of Education shall:

“(1) Verify the accuracy of the local education agencies’ enrollment figures provided pursuant to subsections (a) and (b) of this section;

“(2) Determine the amount of fees and tuition assessed and collected from the nonresident students described in subsection (b) of this section; and

“(3) Fund the verification solely from amounts appropriated to the Office of the State Superintendent of Education for staff, stipends, and non-personal services of the Office of the State Superintendent of Education by an act making appropriations for the District of Columbia.”.

(b) Section 2403 (D.C. Official Code § 38-1804.03) is amended as follows:

(1) Subsection (a)(2)(E) is amended by striking the phrase “audited enrollment” and inserting the phrase “verified enrollment” in its place.

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

(A) Paragraph (3) is amended by striking the phrase “audited enrollment” and inserting the phrase “verified enrollment” in its place.

(B) Paragraph (4) is amended by striking the phrase “audited actual enrollment” both times it appears and inserting the phrase “verified actual enrollment” in its place.

Sec. 4153. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-270; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

(a) Section 107 (D.C. Official Code § 38-2906) is amended as follows:

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

(A) Strike the date “2012” and insert the date “2018” in its place.

(B) Strike the phrase “audited enrollment” and insert the phrase “verified enrollment” in its place.

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

“(d)(1) The student counts reported by October 15 of each year shall be verified by the Office of the State Superintendent of Education, which shall also determine the number of students whose tuition for enrollment in other school systems is paid for by funds available to the District of Columbia public schools and the amount of fees and tuition assessed and collected from nonresident students enrolled in local education agencies.

“(2) The verification shall cover the information required by section 2402 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.02), and shall be transmitted to the Mayor and the Council, and made publically available, no later than December 31 of each year. Until the verification is transmitted, the unverified October count shall serve as the basis for quarterly payments.”.

(b) Section 107b (D.C. Official Code § 38-2906.02) is amended as follows:

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

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

(i) Strike the phrase “unaudited October enrollment” and insert the phrase “unverified October enrollment” in its place.

(ii) Strike the phrase “on October 5” and insert the phrase “by October 15” in its place.

(B) Paragraph (3) is amended as follows:

(i) Strike the phrase “unaudited October enrollment” and insert the phrase “unverified October enrollment” in its place.

(ii) Strike the phrase “on October 5” and insert the phrase “by October 15” in its place.

(C) Paragraph (4) is amended by striking the phrase “audited October enrollment” and inserting the phrase “verified October enrollment” in its place.

(2) Subsection (c) is amended by striking the word “audit” both times it appears and inserting the word “verification” in its place.

TITLE V. HEALTH AND HUMAN SERVICES

SUBTITLE A. TANF CHILD BENEFIT PROTECTION

Sec. 5001. Short title.

This subtitle may be cited as the “TANF Child Benefit Protection Congressional Review Emergency Amendment Act of 2017”.

Sec. 5002. The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

(a) Section 205 (D.C. Official Code § 4-202.05) is amended by adding a new subsection (e) to read as follows:

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

rules to implement the provisions of the TANF Child Benefit Protection Amendment Act of 2017, enacted on July 31, 2017 (D.C. Act 22-130; 64 DCR 7652).”.

(b) Section 511b (D.C. Official Code § 4-205.11b) is repealed.

(c) Section 518(e) (D.C. Official Code § 4-205.18(e)) is amended by striking the phrase “act.” and inserting the phrase “act; provided, that no sanction under this title, or regulations implementing this title, shall exceed 6% of the assistance unit’s TANF benefits.” in its place.

(d) Section 519f (D.C. Official Code § 4-205.19f) is amended by adding a new subsection (g) to read as follows:

“(g)(1) For the purposes of this subsection, an assistance unit’s TANF benefits shall consist of the following portions:

“(A) 80% is designated for the child or children of the assistance unit; and

“(B) 20% is designated for the adult member or members of the assistance unit.

“(2) No sanction under this title, or regulations implementing this title, shall reduce the portion of an assistant unit’s TANF benefits that is designated for the child or children of the assistance unit.

“(3) The Department of Human Services shall impose a 30% reduction of the portion of the assistance unit’s TANF benefits designated for the adult member or members of the assistance unit when a TANF recipient is found to be in noncompliance with this title, or regulations implementing this title.”.

(e) Section 552 (D.C. Official Code § 4-205.52) is amended as follows:

(1) Subsection (c-2) is repealed.

(2) Subsection (c-3) is repealed.

(f) Section 553(a) (D.C. Official Code § 4-205.53(a)) is amended by striking the phrase “made erroneously, or if he or she finds that the recipient’s circumstances have altered sufficiently to warrant such action” and inserting the phrase “made erroneously, if the recipient’s circumstances have altered sufficiently to warrant such action, or if the recipient has not timely completed the recertification process” in its place.

SUBTITLE B. CFSA REPORTING REQUIREMENTS

Sec. 5021. Short title.

This subtitle may be cited as the “CFSA Reporting Requirements Congressional Review Emergency Amendment Act of 2017”.

Sec. 5022. Section 105 of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16–69; D.C. Official Code § 4–251.05), is amended by striking the phrase “No later than January 1 of each year, beginning in 2007” and inserting the phrase “No later than February 28th of each year, beginning in 2018” in its place.

Sec. 5023. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

(a) Section 374(b)(3) (D.C. Official Code § 4-1303.74(b)(3)) is amended by striking the phrase “Beginning January 31, 2014, and every January 31st thereafter” and inserting the phrase “Beginning February 28, 2018, and every February 28th thereafter” in its place.

(b) Section 384(b)(1) (D.C. Official Code § 4-1303.84(b)(1)) is amended as follows:

(1) Subparagraph (C) is amended by striking the phrase “Beginning on January 31, 2018, and every January 31st thereafter” and inserting the phrase “Beginning on February 28, 2018, and every February 28th thereafter” in its place.

(2) Subparagraph (D) is amended by striking the phrase “By January 31, 2018, and every January 31st thereafter” and inserting the phrase “By February 28, 2018, and every February 28th thereafter” in its place.

Sec. 5024. Section 107 of the Newborn Safe Haven Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-158; D.C. Official Code § 4-1451.07), is amended by striking the phrase “January 1, 2011, and on January 1 of each year thereafter” and inserting the phrase “January 31, 2018, and on January 31st of each year thereafter” in its place.

SUBTITLE C. DEPARTMENT OF HEALTH CARE FINANCE GRANT- MAKING

Sec. 5031. Short title.

This subtitle may be cited as the “Department of Health Care Finance Grant-Making Congressional Review Emergency Amendment Act of 2017”.

Sec. 5032. The Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-771.01) is amended by adding a new paragraph (4A) to read as follows:

“(4A) “Director” means the Director of the Department of Health Care Finance.”.

(b) A new section 8a is added to read as follows:

“Sec. 8a. Grant authority.

“(a)(1) For Fiscal Year 2018, the Director shall:

“(A) Award 4 grants of at least \$50,000 to facilitate the development and application of telehealth services to:

“(i) Health care providers located in Wards 7 and 8; and

“(ii) Residents located in Wards 7 and 8;

“(B) Award 2 grants of at least \$75,000 to facilitate the development and application of telehealth services to homeless shelters or public housing projects; and

“(C) Award a grant of \$250,000 to a college of pharmacy located in the District to create and maintain a medication-assisted treatment genomic registry.

“(2) In awarding grants pursuant to paragraph (1)(A) of this subsection, the Director shall consider the following:

“(A) Promoting telehealth in specialty areas of medicine, including ophthalmology, obstetrics, and endocrinology; and

“(B) Expanding the application of telehealth to public schools, patient homes, and skilled nursing facilities.

“(b) By April 1, 2018, the Director shall submit a report to the Secretary to the Council on all grants issued pursuant to subsection (a) of this section.

“(c) All grants issued pursuant to subsection (a) of this section shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

“(d) The Director may set forth health outcome measures for all grants issued pursuant to subsection (a) of this section.

“(e) For the purposes of this section, the term:

“(1) “Health-care provider” shall have the same meaning as provided in section 3(4) of the Health-Care Decisions Act of 1988, effective March 16, 1989 (D.C. Law 7-189; D.C. Official Code § 21-2202(4)).

“(2) “Medication-assisted treatment genomic registry” means a central location for the submission of genetic test information that health care providers can use in the provision of medication assisted treatment, clinical decision support for induction, stabilization, and maintenance treatment, and genomic-guided medication therapy management for opioid addiction.

“(3) “Telehealth” shall have the same meaning as provided in section 2(4) of the Telehealth Reimbursement Act of 2013, effective October 17, 2013 (D.C. Law 20-26; D.C. Official Code § 31-3861(4)).”.

SUBTITLE D. MEDICAL ASSISTANCE PROGRAM

Sec. 5041. Short title.

This subtitle may be cited as the “Medical Assistance Program Congressional Review Emergency Amendment Act of 2017”.

Sec. 5042. Section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02(a)), is amended by adding a new paragraph (11) to read as follows:

“(11) Review and approval by the Council of the Fiscal Year 2018 Budget and Financial Plan shall constitute the Council review and approval required by paragraph (2) of this subsection of any amendment, modification, or waiver of the state plan required to:

“(A) Continue a provider fee on District Medicaid hospitals for in-patient services;

“(B) Continue a supplemental payment to District Medicaid hospitals for outpatient services;

“(C) Update the payment methodology and rates for fee-for-service providers;

“(D) Renew and amend the Intellectual and Developmental Disabilities waiver;

“(E) Make changes to the health homes program; and

“(F) Make changes to mental health rehabilitation services.”.

SUBTITLE E. SCHOOL-BASED BEHAVIORAL HEALTH COMPREHENSIVE PLAN

Sec. 5051. Short title.

This subtitle may be cited as “School-Based Behavioral Health Comprehensive Plan Congressional Review Emergency Amendment Act of 2017”

Sec. 5052. Section 203 of the Early Childhood and School-Based Behavioral Health Infrastructure Act of 2012, effective June 7, 2012 (D.C. Law 19-141; D.C. Official Code § 2-1517.32), is amended as follows:

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

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

“(b)(1) The Mayor shall not alter the school-based behavioral health programs and services model for the 2017-2018 school year.

“(2) There is established a Task Force on School Mental Health (“Task Force”) to steer the creation of a comprehensive plan to expand school-based behavioral health programs and services. The Task Force shall consist of the following:

“(A) The Deputy Mayor for Health and Human Services or his or her designee;

“(B) The Deputy Mayor for Education or his or her designee;

“(C) The Director of the Department of Behavioral Health or his or her designee;

“(D) The State Superintendent of Education or his or her designee;

“(E) A Department of Behavioral Health school mental health program clinician appointed by the Chairperson of the Committee on Health, in consultation with committee members;

“(F) The Chairperson of the Committee on Health or his or her designee;

“(G) The Chairperson of the Committee on Education or his or her designee;

“(H) A Department of Behavioral Health school mental health program clinician appointed by the Mayor;

“(I) A representative of a core service agency appointed by the Mayor;

“(J) A non-core service agency school mental health provider appointed by the Mayor;

“(K) A District of Columbia Public Schools representative appointed by the Mayor;

“(L) A parent of a District of Columbia Public Schools student and a parent of a District of Columbia public charter school student appointed by the Chairperson of the Committee on Education, in consultation with committee members;

“(M) A non-core service agency school mental health provider appointed by the Chairperson of the Committee on Education, in consultation with committee members;

“(N) A District of Columbia public charter school representative appointed by the Chairperson of the Committee on Education, in consultation with committee members;

“(O) A representative of a core service agency appointed by the Chairperson of the Committee on Health, in consultation with committee members; and

“(P) A school mental health expert appointed by the Chairperson of the Committee on Health, in consultation with committee members.

“(3) The Task Force shall review the comprehensive plan submitted to the Committee on Health and the Committee on Education on May 9, 2017, by the Deputy Mayor for Health and Human Services (“Deputy Mayor”).

“(4) By February 9, 2018, the Task Force shall provide a report to the Council and the Mayor that includes the following:

“(A) An evaluation of the comprehensive plan submitted under paragraph (3) of this subsection, including the following:

“(i) Any shortcomings or defects in the plan;

“(ii) An analysis of healthcare provider interest in participating in the plan;

“(iii) An analysis of healthcare provider capacity to participate in the plan; and

“(iv) District of Columbia Public Schools and District of Columbia public charter schools interest in participating in the plan;

“(B) An analysis of the school mental health programs and providers currently operating in District of Columbia Public Schools and District of Columbia public charter schools, including best practices;

“(C) An analysis of the Department of Behavioral Health’s current school mental health program (“SMHP”) to determine what schools participate in the SMHP and what activities occur across the schools, including an analysis of available Department of Behavioral health data, such as the following:

“(i) The number of psychiatric admits for children by school;

“(ii) The number of children with an individualized education plan; and

“(iii) Existing SMHP data for the number of sessions and number of clients per school;

“(D) A comprehensive plan to expand school-based behavioral health programs and services, which shall include:

“(i) The Task Force’s proposed changes to the Deputy Mayor’s comprehensive plan under paragraph (3) of this subsection;

comprehensive plan;

“(ii) A timeline for implementation of the Task Force’s

“(iii) A funding source for the Task Force’s comprehensive plan;

“(iv) A workforce development strategy;

“(v) The District-wide need for school-based behavioral health

programs and services; and

“(vi) Evaluation criteria to determine the common metrics all school mental health providers should collect so indicators of success may be reported across providers.”.

SUBTITLE F. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL PAYMENT

Sec. 5061. Short title.

This subtitle may be cited as the "Medicaid Hospital Outpatient Supplemental Payment Congressional Review Emergency Act of 2017".

Sec. 5062. Definitions.

For the purposes of this subtitle, the term:

- (1) “Department” means the Department of Health Care Finance.
- (2) “Hospital” shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but excludes any hospital operated by the federal government.
- (3) “Hospital system” means any group of hospitals licensed separately, but operated, owned, or maintained by a common entity.
- (4) “Medicaid” means the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.
- (5) “Outpatient gross patient revenue” means the amount calculated in accordance with generally accepted accounting principles for hospitals that is reported as the sum of Lines 18 and 19; Column 2; Worksheet G-2 of the Hospital and Hospital Health Care Complex Cost Report (Form CMS 2552-10), filed for the period ending between October 1, 2014, and September 30, 2015.

Sec. 5063. Hospital Provider Fee Fund.

(a) There is established as a special fund the Hospital Provider Fee Fund ("Fund"), which shall be administered by the Department in accordance with subsections (c) and (d) of this section.

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

- (1) Fees collected under this subtitle; and
- (2) Interest and penalties collected under this subtitle.
- (c) Money in the Fund may only be used for the following purposes:
 - (1) Making Medicaid outpatient hospital access payments to hospitals as required under section 5066;
 - (2) Payment of administrative expenses incurred by the Department or its agent in performing the activities authorized by this subtitle in an amount not to exceed \$150,000 annually; and
 - (3) Providing refunds to hospitals pursuant to section 5065.
- (d) Money in the Fund may not be used to replace money appropriated to the Medicaid program.
- (e)(1) The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.
- (2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 5064. Hospital provider fee.

(a) Beginning October 1, 2017, and subject to section 5065, the District may charge each hospital a fee based on its outpatient gross patient revenue. The fee shall be charged at a uniform rate necessary to generate the following:

- (1) An amount equal to the non-federal share of the total available spending room under the outpatient Medicaid upper payment limit for private hospitals applicable to District Fiscal Year ("DFY") 2018 consistent with the federal approval of the authorizing Medicaid State Plan amendment; plus
- (2) An amount equal to the non-federal share of the total available spending room under the outpatient Medicaid upper payment limit for District operated hospitals applicable to DFY 2018 consistent with the federal approval of the authorizing Medicaid State Plan amendment; plus
- (3) An amount equal to the Department's administrative expenses as described in section 5063(c)(2).

(b) A psychiatric hospital that is an agency or a unit of the District government is exempt from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this section.

Sec. 5065. Applicability of fees.

(a) The fee imposed by section 5064 shall not be due and payable until such time that the Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in section 5066.

(b) The fee imposed by section 5064 shall cease to be imposed, and any moneys remaining in the Fund shall be refunded to hospitals in proportion to the amounts paid by them, if:

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(1) The Department makes changes in its rules that reduce the hospital inpatient or outpatient Medicaid payment rates, including adjustment to payment rates that are in effect on October 1, 2016; or

(2) The payments to hospitals required under section 5066 are modified in any way other than to secure federal approval of such payments as described in section 5066 or are not eligible for federal matching funds under section 1903(w) of the Social Security Act, approved July 30, 1965 (70 Stat. 349; 42 U.S.C. § 1396b(w)) ("Social Security Act").

(c) The fee imposed by section 5064 shall not take effect or shall cease to be imposed if the fee is determined to be an impermissible tax under section 1903(w)(3)(B) of the Social Security Act by the Centers for Medicare and Medicaid Services.

(d) Should the fee imposed by section 5064 not take effect or cease to be imposed, moneys in the Fund derived from the imposed fee shall be disbursed in accordance with section 5066 to the extent federal matching is available. If federal matching is not available due to a determination by the Centers for Medicare and Medicaid Services that the fee is impermissible, any remaining moneys shall be refunded to hospitals in proportion to the amounts paid by them.

Sec. 5066. Medicaid outpatient hospital access payments.

(a)(1) For visits and services beginning October 1, 2017, quarterly Medicaid outpatient hospital access payments shall be made to each private hospital.

(2) Each payment will be equal to the hospital's DFY 2015 outpatient Medicaid payments divided by the total in District private hospital DFY 2015 outpatient Medicaid payments multiplied by 1/4 of the total outpatient private hospital access payment pool.

(3) The total outpatient private hospital access payment pool is equal to the total available spending room under the private hospital outpatient Medicaid upper payment limit for DFY 2018.

(b)(1) For visits and services beginning October 1, 2017, outpatient hospital access payments shall be made to the United Medical Center.

(2) Each payment shall be equal to 1/4 of the total outpatient public hospital access payment pool.

(3) The total outpatient public hospital access payment pool is equal to the total available spending room under the District-operated hospital outpatient Medicaid upper payment limit for DFY 2018.

(c) The quarterly Medicaid outpatient hospital access payments shall be made within 15 business days after the end of each DFY quarter for the Medicaid visits and services rendered during that quarter.

(d) No payments shall be made under this section until such time that the Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in this subtitle.

(e) The Medicaid payment methodologies authorized under this subtitle shall not be altered in any way unless such alteration is necessary to gain federal approval from the Centers for Medicare and Medicaid Services.

Sec. 5067. Quarterly notice and collection.

(a) The fee imposed under section 5064, which shall be calculated, due, and payable on a quarterly basis, shall be due and payable by the 15th of the last month of each DFY quarter; provided, that the fee shall not be due and payable until:

(1) The District issues written notice that the payment methodologies for payments to hospitals required under section 5066 have been approved by the Centers for Medicare and Medicaid Services; and

(2) The District issues written notice to the hospital informing the hospital of its fee rate, outpatient gross patient revenue subject to the fee, and the fee amount owed on a quarterly basis, including, in the initial written notice from the District to the hospital, all fee amounts owed beginning with the period commencing on October 1, 2017, to ensure all applicable fee obligations have been identified.

(b)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle, the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be added to the unpaid balance.

(2) The Chief Financial Officer may arrange a payment plan for the amount of the fee and interest in arrears.

(c) The payment by the hospital of the fee created in this subtitle shall be reported as an allowable cost for purposes of Medicaid hospital reimbursement.

Sec. 5068. Multi-hospital systems, closure, merger, and new hospitals.

(a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system shall pay the fee for each hospital separately.

(b)(1) Notwithstanding any other provision in this subtitle, if a hospital system or person ceases to conduct, operate, or maintain a hospital that is subject to a fee under section 5064, as evidenced by the transfer or surrender of the hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the fee computed under section 5064 by a fraction, the numerator of which is the number of days in the year during which the hospital system or person conducted, operated, or maintained the hospital, and the denominator of which is 365.

(2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

(c) Notwithstanding any other provision in this subtitle, a hospital system or person who conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee computed under section 5064 and subsection (a) of this section in installments on the due date stated in the notice and on the regular installment due dates for the DFY occurring after the due dates of the initial notice.

Sec. 5069. Rules.