AN AMENDMENT

# 1

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DATE: July 28, 2020
OFFERED BY: Councilmember Elissa Silverman
TO: The “Fiscal Year 2021 Budget Support Emergency Act of 2020”
VERSION: Amendment in the Nature of a Substitute: X

Amendment

Add a new subtitle X to Title VII to read as follows:

“SUBTITLE X. EXCLUDED WORKERS

“Sec. 7xx1. Short title.

“This subtitle may be cited as the “Excluded Workers Amendment Act of 2020”.

“Sec. 7xx2. Assistance for Excluded Workers.

“The Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1201.01 et seq.), is amended by adding a new section 203a to read as follows:

“Sec. 203a. Assistance for Excluded Workers.

“(a) During the public health emergency declared in the Mayor’s order dated March 11, 2020 and any extensions thereof, the Washington Convention and Sports Authority shall issue, subject to the availability of funds, grants or contracts to nonprofit entities to use to provide cash
assistance to District residents who are otherwise excluded from District and federal aid related to COVID-19. To qualify for cash assistance from grants or contracts awarded pursuant to this section, a District resident shall:

“(1) Be ineligible for unemployment insurance or federal COVID-19 relief; and

“(2) Be ineligible for TANF or other government cash assistance programs not related to the COVID-19 pandemic.

“(b) Any entity receiving a grant or contract pursuant to this section may use no more than 10% of the grant for administrative expenses incurred from administering the cash assistance program.

“(c) Cash assistance provided to eligible individuals pursuant to this section shall not be considered in determining eligibility for any means-tested programs administered by the District.

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

“(1) “COVID-19” means the disease caused by the novel coronavirus SARS-CoV-2.

“(2) “COVID-19 relief” means federal monetary assistance, including tax credits, provided under the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (Pub. L. No. 116-133; 134 Stat. 281).”

“Sec. 7xx3. Non-taxability.

“Section 47-1803.02(a)(2) of the District of Columbia Official Code is amended to add a new subparagraph (JJ) to read as follows:

“(JJ) Cash assistance for excluded workers given pursuant to grants awarded by the Washington Convention and Sports Authority in 2020.”

“Sec. 7xx4. Applicability.
“This subtitle shall apply as of the effective date of this act.”.

**Rationale**

This amendment adds protections for recipients of the existing Event DC cash assistance program and clarifies the eligibility requirements. Specifically, the amendment defines eligibility as being excluded from unemployment insurance, federal COVID-19 payments, or other government assistance programs; allows the administering nonprofits to use a portion of the grants to pay for overhead; ensures the cash assistance does not affect eligibility for means-tested programs; and makes the grants non-taxable for income tax purposes.
MEMORANDUM

TO: Councilmember Elissa Silverman

FROM: Nicole L. Streeter, General Counsel

DATE: July 27, 2020


The amendment is legally and technically sufficient for Council consideration.

This amendment would amend the ANS to the Fiscal Year 2021 Budget Support Act of 2020 (Bill 23-760) and the Fiscal Year 2021 Budget Support Emergency Act of 2020 (Bill 23-867), to amend the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1201.01 et seq.), to require the Washington Convention and Sports Authority to issue grants to organizations for the purpose of issuing cash assistance to District workers who do not qualify for federal assistance under the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (Pub. L. No. 116-133; 134 Stat. 281), or for unemployment insurance.

I am available if you have any questions.
FISCAL IMPACT STATEMENT

TO: The Honorable Phil Mendelson
    Chairman, Council of the District of Columbia
FROM: Jennifer Budoff, Budget Director
DATE: July 27, 2020
SHORT TITLE: B23-0760, the Fiscal Year 2021 Budget Support Act of 2020
TYPE: Amendment #1
REQUESTED BY: Councilmember Elissa Silverman

Conclusion
This amendment will not have an adverse impact on the District’s budget and financial plan.

Background
This amendment would modify a number of provisions related to the COVID-19 emergency cash assistance program administered through Events DC. It would expand eligibility, so that in order to qualify for the program, District residents shall:

(1) Be ineligible for unemployment insurance or federal COVID-19 relief; and
(2) Be ineligible for TANF or other government cash assistance programs not related to the COVID-19 pandemic.

The amendment would also make the cash assistance exempt from District income taxes and exempt these funds from eligibility determinations for any means-tested programs administered by the District. Finally, the amendment would allow that any nonprofit entity receiving a grant or contract to provide cash assistance may use no more than 10% for administrative expenses incurred from administering the cash assistance program.