Dear Chairman Mendelson:


Despite a substantial loss of revenue due to the global coronavirus pandemic, the Fiscal Year 2021 budget proposal continues to make significant investments in District residents. This budget supports the priorities and values of our residents by making critical investments in our public health infrastructure, affordable housing, and public schools. With a focus on health, opportunity, prosperity, and equity, this budget provides a sense of hope that even in times of unprecedented crisis, we can live up to our DC values and provide every Washingtonian with a fair shot at pathways to the middle class.

In just a few short months, this pandemic has created many challenges for our community and has laid bare distressing health disparities that exist across our nation and within our community. We know that these disparities are the result of generations of discriminatory policies and systems that negatively affect the health and well-being of people of color. This budget recognizes that in order to build a healthier, more equitable, and more resilient city, we must improve our health care system while also addressing the social determinants that drive health outcomes.

The DC HOPE Budget includes $306 million for a state-of-the-art community hospital at St. Elizabeths and $69 million ambulatory complex to support a stronger network of care in Wards 7 and 8. The budget also includes $4.8 million to support the recommendations of the Mayor’s Commission on Healthcare Systems Transformation, including investments to reduce reliance on emergency care and $400,000 to improve pre-natal care. Through these investments, we can transform our health care system by promoting equity in care, access, and outcomes.
Despite the difficult circumstances we face, I remain steadfast in my commitment to affordable housing. Thus, this budget includes a $100 million investment in the Housing Production Trust Fund and a $1 million commitment to the Housing Preservation Fund which is leveraged with private investments to ensure we preserve critical affordable housing units.

We will also continue our robust investments in education, with a 3 percent increase in the Uniform Per Student Funding Formula and $1.4 billion over the next six years for the continued modernization of our schools.

This budget also maintains critical investments in building a safer, stronger DC, including a $1.7 million investment in our Cadet Program, which will provide 50 young District residents an opportunity to be a part of our Metropolitan Police Department.

Below are additional examples of important investments in the proposed FY 2021 Budget and Financial Plan that will help us build a more resilient and equitable DC.

**Health and Human Services**

The FY 2021 budget supports the health and well-being of District residents through the following investments:

- $4.2 million in FY 2021 to support five Centers of Excellence at Howard University Hospital, which will strengthen the Howard University Hospital and improve the health outcomes of Washingtonians;
- $12.8 million in Homeward DC to make homelessness rare, brief, and non-recurring, including 96 new units for singles, 54 new units for families, and operating costs for our new short-term family housing shelters;
- $5 million to continue funding for the Safe at Home program to meet program demands and $250 thousand in grants for senior hearing aids;
- $26 million to complete the Therapeutic Recreation Center in Ward 7 and $8.9 million for the Ward 8 Senior Wellness Center project; and
- $86 million in the capital budget to improve and expand public parks and recreational facilities.

**Affordable Housing**

Producing, preserving, and protecting affordable housing remains a top priority. The FY 2021 budget makes the following investments in affordable housing:

- $100 million contribution to the Housing Production Trust Fund;
- $1 million for the Housing Preservation Fund;
- $76 million in capital funding to rehabilitate and modernize public housing units; and
- $35.5 million to expand and renovate the District’s permanent and temporary supportive housing.

**High-Quality Education**

Our community continues to recognize the important role our public schools play in creating opportunity and helping us build a more equitable city. We know that investments in our public schools were the driving force behind the renaissance of our city, and our steadfast commitment to our students, families, and educators remains strong. In the DC HOPE Budget, we continue to make education a top priority through a range of investments, including:
• a $113.5 million increase in funding for K-12 public education;
• 3.0 percent increase to the base amount of the Uniform Per Student Funding Formula;
• more than $1.4 billion for DC Public Schools (DCPS) to fund school modernizations, small capital projects, and school expansions to address overcrowding;
• $80.2 million for the opening of Bard High School Early College, $22.7 million for a new expansion at Barnard Elementary School, $56 million for the development of a new Foxhall School, and $2 million to support Excel Academy;
• $75 million in capital funding to support 17 schools in the creation of 540 new early childcare seats and 180 pre-kindergarten seats across the District;
• $20 million in funding for the Parkland Turner Library in Ward 8;
• a continued investment of $90.3 million for the University of the District of Columbia, including $6.5 million in investments for IT upgrades and an additional $108 million in capital investments for university improvements; and
• $1 million to support the operations of the new Martin Luther King Library.

Public Safety and Justice

Our work to build safer, stronger neighborhoods across all eight wards continues, and the FY 2021 budget includes critical investments that support our collective commitment to public safety and justice:

• $2 million for an additional 30 corrections officers and $48 million to address critical building needs at the DC Jail.
• $327 thousand to provide critical Public Health Emergency resources to the Department of Forensic Sciences;
• $200 thousand to implement a consumer case management system to improve code violation enforcement, as was recommended by the independent review of the 708 Kennedy Street fire; and
• $86 million to upgrade our Fire and Emergency Medical Services fleet vehicles.

Transportation and the Environment

The FY 2021 budget makes key investments in transportation and infrastructure that will make moving throughout our city safer and provide more convenient access to transit options in underserved areas. The budget also includes investments that over time will make the District greener and more sustainable. Key investments in the District’s transportation and environment include:

• $1.7 billion to support capital infrastructure upgrades for the Washington Metro Area Transit Authority;
• $6.5 million to support the continued improvement of our Circulator services and fund key wage components of our Circulator contract;
• $56 million in safety and mobility investments and $146 million in streetscapes as well as $250 thousand in operating enhancements for new Vision Zero improvements to improve safety and reduce serious injuries and traffic fatalities;
• $117 million to build the K Street Transitway by 2023, providing protected bus and bike lanes across the District’s downtown core;
• $1 million to install new electric vehicle charging stations at District agencies to support growing the District’s electric fleet; and
• $40 million to conduct hazardous material remediation as part of ongoing efforts to make the Anacostia River fishable and swimmable.

**Jobs and Economic Opportunity**

While recovery efforts for residents and businesses will be ongoing and include the use of local and federal funds, the FY 2021 budget builds on efforts to spread prosperity and support local businesses and entrepreneurs with:

• $3.7 million for Main Streets and $4.5 million for Clean Teams;
• $250 thousand to help returning citizens start new businesses and launch careers;
• $7 million to support business development across the city with a focus on mixed-use development in high-unemployment areas;
• the creation of an online marketplace that will digitize, simplify, and improve accountability of the third-party construction inspection process; and
• expanded access to our Opportunity Accounts program, allowing residents enrolled in the District's Opportunity Accounts program to use matched savings for medical emergencies not covered by insurance, as well as health insurance premiums in the event of a sudden loss of income.

**Government Operations**

The FY 2021 budget reflects a focus on streamlined and efficient government services that support our DC values, including:

• $2.5 million for the Immigrant Justice Legal Services grant program;
• $4.3 million to fully fund the Fair Elections Program;
• $3.3 million to build a new animal shelter; and
• $72 million to complete the modernization of the District’s financial systems.

The FY 2021 budget is unique in that when we started putting it together, the world and the District were in a much different place than we are today. While our challenges are still great, Washington, DC is fortunate that we went into this crisis in strong financial standing – a place we got to through years of being responsible stewards of taxpayer dollars. I am proud that the DC HOPE Budget, which was revised and updated in the midst of this crisis, continues to reflect our ongoing commitment to good government and fiscal responsibility without compromising our shared DC values.

Sincerely,

Muriel Bowser
Mayor
AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To enact and amend provisions of law necessary to support the Fiscal Year 2021 budget.

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SUBTITLE A. FACILITY OPERATIONS REPRESSMINGS

Sec. 1001. Short title.

This subtitle may be cited as the “Facility Operations Reprogrammings Amendment Act of 2020”.

Sec. 1002. Section 47-363 of the District of Columbia Official Code is amended by adding a new subsection (h) to read as follows:

“(h)(1) This subtitle shall not apply to a reprogramming from an activity within the Facility Operations program of the Department of General Services to another activity within the Facility Operations program of the Department of General Services, other than as provided in this subsection.

“(2) The Chief Financial Officer of the District of Columbia (“CFO”) shall reprogram funds from an activity within the Facility Operations program of the Department of General Services to another activity within the Facility Operations program of the Department of General Services upon the request of the director of the Department of General Services, unless the CFO determines that the funds are not available for reprogramming.
“(3) After funds are reprogrammed pursuant to paragraph (2) of this subsection, the director of the Department of General Services may obligate and expend the reprogrammed funds.”.

**SUBTITLE B. REVIEW OF OPTION YEAR CONTRACTS**

Sec. 1011. Short title.

This subtitle may be cited as the “Streamlined Contract Review and Procurement Efficiency Reform Amendment Act of 2020”.

Sec. 1012. Section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), is amended as follows:

(a) Subsection (a)(2) is amended by striking the phrase “For a contract” and inserting the phrase “Except as provided in subsection (b)(3)(B) of this section, for a contract” in its place.

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

“(3)(A) Council approval of a contract submitted pursuant to paragraph (2) of this subsection shall expire 12 months after the award of the contract, except as provided in subparagraph (B) of this paragraph.

“(B) Council approval of a multiyear contract or contract in excess of $1,000,000 during a 12-month period that contains a provision that grants to the District the option to exercise one or more option periods each of a duration of 12 months or less shall constitute the Council review and approval required by 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)) of the base period and of each exercise of an option period when, at the time of the exercise of the option period, there has been no material change to the terms of the contract approved by the Council (‘‘underlying contract’’) before the option period is exercised and the
exercise of the option period does not result in a material change in the terms of the underlying contract.”.

SUBTITLE C. FREEZE ON PAY INCREASES AND BENEFITS

Sec. 1031. Short title.

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

Sec. 1032. Definitions.

For the purposes of this subtitle, the term:


2. “Covered agency” means an agency, office, or instrumentality of the District government, including independent agencies, as such term is defined in section 301(17) of the CMPA, except for the District of Columbia Housing Authority, District of Columbia Housing Finance Agency, District of Columbia Water and Sewer Authority, Not-for-Profit Hospital Corporation, University of the District of Columbia; and Washington Convention and Sports Authority.

3. “Negotiated salary schedule” means a salary schedule specified in a collective bargaining agreement.

4. “Negotiated salary, wage, and benefits provision” means the salary and benefits provided in a collective bargaining agreement.
(5) “Personnel authority” means an individual with the authority to administer all or part of a personnel management program as provided in sections 301(14) and 406 of the CMPA (D.C. Official Code §§ 1-601.01(14) and 1-604.06).

Sec. 1033. Freeze on cost-of-living adjustments.

Notwithstanding any other provision of law, rule, or collective bargaining agreement, an employee of a covered agency shall not receive a cost-of-living adjustment during the period from October 1, 2020, through September 30, 2024.

Sec. 1034. Maintenance of Fiscal Year 2020 salary schedules and benefits.

Notwithstanding any other provision of law, collective bargaining agreement, memorandum of understanding, side letter, or settlement, whether specifically outlined or incorporated by reference, all Fiscal Year 2020 salary schedules of covered agencies shall be maintained during Fiscal Years 2021, 2022, 2023, and 2024 and no increase in salary or benefits, including increases in negotiated salary, wage, and benefits provisions and negotiated salary schedules, shall be provided in Fiscal Years 2021, 2022, 2023, or 2024 from the Fiscal Year 2020 salary and benefits levels of covered agencies.

Sec. 1035. Rules.

To the extent authorized by the CMPA or other applicable law to issue rules to administer the salary or benefits program of a covered agency, the personnel authority for a covered agency may, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), issue rules to implement this subtitle.

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION
SUBTITLE A. CREATIVE AND OPEN SPACE MODERNIZATION TAX REBATE


This subtitle may be cited as the “Creative and Open Space Modernization Tax Rebate Amendment Act of 2020”.

Sec. 2002. Section 2032(d) of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04(d)), is amended by adding a new paragraph (1A) to read as follows:

“(1A) Funds to provide real property tax rebates under D.C. Official Code § 47-4665, in an amount not to exceed $3 million in a fiscal year.”.

SUBTITLE B. ECONOMIC OPPORTUNITY AND CREATIVITY GRANTS


This subtitle may be cited as the “Economic Opportunity and Creativity Grants Authority Amendment Act of 2020”.

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

(a) Paragraph (5) is amended by striking the period at the end and inserting a semicolon in its place.

(b) Paragraph (6) is amended by striking the word “and”.

(c) Paragraph (7) is amended by striking the period at the end and inserting the phrase “; and” in its place.
(d) A new paragraph (8) is added to read as follows:

“(8) Funds in support of programs, projects, and initiatives that are consistent with and in furtherance of the economic development goals or activities of the District.”.

**SUBTITLE C. OPPORTUNITY ZONE TAX BENEFITS**


This subtitle may be cited as the “Aligning Opportunity Zone Tax Benefits with DC Community Priorities Act of 2020”.

Sec. 2022. Section 47-1803.03(a) of the District of Columbia Official Code is amended by adding a new paragraph (20) to read as follows:

“(20) Capital Gains. --

“(A) Deferral of a capital gains tax payment for investing in a Qualified Opportunity Fund ("QOF") shall be realized only if the taxpayer invests in a QOF that meets the criteria set forth in subparagraph (D) of this paragraph.

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

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

“(D) In order to receive the benefits described in subparagraphs (A), (B), and (C) of this paragraph, the taxpayer must:

“(i) Invest in a QOF that:
“(I) Is certified by the Mayor as an eligible QOF pursuant to subparagraph (E) of this paragraph;

“(II) Has invested at least the value of the taxpayer’s investment in the QOF in a Qualified Opportunity Zone or Qualified Opportunity Zones in the District; and

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

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

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

“(i) That some or all of its investments in Qualified Opportunity Zone Businesses and Qualified Opportunity Zone Business Property are in businesses or property that:

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

“(II) Have been selected by the Office of the Deputy Mayor for Planning and Economic Development to manage the redevelopment of a property, with respect to a business, or that are owned or disposed of by the District government, with respect to a property;
“(III) Have an unconditioned resolution of support from the Advisory Neighborhood Commission in which the business or property is located or a conditional resolution of support from the Advisory Neighborhood Commission in which the business or property is located and the Mayor determines that each of the conditions of the resolution have been met; or

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

“(ii) The dollar amount of investments that the QOF has made in Qualified Opportunity Zone Businesses and Qualified Opportunity Zone Business Property that meet the standards set forth in sub-subparagraph (i) of this subparagraph.”.

**SUBTITLE D. STREETSCAPE BUSINESS DEVELOPMENT RELIEF**

Sec. 2031. Short title.

This subtitle may be cited as the “Streetscape Business Development Relief Expansion Amendment Act of 2020”.

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

“(c) If the District undertakes a streetscape construction, capital infrastructure, or rehabilitation project, the Mayor, in his or her sole discretion, may make interest-free loans or issue grants from the Fund to a District Main Streets Program organization or individual or entity that operates a retail business within the project boundaries of, or adjoining, the streetscape
construction, capital infrastructure, or rehabilitation project. To obtain a loan or grant, a District Main Streets Program organization or individual or entity operating a retail business shall submit an application in the form, and with the information, that the Mayor shall require. The Mayor shall determine the terms and conditions of each loan or grant based upon the application submitted by the District Main Streets Program organization or individual or entity operating a retail business; provided, that the term of a loan or grant issued pursuant to this section shall not exceed 5 years after the termination of the streetscape construction, capital infrastructure, or rehabilitation project.”.

**SUBTITLE E. PUBLIC ACCESS CORPORATION BUDGET**

Sec. 2041. Short title.

This subtitle may be cited as the “Budget of the Public Access Corporation Amendment Act of 2020”.

Sec. 2042. Section 302(k) of the Cable Television Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1253.02(k)), is repealed.

**SUBTITLE F. ECONOMIC AND COMMUNITY DEVELOPMENT GRANTS IN WARDS 5, 7, AND 8**

Sec. 2051. Short title.

This subtitle may be cited as the “Deputy Mayor for Planning and Economic Development Limited Grant Making Authority for Entities Operating in Wards 5, 7, or 8 Amendment Act of 2020”.

Sec. 2052. Section 2032(d) of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04(d)), is amended as follows:
Paragraph (2) is amended by striking the phrase “; and” and inserting a semicolon in its place.

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

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

“(4) Funds to entities operating in Wards 5, 7, or 8 for the purpose of increasing economic or community development in an underserved area of the District.”.

SUBTITLE G. TAX ABATEMENTS FOR AFFORDABLE HOUSING IN HIGH-NEED AREAS

Sec. 2061. Short title.

This subtitle may be cited as the “Tax Abatements for Affordable Housing in High-Need Affordable Housing Areas Act of 2020”.

Sec. 2062. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

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

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

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

“(a) Real property shall be exempt from the tax imposed by § 47-811 for the period of time set forth in subsection (c) of this section, if:

“(1) The real property is located in a high-need affordable housing area;
“(2) The real property is designated by the Mayor pursuant to subsection (b) of this section;

“(3) The real property is developed or redeveloped with a project that includes at least 350 housing units;

“(4) At least one third of the housing units developed or redeveloped on the real property are affordable to households earning 80% or less of the area median income for a period of at least 40 years;

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

“(6) The developer enters into an agreement with the District that requires the developer to, at a minimum, contract with certified business enterprises for at least 35% of the contract dollar volume of the operations of the project, in accordance with section 2349 of the CBE Act;

“(7) The developer enters into a First Source Hiring Agreement for the operations of the project; and

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

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

“(c) The tax exemption provided by this section shall begin in the tax year immediately following the tax year during which a certificate of occupancy for a project meeting the requirements of subsection (a) of this section is issued and shall continue until the end of the 40th tax year after the tax year during which the certificate of occupancy is issued; provided, that the tax exemption provided by this section shall not begin before October 1, 2023.

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

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

“(B) The date a certificate of occupancy for the affordable housing developed on the real property was issued;

“(C) The date the tax exemption begins and ends;

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

“(E) Any other information that the Mayor considers necessary or appropriate.

“(2) If at any time the Mayor determines that the real property has become ineligible for the exemption provided by this section, the Mayor shall notify the Office of Tax and Revenue and shall specify the date that the property became ineligible. The entire property shall be ineligible for the exemption on the first day of the tax year following the date when the eligibility occurred.
“(e) The tax exemption provided by this section shall be in addition to, not in lieu of, any
other tax relief or assistance from any other source.

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

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

“(1) “Area median income” has the meaning set forth in section 2(1) of the
Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C.
Official Code § 42-2801(1)).

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

“(3) “Certified business enterprise” means a business enterprise or joint venture
certified pursuant to the CBE Act.

“(4) “Developer” means the developer of housing units on real property eligible
for a tax exemption under this section.

“(5) “First Source Act” means the First Source Employment Agreement Act of

“(6) “First Source Agreement” means an agreement with the District governing
certain obligations of the Developer pursuant to section 4 of the First Source Act, and Mayor’s
Order 83-265, dated November 9, 1983, regarding job creation and employment.

“(7) “High-need affordable housing area” means the 4 planning areas identified in
the District’s Housing Equity Report, published in October 2019, with the highest dedicated
affordable housing production goals (Rock Creek West, Rock Creek East, Capitol Hill, and Upper Northeast).”.

**SUBTITLE H. TARGETED HISTORIC PRESERVATION ASSISTANCE PROGRAM**

Sec. 2071. Short title.

This subtitle may be cited as the “Targeted Historic Preservation Assistance Amendment Act of 2020”.

Sec. 2072. Section 11b(b) of the Historic Landmark and Historic District Protection Act of 1978, effective March 2, 2007 (D.C. Law 16-189; D.C. Official Code § 6-1110.02(b)), is amended as follows:

(a) Paragraph (14) is amended by striking the word “or”.

(b) Paragraph (15) is amended by striking the period and inserting the phrase “; or” in its place.

(c) A new paragraph (16) is added to read as follows:

“(16) Bloomingdale Historic District.”.

**SUBTITLE I. PROPERTY DISPOSITION AND DEVELOPMENT INCENTIVE ADMINISTRATIVE FEES**

Sec. 2081. Short title.

This subtitle may be cited as the “Property Disposition and Development Incentive Administrative Fees Act of 2020”.

Sec. 2082. Property disposition and development incentive fees.

(a) In connection with the proposed or actual disposition of District-owned real property, the proposed or actual provision of an economic development incentive, and other actions taken
by the District government at the request of a third party related to District-owned real property,
such as the provision of a right of entry, license, or temporary easement, the Mayor may impose
fees to:

(1) Compensate the District government for costs incurred by the District
government, including staff time and resources;

(2) Recover the costs of third party services or goods provided to the District
government;

(3) Compensate the District government for the fair market value of the action
requested.

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

(c) All fees collected pursuant to this section shall be deposited into the Economic
Development Special Account, established by section 301 of the National Capital Revitalization
Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March

SUBTITLE J. SPORTS WAGERING SMALL BUSINESS DEVELOPMENT

PROGRAM

Sec. 2091. Short title.

This subtitle may be cited as the “Implementation of the Sports Wagering Small Business
Development Program Amendment Act of 2020”.

Sec. 2092. Section 5 of the Sports Wagering Lottery Amendment Act of 2018, effective
May 3, 2019 (D.C. Law 22-312; 66 DCR 1402), is repealed.
SUBTITLE K. COMMUNITY RESTROOMS

Sec. 2101. Short title.

This subtitle may be cited as the “Community Restroom Incentive Pilot Program Applicability Amendment Act of 2020”.

Sec. 2102. Section 5 of the Public Restroom Facilities Installation and Promotion Act of 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is amended to read as follows:

“Sec. 5. Applicability.

“(a) Section 4 shall apply upon the date of the inclusion of its fiscal effect in an approved budget and financial plan.

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

“(c)(1) The Budget Director of the Council shall cause the notice of the certification to be published in the District of Columbia Register.

“(2) The date of publication of the notice of the certification shall not affect the applicability of section 4.”.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. CRIMINAL CODE REFORM COMMISSION TERM EXTENSION

Sec. 3001. Short title.

This subtitle may be cited as the “Criminal Code Reform Commission Term Extension Amendment Act of 2020”.

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

(a) Section 3123(a) (D.C. Official Code § 3-152(a)) is amended by striking the date “September 30, 2020” and inserting the date “March 30, 2021” in its place.

(b) Section 3127 (D.C. Official Code § 3-156) is amended by striking the date “October 1, 2020” and inserting the date “April 1, 2021” in its place.

SUBTITLE B. INFORMATION-SHARING FOR AT-RISK YOUTH

Sec. 3011. Short title.

This subtitle may be cited as the “Information Sharing for At-Risk Youth Program Evaluation and Improvement Act of 2020”.

Sec. 3012. Information sharing for the evaluation and improvement of programs.

(a) Subject to any privacy or confidentiality requirements applicable under federal law, the records, data, and information set forth in subsection (b) of this section, including personally identifiable information, may be shared with the Office of the City Administrator for the purposes of conducting studies, performing evaluations and quality assessments, conducting improvement and oversight activities, identifying service needs, improving instruction, and evaluating and improving the juvenile justice system’s ability to effectively serve students of:

(2) The Department of Youth Rehabilitation Services’ Violence Prevention and Intervention Program; and

(3) The Department of Human Services’ Parent and Adolescent Support Services Program.

(b) The following records, data, and information may be shared with the Office of the City Administrator pursuant to subsection (a) of this section:
(1) Records, data, and information in the control or possession of the Department of Youth Rehabilitation Services, notwithstanding section 106 of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.06);

(2) Records, data, and information in the control or possession of the Child and Family Services Agency, notwithstanding section 306 of the Prevention of Child Abuse and Neglect Act of 1977, effective October 18, 1979 (D.C. Law 3-29; D.C. Official Code § 4-1303.06);

(3) Mental health information, administrative information, and diagnostic information in the control or possession of the Department of Behavioral Health or another District agency, notwithstanding the provisions of the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-1201.01 et seq.);


(6) Juvenile case records, notwithstanding D.C. Official Code § 16-2331;

(7) Juvenile social records, notwithstanding D.C. Official Code § 16-2332;
(8) Law enforcement records and files concerning a child, notwithstanding D.C. Official Code § 16-2333;

(9) Compilations, copies, extracts, and unexpurgated records described in Chapter 10 of Title 1 of the District of Columbia Municipal Regulations, notwithstanding the provisions of Chapter 10 of Title 1 of the District of Columbia Municipal Regulations; and

(10) Such other records, information, and data, including health, social service, educational, administrative, law enforcement, and programmatic records, information, and data, as may be appropriate for the activities described in subsection (a) of this section;

(c) Before sharing any records, data, or information pursuant to this section, the Office of the City Administrator and the agency sharing the data shall enter into a written agreement describing the records, data, and information to be shared, the method of sharing the records, data, and information, and the protections to be provided to the records, data, and information by the Office of the City Administrator.

(d) The Office of the City Administrator shall maintain, transmit, and store data and information shared pursuant to this section in a manner that protects the security and privacy of any individuals identified and prevents the disclosure of the data or information to any person not authorized to receive the data or information by the City Administrator in connection with the activities described in subsection (a) of this section.

SUBTITLE C. EMERGENCY MEDICAL SERVICES TRANSPORT CONTRACT

Sec. 3021. Short title.

This subtitle may be cited as the “Emergency Medical Services Transport Contract Authority Amendment Act of 2020”.

Sec. 302. Section 3073 of the Emergency Medical Services Transport Contract Authority Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR 10775), is repealed.

**SUBTITLE D. SENIOR POLICE OFFICERS PROGRAM**

Sec. 3031. Short title.

This subtitle may be cited as the “Senior Police Officers Retention Amendment Act of 2020”.

Sec. 3032. Section 2(h)(1) of the Retired Police Officer Redeployment Amendment Act of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761(h)(1)), is amended by striking the date “October 1, 2020” and inserting the date “October 1, 2023” in its place.

**SUBTITLE E. OFFICE OF ADMINISTRATIVE HEARINGS JURISDICTION**

Sec. 3041. Short title.

This subtitle may be cited as the “Office of Administrative Hearings Jurisdiction Amendment Act of 2020”.

Sec. 3042. Section 6(b-23) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(b-23)), is amended to read as follows:

“(b-23) This act shall apply to all adjudicated cases:

“(1) Involving the attachment and levy of personal injury and worker’s compensation settlement funds from insurers participating in the Child Support Services Network when the assets are owed by a child support obligor who owes overdue child support
pursuant to section 25 of the District of Columbia Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Official Code § 46-224);

“(2) Involving the interception of lottery prize winnings of an individual who owes delinquent support pursuant to section 25a of the District of Columbia Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Official Code § 46-224.01);

“(3) Occurring before any proposed denial, refusal to renew, or revocation of a driver’s license and a car registration of a child support obligor by the Mayor, or the Mayor’s designee, for the failure to comply with a subpoena or warrant relating to paternity or child support proceedings, or the failure to pay child support pursuant to section 26a(b-2) of the District of Columbia Child Support Enforcement Amendment Act of 1985, effective February 13, 1996 (D.C. Law 11-87; D.C. Official Code § 46-225.01(b-2));

“(4) Occurring before any proposed denial, refusal to renew, or suspension of a professional, business, recreational, or sporting license of a child support obligor by the Mayor, or the Mayor’s designee, for the failure to comply with a subpoena or warrant relating to paternity or child support proceedings, or the failure to pay child support pursuant to section 26a(b-2) of the District of Columbia Child Support Enforcement Amendment Act of 1985, effective February 13, 1996 (D.C. Law 11-87; D.C. Official Code § 46-225.01(b-2));

“(5) Occurring before a certification to the Secretary of Health and Human Services, pursuant to sections 452(k) and 454(31)(A) of the Social Security Act, approved August 22, 1996 (110 Stat. 2252; 42 U.S.C. §§ 652(k) and 654(31)(A)), that an individual owes arrearages in child support in an amount exceeding $2,500; and
“(6) Arising pursuant to section 27c(c) of the District of Columbia Child Support Enforcement Amendment Act of 1985, effective April 3, 2001 (D.C. Law 13-269; D.C. Official Code § 46-226.03(c)), involving the attachment and seizure of:

“(A) Assets owned by a child support obligor held in a financial institution or held in a financial institution by another on behalf of the support obligor by the Child Support Services Division of the Office of the Attorney General, or its successor, in order to satisfy child support arrearages; or

“(B) Any settlements, judgments, or other funds.”.

**SUBTITLE F. CONCEALED PISTOL LICENSING REVIEW BOARD**

Sec. 3051. Short title.

This subtitle may be cited as the “Concealed Pistol Licensing Review Board Membership Amendment Act of 2020”.

Sec. 3052. Section 908(b)(1) of the Firearms Control Regulations Act of 1975, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08(b)(1)), is amended as follows:

(a) The lead-in language is amended by striking the phrase “7 members” and inserting the phrase “11 members” in its place”.

(b) Subparagraph (E) is amended to read as follows:

“(E) Seven public members appointed by the Mayor, as follows:

“(i) One mental health professional;

“(ii) Two District residents with experience in the operation, care, and handling of firearms; and

“(iii) Four District residents with knowledge or experience in the field of mental health, victim services or advocacy, violence prevention, law, or firearms.”.

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SUBTITLE G. REHIRING OF RETIRED POLICE OFFICERS

Sec. 3061. Short title.

This subtitle may be cited as the “Rehiring of Retired Police Officers by the Department of General Services and the Department of Parks and Recreation Amendment Act of 2020”.

Sec. 3062. Section 2 of the Retired Police Officer Redeployment Amendment Act of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761), is amended as follows:

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

“(a-2) Except for a disability annuitant, a police officer retired from the Metropolitan Police Department shall be eligible for rehire, without jeopardy to his or her retirement benefits, as a full-time or part-time employee of the:

“(1) Department of General Services (‘‘DGS’’) for positions within DGS’s Protective Services Division; and

“(2) Department of Parks and Recreation (‘‘DPR’’) for a safety or security position of DPR.”.

(b) Subsection (d-1) is amended by striking the phrase “under subsection (a-1)” and inserting the phrase “under subsection (a-1) or (a-2)” in its place.

(c) Subsection (f) is amended by striking the phrase “Metropolitan Police Department and the Department of Forensic Sciences” and inserting the phrase “Metropolitan Police Department, the Department of Forensic Sciences, the Department of General Services, and the Department of Parks and Recreation” in its place.

TITLE IV. PUBLIC EDUCATION SYSTEMS
SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASE

Sec. 4001. Short title.

This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools Increase Amendment Act of 2020”.

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

(a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase “$10,980 per student for fiscal year 2020” and inserting the phrase “$11,310 per student for Fiscal Year 2021” in its place.

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

<table>
<thead>
<tr>
<th>Grade Level</th>
<th>Weighting</th>
<th>Per Pupil Allocation in FY 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-Kindergarten 3</td>
<td>1.34</td>
<td>$15,155</td>
</tr>
<tr>
<td>Pre-Kindergarten 4</td>
<td>1.30</td>
<td>$14,703</td>
</tr>
<tr>
<td>Kindergarten</td>
<td>1.30</td>
<td>$14,703</td>
</tr>
<tr>
<td>Grades 1-5</td>
<td>1.00</td>
<td>$11,310</td>
</tr>
<tr>
<td>Grades 6-8</td>
<td>1.08</td>
<td>$12,215</td>
</tr>
<tr>
<td>Grades 9-12</td>
<td>1.22</td>
<td>$13,798</td>
</tr>
<tr>
<td>Alternative program</td>
<td>1.445</td>
<td>$16,343</td>
</tr>
<tr>
<td>Special education school</td>
<td>1.17</td>
<td>$13,233</td>
</tr>
<tr>
<td>Adult</td>
<td>0.89</td>
<td>$10,066</td>
</tr>
</tbody>
</table>

(c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:
“(c) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

“Special Education Add-ons:

<table>
<thead>
<tr>
<th>“Level/Program”</th>
<th>Definition</th>
<th>Weighting</th>
<th>Per Pupil Supplemental Allocation FY 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Level 1: Special Education”</td>
<td>Eight hours or less per week of specialized services</td>
<td>0.97</td>
<td>$10,971</td>
</tr>
<tr>
<td>“Level 2: Special Education”</td>
<td>More than 8 hours and less than or equal to 16 hours per school week of specialized services</td>
<td>1.20</td>
<td>$13,572</td>
</tr>
<tr>
<td>“Level 3: Special Education”</td>
<td>More than 16 hours and less than or equal to 24 hours per school week of specialized services</td>
<td>1.97</td>
<td>$22,281</td>
</tr>
<tr>
<td>“Level 4: Special Education”</td>
<td>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</td>
<td>3.49</td>
<td>$39,472</td>
</tr>
<tr>
<td>“Special Education Compliance”</td>
<td>Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.</td>
<td>0.099</td>
<td>$1,120</td>
</tr>
<tr>
<td>“Attorney’s Fees Supplement”</td>
<td>Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney’s fees.</td>
<td>0.089</td>
<td>$1,007</td>
</tr>
<tr>
<td>“Residential”</td>
<td>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</td>
<td>1.67</td>
<td>$18,888</td>
</tr>
</tbody>
</table>

“General Education Add-ons:

<table>
<thead>
<tr>
<th>“Level/Program”</th>
<th>Definition</th>
<th>Weighting</th>
<th>Per Pupil Supplemental</th>
</tr>
</thead>
</table>

28
<table>
<thead>
<tr>
<th>“Level/Program”</th>
<th>Definition</th>
<th>Weighting</th>
<th>Allocation FY 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Level 1: Special Education - Residential”</td>
<td>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</td>
<td>0.37</td>
<td>$4,185</td>
</tr>
<tr>
<td>“Level 2: Special Education - Residential”</td>
<td>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</td>
<td>1.34</td>
<td>$15,155</td>
</tr>
<tr>
<td>“Level 3: Special Education - Residential”</td>
<td>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</td>
<td>2.89</td>
<td>$32,686</td>
</tr>
<tr>
<td>“Level 4: Special Education - Residential”</td>
<td>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</td>
<td>2.89</td>
<td>$32,686</td>
</tr>
<tr>
<td>“LEP/NEP -”</td>
<td>Additional funding to support the after-</td>
<td>0.668</td>
<td>$7,555</td>
</tr>
</tbody>
</table>
Residential 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

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

<table>
<thead>
<tr>
<th>“Level/Program”</th>
<th>Definition</th>
<th>Weighting</th>
<th>Per Pupil Supplemental Allocation FY 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Special Education Level 1 ESY”</td>
<td>Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs</td>
<td>0.063</td>
<td>$713</td>
</tr>
<tr>
<td>“Special Education Level 2 ESY”</td>
<td>Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs</td>
<td>0.227</td>
<td>$2,567</td>
</tr>
<tr>
<td>“Special Education Level 3 ESY”</td>
<td>Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs</td>
<td>0.491</td>
<td>$5,553</td>
</tr>
<tr>
<td>“Special Education Level 4 ESY”</td>
<td>Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs</td>
<td>0.491</td>
<td>$5,553</td>
</tr>
</tbody>
</table>

(d) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase “Fiscal Year 2022” and inserting the phrase “Fiscal Year 2024” in its place.

**SUBTITLE B. EDUCATION FACILITY COLOCATION**

Sec. 4011. Short title.

This subtitle may be cited as the “Education Facility Colocation Amendment Act of 2020”.

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Sec. 4012. Section 3422 of the Public School and Public Charter School Facilities
Sharing Act of 2002, effective October 1, 2002 (D.C. Law 14-190; DC Official Code § 38-1831.01), is amended as follows:

(a) Subsection (a) is amended to read as follows:
“(a) The District of Columbia Public Schools ("DCPS") system may allow existing public charter schools that are chartered by the District of Columbia Board of Education or the Public Charter School Board to utilize space in DCPS facilities, where such facilities are currently or projected to be underutilized.”.

(b) Subsection (b) is amended as follows:
(1) Paragraphs (1) and (2) are amended to read as follows:
“(1) As payment for the space allocation, the public charter school shall pay to DCPS an amount agreeable to the charter school and DCPS.
“(2) The amount of payment shall be agreed upon by DCPS and the public charter school before relocation of any public charter school into a public school facility.”.

(2) Paragraph (3) is repealed.

(c) Subsection (c) is amended by striking the phrase “Board of Education shall” and inserting the phrase “Mayor may” in its place.

(d) A new subsection (d) is added to read as follows:
“(d)(1) There is established as a special fund the DCPS School Facility Colocation Fund ("Fund"), which shall be administered by DCPS in accordance with this paragraph (3) of this subsection.
“(2) All payments received from public charter schools under this section shall be deposited in the Fund.
“(3) Money in the Fund shall be used:

“(A) To fund additional school programming, supplemental staff, special initiatives, and other activities and programs at DCPS schools in which charter schools are collocated; and

“(B) For maintenance of, or improvements to, DCPS schools in which charter schools are collocated.

“(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 in the Fund shall be continually available without regard to fiscal year limitation.”.

SUBTITLE C. CHILD CARE GRANTS

Sec. 4021. Short title.

This subtitle may be cited as the “Grantmaking Authority to Expand Access to Quality Child Care Amendment Act of 2020”.

Sec. 4022. Child care grantmaking authority.

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

(a) Paragraph (30) is amended by striking the word “and”.

(b) Paragraph (31)(C) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new paragraph (32) is added to read as follows:
“(32) Have the authority to issue grants, from funds under its administration, to
non-profit and community-based organizations to increase access to, the affordability of, and the
quality of child care in the District.”.

SUBTITLE D. DEPARTMENT OF PARKS AND RECREATION SPONSORSHIP
AND ADVERTISING REVENUE

Sec. 4031. Short title.

This subtitle may be cited as the “Parks and Recreation Sponsorship Amendment Act of
2020”.

D.C. Official Code § 10-301 et seq.), is amended as follows:

(a) Section 4 (D.C. Law 10-246; D.C. Official Code § 10-303) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Recreation Enterprise Fund
(“Fund”)” and inserting the phrase “Recreation Enterprise Fund (“Enterprise Fund”)” in its
place.

(2) Subsection (b)(1) is amended by striking the word “Fund” and inserting the
phrase “Enterprise Fund” in its place.

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

(A) Paragraph (1) is amended by striking the word “Fund” and inserting
the phrase “Enterprise Fund” in its place.

(B) Paragraph (2) is amended by striking the word “Fund” and inserting
the phrase “Enterprise Fund” in its place.

(4) Subsection (d) is amended by striking the word “Fund” and inserting the
phrase “Enterprise Fund” in its place.
(5) Paragraph (e) is repealed.

(6) Subsection (f) is amended by striking the word “Fund” and inserting the phrase “Enterprise Fund” in its place.

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

“Sec. 4a. Department of Parks and Recreation Sponsorship Fund.

“(a)(1) Notwithstanding any other provision of law, the Department may enter into agreements for advertisements and sponsorships for programs, events, activities, recreation centers, fields, pools, play courts, and other facilities and assets of the Department.

“(2) The Department shall not delegate the authority to contract for advertisements or sponsorships granted to it pursuant to paragraph (1) of this subsection to any other party.

“(3) All proceeds received from advertisements and sponsorships shall be deposited into the Department of Parks and Recreation Sponsorship Fund established by subsection (b) of this section.

“(b) There is established as a special fund the Department of Parks and Recreation Sponsorship and Advertisements Fund (“Sponsorship Fund”), which shall be administered by the Department in accordance with subsection (d) of this section.

“(c) All proceeds received by the Department from advertisements and sponsorships shall be deposited into the Sponsorship Fund.

“(d) Money in the Sponsorship Fund:

“(1) Shall be used to support the events, programs, activities, recreation centers, fields, pools, play courts, and other assets and facilities of the Department, as provided in the sponsorship or advertising agreement; and
“(2) May be used to support any other events, programs, activities, recreation centers, fields, pools, play courts, and other assets and facilities of the Department.

“(e) Money in the Sponsorship Fund may be used to purchase food, snacks, and non-alcoholic beverages for the general public, Department program participants, and District government employees.

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

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

**SUBTITLE E. DEPARTMENT OF PARKS AND RECREATION**

**PROGRAMMING GRANTS**

Sec. 4041. Short title.

This subtitle may be cited as the “Parks and Recreation Grant-Making Authority Amendment Act of 2020”.

Sec. 4042. Section 3 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-302), is amended by adding a new paragraph (f) to read as follows:

“(f) The Department may issue grants to qualified individuals and non-profit organizations who directly provide programming on behalf of the Department; provided, that such grants shall be issued and administered 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.).”
SUBTITLE F. CHILD DEVELOPMENT FACILITY AND PRE-K REPORTS

Sec. 4051. Short title.
This subtitle may be cited as the “Child Development Facilities and Pre-k Reports Amendment Act of 2020”.

Sec. 4052. Section 4074(c) of the Healthy Tots Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-283(c)), is repealed.

Sec. 4053. 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 phrase “by December 30 of each year, beginning in 2009” and inserting the phrase “by December 30, 2022, and triennially thereafter” in its place.

(b) The lead-in text of section 104 (D.C. Official Code § 38-271.04) is amended by striking the phrase “by December 30 of each year, beginning in 2008” and inserting the phrase “by December 30, 2022, and triennially thereafter” in its place.

(c) Section 105(a) (D.C. Official Code § 38-271.05(a)) is amended by striking the phrase “by December 30 of each year, beginning in 2009” and inserting the phrase “by December 30, 2022, and triennially thereafter” in its place.

SUBTITLE G. SCHOOL MEAL COST REIMBURSEMENTS AND SUBSIDIES

Sec. 4061. Short title.
This subtitle may be cited as the “School Meal Cost Reimbursement and Subsidies Amendment Act of 2020”.

Sec. 4062. Section 102 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.02), is amended as follows:
(a) Subsection (c) is amended as follows:

(1) Paragraph (1)(A) is amended by striking the word “twenty” and inserting the word “ten” in its place.

(2) Paragraph (4A) is repealed.

(b) Subsection (f) is amended by striking the phrase “Beginning on October 1, 2019, an amount of $5,110,000” and inserting the figure “Beginning on October 1, 2020, an amount of $4,266,000” in its place.

SUBTITLE H. EARLY HEAD START HOME VISITING GRANTS

Sec. 4071. Short title.

This subtitle may be cited as the “Early Head Start Home Visiting Grants Authority Amendment Act of 2020”.

Sec. 4072. Section 107 of the Birth to Three for All Act of 2018, effective October 30, 2018 (D.C. Law 22-179; D.C. Official Code § 4-651.07), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “Beginning October 1, 2019, and annually thereafter, OSSE shall” and inserting the phrase “OSSE may” in its place.

(b) Subsection (b) is amended by striking the phrase “Beginning October 1, 2019, and annually thereafter, OSSE shall” and inserting the phrase “OSSE may” in its place.

SUBTITLE I. RECREATIONAL SPACE USE FEE WAIVERS

Sec. 4081. Short title.

This subtitle may be cited as the “Recreational Space Use Fee Waivers Amendment Act of 2020”.

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Section 4 of the Ensuring Community Access to Recreational Spaces Act of 2018, effective February 22, 2019 (D.C. Law 22-210; D.C. Official Code § 38-433), is amended as follows:

(a) Subsection (b) is amended by striking the phrase “Within 180 days after February 22, 2019, the Mayor” and inserting the phrase “The Mayor” in its place.

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

“Sec. 7a. Applicability.

“(a) Section 4 shall apply upon the date of the inclusion of its fiscal effect in an approved budget and financial plan.

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

“(c)(1) The Budget Director of the Council shall cause the notice of the certification to be published in the District of Columbia Register.

“(2) The date of publication of the notice of the certification shall not affect the applicability of this act.”.

SUBTITLE J. WILKINSON SCHOOL DISPOSITION PROCESS

Sec. 4091. Short title.

This subtitle may be cited as the “Wilkinson School Disposition Process Amendment Act of 2020”.

Sec. 4092. Section 2209(b)(1) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.09(b)(1)), is amended by adding a new subparagraph (B-ii) to read as follows:
“(B-i) Notwithstanding subparagraph (A) of this paragraph, the Mayor may give the right of first offer to purchase, lease, or otherwise use the former Wilkinson Elementary School building to a charter school facility incubator that leased, or a public charter school that occupied, all or a portion of the former Birney Elementary School building as of October 1, 2020.”.

Sec. 4093. 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 § D.C. Code § 10-801), is amended by adding a new subsection (b-6) to read as follows:

“(b-6)(1) The public hearings required by subsections (a-1)(4) and (b-2) of this section shall not be required for the disposition of the former Wilkinson Elementary School. Instead, for such real property, the Mayor shall hold at least one public hearing on the finding that the real property is no longer required for public purposes and to obtain community input on the proposed disposition of the real property before submitting the proposed surplus resolution and proposed disposition resolution to the Council under this section.

“(2) The hearing required by paragraph (1) of this subsection shall be held at an accessible evening or weekend time and in an accessible location in the vicinity of the former Wilkinson Elementary School. 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 K. FORT DUPONT ICE ARENA GRANT**

Sec. 4101. Short title.
This subtitle may be cited as the “Fort Dupont Ice Arena Grant Amendment Act of 2020”.

Sec. 4102. Section 3(e) of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-302(e)), is amended by striking the phrase “Beginning in Fiscal Year 2017, and on an annual basis thereafter, the Department shall” and inserting the phrase “The Department may issue a grant of up to $250,000 annually” in its place.

TITLE V. HUMAN SUPPORT SERVICES

SUBTITLE A. MEDICAID HOSPITAL SUPPLEMENTAL AND DIRECTED PAYMENTS

Sec. 5001. Short title.

This subtitle may be cited as the “Medicaid Hospital Supplemental and Directed Payments Amendment Act of 2020”.

Sec. 5002. The Medicaid Hospital Outpatient Supplemental Payment Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.01 et seq.), is amended as follows:

(a) Section 5062(5) (D.C. Official Code § 44-664.01(5)) is amended by striking the phrase “September 30 of the period 3 fiscal years prior to the fiscal year the fee is assessed” and inserting the phrase “September 30, 2018” in its place.

(b) Section 5063(c)(1) (D.C. Official Code § 44-664.02(c)(1)) is amended by striking the semicolon and inserting the phrase “, either directly or through payments to managed care organizations;” in its place.

(c) Section 5064(a)(1) and (2) (D.C. Official Code § 44-664.03(a)(1) and (2)) is amended to read as follows
“(1) An amount equal to the non-federal share of the total available spending
room under the outpatient Medicaid upper payment limit for private hospitals applicable to
District Fiscal Year 2020, consistent with requirements and approvals from the United States
Department of Health and Human Services, Center for Medicaid or Medicare Services; plus
“(2) An amount equal to the non-federal share of the total available spending
room under the outpatient Medicaid upper payment limit for District operated hospitals
applicable to District Fiscal Year 2020, consistent with the federal approval of the authorizing
Medicaid State Plan amendment or associated templates and other authorities; plus”.
(d) Section 5065(a) (D.C. Official Code § 44-664.04(a)) is amended by striking the
phrase “the Centers for Medicare and Medicaid Services approves the Medicaid State Plan
amendment” and inserting the phrase “the District obtains approvals required by the Centers for
Medicare and Medicaid Services for” in its place.
(e) Section 5066 (D.C. Official Code § 44-664.05) is amended to read as follows:
“Sec. 5066. Medicaid outpatient hospital access payments; payments to MCOs.
“(a) For visits and services beginning October 1, 2020, the District shall pay MCOs at a
rate sufficient to support payments to hospitals located in the District for outpatient services at a
rate that is not less than 130% of the District Fiscal Year 2020 fee-for-service base rate and shall
direct MCOs to pay such rate to their participating hospitals located in the District for such
services.
“(b) No payment shall be made under this section until such time that the Centers for
Medicare and Medicaid Services approves the Medicaid State Plan amendment, associated
template, and other authorities authorizing the Medicaid payments described in this section.
“(c) The Medicaid payment methodologies authorized under this section shall not be altered unless such alteration is necessary to gain approval from the Centers for Medicare and Medicaid Services.”.

Sec. 5003. Section 5013(a) of the Medicaid Hospital Inpatient Rate Supplement Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.13(a)), is amended to read as follows:

“(a)(1) Beginning October 1, 2020, and except as provided in subsection (b) of this section and section 5087, the District, through the Office of Tax and Revenue, may charge each hospital a fee based on its inpatient net patient revenue.

“(2) The fee shall be charged at a uniform rate necessary to generate no more than $8,454,038 to support inpatient Medicaid Fee-for-Service and managed care rates at the District Fiscal Year 2015 level of not less than 98% of cost to non-specialty hospitals.

“(3) The fee collected pursuant to this section shall be deposited in the Hospital Fund, established by section 5083.”.

SUBTITLE B. MEDICAL MARIJUANA PROGRAM ADMINISTRATION

Sec. 5011. Short title.

This subtitle may be cited as the “Medical Marijuana Program Administration Amendment Act of 2020”.

Sec. 5012. The Legalization of Marijuana for Medical Treatment Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 et seq.), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-1761.01), is amended as follows:

(1) Paragraphs (1), (1A), and (1B) are redesignated as paragraphs (1B), (1C), and
(1D), respectively.

(2) New paragraphs (1) and (1A) are added to read as follows:

“(1) “ABRA” means the Alcoholic Beverage Regulation Administration.

“(1A) “ABC Board” means the Alcoholic Beverage Control Board.”.

(3) Paragraph (3)(B) is amended by striking the phrase “with the Department” and inserting the phrase “with ABRA” in its place.

(4) Paragraph (5) is amended by striking the phrase “with the Mayor” and inserting the phrase “with ABRA” in its place.

(5) Paragraph (6) is repealed.

(6) Paragraph (7) is amended by striking the phrase “with the Mayor” and inserting the phrase “with ABRA” in its place.

(7) Paragraph (19) is amended by striking the phrase “if the Department” and inserting the phrase “if ABRA” in its place.

(8) Paragraph (21) is amended by striking the phrase “by the Department” and inserting the phrase “by ABRA” in its place.

(b) Section 3 (D.C. Official Code § 7-1671.02) is amended as follows:

(1) Subsection (c)(1)(B) is amended by striking the phrase “with the Mayor” and inserting the phrase “with ABRA” in its place.

(2) Subsection (d) is amended by striking the phrase “with the Mayor” and inserting the phrase “with ABRA” in its place.

(c) Section 5(b)(2) (D.C. Official Code § 7-1671.04(b)(2)) is amended by striking the phrase “by the Mayor” and inserting the phrase “by ABRA” in its place.

(d) Section 6 (D.C. Official Code §7-1671.05) is amended as follows:
(1) The lead-in text is amended by striking the phrase “be administered by the Mayor and shall”.

(2) Paragraph (1)(A) is amended by striking the phrase “with the Department” and inserting the phrase “with ABRA” in its place.

(3) Paragraph (4)(A) is amended as follows:

(A) Subparagraph (iv) is amended by striking the phrase “by the Department” and inserting the phrase “by the ABC Board” in its place.

(B) Subparagraph (v) is amended by striking the phrase “by the Mayor” and inserting the phrase “by ABRA” in its place.

(4) Paragraph (5A) is amended as follows:

(A) The lead-in text is amended by striking the phrase “by the Department” and inserting the phrase “by the ABC Board” in its place.

(B) Paragraph (D) is amended by striking the phrase “by the Department” and inserting the phrase “by the ABC Board” in its place.

(5) Paragraph (5B)(D) is amended by striking the phrase “that the Department” and inserting the phrase “that ABRA” in its place.

(6) Paragraph (7) is amended by striking the phrase “if the Mayor determines” and inserting the phrase “if the ABC Board determines” in its place.

(7) Paragraph (10)(A) is amended by striking the phrase “apply to the Mayor” and inserting the phrase “apply to the ABC Board” in its place.

(8) Paragraph (14) is amended by striking the phrase “notify the Department” and inserting the phrase “notify ABRA” in its place.

(e) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:
(1) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “with the Mayor” and inserting the phrase “with ABRA” in its place.

(B) Paragraph (3)(A) is amended by striking the phrase “determined by rulemaking” and inserting the phrase “determined by the Mayor by rules issued in accordance with section 14” in its place.

(C) Paragraph (4) is amended by striking the phrase “the Mayor” and inserting the phrase “the ABC Board” in its place.

(2) Subsection (e)(3) is amended by striking the phrase “that the Mayor may allow” and inserting the phrase “that the ABC Board may allow” in its place.

(3) Subsection (g-2) is amended by striking the phrase “the Mayor” and inserting the phrase “the ABC Board” in its place.

(4) Subsection (g-3) is amended by striking the phrase “the Mayor” and inserting the phrase “the ABC Board” in its place.

(5) Subsection (j) is amended by striking the phrase “the Mayor” and inserting the phrase “the ABC Board” in its place.

(f) Section 8(a) (D.C. Official Code § 7-1671.07) is amended by striking the phrase “to the Department” and inserting the phrase “to ABRA” in its place.

(g) A new section 9 is added to read as follows:

“Sec. 9. Medical Cannabis Administration Fund.

“(a) There is established as a special fund the Medical Cannabis Administration Fund (“Fund”), which shall be administered by ABRA in accordance with subsection (c) of this section.”
“(b) All funds received from medical cannabis licensing, permitting, and registration fees shall be deposited into the Fund.

“(c) Money deposited in the Fund shall be used by ABRA for the purpose of administering the medical marijuana program.

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

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

“(e) Funds received from penalties and fines imposed under section 9 shall be credited to the unrestricted fund balance of the General Fund of the District of Columbia.”.

Sec. 5013. Title 25 of the District of Columbia Official Code is amended by adding a new section 25-204a to read as follows:

“§ 25-204a. Medical marijuana program; transfer of functions of the Department of Health.

“(a) The Alcoholic Beverage Control Board and ABRA shall be responsible for carrying out the responsibilities assigned to them by the Legalization of Marijuana for Medical Treatment Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 et seq.) (“Medical Marijuana Act”), and for any responsibilities of the Mayor under the Medical Marijuana Act that are delegated to the Alcoholic Beverage Control Board or ABRA by the Mayor.

“(b)(1) Except as provided in paragraph (2) of this subsection, all personal property, assets, records, including both electronic and physical files, licensing agreements, and contracts,
equipment, computer software, obligations, and unexpended balances of appropriations,
allocations, assets, and liabilities, and other funds available or to be made available relating to
the powers, duties, functions, operations, and administration by the Department of Health of the
medical marijuana program pursuant to the Legalization of Marijuana for Medical Treatment
Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-
1671.01 et seq.), as of September 30, 2020, are hereby transferred to ABRA.

“(2) This subsection shall not apply to the personal property, assets, records,
including both electronic and physical files, licensing agreements, and contracts, equipment,
computer software, obligations, and unexpended balances of appropriations, allocations, assets,
and liabilities, and other funds available or to be made available relating to the powers, duties,
functions, operations, and administration by the Department of Health of the medical marijuana
program which are within the purview of the Board of Medicine, Board of Nursing, or Board of
Dentistry.

“(c) All rules, orders, obligations, determinations, contracts, agreements, and
understandings of the Department of Health pertaining to the medical marijuana program shall
remain in effect until such time as they may be lawfully amended, modified, or repealed.

“(d) ABRA shall coordinate with the Department of Health regarding the transition of the
administration of the medical marijuana program to ABRA.

“(e)(1) The directors of ABRA and the Department of Health shall jointly determine
which personnel, if any, of the Department of Health associated with the administration of the
medical marijuana program shall be transferred from the Department of Health to ABRA.

“(2) Personnel who are transferred to ABRA pursuant to this subsection shall be
subject to the ABRA Director’s personnel authority, pursuant to section 406(b)(21) of the
District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)(21)), including as it relates to employment classifications and pay scales.”.

SUBTITLE C. STEVIE SELLOWS DIRECT SUPPORT PROFESSIONALS

QUALITY IMPROVEMENTS

Sec. 5021. Short title.

This subtitle may be cited as the “Stevie Sellows Direct Support Professionals Quality Improvements Amendment Act of 2020”.

Sec. 5022. Section 47-1273 of the District of Columbia Official Code is amended by striking the figure “5.5%” and inserting the figure “6.0%” in its place.

SUBTITLE D. SENIOR STRATEGIC PLAN

Sec. 5031. Short title.

This subtitle may be cited as the “Senior Strategic Plan Amendment Act of 2020”.

Sec. 5032. Section 307(e) of the District of Columbia Act on the Aging, effective March 28, 2019 (D.C. Law 22-267; D.C. Official Code § 7-503.07(e)), is amended as follows:

(a) Paragraph (1) is amended by striking the date “December 31, 2019” and inserting the phrase “on the last day of the second fiscal year for which funding for this act is included in an approved budget and financial plan”.

(b) Paragraph (3) is amended by striking the date “December 31, 2019” and inserting the phrase “the date on which the initial Plan is filed in accordance with paragraph (1) of this subsection” in its place.

TITLE VI. OPERATIONS AND INFRASTRUCTURE
SUBTITLE A. OPPORTUNITY ACCOUNTS

Sec. 6001. Short title.

This subtitle may be cited as the “Opportunity Accounts Expansion Amendment Act of 2020”.

Sec. 6002. The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-266; D.C. Official Code § 1-307.61 et seq.), is amended as follows:

(a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph (2A) to read as follows:

“(2A) “Commissioner” means the Commissioner of the Department of Insurance, Securities, and Banking.”.

(b) Section 8(b) (D.C. Official Code § 1-307.67(b)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “per account.” and inserting the phrase “per account, except as provided in paragraph (3) of this subsection.” in its place.

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

“(3) The Commissioner may waive the requirement in subsection (a) of this section and may provide matching funds of up to $4 for every dollar the account holder deposits into the opportunity account when adequate federal or private matching funds are not available. For each additional dollar of matching funds that the District provides to an opportunity account pursuant to such a waiver, the aggregate matching funds limit set forth in paragraph (2) of this subsection for that account shall be increased by $1.”.

(c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

(1) Paragraph (6) is repealed.
(2) Paragraph (8) is amended by striking the period at the end and inserting the phrase “; and” in its place.

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

“(9) To pay for any cost, expense, or item authorized by a rule issued pursuant to section 14.”.

(d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

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

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

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

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

“(4) Making health insurance premium payments in the event of a sudden, unexpected loss of income.”.

(2) Subsection (c) is repealed.

(3) New paragraphs (c-1), (c-2), and (c-3) are added to read as follows:

“(c-1) If an account holder makes an emergency withdrawal for the purposes of subsection (b)(2) or (3) of this section, the account holder shall only withdraw funds deposited by the account holder and shall not withdraw matching funds.

“(c-2) If an account holder makes an emergency withdrawal for the purposes of subsection (b)(1) of this section, the account holder shall only withdraw funds deposited by the account holder and shall not withdraw matching funds, unless the withdrawal is for a medical emergency.
“(c-3) If an account holder makes an emergency withdrawal for the purposes of subsection (b)(4) of this section, the account holder may withdraw funds deposited by the account holder and matching funds.”.

(4) The lead-in language of subsection (e) is amended to read as follows:

“(e) An account holder shall not be required to repay funds withdrawn from the opportunity account for an emergency withdrawal but must resume making deposits into the opportunity account within 90 days after the emergency withdrawal. If the account holder fails to make a deposit within 90 days after the emergency withdrawal:”.

SUBTITLE B. SPECIAL PURPOSE REVENUE ACCOUNTS OF THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Sec. 6011. Short title.

This subtitle may be cited as the “Department of Consumer and Regulatory Affairs Special Purpose Revenue Fund Flexibility Amendment Act of 2020”.

Sec. 6012. Section 1 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), is amended as follows:

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

“(b)(1) There is established as a special fund the Nuisance Abatement Fund (“Fund”), which shall be administered by the Mayor in accordance with paragraph (3) of this subsection.

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

“(A) Amounts assessed pursuant to subsections (a) and (c) of this section;

“(B) Liens imposed pursuant to section 14(a);

“(C) All fees, fines, and penalties imposed under this act, as provided in
section 14(b), including:

“(i) The fees imposed pursuant to subsection (d) of this section;

“(ii) The vacant property registration fees collected pursuant to sections 6 and 9; and

“(iii) Civil fines, penalties, and fees imposed under section 10;

“(D) The proactive inspection program fees collected pursuant to subsection 207.1(d) of Title 14 of the District of Columbia Municipal Regulations (14 D.C.M.R. § 207.1(d));


“(F) Amounts collected by the District under Subtitle B of Title IV-A 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 § 42-3173.01 et seq.), as provided in section 451 of that subtitle (D.C. Official Code § 42-3173.11);

“(G) All fees and penalties collected under An Act To create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes, approved May 1, 1906 (34 Stat. 157; D.C. Official Code § 6-901 et seq.), as provided in section 16(b) of that act (D.C. Official Code § 6-916(b));

“(H) If an accounting is made in accordance with, and subject to, D.C. Official Code § 47-1340(f), amounts assessed and collected as a tax against real property under subsection (a) of this section including any interest and any penalties thereon, or otherwise received to recoup any amounts, incidental expenses or costs incurred, obligated, or expended for
the purposes of the fund;

“(I) Recoveries from enforcement actions brought by the Office of the Attorney General on behalf of the District of Columbia or District of Columbia agencies for the abatement of violations of Chapters 1 through 16 of Title 14 of the District of Columbia Code of Municipal Regulations, excluding funds obtained through administrative proceedings; and

“(J) Restitutions from any source to the Fund or to the District for the purposes of the Fund.

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

“(A) Paying the costs of ensuring property maintenance and housing inspections are timely and accurate;

“(B) Paying the costs of inspecting or correcting any condition, and all costs incident thereto, that the Mayor may order or cause pursuant to subsection (a) of this section;

“(C) Paying the costs of demolishing or enclosing a structure under Subtitle B of Title IV-A of the Abatement and Condemnation Nuisance Properties Omnibus Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3171.01 et seq.);

“(D) Paying the costs of the administration of the Board for the Condemnation of Insanitary Buildings, established by section 2 of An Act To create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes, approved May 1, 1906 (34 Stat. 157; D.C. Official Code § 6-902); and

“(E) Paying costs related to the abatement of nuisance properties and housing code violations and improving the operations of the Department of Consumer and
Regulatory Affairs.

“(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 in the Fund shall be continually available without regard to fiscal year limitation.”.

(b) Subsection (c)(1)(F)(ii)(II) is amended as follows:

(A) Sub-sub-subparagraph (bb) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(B) Sub-sub-subparagraph (cc) is amended by striking the period and inserting the phrase “; or” in its place.

(C) A new sub-sub-subparagraph (dd) is added to read as follows:

“(dd) Any building, property maintenance, or housing code violation that threatens the health or safety of District residents or visitors as determined by the Mayor.”.

Sec. 6013. Section 47-2851.13(c) of the District of Columbia Official Code is amended to read as follows:

“(c) Revenue credited to the Fund shall be expended by the Department for the purposes of:

“(1) Maintaining and upgrading the basic business licensing system, including copying fees, automation upgrades, personnel costs, and supplies; and

“(2) Otherwise supporting the business service functions of the Department.”.
Sec. 6014. Section 8(c)(2) of the Green Building Act of 2006, effective March 8, 2007

(D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)), is amended as follows:

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

(b) Subparagraph (E) is amended by striking the period and inserting a semicolon in its place.

(c) New subparagraphs (F) and (G) are added to read as follows:

“(F) Costs of abating nuisance properties and housing code violations, including the use of green building materials for abatements; and

“(G) Costs incurred to make green building materials accessible to low-income residents.”

Sec. 6015. Section 29-102.13 of the District of Columbia Official Code is amended as follows:

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

“(b) Revenue credited to the Fund shall be expended by the Department of Consumer and Regulatory Affairs for the purposes of maintaining and upgrading the corporate filing system and supporting the other functions of the Department.”.

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

“(g)(1) The money deposited in 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. 6016. Section 8(b)(4) of the Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71, D.C. Official Code § 37-131.07(b)(4)), is amended by striking the phrase “under this act” and inserting the phrase “by the Department of Consumer and Regulatory Affairs under this act and any other act administered by the Department of Consumer and Regulatory Affairs” in its place.

Sec. 6017. Section 63(c) of the Construction Codes Approval and Amendments Act of 1986, effective October 30, 2018 (D.C. Law 22-168; D.C. Official Code § 6-1405.05(c)), is amended as follows:

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

“(c) Money in the Fund shall be used to operate and administer the building permit review programs of the Department and to support the other functions of the Department.”.

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

“(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. 6018. Conforming amendments.

(a) Section 451(b) 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 § 42-3173.11(b)), is repealed.

(b) Section 14(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, effective April 27, 2001
(D.C. Law 13-281; D.C. Official Code § 42-3131.14(b)), is amended by striking the phrase “and
shall be expended for the general administration, inspection, and abatement costs incurred in the
correction of wrongful conditions in vacant buildings and other nuisance properties” and
inserting the phrase “and shall be expended for the purposes authorized under section (1)(b)” in
its place

(c) Section 16(b) of An Act to create a board for the condemnation of insanitary buildings
in the District of Columbia, and for other purposes, approved May 1, 1906 (34 Stat. 157; D.C.
Official Code § 6-916(b)), is amended by striking the phrase “and shall be expended for the
general administration of the Board”.

**SUBTITLE C. GAME OF SKILL MACHINES**

Sec. 6021. Short title.

This subtitle may be cited as the “Game of Skill Machines Consumer Protection Act of
2020”.

Sec. 6022. The Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles
for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172;
D.C. Official Code §§ 22-1716–22-1718 and 36.601.01 *et seq.*), is amended as follows:

(a) The portion of section 3 currently codified as D.C. Official Code § 22-1716 is
amended by striking the phrase “Monte Carlo night parties,” and inserting the phrase “Monte
Carlo night parties, game of skill machines,” in its place.

(b) The portion of section 3 currently codified as D.C. Official Code § 22-1717 is
amended by striking the period at the end and inserting the phrase “, or game of skill machines
licensed and regulated by the Office of Lottery and Gaming.” in its place.
(c) The portion of section 3 currently codified as D.C. Official Code § 22-1718 is amended by striking the period at the end and inserting the “, or the manufacture, distribution, servicing, retailing, sale, lease, purchase, or possession of machines, tickets, slips, certificates, or cards for game of skill machines excepted and permissible pursuant to this act.” in its place.

(d) The portion of section 4 currently codified as D.C. Official Code § 36-601.12 is amended as follows:

(1) The section heading is amended by striking the phrase “Lottery, Charitable Games, and Sports Wagering” and inserting the phrase “Gambling and Gaming” in its place.

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

“(a) There is hereby established as an enterprise fund the Lottery, Gambling, and Gaming Fund (“Fund”), under the administration of the Chief Financial Officer.”

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

“(a-1) Revenue from the following sources shall be deposited into the Fund or a division of the Fund established by the Chief Financial Officer:

“(1) All funds generated by gambling activities operated or licensed by the Chief Financial Officer; and

“(2) All fees collected under sections 406 through 409.”.

(4) Subsection (c) is amended by striking the word “gambling” and inserting the phrase “gambling and gaming” in its place.

(d) A new Title IV is added to read as follows:

“TITLE IV. GAME OF SKILL MACHINES.

“Sec. 401. Definitions

“For purposes of this title, the term:
“(1) “ABC Board” means the Alcoholic Beverage Control Board.

“(2) “ABRA” means the Alcoholic Beverage Regulation Administration.

“(3) “CFO” means the Chief Financial Officer of the District of Columbia.

“(4) “Distributor” means a person licensed under this title to buy, sell, lease, maintain, or service game of skill machines, or any major components or parts of a game of skill machine, for distribution to retailers.

“(5) “Game of skill machine” means a mechanical or electronic gaming device that rewards the winning player or players with cash, a gift card, or a voucher that can be redeemed for cash. The mechanical or electronic gaming device shall not be considered a game of skill if:

“(A) The ability of a player to succeed at the game is impacted by the number or ratio of prior wins to prior losses of players playing the game;

“(B) The outcome of the game can be controlled by a source other than a player playing the game;

“(C) The success of a player is or may be determined by a chance event that cannot be altered by the player’s actions;

“(D) The ability of a player to succeed at the game is impacted by game features not visible or known to a reasonable player; or

“(E) The ability of a player to succeed at the game is impacted by the exercise of skill that no reasonable player could exercise.

“(6) “Gross game of skill machine revenue” means the total of cash or cash equivalents received from a game of skill machine minus the total of:
“(A) Cash or cash equivalents paid to players as a result of a game of skill machine;
(B) Cash or cash equivalents paid to purchase annuities to fund prizes payable to players over a period of time as a result of a game of skill machine; and
(C) The actual cost paid by the license holder for personal property distributed to a player as a result of a game of skill machine, excluding travel expenses, food, refreshments, lodging, and services.
“(7) “Licensed establishment” means an on-premises retail establishment licensed by the ABC Board to sell, serve, and allow for the consumption of alcoholic beverages.
“(8) “Licensed premises” means the physical location of a licensed establishment that is authorized by the Office to offer game of skill machines.
“(9) “Licensee” means a person who possesses a game of skill manufacturer, distributor, supplier, or retailer license issued by the Office.
“(10) “Manufacturer” means a person that is licensed under this title and that manufactures or assembles game of skill machines for sale or lease to distributors.
“(11) “Office” means the Office of Lottery and Gaming.
“(12) “Retailer” means a person that is licensed under this title to offer game of skill machines on its licensed premises.
“(13) “Supplier” means a person that is licensed under this title to supply major components or parts of game of skill machines to licensed manufacturers or distributors.
“Sec. 402. Authorization of game of skill machines.
“The operation of game of skill machines shall be lawful in the District if conducted in accordance with this title and the rules issued pursuant to this title.
“Sec. 403. Rules and regulations governing game of skill machines.

“(a) The CFO, 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 governing game of skill machines to implement the provisions of this title and protect the public interest.

“(b) The rules issued by the CFO pursuant to subsection (a) of this section shall include:

“(1) Standards for conducting inspections of game of skill machines for compliance with industry standards;

“(2) Standards for inspecting licensed establishments for compliance with this title;

“(3) Minimum and maximum payment amounts for playing game of skill machines;

“(4) The maximum amount of allowable winnings per game;

“(5) Requirements relating to how fees and taxes are to be remitted;

“(6) The method of accounting to be used by a licensed establishment where a game of skill machine is authorized;

“(7) Methods of age verification;

“(8) Types of records that shall be required to be maintained by a licensee;

“(9) Posting requirements;

“(10) Advertising guidelines, including specific language concerning individuals under the age of 18;

“(11) Penalties for violating this title or rules issued pursuant to this title; and

“(12) Internal control standards for game of skill machines.
“Sec. 404. Game of skill machine license requirements; prohibition.

“(a)(1) Except as provided in subsection (f) of this section, no person may offer or allow a game of skill machine in the District unless all the licenses required by this title, or by a rule issued pursuant to this title, have been duly obtained.

“(b)(1) The Office shall issue the following categories of game of skill machine licenses:

“(A) Manufacturer;

“(B) Distributor;

“(C) Supplier; and

“(D) Retailer.

“(2) The Office shall not grant a license listed in paragraph (1) of this subsection until it has determined that each person that possesses 10% or greater beneficial or proprietary interest in the applicant has been approved for licensure in accordance with this title and the rules issued pursuant to this title.

“(c)(1) An applicant for an initial manufacturer, distributor, or supplier license shall be subject to District and national criminal history background checks. The applicant shall submit an application to the Office, in a form determined by the Office, for fingerprints for a national criminal records check by the Metropolitan Police Department and the Federal Bureau of Investigation of all individuals required to be named in the application and a signed authorization of each individual submitting fingerprints for the release of information by the Metropolitan Police Department and the Federal Bureau of Investigation.

“(2) In the case of an application for license renewal, the Office may require additional background checks.
“(d) The Office shall require proof of good standing pursuant to D.C. Official Code § 29-102.08 of an applicant for a license pursuant to this title and may, in addition, require certification that the Citywide Clean Hands Database indicates that the proposed licensee is current with its District taxes.”.

“(e) Proprietary information, trade secrets, financial information, and personal information about a person in an application submitted to the Office pursuant to this title shall not be a public record and shall not be made available under the Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 et seq.), or any other law.

“(f)(1) A retailer shall display its license as required by section 412(d) and shall make the license immediately available for inspection upon request by an employee of the Office, the Metropolitan Police Department, or ABRA.

“(2) When present at a licensed establishment, an employee of a distributor shall carry a copy of its license and make it readily available for inspection by an employee of the Office, the Metropolitan Police Department, or ABRA.

“(g) A licensed establishment that applied for and obtained a game of skill machine endorsement from the ABC Board pursuant to D.C. Official Code § 25-113a(e) prior to the effective date of this act shall have 180 calendar days after the effective date of this act to come into compliance with this title and the rules issued pursuant to this title. Failure to do so may result in the Office taking action against the licensed establishment in accordance with section 417 of this title.”

“Sec. 405. License prohibitions; suspensions and revocation of licenses.
“(a) An applicant convicted of a disqualifying offense shall not be licensed. The Office shall define disqualifying offenses by a rule issued pursuant to this title.

“(b) No Office or ABRA employee, or immediate family member of an Office or ABRA employee, may be an applicant for, have an interest in, or obtain a license issued pursuant to this title.

“(c) Failure of an applicant or licensee to notify the Office of a change to the information provided in its application for license or renewal within 10 days after the change may result in the Office suspending or revoking the licensee’s license, denying the applicant’s license, and issuing a fine.

“(d)(1) The Office shall not grant a license pursuant to this title, and shall revoke a license previously granted, if evidence satisfactory to the Office exists that the applicant or licensee has:

“(A) Knowingly made a false statement of a material fact to the Office;

“(B) Had a license revoked by a governmental authority responsible for regulation of games of skill;

“(C) Been convicted of a felony and has not received a pardon or been released from parole or probation for at least 5 years; or

“(D) Been convicted of a gambling-related offense or a theft or fraud offense.

“(2) The Office may deny a license to an applicant or suspend or revoke a license of a licensee if the applicant or licensee:

“(A) Has not demonstrated, to the satisfaction of the Office, financial responsibility sufficient to adequately meet the requirement of the proposed activity;
“(B) Is not the true owner of the licensed business or has not disclosed the existence or identity of another individual or entity that has an ownership interest in the business; or

“(C) Is a corporation that sells more than 5% of a licensee’s voting stock, more than 5% of the voting stock of a corporation that controls the licensee, or sells a licensee’s assets, to an individual or entity not already determined by the Office to have met the qualifications of a licensee pursuant to this title, or is a non-corporate entity where a person not already determined by the Office to have met the qualifications of a licensee pursuant to this title holds more than 10% interest in the non-corporate entity.”.

“Sec. 406. Conflicts of interest.

“(a) Before issuing, authorizing the transfer to a new owner of, or renewing a license, the Office shall determine that the applicant is not disqualified because of a conflicting interest in another license. In making this determination, the following standards shall apply:

“(1) No licensee under a supplier’s license shall hold a license in another license issued under this title.

“(2) No licensee under a distributor’s license shall hold a license in another license issued under this title; provided that the holder of a distributor’s license may also hold a manufacturer’s license.

“(3) No licensee under a manufacturer’s license shall hold another license issued under this title; provided that the holder of a manufacturer’s license may also hold a distributor’s license.

“Sec. 407. Manufacturer licensure.
“(a) A person may not manufacture a game of skill machine in the District unless the person has a valid manufacturer’s license issued under this title. A manufacturer may only sell game of skill machines for use in the District to persons having a valid distributor’s license.

“(b) A person applying for a manufacturer’s license shall do so on a form prescribed by the Office. The form shall require:

“(1) The name of the applicant;

“(2) The mailing address of the applicant and, if the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;

“(3) A report of the applicant’s financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, and tax returns; and

“(4) Any other information the Office considers necessary.

“(c) In considering whether to approve an application for a distributor’s license, the Office may consider evidence the distributor submitted to the Office of an existing license as a distributor from another jurisdiction that the Office has determined has licensing requirements similar to those required by the District.

“(d) An applicant for a manufacturer’s license shall pay a nonrefundable application fee of $10,000 with the application.

“(e) A manufacturer’s license shall be renewed annually; provided that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of its renewal application a $5,000 renewal fee.

“Sec. 408. Distributor licensure.
“(a) A person may not buy, sell, distribute, lease, maintain, market, or service a game of skill machine or a major component or part of a game of skill machine for distribution in the District unless the person has a valid distributor’s license issued by the Office.

“(b) A licensed distributor may buy, sell, distribute, lease, maintain, market, or service a game of skill machine or any major component or part of a game of skill machine for distribution in the District to a licensed establishment that possesses a retailer’s license from the Office and a game of skill machine endorsement from the ABC Board pursuant to D.C. Official Code § 25-113a(e). No distributor may give anything of value, including a loan or financing agreement, to a licensed establishment as an incentive or inducement to locate a game of skill machine in the establishment.

“(c) A person applying for a distributor’s license shall do so on a form proscribed by the Office. The form shall require:

“(1) The name of the applicant;

“(2) The mailing address of the applicant and, if the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;

“(3) A report of the applicant’s financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, and tax returns; and

“(4) Any other information the Office considers necessary.

“(d) In considering whether to approve an application for a distributor’s license, the Office may consider evidence the distributor submitted to the Office of an existing license as a
distributor from another jurisdiction that the Office has determined has licensing requirements similar to those required by the District.

“(e) An applicant for a distributor’s license shall demonstrate that the equipment, system, or device that the applicant plans to offer to retailers conform to standards established pursuant to this title, the rules issued pursuant to this title, and other applicable law.

“(f) An applicant for a distributor’s license shall pay a nonrefundable application fee of $10,000 with the application.

“(g) A distributor’s license shall be renewed annually; provided that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of its renewal application a $5,000 renewal fee.

“(h) A distributor shall submit to the Office, at such times as are established by the Office by rule, a list of all game of skill machines sold, delivered to, or offered to a retailer. All such equipment shall be tested and approved by an independent testing laboratory approved by the Office.

“Sec. 409. Supplier licensure.

“(a) A person shall not sell parts or components for a game of skill machine, or provide services related to a game of skill machine, unless the person has a valid supplier’s license. A supplier may only provide parts and components for a game of skill machine, or provide services related to a game of skill machine, for use in the District to a person having a valid manufacturer’s or distributor’s license.

“(b) A person applying for a supplier’s license shall do so on a form proscribed by the Office. The form shall require:

“(1) The name of the applicant;
“(2) The mailing address of the applicant and, if the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;

“(3) A report of the applicant’s financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, and tax returns; and

“(4) Any other information the Office considers necessary.”.

“(c) In considering whether to approve an application for a supplier’s license, the Office may consider evidence the supplier submitted to the Office of an existing license as a supplier from another jurisdiction that the Office has determined has licensing requirements similar to those required by the District.

“(d) An applicant for a supplier’s license shall demonstrate that the equipment, components, or parts that the applicant plans to offer to manufacturers or distributors conform to standards established pursuant to this title, rules issued pursuant to this title, and other applicable law.

“(e) An applicant for a supplier’s license shall pay a nonrefundable application fee of $2,000 with the application.

“(f) A supplier’s license shall be renewed annually; provided that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of its renewal application a $1,000 renewal fee.

“(g) A supplier shall submit to the Office, at such times as are established by the Office by rule, a list of all components or parts for game of skill machines sold, delivered to, or offered
to a manufacturer or operator. All such equipment shall be tested and approved by an independent testing laboratory approved by the Office.

“Sec. 410. Retailer licensure; registration of game of skill machines.

“(a) A person may not own, lease, maintain, install, make available, or offer or allow another to play a game of skill machine in the District unless the person:

“(1) Is a licensed establishment;

“(2) Possesses a retailer’s license from the Office and a game of skill machine endorsement from ABRA in accordance with D.C. Official Code § 25-113a(e); and

“(3) Has entered into a written use agreement with a licensed distributor for the placement or installation of a game of skill machine or machines on the licensed premises.

“(b) Each game of skill machine located on a retailer’s licensed premises shall be registered with the Office by the retailer before the game of skill machine is installed on the licensed premises. A retailer may register and operate up to 5 game of skill machines on the licensed premises at any time. The registration fee for each game of skill machine shall be $100. The Office shall issue to the retailer a registration sticker for placement on each registered game of skill machine.

“(c) A person shall apply for a retailer’s license on a form proscribed by the Office. The form shall require:

“(1) The name of the applicant;

“(2) The mailing address of the applicant and, if the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;
“(3) A report of the applicant’s financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, and tax returns; and

“(4) Any other information the Office considers necessary.

“(d) An applicant for a retailer’s license shall pay a nonrefundable application fee of $300 with the application.

“(e) A retailer’s license shall be renewed annually; provided that the licensee continued to comply with the statutory and regulatory requirements and pays upon submission of its renewal application a $300 renewal fee.

“(f) The Office shall require a retailer to be bonded, in such amounts and in such manner as determined by the Office, and to agree, in writing, to indemnify and hold harmless the District government against any and all actions, claims, and demands of whatever kind or nature that the District may incur by reason of or in consequence of issuing the retailer’s license to the retailer.

“(g)(1) Game of skill machines shall not be offered or allowed to be played in the District other than at an establishment licensed as a retailer.

“(2) A person convicted of violating this subsection shall be subject to a fine not to exceed $5,000 or imprisonment not to exceed 6 months, or revocation of the retailer’s license, or all of the foregoing.

“Sec. 411. Minimum requirements of game of skill machines.

“(a)(1) Every game of skill machine offered for play shall first be tested and approved pursuant to this title and the rules issued pursuant to this title.

“(2) The Office shall utilize the services of an accredited independent outside testing laboratory to test and assess each game of skill machine.
“(3) The applicant shall be responsible for paying the fees associated with testing the game of skill machines.

“(b) Every game of skill machine offered in the District shall meet the minimum standards approved by the Office, including the following:

“(1) The game of skill machine must conform to all requirements of federal law and regulations, including the Federal Communications Commission’s Class A Emissions Standards;

“(2) The game of skill machine shall pay out a mathematically demonstrable percentage during the expected lifetime of the machine of all amounts played, which shall not be less than 80%;

“(3) The game of skill machine shall display an accurate representation of the game outcome;

“(4) The game of skill machine shall not automatically alter pay tables or any function of the game of skill machine based on an internal computation of a hold percentage or have a means of manipulation that affects the random selection process or probabilities of winning a game;

“(5) The game of skill machine shall not be negatively affected by static discharge or other electromagnetic inference;

“(6) The game of skill machine shall be capable of displaying the following during idle status: “power reset”; “door open”; or “door closed”;

“(7) The game of skill machine shall be able to detect and display the game’s complete play history and winnings for the previous 10 games;
“(8) The theoretical payback percentage of a game of skill machine shall not be capable of being changed without making a hardware or software change in the machine itself;

“(9) The game of skill machine shall be designed so that the replacement of parts or modules required for normal maintenance does not necessitate replacement of the electromechanical meters;

“(10) The game of skill machine shall contain a non-resettable meter which shall be located in a locked area of the machine that is accessible only by a key;

“(11) The game of skill machine shall be capable of storing the meter information required by paragraph (10) of this subsection for a minimum of 180 days after a power loss to the machine;

“(12) The game of skill machine shall have accounting software that keeps an electronic record that includes:

“(A) Total cash inserted into the game of skill machine;

“(B) The value of winning tickets awarded to players by the game of skill machine;

“(C) The total credits played on the game of skill machine;

“(D) The total credits awarded by the game of skill machine; and

“(E) The payback percentage credited to players of the game of skill machine;

“(13) The game of skill machine shall be linked to a centralized accounting system which will allow the Office to activate or deactivate the game of skill machine from the centralized system remotely; and
“(14)(A) The game of skill machine shall be linked to a centralized accounting system in accordance with section 415 by which all approved game of skill machines shall be connected for purposes of accounting and reporting to the Office.

“(B) A manufacturer of a game of skill machine that has been approved to distribute and install a game of skill machine in the District shall be allowed one year from the effective date of this title to come into compliance with this paragraph.

“(c) The Office may issue rules to establish additional licensing and registration requirements for purposes of preserving the integrity and security of game of skill machines in the District.

“Sec. 412. Registration; display of registration sticker, license, and warning sign; locations of game of skill machines.

“(a) A retailer shall register each of its game of skill machines in the District with the Office before the game of skill machine may be installed at the licensed establishment.

“(b) A retailer shall locate its game of skill machines for play only in specific locations approved by the ABRA within the retailer’s licensed establishment.

“(c) A retailer shall affix and maintain a registration sticker issued by the Office to the game of skill machine at all times the game of skill machine is located at the establishment. If the registration sticker is damaged, destroyed, lost, or removed, the retailer shall pay the Office $75 for a replacement registration sticker.

“(d) A retailer shall post both its retailer’s license and a warning sign, maintained in good repair and in a place clearly visible at the point of entry to the designated areas where the game of skill machines are located. The warning sign shall include:

“(1) The minimum age required to play a game of skill machine;
“(2) The contact information for the District’s gambling hotline; and
“(3) The contact information for the Office of Lottery and Gaming for purposes of filing a complaint against the manufacturer, supplier, distributor, or retailer.
“(e) Failure to display the registration sticker, license, or warning sign may result in the Office revoking or suspending the license or issuing a fine against the licensed establishment pursuant to section 417.
“Sec. 413. Cash award.
“(a) A game of skill machine shall not directly dispense cash awards or payments to a player. If, at the conclusion of the game, a player is entitled to a cash award, the game of skill machine shall dispense a ticket or voucher to the player. The ticket or voucher shall indicate:
“(1) The total amount of the cash award;
“(2) The time of day that the cash award was issued in a 24-hour format showing hours and minutes, the date, the terminal serial number, and the sequential number of the ticket or voucher; and
“(3) An encrypted validation number from which the validity of the cash award may be determined.
“(b) A retailer must allow a player to take the ticket or voucher to the owner of the licensed establishment or the owner’s designee, who must be located at the licensed establishment, for payment of the cash award.
“Sec. 414. Game of skill machine use by minors prohibited.
“(a) A licensee shall not permit a person under the age of 18 to use or play a game of skill machine.
“(b) The Office may suspend or revoke a license and issue a fine, in accordance with section 417, against a licensee that knowingly allows a person under the age of 18 to use or play a game of skill machine.

“Sec. 415. Centralized accounting system.

“(a) Within 365 days after the effective date of this title, the Office shall procure a centralized accounting system linked by a communications network through which all licensed game of skill machines shall connect for the purpose of accounting and reporting to the District. (b) By such date as shall be designated by the Office, all game of skill machines registered in the District shall be linked by a communications network to the centralized accounting system for purposes of monitoring and reading machine activities as provided for in this title or rules issued pursuant to this title. When the Office is satisfied with the operation of the centralized accounting system, it shall certify the effective status of the system and notify all retailers of the date by which the retailer’s game of skill machines must be linked to the centralized accounting system.

“(c) The centralized accounting system shall be designed and operated to allow the monitoring and reading of all game of skill machines for the purpose of compliance with this title and rules issued pursuant to this title. The centralized accounting system shall be administered by the Office.

“(d) The centralized accounting system shall not provide for the monitoring or reading of personal or financial information concerning patrons of game of skill machines.

“(e) Employees and agents of a contractor or subcontractor of the Office that is engaged in building, operating, maintaining, or contracting to build, operate, or maintain the centralized
accounting system, and the immediate family members of such employees and agents, shall be prohibited from obtaining a license under this title.

“(f) Unless a retailer’s license is cancelled, suspended, or revoked, nothing in this section shall authorize the Office to limit or eliminate a registered game of skill from the centralized accounting system.

“Sec. 416. Insurance.

“Each distributor shall maintain liability insurance on all game of skill machines that it places in a licensed establishment in an amount set by the Office by rule issued pursuant to this title.

“Sec. 417. Penalties.

“(a) In the event of a violation of this title or a rule issued pursuant to this title, the Office may:

“(1) Impose a fine of not more than $50,000;

“(2) Revoke a licensee’s license; and

“(3) Suspend the licensee’s license for up to one year.

“(b) A person that has been fined or whose application has been denied, revoked, or suspended pursuant to this section shall have a right to a hearing before the Office and, in the event of the Office’s affirmation of the fine, denial, revocation, or suspension, the right to appeal the decision of the Office to the Superior Court of the District of Columbia.

“(c) The Office shall notify ABRA within 48 hours after the Office suspends or revokes a retailers license.

“Sec. 418. Authority of the Office.
“(a) The Office may enforce the provisions of this title with respect to licensees and with respect to any individual or entity not holding a license and offering a game of skill machine in violation of the provisions of this title or rules issued pursuant to this title.

“(b) Subject to subsection (c) of this section, the Office and the Metropolitan Police Department may issue citations for civil violations of this title as set forth in rules issued pursuant to this title.

“(c) A citation for a violation for which the penalty includes the suspension or revocation of a license shall be issued by the Office as a result of an investigation carried out by the Office.

“(d) The Office may request and check the identification of a person who has played, is playing, or is attempting to play a game of skill machine. The Office may seize evidence that substantiates a violation under this title, which shall include seizing the tickets, vouchers, or cash awards issued to a person under the age of 18 and fake identification documents used by a person under the age of 18.

“(e) The Office may seize a game of skill machine license from an establishment if:

“(1) The game of skill machine license has been suspended, revoked, or cancelled by the Office;

“(2) The business is no longer in existence; or

“(3) The business has been closed by another District government agency.

“Sec. 419. Investigations and inspections.

“(a) The Office may conduct investigations, searches, seizures, and other duties authorized by this title and rules issued pursuant to this title.
“(b) An applicant for a license, and each licensee, shall allow any member of the Office, any ABRA investigator, or any member of the Metropolitan Police Department full opportunity to examine, at any time during business hours:

“(1) The location on the premises where game of skill machines are available to play; and

“(2) The books and records of the licensee or applicant.

“Sec. 420. Unlawful acts; action by the Attorney General.

“(a)(1) No manufacturer, distributor, supplier, licensed establishment, or employee or agent of a manufacturer, distributor, supplier, or licensed establishment shall intentionally make a false or misleading representation concerning an individual’s chances, likelihood, or probability of winning at playing a game of skill machine.

“(2) An individual or entity claiming to be aggrieved by a fraudulent act or a false or misleading statement by a licensee shall have a cause of action in a court of competent jurisdiction for damages and any legal or equitable relief as may be appropriate.

“(b) The Attorney General for the District of Columbia, in the name of the District of Columbia, may bring an action in the Superior Court of the District of Columbia to enjoin an individual or entity or to seek a civil penalty of up to $50,000 for a violation of this title or a rule issued pursuant to this title.

“Sec. 421. Taxation of game of skill machines.

“(a)(1) On or before the 20th calendar day of each month, each retailer shall:

“(A) File a return, on forms and in the manner prescribed by the CFO, with the CFO indicating the amount of gross game of skill machine revenue for the retailer’s game of skill machines for the preceding calendar month; and
“(B) Pay to the District of Columbia Treasurer 10% of the gross game of
skill machine revenue for the preceding month.
“(b) All funds owed to the District under this section shall be held in trust within the
boundaries of the District for the District by the retailer until the funds are paid the District of
Columbia Treasurer.
“(c) A retailer that falsely reports or fails to report the amount due as required by this
section may be fined or imprisoned in accordance with title 22 of the District of Columbia Code
and shall have its retailer’s license revoked.
“(d) Each retailer shall keep a record of the gross game of skill machine revenue, awards,
and net income of each game of skill machine in such form as the Office may require.
“(e) A payment required by this section that is not remitted when due shall be assessed a
late payment penalty in amount set forth in § 47-4213.
“(f) In the case of an underpayment of the tax set forth in this section, there shall be
added to the tax an amount of interest determined by applying the underpayment rate set forth in
§ 47-4201 to the amount of the underpayment for the period of the underpayment.

“Sec. 422. Deposit of license fees.

“All fees collected under sections 406 through 409 shall be deposited in the Lottery,
Gambling, and Gaming Fund, established by section 4 of the Law to Legalize Lotteries, Daily
Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia,

Sec. 6022. Title 25 of the District of Columbia Official Code is amended as follows:
(a) Section 25-101 is amended as follows:
(1) A new paragraph (22B) is added to read as follows:
“(22B) “Game of skill machine” has the meaning set forth in section 401(5) of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia.”.

(2) A new paragraph (53A) is added to read as follows:

“(53A) “Voucher” means a ticket issued by a game of skill machine that is redeemable for cash winnings.”.

(b) Section 25-113a is amended by adding a new subsection (e) to read as follows:

“(e)(1) A licensee under a manufacturer’s license class A or B holding an on-site sales and consumption permit, or an on-premises retailer’s license, class C/R, D/R, C/H, D/H, C/T, D/T, C/N, D/N, C/X, or DX, shall obtain a game of skill machine endorsement from the Board in order to offer a game of skill machine on the licensed premises.

“(2)(A) A game of skill machine shall not be placed on outdoor public or private space; provided, that the Board, in its discretion, may allow for the placement of a game of skill on outdoor public or private space if, in the Board’s determination, activity associated with the game of skill machine is:

“(i) Not visible from a public street or sidewalk;

“(ii) Adequately secured against unauthorized entrance; and

“(iii) Accessible only by patrons from within the establishment.

“(B) Subparagraph (A) of this paragraph shall not apply to a licensee operating a passenger-carrying marine vessel in accordance with D.C. Official Code § 25-113(h).”.

(c) Section 25-401 is amended by adding a new subsection (e) to read as follows:
“(e) An applicant for a game of skill machine endorsement shall submit to the Board with its application:

“(1) A diagram of where the game of skill machines will be placed on the licensed premises; and

“(2) The name of the manufacturer and distributor of the game of skill machines and documentation reflecting that the manufacturer and distributor are licensed to do business and pays taxes in the District of Columbia.”.

(d) Section 25-508 is amended to read as follows:

“25-508. Minimum fee for permits, and manager’s license, and endorsement.

“The minimum fees for permits, manager’s license, and endorsement shall be as follows:

“Tasting permit for class A licensees $100/year
“Importation permit $5
“Manager’s license $100/year
“On-site sales and consumption permit $1,000/year
“Game of skill machine endorsement $200”.

(e) The table of contents of Chapter 7 is amended by adding a new section designation to read as follows:

“25-786. Game of skill machine operating requirements.”.

(f) Section 25-763 is amended by adding a new subsection (g) to read as follows:

“(g) Exterior signs advertising game of skill machines shall be prohibited on the licensed establishment.”.

(g) Section 25-765 is amended by adding a new subsection (c) to read as follows:
“(c) Advertisements related to game of skill machines shall not be placed on the interior
or exterior of a window or on the exterior of a door that is used to enter or exit the licensed
establishment.”.

(h) A new section 25-786 is added to read as follows:

§ 25-786. Game of skill machine operating requirements

“A licensee with a game of skill machine endorsement shall:

“(a) Not allow or permit a person under 18 years of age to play a game of skill machine
and shall designate an employee to regularly monitor the designated area where game of skill
machines are played to ensure that no person under 18 years of age is playing or attempting to
play a game of skill machine;

“(b) Verify that each person playing a game of skill machine is lawfully permitted to do
so by checking the person’s government-issued identification document upon entry into either
the licensed establishment or the designated area where the game of skill machines are located
and where the person seeks to cash out his or her winnings, if any; except, that the failure of a
licensee to verify a person’s identification shall not be a violation of this paragraph if the person
whose identification was not checked is 18 years of age or older;

“(c) Not allow or permit a person that appears intoxicated or under the influence of a
narcotic or other substance to play a game of skill machine;

“(d) Not share revenue from the licensee’s sale of alcohol with a manufacturer or
distributor of a game of skill machine, unless approved by the Board as an owner of the license;

“(e) Not allow or permit the placement of a game of skill machine on an outdoor public
or private space that has not been approved by the Board;
“(f) Not allow or permit the placement of a game of skill machine outside of the designated areas contained on the applicant’s diagram provided as part of the license application or outside the areas approved by the Board;

“(g) Not have more than 5 game of skill machines on the licensed premises; and

“(h) Install security cameras that are operational and record for 30 days, in the areas designated for game of skill machines, near the cash register or terminal where cash winnings of game of skill machines are processed, and where the licensee’s money is stored.”.

(i) Section 25-801 is amended by adding a new subsection (h) to read as follows:

“(h) An ABRA investigator may request and check the identification of a person who has played, is playing, or is attempting to play a game of skill machine. An ABRA investigator may seize fake identification used by a person under 18 years of age and may seize such records related to a game of skill machine as the investigator deems appropriate to investigate the playing of a game of skill machine by a person under 18 years of age.”.

Sec. 6023. Section 865 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1331; D.C. Official Code § 22-1704), is amended as follows:

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

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

“(b) It shall be unlawful to install or operate a game of skill machine in the District except as permitted by D.C. Official Code § 25-113a(e). Whoever shall install or operate a game of skill machine at a location not licensed under Title 25 of the D.C. Official Code shall be punished by imprisonment for a term of 180 days or fined not more than the amount set forth in § 22-3571.01, or both.”.
SUBTITLE D. PAY-BY-PHONE TRANSACTION FEES FUND

Sec. 6031. Short title.

This subtitle may be cited as the “Pay-By-Phone Transaction Fee Fund Amendment Act of 2020”.

Sec. 6032. Section 9f of the Department of Transportation Establishment Act, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), is amended to read as follows:

“Sec. 9f. Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund.

“(a) There is established the Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund (“Fund”), which shall be administered by the director of the District Department of Transportation in accordance with subsection (c) of this section.

“(b) The following revenue shall be deposited in the Fund:

“(1) Notwithstanding section 3(h) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50–2603(8)), all transaction fees imposed upon users who pay for parking, transit fares, Capital Bikeshare trips, and other forms of shared mobility and transportation services with the pay-by-phone system; and

“(2) All money remaining in the District Department of Transportation Parking Meter Pay-by-Phone Transaction Fee Fund at the end of Fiscal Year 2020.

“(c) Money in the Fund shall be used to pay vendors responsible for administering pay-by-phone payment systems for parking, transit fares, Capital Bikeshare trips, and other forms of shared mobility and transportation services.
“(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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


**SUBTITLE E. ENVIRONMENTAL SPECIAL PURPOSE REVENUE**

**ACCOUNTS**

Sec. 6041. Short title.

This subtitle may be cited as the “Environmental Special Purpose Funds Reestablishment Amendment Act of 2020”.

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Sec. 6042. The Lead-Hazard Prevention and Elimination Act of 2008, effective March 31, 2009 (D.C. Law 17-381; D.C. Official Code § 8-231.01 et seq.), is amended by adding a new section 10a to read as follows:

“Sec. 10a. Lead Poisoning Prevention Fund.

“(a) There is established as a special fund the Lead Poisoning Prevention Fund (“Fund”), which shall be administered by the Department of Energy and Environment in accordance with subsection (c) of this section.

“(b) All fees, fines, and penalties received from compliance with and enforcement of this act, and all interest earned on those monies, shall be deposited into the Fund.

“(c) Money in the Fund shall be used to pay for the costs of implementing this act and may be used to provide low-income residents of the District with assistance to comply with the requirements of section 4, in accordance with rules issued by the Mayor.

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

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

Sec. 6043. The District of Columbia Underground Storage Tank Management Act of 1990, effective March 8, 1991 (D.C. Law 8-242; D.C. Official Code § 8-113.01 et seq.), is amended by adding a new section 6a to read as follows:

“Sec. 6a. Underground Storage Tank Regulation Fund.
“(a) There is established as a special fund the Underground Storage Tank Regulation Fund ("Fund"), which shall be administered by the Department of Energy and Environment in accordance with subsection (c) of this section.

“(b) All fees, fines, and penalties received from compliance with and enforcement of this act, and contributions and monies received as reimbursement, and all interest earned on those monies, shall be deposited into the Fund.

“(c) Money in the Fund shall be used to pay for the costs of implementing this act and may be used for assessment, clean up, and housing and relocation assistance.

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

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

Sec. 6044. The District of Columbia Hazardous Waste Management Act of 1977, effective March 8, 1991 (D.C. Law 8-229; D.C. Official Code § 8-1301 et seq.), is amended by adding a new section 21a to read as follows:


“(a) There is established as a special fund the Hazardous Waste and Toxic Chemical Source Reduction Fund ("Fund"), which shall be administered by the Department of Energy and Environment in accordance with subsection (c) of this section.

“(b) All fees, fines, and penalties received from compliance with and enforcement of this act, and all interest earned on those monies, shall be deposited into the Fund.

“(c) Money in the Fund shall be used to pay for the costs of implementing this act.
“(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

**SUBTITLE F. ALCOHOLIC BEVERAGE SALES AND DELIVERY**

Sec. 6051. Short title.

This subtitle may be cited as the “Alcoholic Beverage Sales and Delivery Amendment Act of 2020”.

Sec. 6052. Chapter 7 of Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-112 is amended by adding a new subsection (h) to read as follows:

“(h)(1) A retailer with commercial street frontage at the Walter E. Washington Convention Center that sells food and is approved by the Washington Convention and Sports Authority to sell alcoholic beverages for on-premises consumption (“Convention Center food and alcohol business”) that registers as a Convention Center food and alcohol business with the Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed containers to individuals for carry out and may deliver beer, wine, or spirits in closed containers to consumers in the District, pursuant to §§ 25-113(a)(3)(C) and 25-113a(h); provided, that such carry out and delivery orders are accompanied by one or more prepared food items.

“(2) Board approval shall not be required for a registration under this subsection that occurs before April 1, 2021.
“(3) After March 31, 2021, a Convention Center food and alcohol business that does not hold a valid registration under this subparagraph shall be required to obtain a carry out and delivery license as set forth in § 25-113a(h) in order to sell beer, wine, or spirits in closed containers to customers to carry out and to sell and deliver to the homes of District residents beer, wine, or spirits in closed containers for delivery.

“(4) A Convention Center food and alcohol business that has been authorized to offer alcoholic beverages for carry out and delivery in accordance with paragraph (1) of this subsection may only offer alcoholic beverages for carry out and delivery between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.”.

(b) Section 25-113(a)(3)(C) is amended to read as follows:

“(C) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that registers with the Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed containers to individuals for carry out, or deliver beer, wine, or spirits in closed containers to consumers in the District between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week; provided, that each such carry out or delivery order is accompanied by one or more prepared food items.

Board approval shall not be required for a registration under this subparagraph that occurs prior to April 1, 2021. After March 31, 2021, an on-premises retailer that does not hold a valid registration under this subparagraph shall be required to obtain a carry out and delivery endorsement as set forth in § 25-113a(g) in order to sell for carry out and deliver alcoholic beverages.”.

(c) Section 25-113a is amended by adding new subsections (g) and (h) to read as follows:
“(g)(1) Effective April 1, 2021, a licensee under an on-premises retailer’s license, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, shall obtain a carry out and delivery endorsement from the Board to be eligible to sell beer, wine, or spirits in closed containers to individuals for carry out, or deliver beer, wine, or spirits in closed containers to consumers in the District.

“(2) Carry out sales and delivery shall be authorized under paragraph (1) of this subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

“(3) Each carry out or delivery order of an alcoholic beverage pursuant to paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

“(4) The annual fee for a carry out and delivery endorsement shall be established by the Board in an amount not less than $200.

“(5) An on-premises retailer’s licensee that has registered with the Board under § 25-113(a)(3)(C) before April 1, 2021 (a “registered licensee”), shall not be required to apply with the Board for an endorsement under this subsection, and the registered licensee shall be granted the carry out and delivery endorsement upon request to the Board, if the registered licensee makes the request and pays the annual fee required by paragraph (4) of this subsection by March 31, 2021.

“(h)(1) Effective April 1, 2021, a Convention Center food and alcohol business that has registered with the Board under § 25-112(h), shall obtain a carry out and delivery license from the Board to be eligible to sell beer, wine, or spirits in closed containers to individuals for carry out, or deliver beer, wine, or spirits in closed containers to consumers in the District.

“(2) Carry out sales and delivery shall be authorized under paragraph (1) of this subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.
“(3) Each carry out or delivery order of an alcoholic beverage pursuant to paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

“(4) The annual fee for a carry out and delivery license shall be established by the Board in an amount not less than $200.

“(5) A Convention Center food and alcohol business that has registered with the Board under § 25-112(h) before April 1, 2021 (a “registered Convention Center food and alcohol business”), shall not be required to apply with the Board for a license under this subsection, and the registered Convention Center food and alcohol business shall be granted a carry out and delivery license upon request to the Board, if the registered Convention Center food and alcohol business makes the request and pays the annual fee required by paragraph (4) of this subsection by March 31, 2021.”.

(a) Section 25-721 is amended as follows:

(1) Subsection (a-1) is amended by striking the phrase “7:00 a.m. and 12:00 a.m.” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

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

(A) Paragraph (1) is amended by striking the phrase “2:00 a.m. and 8:00 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

(B) Paragraph (2) is amended by striking the phrase “3:00 a.m. and 8:00 a.m.” and inserting the phrase “3:00 a.m. 6:00 a.m.” in its place.

(3) Subsection (d) is amended by striking the phrase “7:00 a.m. and midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

(b) Section 25-722 is amended as follows:
(1) Subsection (a) is amended by striking the phrase “7:00 a.m. and midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

(2) Subsection (b) is amended by striking the phrase “7:00 a.m. and midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

(b) Section 25-723 is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase “2:00 a.m. and 8:00 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

(B) Paragraph (2) is amended by striking the phrase “3:00 a.m. and 8:00 a.m.” and inserting the phrase “3:00 a.m. and 6:00 a.m.” in its place.

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

(A) Subparagraph (C) is amended by striking the word “and”.

(B) Subparagraph (D) is amended by striking the period and inserting the phrase “; and” in its place.

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

“(E) The Saturday and Sunday adjacent to Veterans Day, Christmas Day, and District of Columbia Emancipation Day as set forth in § 1-612.02(a); except, that if the holiday under this subparagraph occurs on a Tuesday, the extended hours shall occur on the preceding Saturday and Sunday and if a holiday under this subparagraph occurs on a Wednesday or Thursday, the extended hours shall occur on the following Saturday and Sunday.”.

(3) Subsection (e)(1) is amended by striking the phrase “2017, January 14 through January 22” and inserting the phrase “2021, January 9 through January 24” in its place.
SUBTITLE G. THIRD PARTY INSPECTION PLATFORM

Sec. 6061. Short title.

This subtitle may be cited as the “Third Party Inspection Platform Amendment Act of 2020”.

Sec. 6062. Section 6d of the Construction Codes Approval and Amendments Act of 1986, effective June 25, 2002 (D.C. Law 14-162; D.C. Official Code § 6-1405.04), is amended by adding a new subsections (f) to read as follows:

“(f) The Department may establish an online platform that may, at the Director’s discretion, serve as the exclusive mechanism by which an individual or entity may hire a third party inspector to perform an inspection authorized by this section. The Department may charge a fee for the use of the online platform by an individual or entity and by the third party inspectors.”.

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. PERSONAL PROPERTY TAX

Sec. 7001. Short title.

This subtitle may be cited as the “Personal Property Tax Amendment Act of 2020”.

Sec. 7002. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1508 is amended by adding a new paragraph (13) to read as follows:

“(13)(A) Computer software, unless:

“(i) The software is incorporated as a permanent component of a computer, machine, piece of equipment, or device, or of real property, and the software is not commonly available separately; or
“(ii) The cost of the software is included as part of the cost of a computer, machine, piece of equipment, or device, or of the cost of real property on the books or records of the taxpayer.

“(B) This paragraph shall not be construed to affect the value of a machine, device, piece of equipment, or computer, or the value of real property, or to affect the taxable status of any other property subject to tax under this title.”.

(b) Section 47-1521 is amended as follows:

(1) Paragraph (1) is redesignated as paragraph (1A).

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

“(1) “Computer software” means a set of statements or instructions that when incorporated in a machine-usable medium is capable of causing a machine or device having information processing capabilities to indicate, perform, or achieve a particular function, task, or result.”.

(3) Paragraph (4) is amended by striking the phrase “goods and chattels” and inserting the phrase “goods and chattels, including computer software,” in its place.

Sec. 7003. Applicability.

This subtitle shall apply as of July 1, 2021.

**SUBTITLE B. UNINCORPORATED BUSINESS FRANCHISE TAX**

Sec. 7011. Short title.

This subtitle may be cited as the “Unincorporated Business Tax Amendment Act of 2020”.

Sec. 7012. Section 47-1808.02(1) of the District of Columbia Official Code is amended by inserting the sentence “Taxable income shall include gain from the sale or other disposition of
any assets, including tangible assets and intangible assets, including real property and interests in
real property, in the District, even when such a sale or other disposition results in the termination
of an unincorporated business.” at the end.

Sec. 7013. Applicability.

This subtitle shall apply as of January 1, 2021.

**SUBTITLE C. BALLPARK REVENUE FUND**

Sec. 7021. Short title.

This subtitle may be cited as the “Ballpark Revenue Fund Excess Revenue Amendment
Act of 2020”.

Sec. 7022. Section 102(d) of the Ballpark Omnibus Financing and Revenue Act of 2004,
effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.02(d)), is amended by
striking the phrase “due on the bonds.” and inserting the phrase “due on the bonds; provided, that
any excess that accrues during Fiscal Year 2020, Fiscal Year 2021, or Fiscal Year 2022 shall be
deposited in the unrestricted fund balance of the General Fund during the fiscal year in which it
accrues.” in its place.

Sec. 7023. Applicability.

This subtitle shall apply as of August 1, 2020.

**TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

Sec. 8001. Short title.

This subtitle may be cited as the “Designated Fund Transfer Act of 2020”.

Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the
accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year
2020 the following amounts from certified fund balances and other revenue in the identified accounts to the unassigned fund balance of the General Fund of the District of Columbia:

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<th>Agency Code</th>
<th>Fund Detail</th>
<th>Fund Name</th>
<th>Amount ($)</th>
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<td>Accountability Fund</td>
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<td>AT0</td>
<td>0606</td>
<td>Recorder of Deeds Surcharge</td>
<td>700,000</td>
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<td>BD0</td>
<td>2001</td>
<td>Historic Landmark and Historic District Filing Fees</td>
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<td>BX0</td>
<td>0600</td>
<td>Arts and Humanities Enterprise Fund</td>
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<td>BX0</td>
<td>0110</td>
<td>Commission on Arts and Humanities</td>
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<td>CB0</td>
<td>0616</td>
<td>Litigation Support Fund</td>
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<td>CI0</td>
<td>0600</td>
<td>Special Purpose Revenue</td>
<td>700,000</td>
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<td>6000</td>
<td>Rental Unit Fee Fund</td>
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<td>Corporate Recordation Fund</td>
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<td>FEMS Reform Fund</td>
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</tbody>
</table>
(b) Notwithstanding any provision of law limiting the use of funds in the accounts listed in D.C. Official Code § 47-392.02(j-5)(1) and (2), the amounts deposited and committed to those accounts pursuant to D.C. Official Code § 47-392.02(j-5) in Fiscal Year 2020, based on the Comprehensive Annual Financial Report for Fiscal Year 2019, shall, after such deposits and commitments have been made, be transferred by the Chief Financial Officer before the end of Fiscal Year 2020 to the unassigned balance of the General Fund of the District of Columbia.

(c) The amounts identified in subsections (a) and (b) of this section shall be made available as set forth in the approved Fiscal Year 2021 Budget and Financial Plan.

Sec. 8003. Applicability.

This subtitle shall apply as of August 1, 2020.

**TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

Sec. 9001. Applicability.

Except as otherwise provided, this act shall apply as of October 1, 2020.

Sec. 9002. Fiscal impact statement.

Sec. 9003. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.
This is to Certify that this Office has reviewed the above-referenced legislation and has found it to be legally sufficient. If you have any questions regarding this certification, please do not hesitate to contact me at 724-5565.

Brian K. Flowers

Bkf/ajp, lae, cpe, dah, arh, rka, kvk, jat, mj, kr, zm