ENROLLED ORIGINAL

AN ACT

D.C. ACT 24-176

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 27, 2021

To enact and amend provisions of law necessary to support the Fiscal Year 2022 budget.

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BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2022 Budget Support Act of 2021".

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. INSPECTOR GENERAL SUPPORT FUND

Sec. 1001. Short title.

This subtitle may be cited as the "Inspector General Support Fund Establishment Amendment Act of 2021".

Sec. 1002. The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), is amended by adding a new section 208a to read as follows:

"Sec. 208a. Office of the Inspector General Support Fund.

"(a) There is established as a special fund the Office of the Inspector General Support Fund ("Fund"), which shall be administered by the Office of the Inspector General ("OIG") in accordance with subsection (d) of this section.

"(b) The following funds shall be deposited into the Fund:

"(1) Twenty-five percent of the revenue received by the District from each restitution and recoupment resulting from a criminal action that was initiated based on a referral by the OIG of a criminal matter to the United States Attorney's Office or the Office of the Attorney General for the District of Columbia; provided, that such revenue is not due to another party or encumbered by federal or other legal restrictions; provided further, that before the deposit of such revenue into the Fund in each of Fiscal Years 2022 through 2025, there shall be deposited first into the General Fund of the District of Columbia $284,000 from such recoveries or from recaptured payments described in paragraph (2) of this subsection; and

"(2) Twenty-five percent of the revenue received by the District resulting from recaptured overpayments identified by the OIG during the course of an audit, inspection, or evaluation; provided, that such revenue is not due to another party or encumbered by federal or other legal restrictions; provided further, that before the deposit of such revenue into the Fund in each of Fiscal Years 2022 through 2025, there shall be deposited first into the General Fund of the District of Columbia $284,000 from such recaptured overpayments or from recoveries described in paragraph (1) of this subsection.

"(c)(1) Notwithstanding subsection (b) of this section:

"(A) No more than $1 million may be deposited into the Fund in any fiscal year; and

"(B) No additional revenue shall be deposited into the Fund if the deposit of the additional revenue would result in the total amount in the Fund exceeding $2.5 million.

"(2) Revenue described in subsection (b) of this section that is not deposited into the Fund as a result of the restrictions set forth in this subsection instead shall be deposited in the General Fund.

"(d) Money in the Fund shall be used to support the OIG's statutory responsibilities as set forth in section 208.

"(e)(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 any fiscal year or at any other time.

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

"(f) For the purposes of this section, the term "recaptured overpayments" means local funds disbursed by a District agency, a District contractor, a District grantee, or other entity administering a District program or activity in excess of statutory, contractual, or other applicable legal requirements, when such excess disbursements are identified by the OIG in an audit or investigation, and when such excess disbursements are recovered by the District based on the OIG audit or investigation.".

SUBTITLE B. COVID-19 PUBLIC HEALTH EMERGENCY PROCUREMENT ANALYSIS

Sec. 1011. Short title.

This subtitle may be cited as the "COVID-19 Public Health Emergency Procurement Analysis Amendment Act of 2021".

Sec. 1012. Section 204(b) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371, D.C. Official Code § 2-352.04(b)), is amended as follows:

(a) Paragraph (16) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (17)(C) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (18) is added to read as follows:

"(18) To issue a report to the Mayor and the Council no later than October 22, 2021, that includes:

"(A) A review and analysis of emergency procurements conducted during the public health emergency that began on March 11, 2020 ("Public Health Emergency") that includes:

"(i) A comprehensive listing of each emergency procurement conducted, including:

"(I) The date of contract award;

"(II) The source selection method, including whether the procurement was competitively sourced;

"(III) The name and certified business enterprise status of the awardee;

"(IV) The award amount;

"(V) The category of goods or services procured; and

"(VI) A description of the specific goods or services procured;

"(ii) A breakdown of expenditures by funding source, including the extent to which funds have been reimbursed by the federal government, or are in process of reimbursement;

"(iii) The value of goods or services procured by each agency;

"(iv) A listing of inventory levels by product type on the date of the last day of the Public Health Emergency;

"(v) A list of any IDIQ contracts awarded under the Public Health Emergency, including the value of orders placed against each IDIQ contract;

"(vi) A process map of the emergency procurement process used during the Public Health Emergency, including receipt of goods, quality assurance, and inventory and distribution steps;

"(vii) Any lessons learned or areas for improvement in the effective management of emergency procurements;

"(viii) A plan for disposition of any excess supplies and equipment; and

"(ix) A plan for retaining or decommissioning the additional warehouse space acquired during the Public Health Emergency;

"(B) An analysis of emergency procurements with certified local, small, or disadvantaged business enterprises, as defined in section 2302 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02), including:

"(i) The total value of procurements with certified business enterprises relative to the total value of emergency procurements;

"(ii) The number of emergency procurement contracts awarded to certified business enterprises relative to the total number of emergency procurement contracts awarded;

"(iii) The number of distinct certified business enterprises that received an emergency procurement award; and

"(iv) An analysis of the types of goods or services the District needed, when no more than 2 certified business enterprises were capable of performing the contract requirements.".

SUBTITLE C. FAIR ELECTIONS CLARIFICATION

Sec. 1021. Short title.

This subtitle may be cited as the "Fair Elections Clarification Amendment Act of 2021".

Sec. 1022. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

(a) Section 101(10D) (D.C. Official Code § 1-1161.01(10D)) is amended by striking the phrase "member of the Council, and member of the State Board of Education" and inserting the phrase "member of the Council elected at large, member of the Council elected by ward, member of the State Board of Education elected at large, and member of the State Board of Education elected by ward" in its place.

(b) Section 332c(c)(4) (D.C. Official Code § 1-1163.32c(c)(4)) is amended by striking the phrase "his or her candidacy" and inserting the phrase "the participating candidate's candidacy" in its place.

(c) Section 332e(d) (D.C. Official Code § 1-1163.32e(d)) is amended to read as follows:

"(d) The maximum amount participating candidates may receive under this section shall be:

"(1) For candidates for Mayor, 110% of the average expenditures per election cycle of all candidates who were elected Mayor in the prior 4 general elections for Mayor;

"(2) For candidates for Chairman of the Council, 110% of the average expenditures per election cycle of all candidates who were elected Chairman of the Council in the prior 4 general elections for Chairman of the Council;

"(3) For candidates for Attorney General, 110% of the average expenditures per election cycle of all candidates who were elected Attorney General in all prior general elections for Attorney General, until such time as 4 general elections for Attorney General have been held, after which time, 110% of the average expenditures per election cycle of all candidates who were elected Attorney General in the prior 4 general elections for Attorney General;

"(4) For candidates for member of the Council elected at large, 110% of the average expenditures per election cycle of all candidates who were elected member of the Council at large in the prior 2 general elections for member of the Council elected at large;

"(5) For candidates for member of the Council elected by ward, 110% of the average expenditures per election cycle of all candidates who were elected member of the Council by ward in the prior 2 general elections for member of the Council elected by ward;

"(6) For candidates for member of the State Board of Education elected at large, 110% of the average expenditures per election cycle of all candidates who were elected member of the State Board of Education at large in the prior 2 general elections for member of the State Board of Education elected at large; and

"(7) For candidates for member of the State Board of Education elected by ward, 110% of the average expenditures per election cycle of all candidates who were elected member of the State Board of Education by ward in the prior 2 general elections for member of the State Board of Education elected by ward.".

(d) Section 332f(d)(3) (D.C. Official Code § 1-1163.32f(d)(3)) is amended by striking the phrase "campaign purposes" and inserting the phrase "campaign purposes, including the participating candidate's childcare expenses" in its place.

(e) Section 333 (D.C. Official Code § 1-1163.33) is amended as follows:

(1) Subsection (l) is amended by striking the phrase "and (j)(2)" and inserting the phrase "(j)(2), and (m)" in its place.

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

"(m) A candidate may make expenditures to reimburse the candidate for the candidate's childcare expenses incurred for campaign purposes.".

SUBTITLE D. ATTORNEY GENERAL SUPPORT AND RESTITUTION FUNDS

Sec. 1031. Short title.

This subtitle may be cited as the "Attorney General Support and Restitution Fund Expansion and Clarification Amendment Act of 2021".

Sec. 1032. The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.81 *et seq.*), is amended as follows:

(a) Section 106b (D.C. Official Code § 1-301.86b) is amended as follows:

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

"(b) Revenue from the following sources shall be deposited into the Fund:

"(1) Subject to the limitations of subsection (d)(3) of this section and notwithstanding any other provision of District law, any recoveries from claims or litigation brought by the Office of the Attorney General on behalf of the District shall be deposited into the Fund;

"(2) Funds collected pursuant to section 1043(a-4)(1) of the Delinquent Debt Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-350.02(a-4)(1)); and

"(3) Funds recovered from owners under section 506(j)(2) of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06(j)(2)), and not deposited into the Tenant Receivership Abatement Fund, in accordance with section 106e(b)(1)(B).".

(2) Subsection (d)(3) is amended as follows:

(A) Subparagraph (A) is amended by striking the number "$17 million" both times it appears and inserting the number "$19 million" in its place.

(B) Subparagraph (B) is repealed.

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

"(C) Notwithstanding subparagraph (A) of this subsection, recoveries obtained on behalf of the District pursuant to contingency fee contracts shall be deposited into the Fund and may remain in the Fund until paid to the contractor to satisfy costs and fees or transferred to another fund by the Office of the Attorney General to pay contingency fee contracts.".

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

"(e) For the purposes of this section, the term "recovery" shall include funds obtained through court determinations or through the settlement of claims in which the Office of the Attorney General represents the District, but shall not include funds obtained through an administrative proceeding or funds obligated to another source by federal law or pursuant to section 2(b)(2) of the Subrogation Fund Establishment Act of 2018, effective July 3, 2018 (D.C. Law 22-122; D.C. Official Code § 1-325.391(b)(2)), or section 2332 of the District of Columbia Government Comprehensive Merit Personnel Act of 1979, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-623.32). Recoveries shall be deposited into the Fund regardless of whether the amounts payable to satisfy the underlying obligations otherwise would have been required to be deposited into a different District special fund.".

(b) Section 106c (D.C. Official Code § 1-301.86c) is amended as follows:

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

(A) The lead-in language is amended by striking the phrase "awards shall be" and inserting the phrase "shall be" in its place.

(B) Paragraph (1) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(C) Paragraph (2) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(3) Funds collected pursuant to section 1043(a-4)(2) of the Delinquent Debt Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-350.02(a-4)(2)).".

(2) Subsection (h) is repealed.

(c) Section 106d(b) (D.C. Official Code § 1-301.86d(b)) is amended to read as follows:

"(b) Revenue from the following shall be deposited in the Restitution Fund:

"(1) Awards of restitution and costs to individuals imposed under a court order, judgment, or settlement in any action or investigation brought to enforce to section 203a of the Criminal Abuse, Neglect, and Financial Exploitation of Vulnerable Adults and the Elderly Act of 2000, effective November 23, 2016 (D.C. Law 21-166; D.C. Official Code § 22-933.01); and

"(2) Funds collected pursuant to section 1043(a-4)(3) of the Delinquent Debt Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-350.02(a-4)(3)).".

SUBTITLE E. CONSUMER PROTECTION PROCEDURES STAY

Sec. 1041. Short title.

This subtitle may be cited as the "Attorney General Stay of Parallel Private Attorney General Actions Amendment Act of 2021".

Sec. 1042. Section 28-3905(k) of the District of Columbia Official Code is amended by adding a new paragraph (7) to read as follows:

"(7)(A) Commencement of an action by the Attorney General under § 28-3909, including the maintenance of an action previously commenced and pending as of the effective date of this act, shall serve to stay until the resolution of the Attorney General's action any civil action that includes any claim that is:

"(i) Made pursuant to this subsection by a public interest organization or on behalf of the general public; and

"(ii) Based in whole or in part on any matter complained of in the action commenced by the Attorney General.

"(B) A plaintiff that is a public interest organization or is acting on behalf of the general public shall provide notice to the Office of the Attorney General within 10 days of the filing of an action that includes a claim made under this subsection.".

SUBTITLE F. MEDICAL MARIJUANA PROGRAM PATIENT EMPLOYMENT PROTECTION REGULATION CLARIFICATION

Sec. 1051. Short title.

This subtitle may be cited as the "Medical Marijuana Program Patient Employment Protection Regulation Clarification Amendment Act of 2021".

Sec. 1052. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 1503a(h) (D.C. Official Code § 1-615.03a(h)) is amended by striking the word "rules" and inserting the phrase "rules pertaining to Council employees" in its place.

(b) Section 2062(e) (D.C. Official Code § 1-620.62(e)) is amended by striking the word "rules" and inserting the phrase "rules pertaining to Council employees" in its place.

SUBTITLE G. DISABILITY INSURANCE OVERPAYMENT REMEDY

Sec. 1061. Short title.

This subtitle may be cited as the "Disability Insurance Overpayment Remedy Act of 2021".

Sec. 1062. Definitions.

For the purposes of this subtitle, the term:

(1) "Affected employee" means each past and current District government employee determined by DCHR to have overpaid premiums on disability insurance at any time during the period from January 1, 2010, through December 31, 2020.

(2) "DCHR" means the Department of Human Resources.

(3) "Disability insurance" means short-term or long-term disability insurance provided as a voluntary opt-in benefit for District government employees.

(4) "Overpayment" means money paid by a District government employee for disability insurance premiums in excess of what the employee owed.

Sec. 1063. Notification and repayment of premiums.

By September 30, 2022, DCHR shall:

(1) Identify all affected employees;

(2) Individually notify each affected employee regarding:

(A) The fact of the overpayment;

(B) The date range of the employee's overpayment;

(C) The total dollar amount of the overpayment; and

(D) The formula DCHR used to arrive at the affected employee's overpayment amount;

(3) Provide affected employees a process to contest the overpayment calculation provided pursuant to paragraph (2) of this subsection;

(4) Reimburse each affected employee by the amount DCHR determines the affected employee overpaid, after considering any calculations contested pursuant to paragraph (3) of this section; and

(5) Submit to the Council a report containing the:

(A) Total number of affected employees;

(B) Date the District collected the first overpayment and the date the District ceased collecting overpayments;

(C) Total amount of all overpayments paid by all affected employees;

(D) Average amount by which affected employees overpaid their disability insurance premiums from 2010 through 2019; and

(E) Total amount of money the District reimbursed to all affected employees.

Sec. 1064. Sunset.

This subtitle shall expire 30 days after DCHR reimburses all affected employees and the Council receives the report described in section 1063(5).

SUBTITLE H. DISTRICT GOVERNMENT EMPLOYEE RESIDENCY RESEARCH

Sec. 1071. Short title.

This subtitle may be cited as the "District Government Employee Residency Research Amendment Act of 2021".

Sec. 1072. The Jobs for D.C. Residents Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108; D.C. Official Code § 1-515.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 1-515.01) is amended as follows:

(1) New paragraphs (1A), (1B), and (1C) are added to read as follows:

"(1A) "Common jurisdiction of residence" means a local jurisdiction in which at least 500 District government employees reside; provided, that the counties commonly known as the "eastern shore of Maryland" may be grouped together as one jurisdiction and all counties in West Virginia may be grouped together as one jurisdiction.

"(1B) "DCHR" means the Department of Human Resources.

"(1C) "Demographics" means socioeconomic factors such as a District government employee's race, household size, number of dependents, status as a parent of school-aged children, jurisdiction of birth, and household income.".

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

"(2A) "Employment information" means:

"(A) The agency for which the employee works;

"(B) The employee's job title, salary, employment service and grade, occupation, and occupational group;

"(C) The employee's status as a full-time, part-time, term, or permanent employee; and

"(D) The employee's status as a highly-compensated employee.".

(3) New paragraphs (4) and (5) are added to read as follows:

"(4) "Jurisdiction of residence" means the city, county, and state, as applicable, in which a District government employee maintains the employee's primary or permanent residence.

"(5) "Residency-related policies" includes the preference points for District residents who apply for District government employment and the District residency mandates in sections 102 and 103, respectively, or in other District law.".

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

"Sec. 106a. Study of District government employee residency.

"(a)(1) DCHR shall conduct a study on District government employee and applicant residency and residency-related policies ("study"), which it shall submit to the Council no later than October 1, 2022. The study shall utilize the results of each of the components described in subsection (b) of this section to provide a comprehensive analysis on the District government workforce as a whole and of sworn police officers, firefighters, and other groups regarding:

"(A) Current patterns related to District government employees' jurisdictions of residence;

"(B) Barriers to higher rates of District residency;

"(C) Reasons for District residency;

"(D) Effectiveness of current residency-related policies; and

"(E) Factors or policies that, if changed, could increase the rates of District residency for District government employees.

"(2) DCHR shall provide the Council Committee on Labor and Workforce Development a status update on the research, in writing, 3 months, 6 months, 9 months, 10 months, and 12 months following October 1, 2021.

"(b) The study shall consist of the following components:

"(1) Results from a data analysis of the jurisdiction of residence of District government employees and applicants, consistent with the requirements of subsection (c) of this section;

"(2) Results of an anonymous survey or confidential focus groups, or both, of District government employees and former employees related to their opinions and experiences regarding their jurisdictions of residence, consistent with the requirements of subsection (d) of this section; and

"(3) Results of a review and analysis of District government agencies' hiring practices and outcomes through data analysis and interviews or surveys, or both, of agency hiring directors, consistent with the requirements of subsection (e) of this section.

"(c)(1) The study's data analysis component shall collect and analyze data, to the extent it is available, for the purpose of documenting for the District government workforce:

"(A) Patterns, including correlations, between District government employees' current jurisdictions of residence and employees':

"(i) Employment information;

"(ii) Demographics;

"(iii) Median housing costs, including monthly rent and home sale price, in common jurisdictions of residence; and

"(iv) Applicable residency-related policies;

"(B) Patterns, including rates of application and of hire, of District government job applicants, by jurisdiction of residence and then by agency, salary level, employment service and grade, occupation, and occupational group; and for District resident applicants, the analysis also shall include a review of total workforce and agency-level patterns and rates at which applicants:

"(i) Were qualified for the applied-for jobs based on the 100-point scale;

"(ii) Sought and received District residency preference points;

"(iii) Received an interview;

"(iv) Received job offers; and

"(v) Accepted job offers; and

"(C) Patterns related to District government employees moving into the District, maintaining residency in the District, or moving out of the District, and factors or circumstances that include the following:

"(i) Employees' jurisdictions of residence immediately before commencing work with the District government;

"(ii) Residency-related policies, including the end of the 7-year period of required residency for employees who received a hiring preference pursuant to section 102;

"(iii) The length of time employees resided in the District before commencing employment with the District government;

"(iv) Employment information; and

"(v) Demographics and changes in demographics.

"(2) Upon completion of the research and analysis conducted pursuant to paragraph (1) of this subsection, DCHR shall issue and submit to the Council a report documenting the findings of the data analysis for:

"(A) The District's workforce as a whole;

"(B) Subordinate agency employees;

"(C) Independent agency employees;

"(D) Employees in jobs that require District residency;

"(E) Employees in jobs that do not require District residency;

"(F) Sworn police officers;

"(G) Firefighters;

"(H) Employees who received residency preference points;

"(I) Employees with long tenures with the District government;

"(J) Employees with short tenures with the District government; and

"(K) Other groups and subgroups that produce findings of interest, relevance, or import, including disaggregation by demographics, employment information, occupation, and other factors, when such disaggregation demonstrates observable patterns of interest or importance.

"(d)(1) The study's anonymous survey or confidential focus groups component shall:

"(A) Be conducted after issuance of the report required pursuant to subsection (c)(2) of this section and be informed by its findings;

"(B) Include a sample size that is large and diverse enough for disaggregation into the groups of employees listed in subsection (c)(2) of this section.

"(C) Capture demographic information as well as information on actual housing costs of survey participants;

"(D) Capture data not available through the data analysis conducted pursuant to subsection (c)(1)(A) and (C) of this section;

"(E) Include questions, and allow open-ended responses, related to:

"(i) Why District government employees choose to live in the District or not to live in the District;

"(ii) The decision-making considerations of employees as to their jurisdiction of residence, with a particular focus on housing costs, educational options, and other significant or common factors;

"(iii) For public safety jobs, including sworn police officers and firefighters, the unique factors of their jobs and how those factors impact their decisions related to jurisdiction of residence;

"(iv) How District resident employees are able to afford to live in the District; and

"(v) Other questions aimed at collecting the information required in paragraph (3)(A) of this subsection or of interest, relevance, or importance to the study.

"(2) DCHR may utilize up to $10,000 to incentivize survey participation.

"(3) Upon completion of the survey or focus groups and analysis conducted pursuant to paragraph (1) of this subsection, DCHR shall issue and submit to the Council a report with findings from the survey and confidential focus groups, which shall:

"(A) Include findings on:

"(i) The circumstances under which and reasons why District residents hired into District government positions move out of the District;

"(ii) The circumstances under which and reasons why new District government hires who are not District residents move into the District or do not move into the District;

"(iii) Factors that would influence a non-District resident to voluntarily live in the District or allow the individual to live in the District if the employee's job required District residency, including salary thresholds above which District employees who are not District residents would be willing or able to become District residents; and

"(iv) Factors that would influence a District resident to remain a District resident in the long term;

"(B) Disaggregate results by demographics, salary level, the employee groups listed in subsection (c)(2) of this section, and other factors;

"(C) Provide average and median actual housing costs of survey or focus group participants, in sum and disaggregated by demographics, salary level, and other factors and;

"(D) Withhold or combine data to the extent failure to do so would otherwise disclose a participant's identity.

"(e)(1) The study component related to a review and analysis of agencies' hiring practices and outcomes shall utilize data gathered pursuant to subsection (c)(1)(B) of this section, related to District government employee applicants, and interviews with or surveys of agency hiring directors to inform the component, and shall include:

"(A) A review of:

"(i) District government agencies' actual recruitment, hiring, retention, and promotion practices;

"(ii) Whether and to what extent such practices focus on hiring District residents;

"(iii) Success or lack of success of such practices at hiring District residents;

"(iv) How to improve practices to increase hiring of District residents; and

"(v) The main challenges, as supported by data or reported by hiring directors, in hiring District residents and recruiting to positions that require District residency;

"(B)(i) Identification of specific occupations or occupational groups and patterns or correlations related to occupations or occupational groups for which District residents represent less than 40% of new hires;

"(ii) Each occupation's or occupational group's starting salary; and

"(iii) Specific credentials necessary for each occupation or occupational group; and

"(C) For agencies that consistently have an annual rate of new hires that is less than 40% District residents, data analysis of, and agency hiring directors' perspective on, the reasons for such rates, such as inadequate recruitment, bona fide hard-to-fill positions, lack of qualified District-resident applicants, lack of positions that require residency, or other legitimate reasons.

"(2) Upon completion of the research conducted pursuant to paragraph (1) of this subsection, DCHR shall issue and submit to the Council a report with findings of the review of hiring practices conducted pursuant to this subsection.

"(f)(1) To perform the study and complete the reports required pursuant to this section, including to prepare the reports required in subsections (a), (c)(2), (d)(3), and (e)(2) of this section, DCHR may contract with or otherwise hire an outside entity with relevant expertise in conducting related research and using research methodologies required to produce the study.

"(2) DCHR may use electronic communication tools, including e-mail, to facilitate a contractor or other external entity's outreach to District government employees.

"(3) DCHR shall:

"(A) Provide a contractor or hired entity, should one be procured or hired, with the information and data necessary to facilitate completion of the study components outlined in subsection (b) of this section and shall assist the contractor or hired entity in

obtaining data from other agencies, including the Office of the Chief Financial Officer ("OCFO") Office of Tax and Revenue.

"(B) Provide all raw data, survey questions, survey results, and all research components and other materials prepared by a contractor or hired entity for the research required by the study, but excluding individual-level data, to the Council upon request.

"(g) In complying with the provisions of this section, DCHR shall take steps to ensure the privacy and confidentiality of current and former District government employees. DCHR may not release to the public or to the Council any findings or data that contain personally identifying information.

"(h)(1) OCFO shall provide all information requested by DCHR or DCHR's hired entity for the purposes of the research described in this subtitle unless sharing such information would violate District or federal laws. DCHR shall enter a data-sharing agreement with OCFO if necessary.

"(2) Independent agencies shall provide all information requested by DCHR for the purposes of the research described in this subtitle. DCHR shall enter a data-sharing agreement with the agencies if necessary.".

(c) Section 108 (D.C. Official Code § 1-515.08) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "this act" and inserting the phrase "this title" in its place.

(2) Paragraph (2) is amended by striking the phrase "this act" and inserting the phrase "this title" in its place.

SUBTITLE I. DELINQUENT DEBT

Sec. 1081. Short title.

This subtitle may be cited as the "Delinquent Debt Recovery Amendment Act of 2021".

Sec. 1082. The Delinquent Debt Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), is amended as follows:

(a) Section 1043 (D.C. Official Code § 1-350.02) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "subsection (a-1)" and inserting the phrase "subsections (a-1) and (a-4)" in its place.

(2) A new subsection (a-4) is added to read as follows:

"(a-4) The Office of the Attorney General may, in its discretion, transfer and refer delinquent debts associated with settlements and judgments to the Central Collection Unit for collection. Beginning in Fiscal Year 2022 and for each fiscal year thereafter:

"(1) Funds collected by the Central Collection Unit arising out of delinquent debts associated with settlements and judgments transferred and referred to the Central Collection Unit by the Office of the Attorney General for collection, net of costs and fees, shall be deposited into the Litigation Support Fund established by section 106b of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.86b), within 60 days;

"(2) Funds collected by the Central Collection Unit arising out of delinquent debts payable as restitution pursuant to a court order, judgment, or settlement under D.C. Official Code § 28-3909 and section 6(a)(2)(A)(iii) of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 977; D.C. Official Code § 32-1306(a)(2)(A)(iii)), transferred and referred to the Central Collection Unit by the Office of the Attorney General for collection shall be deposited into the Attorney General Restitution Fund established by section 106c of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 1-301.86c), within 60 days; and

"(3) Funds collected by the Central Collection Unit arising out of delinquent debts payable as restitution pursuant to a court order, judgment, or settlement in any action or investigation brought to enforce section 203a of the Senior Protection Amendment Act of 2000, effective November 23, 2016 (D.C. Law 21-166; D.C. Official Code § 22-933.01), transferred and referred to the Central Collection Unit by the Office of the Attorney General for collection shall be deposited into the Vulnerable Adult and Elderly Person Exploitation Restitution Fund established by section 106d of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 1-301.86d), within 60 days.".

(b) Section 1045(b)(2) (D.C. Official Code § 1-350.04(b)(2)) is amended by striking the phrase "section 1043(a-1), (a-2) and (a-3)" and inserting the phrase "section 1043(a-1), (a-2), (a-3), and (a-4)" in its place.

SUBTITLE J. TENANT RECEIVERSHIP

Sec. 1091. Short title.

This section may be cited as the "Tenant Receivership Amendment Act of 2021".

Sec. 1092. Rehabilitation Funding.

Section 506 of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06), is amended by adding a new subsection (j) to read as follows:

"(j)(1) In a case in which the court has appointed a receiver in response to a petition made pursuant to section 503, if the court finds, after notice and hearing, that the owner of the rental property currently lacks sufficient funds to pay for rehabilitation of the rental housing accommodation and that such funds cannot be feasibly and timely obtained through grants or subsidies:

"(A) The court may issue an order authorizing the Attorney General to supply funding to the receiver, for initial and emergency repairs, from any funds available in the Tenant Receivership Abatement Fund, established by section 106e of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, passed on 2nd reading on August 10, 2021 (Enrolled version of Bill 24-285); or

"(B) The Court may extend the receivership in place under this act based on a showing of demonstrated need and authorize the receiver to do either of the following:

"(i) Sell the property for a fair-market price to an owner capable of maintaining the property; or

"(ii) If the owner is a District of Columbia corporation or other entity, file a petition in the appropriate federal bankruptcy court to place the corporate owner into bankruptcy proceedings pursuant to, and in a manner consistent with, the federal Bankruptcy Code.

"(2)(A) If a court issues an order pursuant to paragraph (1)(A) of this subsection, the owner shall be required to repay the funding supplied by the Attorney General no later than 30 days after the receiver receives those funds. Any funds unpaid as of that 30-day deadline shall incur interest at the rate of 6% per annum until repaid. The Attorney General may petition the court to convert the order into a final judgment, and once the order is so converted, the Attorney General may take actions to collect any unpaid balance, using all available collection methods authorized under District or other applicable law.

"(B) An owner's obligation to repay funding pursuant to subparagraph (A) of this paragraph shall automatically become a lien on the owner's real property as of the date the Attorney General supplies funds to the receiver pursuant to paragraph (1)(A) of this section.

"(C) A lien established pursuant to subparagraph (B) of this paragraph shall be a prior and preferred lien over all other liens or encumbrances on the real property.".

Sec. 1093. Tenant Receivership Abatement Fund.

The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.81 *et seq.*), is amended as follows:

(a) Section 106c(c) (D.C. Official Code § 1-301.86c(c)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) Paragraph (2) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(3) Supplying initial funding for, and from time-to-time replenishing, the Tenant Receivership Abatement Fund pursuant to section 106e(b)(1)(A).".

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

"Sec. 106e. Tenant Receivership Abatement Fund.

"(a) There is established as a special fund the Tenant Receivership Abatement Fund ("Fund"), which shall be administered by the Attorney General in accordance with subsections (b) and (c) of this section.

"(b)(1) Funds from the following sources shall be deposited into the Fund:

"(A) Funds from the Attorney General Restitution Fund, which the Attorney General may use to supply initial funding for, and to from time to time to replenish, the Fund; and

"(B) All funds recovered from owners under section 506(j)(2) of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000,

effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06(j)(2)); except, that when the deposit of such funds into the Fund would cause the Fund balance to exceed $2 million, the excess of such funds instead shall be deposited into the Litigation Support Fund established by section 106b.

"(2) Amounts on deposit in the Fund shall not exceed $2 million.

"(c) Money in the Fund shall be used to comply with orders issued by the Superior Court under section 506(j) of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06(j)).

"(d)(1) Except as provided in subsection (b)(2) of this section, 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 K. EARLY CHILDHOOD EDUCATOR COMPENSATION TASKFORCE

Sec. 1101. Short title.

This subtitle may be cited as the "Early Childhood Educator Equitable Compensation Task Force Act of 2021".

Sec. 1102. Definitions.

For purposes of this subtitle, the term:

(1) "Child development facility" shall have the same meaning as provided in section 2(3) of the Child Development Facilities Regulation Act of 1998, effective April 13, 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031(3)).

(2) "Community-based organization" or "CBO" shall have the same meaning as provided in section 101(1C) of 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(1C)).

(3) "Early childhood development provider" shall have the same meaning as provided in section 101(1G) of the Pre-K Enhancement and Expansion Amendment Act of 2008, July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38–271.01(1G)).

(4) "Subsidy" means supplemental payments made by the Mayor pursuant to section 5a of the Day Care Policy Act of 1979, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code § 4-404.01).

Sec. 1103. Early Childhood Educator Equitable Compensation Task Force establishment.

(a) There is established by the Council an Early Childhood Educator Equitable Compensation Task Force ("Task Force") to provide recommendations on how to implement an employee compensation scale for early childhood development providers.

(b)(1) The Task Force shall be comprised of the Chairman of the Council, or his or her designee, the State Superintendent of Education, or his or her designee, and 12 District residents, appointed by the Chairman, representing the following entities or groups:

(A) Families whose children are receiving or have received childcare services from an early childhood development provider in the District;

(B) Community-based organizations;

(C) Early childhood advocacy organizations;

(D) Operators of child development facilities who participate in the childcare subsidy program;

(E) Operators of child development facilities who do not currently participate in the childcare subsidy program;

(F) Operators of home-based child development facilities;

(G) Educators of child development facilities; and

(H) An individual with an expertise in economics or policy, who has an understanding of the District's early childhood development and education sector.

(2) At least 2 members of the Task Force shall be employees of child development facilities.

(3) The Chairman, or his or her designee, shall serve as the Chairperson of the Task Force.

(c) The Task Force shall:

(1) Review the findings and recommendations of the Early Childhood Educator Compensation in the Washington Region study completed by the Urban Institute and any completed employee compensation scale and other relevant materials provided by the Office of the State Superintendent of Education; and

(2) Submit a report to the Mayor and Council by January 15, 2022, that:

(A) Assesses the potential impact of implementing an employee compensation scale on early childhood development providers that:

(i) Do not provide childcare services to children eligible for subsidy; or

(ii) Serve a minimum number of children who receive subsidy;

(B) Proposes an employee compensation scale for early childhood development providers that accounts for employee role, credentials, and experience; and

(C) Provides recommendations for implementing the employee compensation scale, which at a minimum considers:

(i) Equitable implementation that accounts for different staffing models, types, and sizes of early childhood development facilities;

(ii) Long-term implications of the District providing funds to early childhood providers to implement the pay scale, including how to allocate funds for new early childhood development facilities that open after legislation is enacted; provided, that recommendations do not exceed the $70 million appropriated in the Early Childhood Educator Pay Equity Fund, plus any amounts adjusted for inflation in years beyond Fiscal Year 2023; and

(iii) Oversight, reporting, and accountability mechanisms for the use of funds allocated to early childhood development providers from the Early Childhood Educator Pay Equity Fund.

Sec. 1104. Applicability.
This subtitle shall apply as of August 23, 2021.

SUBTITLE L. FALSE CLAIMS CLARIFICATION

Sec. 1111. Short title.
This subtitle may be cited as the "False Claims and Vacant Property Amendment Act of 2021".

Sec. 1112. Section 814(d) of the District of Columbia Procurement Practices Act of 1985, effective May 8, 1998 (D.C. Law 12-104, D.C. Official Code § 2-381.02(d)), is amended to read as follows:

"(d) This section shall not apply to claims, records, or statements made pursuant to those portions of Title 47 that refer or relate to taxation, unless:

"(1)(A) The claim, record, or statement was made on or after January 1, 2015; and

"(B) The District taxable income, District sales, or District revenue of the person against whom the action is being brought equals $1 million for any taxable year subject to any action brought pursuant to this part, and the damages pleaded in the action total $350,000 or more; or

"(2) The claim, record, or statement was made on or after January 1, 2015, and relates to the classification of real property as vacant or blighted pursuant to 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 *et seq.*).".

SUBTITLE M. CHIEF FINANCIAL OFFICER AUTHORITY

Sec. 1121. Short title.
This subtitle may be cited as the "Chief Financial Officer Authority to Budget New Agencies Act of 2021".

Sec. 1122. The Chief Financial Officer may, for the purpose of establishing a budget structure for new agencies within the financial system for Fiscal Year 2022:

(1) Create new agencies in the financial system, as necessary, and reallocate funds in the Office of the Chief Financial Officer for the purpose of implementing the Child Wealth Building Act of 2021, as approved by the Committee on Business and Economic Development on July 12, 2021 (Committee print of Bill 24-236); and

(2)(A) Create the Department of Buildings and redesignate the Department of Consumer and Regulatory Affairs ("DCRA") as the Department of Licensing and Consumer Protection in the financial system; and

(B) Reallocate funds budgeted in DCRA and in the Non-Departmental Account as necessary to implement the Department of Buildings Establishment Act of 2020, effective April 5, 2021 (D.C. Law 23-269; 68 DCR 1490).

SUBTITLE N. RESIDENTIAL REENTRY DEVELOPMENT PLAN

Sec. 1131. Short Title.

This subtitle may be cited as the "Residential Reentry Development Plan Act of 2021".

Sec. 1132. During Fiscal Year 2022, the Council will analyze, develop, and submit a plan on how to open at least 8 small to mid-sized residential reentry centers across the District, including one in each ward.

SUBTITLE O. LGBTQ COMMUNITY BUSINESS EVALUATION AND SUPPORT

Sec. 1141. Short title.

This subtitle may be cited as the "LGBTQ Community Business Evaluation and Support Amendment Act of 2021".

Sec. 1142. The Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006, effective April 4, 2006 (D.C. Law 16-89, D.C. Official Code § 2-1381 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 2-1381) is amended by adding a new paragraph (2A) to read as follows:

"(2A) "LGBTQ Community Business" means a for-profit business that:

"(A) Is authorized to do business in the District;

"(B) Either maintains at least one physical facility in the District that is regularly open to the public or is a publication that dedicates a majority of its coverage to news and issues in the District;

"(C) Is either majority-owned or primarily managed by LGBTQ individuals; and

"(D) Holds itself out to the public as catering to LGBTQ customers or communities, including through advertising or regular events; except, that a business that declines to advertise widely its practice of catering to LGBTQ customers or communities to protect the privacy and safety of its clientele, but can demonstrate that it willingly cultivates LGBTQ individuals as customers through other means, such as word of mouth, may satisfy this criterion.".

(b) Section 4(b) (D.C. Official Code § 2-1383(b)) is amended as follows:

(1) Paragraph (11) is amended by striking the phrase "; and" and inserting a semicolon in its place.

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

(3) A new paragraph (13) is added to read as follows:

"(13) No later than July 31, 2022, in coordination with the Advisory Committee and after consultation with the LGBTQ community, submit to the Council a report on the state of LGBTQ Community Businesses that shall include:

"(A) An evaluation of the state of the LGBTQ Community Business economy and how that economy has changed over time;

"(B) The economic and social value of the LGBTQ Community Business economy to the District as a whole;

"(C) The key challenges currently faced by LGBTQ Community Businesses;

"(D) Recommendations for maintaining vibrant and diverse LGBTQ Community Businesses; and

"(E) Recommendations for ensuring that LGBTQ Community Businesses remain open and welcoming to all members of the LGBTQ community.".

SUBTITLE P. LEASE OF K.C. LEWIS SCHOOL BUILDING

Sec. 1151. Short Title.

This subtitle may be cited as the "K.C. Lewis School Lease Authorization Act of 2021".

Sec. 1152. Notwithstanding the requirements of section 2209(b) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-244; D.C. Official Code § 38-1802.09(b)), the Mayor may lease to Howard University the real property located at 355 W Street, N.W., commonly known as K.C. Lewis Elementary School or the former Washington Metropolitan High School (Lots 0067, 0854, 0855, and 0856 in Square 3069), with the terms and conditions to be established by the Mayor and which shall include the following:

(1) That the lease shall be for a period no greater than 4 years; and

(2) That Howard University shall make improvements to the building at its own expense.

Sec. 1153. Applicability.

This subtitle shall apply as of August 30, 2021.

SUBTITLE Q. OCTO LIMITED GRANT-MAKING AUTHORITY

Sec. 1161. Short title.

This subtitle may be cited as the "OCTO Limited Grant-Making Authority for American Rescue Plan Federal Funding Amendment Act of 2021".

Sec. 1162. Section 1814 of the Office of the Chief Technology Officer Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 1-1403), is amended as follows:

(a) Paragraph (11) is amended by striking the phrase "; and" and inserting a semicolon in its place.

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

(c) A new paragraph (13) is added to read as follows:

"(13) Stimulate, support, and promote the development of innovative technologies and technology-enabled solutions within the District, including through the issuance of sub-grants of funding Congress granted to the District under the American Rescue Plan Act of 2021, approved March 11, 2021 (Pub. L. No. 117-2; 135 Stat. 4), and appropriated to the Office, subject to the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and the Nonprofit Fair Compensation Act of 2020, effective March 16, 2021 (D.C. Law 23-185; D.C. Official Code § 2-222.01).".

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. ARTS AND HUMANITIES GRANT FUNDING

Sec. 2001. Short title.

This subtitle may be cited as the "Equity in the Arts and Humanities Amendment Act of 2021".

Sec. 2002. Section 115 of Title III of Division C of the Consolidated Appropriations Resolution, 2003, approved February 20, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01), is amended by adding a new subsection (f) to read as follows:

"(f) This section shall not apply to the Commission on the Arts and Humanities, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the Commission on the Arts and Humanities without prior approval by the Mayor.".

Sec. 2003. Section 1108(c-2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)), is amended as follows:

(a) Paragraph (4) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (5) is amended by striking the phrase "rulemaking." and inserting the phrase "rulemaking; and" in its place.

(c) A new paragraph (6) is added to read as follows:

"(6) Each member of an advisory panel appointed pursuant to section 5(6) of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-204(6)), may receive compensation from the Commission in the form of a stipend of up to $250 for each day the panel convenes to review applications; and".

Sec. 2004. The Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-201 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 39-202) is amended as follows:

(1) Paragraph (3) is repealed.

(2) Paragraph (9) is repealed.

(b) Section 4 (D.C. Official Code § 39-203) is amended as follows:

(1) Subsection (a-1) is amended as follows:

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

"(1) The Commission shall consist of 12 members appointed by the Mayor, with the advice and consent of the Council, in accordance with section 2(e)(32) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(32)); except, that:

"(A) Until June 30, 2022, the Commission shall consist of 18 members.

"(B) From July 1, 2022, until June 30, 2023, the Commission shall consist of 16 members.

"(C) From July 1, 2023, until June 30, 2024, the Commission shall consist of 14 members.".

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

"(1A) Notwithstanding section (2)(c) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(c)), a member with a term that expires June 30, 2023, or June 30, 2024, may not serve in a hold-over capacity unless a resolution confirming the nomination for reappointment of the member has been transmitted by the Mayor to the Council.".

(2) Subsection (b)(1) is amended by striking the phrase "that 6 terms" and inserting the phrase "that, beginning on July 1, 2022, 4 terms" in its place.

(3) Subsection (c) is amended by striking the phrase "Council shall" and inserting the phrase "Chairman of the Council shall" in its place.

(4) Subsection (d) is amended by striking the phrase "from among the 18 members" and inserting the phrase "from among the members" in its place.

(c) Section 5(6) (D.C. Official Code § 39-204(6)) is amended by striking the phrase "shall serve without compensation" and inserting the phrase "may be compensated, pursuant to section 1108(c-2)(6) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(6)), from funds allocated pursuant to section 6(c-1)(1); except, that no District of Columbia government employee or Commissioner of the Commission may be compensated.".

(d) Section 6(c-1) (D.C. Official Code § 39-205(c-1)) is amended to read as follows:

"(c-1) For Fiscal Year 2022 and every fiscal year thereafter the Commission shall allocate the annual budget as follows:

"(1) Not more than 22% of the annual budget shall be allocated for administrative costs.

"(2) Not less than 78% of the annual budget shall be allocated for the following purposes:

"(A) 17% for grants to fund capital projects in support of all eligible arts and humanities organizations; provided, that during Fiscal Years 2021 and 2022, these grant funds may be used, if approved by the Commission, to pay:

"(i) Rent or mortgage expenses for the operation of a grant recipient's arts-or-humanities-related home-based office in the District; and

"(ii) Rent or mortgage expenses for the operation of a grant recipient's space in the District used to produce or publicly present arts-or-humanities-related work.

"(B)(i) 54% for General Operating Support grants to all eligible arts and humanities organizations.

"(ii) Awards of General Operating Support grants shall be competitive, and each application of an eligible organization shall be reviewed in cohorts of similar budget size, and with grant award amounts tiered in relation to the grantee's budget size;

"(C) 25% for other art grant programs established by the Commission; and

"(D) 4% the for the Humanities Grant Program administered by HumanitiesDC.".

(e) Section 6b (D.C. Official Code § 39-205.02) is amended as follows:

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

"(b)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Commission shall have grantmaking authority to provide funds to HumanitiesDC; provided, that such funds shall be included in an approved budget and designated for the HumanitiesDC; provided further, that, except as provided in paragraph (2) of this subsection, such funds shall be used to make subgrants in the humanities for the purpose of promoting cross-cultural understanding and appreciation of local history in all District neighborhoods.

"(2) Up to 30% of each disbursement from the Humanities Grant Program budget to HumanitiesDC may be utilized by HumanitiesDC for administrative expenses, capacity building, technical assistance, and evaluation of the Humanities Grant Program.".

(2) Subsection (d) is repealed.

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

(A) Strike the phrase "The grant-managing entity" and insert the word "HumanitiesDC" in its place.

(B) Strike the phrase "the grant-managing entity" both times it appears and insert the word "HumanitiesDC" in its place.

Sec. 2005. Section 1072(b)(1) of the Cultural Plan for the District Act of 2015, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 39-231(b)(1)), is amended as follows:

(a) Subparagraph (E) is amended by striking the phrase "Chairman of the Council's designee" and inserting the phrase "Chairman of the Council's first designee" in its place.

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

"(F) The Chairman of the Council's second designee; and".

Sec. 2006. Applicability.

This subtitle shall apply as of August 23, 2021.

SUBTITLE B. GREAT STREETS PROGRAM

Sec. 2011. Short title.

This subtitle may be cited as the "Great Streets Amendment Act of 2021".

Sec. 2012. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

(a) Subsection (f) is amended by striking the phrase "; continuing south along 12th Street, N.E." and inserting the phrase ", to 12th Street, N.E.; thence north to include all properties abutting the west side of 12th Street, N.E., to Michigan Avenue, N.E.; thence south to include all properties abutting the east side of 12th Street, N.E." in its place.

(b) Subsection (g) is amended by striking the phrase "parcels, squares, and lots within the area" and inserting the phrase "parcels, squares, and lots within or abutting the area" in its place.

(c) Subsection (o) is amended by striking the phrase "parcels, squares, and lots within the following area:" and inserting the phrase "parcels, squares, and lots within or abutting the following area:" in its place.

SUBTITLE C. SUPERMARKET TAX INCENTIVES

Sec. 2021. Short title.

This subtitle may be cited as the "Supermarket Tax Incentives Amendment Act of 2021".

Sec. 2022. Chapter 38 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:

"47-3801.01. Expansion of supermarket investment areas.".

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

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

"(1D) "Eligible area" means:

"(A)(i) An area consisting of those properties within or abutting the boundaries of low-income census tracts where a significant number of residents are more than 1/2 mile from the nearest supermarket, as designated based on the 2019 data from the United States Department of Agriculture Food Access Research Atlas, not including any census tract, as identified by the Mayor, in which a college or university campus is located or nearby that has been designated as a low-income census tract due primarily to the incomes of college or university students residing within the census tract; or

"(ii) An area consisting of properties within or abutting proximal neighborhood groups with over 20% participation in the Supplemental Nutrition Assistance Program or other public assistance programs as designated in the 2018 District of Columbia Health Equity Report; or

"(B) For supermarkets under construction as of January 1, 2021, for which a certificate of occupancy is issued on or before July 1, 2023, and for which an application for certification under this chapter is filed on or before July 1, 2023:

"(i) A historically underutilized business zone, as defined by section 3(p)(1) of the Small Business Act, approved July 18, 1958 (72 Stat. 384; 15 U.S.C. § 632(p)(1)); or

"(ii) Census tracts 103, 33.01, 94, 95.05, 95.07, or 95.08.".

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

(A) Sub-subparagraph (ii) is amended to read as follows:

"(ii) Offers for sale at least 6 of the following categories of food or beverages:

"(I) Fresh fruits and vegetables;

"(II) Fresh and uncooked meats, poultry, and seafood;

"(III) Dairy products;

"(IV) Canned foods;

"(V) Frozen foods;

"(VI) Dry groceries and baked goods; and

"(VII) Non-alcoholic beverages;"

(B) Sub-subparagraph (iii) is amended by striking the period and inserting a semicolon in its place.

(C) New sub-subparagraphs (iv) and (v) are added to read as follows:

"(iv) Dedicates either 50% of the establishment's total square footage of selling area (defined as the area in the establishment that is open to the public and not including storage areas, preparation areas, or bathrooms), or 6,000 square feet of the establishment's selling area to the sale of the categories of food or beverages listed in sub-subparagraph (ii) of this subparagraph; and

"(v) Dedicates at least 5% of the establishment's total square footage of selling area to each of at least 6 of the categories of food or beverages listed in sub-subparagraph (ii) of this subparagraph.".

(c) A new section 47-3801.01 is added to read as follows:

"§ 47-3801.01. Expansion of supermarket investment areas.

"(a) If the Mayor determines that there is an area that warrants investment pursuant to this chapter that is not an eligible area, as defined by § 47-3801(1D), the Mayor shall prepare a plan describing the area, geographically and otherwise, along with a detailed rationale for extending the tax incentives provided for by this chapter, a fiscal impact statement, and an explication of the benefits to be derived for the area and the District as a whole.

"(b) The Mayor shall transmit the plan to the Council, with a proposed resolution for a 45-day period of review, excluding days of Council recess. If the Council does not approve or disapprove the plan, in whole or in part, by resolution within this 45-day review period, the plan shall be deemed approved, and the area described in the plan shall be considered an eligible area for purposes of this chapter.".

(d) Section 47-3802 is amended as follows:

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

"(1) Effective for applications filed on or after January 1, 2011, to be eligible for any exemption provided under subsection (a) of this section, an applicant shall file with the

Mayor, in such manner and form as the Mayor may prescribe, an application requesting certification of eligibility for the exemption. As part of the application, and as a condition of certification, an applicant seeking an exemption for a qualified supermarket shall agree in writing to:

"(A) Become authorized to accept Supplemental Nutrition Assistance Program ("SNAP") benefits as payment at the qualified supermarket, and to accept SNAP benefits for payment after such authorization;

"(B) Apply to the Department of Health ("DOH") for approval to accept Special Supplemental Nutrition Program for Women, Infants, and Children ("WIC") benefits as payment at the qualified supermarket, and accept WIC benefits as payment at the qualified supermarket if approved by DOH to accept WIC benefits; and

"(C) Conduct community listening sessions on the store's product offerings and operations at least once every 2 years.".

(2) New subsections (e) and (f) are added to read as follows:

"(e) To remain eligible to continue to receive the tax benefits provided by this chapter, a qualified supermarket shall:

"(1) Accept SNAP benefits for payment at the qualified supermarket;

"(2) Accept WIC benefits for payment at the qualified supermarket, unless determined ineligible by DOH to accept payments by WIC benefits; and

"(3) Conduct a community listening session on the store's product offerings and operations at least once every 2 years.

"(f) The Mayor shall review the definition of the term "eligible area" at least once every 5 years to determine whether it continues to appropriately reflect the areas of the District where tax incentives for new supermarkets provide substantial benefits to District residents and neighborhoods.".

SUBTITLE D. REAL PROPERTY TAX APPEALS COMMISSION MEMBERSHIP

Sec. 2031. Short title.

This subtitle may be cited as the "Real Property Tax Appeals Commission Membership Amendment Act of 2021".

Sec. 2032. Section 47-825.01a of the District of Columbia Official Code is amended as follows:

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

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

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

(i) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the phrase "; and" in its place.

(ii) Sub-subparagraph (iii) is amended by striking the phrase "; and" and inserting a period in its place.

(iii) Sub-subparagraph (iv) is repealed.

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

"(C)(i) The Commission may non-competitively appoint to temporary appointments up to 8 hearing examiners, who each shall be appointed for a term not to exceed 6 months each year, who shall hear cases of single-family residential property or any noncommercial real property assessed during the administrative review (or under the notice of assessment if the administrative review is unavailable) at $3 million or less.

"(ii) The Chairperson may assign hearing examiners appointed pursuant to sub-subparagraph (i) of this subparagraph to hear cases of real property assessments other than those described in sub-subparagraph (i) of this subparagraph.".

(C) Subparagraph (D) is amended as follows:

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

"(i) The Chairperson of the Commission shall:

"(I) Be a District of Columbia certified appraiser with at least 3 years of professional experience; or

"(II) Have at least 5 years of commercial real estate property appraisal experience.".

(ii) Sub-subparagraph (iv) is amended by striking the phrase "All Commissioners" and inserting the phrase "All Commissioners and hearing examiners" in its place.

(D) Subparagraph (E) is amended by striking the phrase "The Commissioners" and inserting the phrase "The Commissioners and hearing examiners" in its place.

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

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

"(A) Each Commissioner and hearing examiner shall be prohibited from representing any client or business interest before the Commission for a period of 2 years after the separation of the Commissioner or hearing examiner from the Commission.".

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

(i) Strike the phrase "A Commissioner" and insert the phrase "Each Commissioner and hearing examiner" in its place.

(ii) Strike the phrase "the Commissioner" and insert the phrase "the Commissioner or hearing examiner" in its place.

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

"(C) A Commissioner or hearing examiner shall not review an appeal for which that Commissioner or hearing examiner has a direct or indirect interest.".

(3) Paragraph (3) is amended by adding a new subparagraph (C) to read as follows:

"(C)(i) Each part-time Commissioner serving on the day before the

effective date of the Real Property Tax Appeals Commission Membership Emergency Amendment Act of 2021, effective August 23, 2021 (D.C. Act 24-159; 68 DCR 8602) ("Act"), shall, with the Commissioner's consent, be converted to a hearing examiner on the effective date of the Act.

(ii) The position of part-time Commissioner shall be abolished as of the effective date of the Act, and no individual shall continue to serve in the position of part-time Commissioner after that date.".

(4) Paragraph (5) is amended by striking the phrase "Commissioners shall" and inserting the phrase "Commissioners and hearing examiners shall" in its place.

(5) Paragraph (6) is amended to read as follows:

"(6) The Commission shall employ staff in addition to the hearing examiners, including an executive director and a general counsel.".

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

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

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

(i) The lead-in text is amended by striking the word "Commissioners" and inserting the phrase "Commissioners and hearing examiners" in its place.

(ii) Sub-subparagraph (i) is amended as follows:

(I) Strike the phrase "one-Commissioner" and insert the phrase "one-Commissioner or hearing examiner" in its place; and

(II) Strike the phrase "multi-Commissioner panel" and insert the phrase "multi-member panel" in its place.

(iii) Sub-subparagraph (ii) is amended to read as follows:

"(ii) In the case of all other real property, a panel consisting of 3 members shall be convened; provided, that a panel consisting of 2 members may be convened if the appellant and OTR agree.".

(B) Subparagraph (B) is amended by striking the word "Commissioner" and inserting the phrase "Commissioner or hearing examiner" in its place.

(2) Paragraph (2) is amended by striking the word "Commissioners" and inserting the word "members" in its place.

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

(A) Strike the phrase "deciding Commissioner" and insert the phrase "deciding Commissioner or hearing examiner" in its place;

(B) Strike the phrase "multi-Commissioner" and insert the phrase "multi-member" in its place; and

(C) Strike the phrase "each Commissioner" and insert the phrase "each member" in its place.

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

"(C) The names of the member who were on the panel that established the assessment or classification, or both, indicating whether each participating

member agreed with, or dissented from, the decision of the panel.".

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

(1) Paragraph (3) is amended by striking the word "Commission or a Commissioner" and inserting the phrase "Commission, or a Commissioner or hearing examiner," in its place.

(2) Paragraph (6)(C) is amended to read as follows:

"(C) In the case of a rehearing, a panel shall be convened consisting of the Chairperson, Vice-Chairperson, and a Commissioner or hearing examiner who was a member of the panel that heard the underlying appeal.".

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

"(k) For the purposes of this section, the word "member" means a Commissioner or hearing examiner.".

Sec. 2033. Section 406(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)), is amended as follows:

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

(b) Paragraph (28) is amended by striking the period at the end and inserting a semicolon in its place.

(c) Paragraph (29) is amended by striking the period and inserting the phrase "; and" in its place.

(d) A new paragraph (30) is added to read as follows:

"(30) For the Real Property Tax Appeals Commission, the personnel authority is the Real Property Tax Appeals Commission.".

Sec. 2034. Section 15 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. 115; D.C. Official Code § 42-3131.15), is amended by adding a new subsection (d) to read as follows:

"(d) The District, through the Office of the Attorney General, may appeal a decision of the Real Property Tax Appeals Commission to the Superior Court of the District of Columbia within 2 months after receipt of the written decision.".

SUBTITLE E. LOCAL RENT SUPPLEMENT PROGRAM

Sec. 2041. Short title.

This subtitle may be cited as the "Local Rent Supplement Program Enhancement Amendment Act of 2021".

Sec. 2042. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 6-201) is amended as follows:

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

"(7B) "Capital-based assistance" means capital gap financing for the construction or rehabilitation of housing units for which project-based voucher assistance or sponsor-based voucher assistance was previously awarded as an operating subsidy.".

(2) A new paragraph (43C) is added to read as follows:

"(43C) "Tenant-based voucher assistance" means housing subsidy payments provided for households with extremely low incomes or histories of homelessness to pay all or a portion of the household's rent in privately owned housing units in the District.".

(b) Section 26a (D.C. Official Code § 6-226) is amended as follows:

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

"(a) The Rent Supplement Program is established to provide housing assistance to extremely low-income District residents, including those who are homeless and those in need of supportive services, such as elderly individuals or those with disabilities. The funding of this program is subject to appropriation. The assistance under this section, section 26b, and section 26c shall not constitute an entitlement."

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

"(b)(1) The Authority shall award the funds appropriated for the program's sponsor-based voucher assistance and capital-based assistance.

"(2) The Department of Housing and Community Development shall award the funds appropriated for the program's project-based voucher assistance.

"(3) The Authority shall award the funds appropriated for ongoing tenant-based voucher assistance.

"(4) The Authority shall award the funds appropriated for new tenant-based voucher assistance, including funds appropriated to the Department of Human Services as described in section 26a-1(c)(5), to the extent that such funds are transferred to the Housing Authority Rent Supplement Program Fund pursuant to section 26a-1(c)(4).".

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

"(c)(1) The Authority shall promulgate rules, subject to Council approval, for sponsor-based voucher assistance as required by section 26b and capital-based assistance as required by section 26d, which shall govern the administration of funds for these types of assistance.

"(2) The Authority shall promulgate emergency and final rules for tenant-based voucher assistance. Rules issued pursuant to this paragraph shall establish a process to allow applicants to self-certify eligibility factors when an applicant cannot easily obtain verification documentation. Emergency rules shall be issued by November 1, 2021. Final rules shall be subject to Council approval.

"(3) The Department of Human Services shall promulgate emergency and final rules governing the referral of applicants to the Authority for tenant-based voucher assistance, including eligibility criteria for Targeted Affordable Housing. In Fiscal Year 2022, such eligibility criteria for Targeted Affordable Housing shall include a prioritization for families that have been in rapid re-housing the longest but are not eligible for Permanent Supportive Housing. Emergency rules shall be issued by November 1, 2021. Final rules shall be subject to Council approval.

"(4) The Authority shall promulgate rules, subject to Council approval, for project-based voucher assistance, which shall govern the administration of funds for this type of assistance; except, that the Department of Housing and Community Development shall promulgate rules governing the award of project-based voucher assistance, as provided in paragraph (5) of this subsection.

"(5) The Department of Housing and Community Development shall promulgate rules, subject to Council approval, governing the award of project-based voucher assistance; provided, that the rules previously promulgated by the Authority that govern the award of funds for project-based voucher assistance shall remain in effect unless amended or repealed by the Department of Housing and Community Development.

"(6) The rules proposed pursuant to this subsection shall:

"(A) Provide for allocating project-based and sponsor-based funds to maintain or create new affordable housing units, including by combining funds under this program with other sources of funds for housing production and development and for allocating tenant-based funds to expand affordable housing choices for households through housing subsidies; and

"(B) Be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved.".

(4) Subsections (d) and (e) are repealed.

(c) A new section 26a-1 is added to read as follows:

"Sec. 26a-1. Rent Supplement Program Funds.

"(a) Housing Authority Rent Supplement Program Fund.

"(1) There is established as a special fund the Housing Authority Rent Supplement Program Fund, which shall be administered by the Authority in accordance with paragraph (3) of this subsection.

"(2) There shall be deposited into the Housing Authority Rent Supplement Program Fund:

"(A) Money appropriated for sponsor-based voucher assistance;

"(B) Money appropriated for capital-based assistance;

"(C) Money appropriated to the Authority for tenant-based voucher assistance;

"(D) Money appropriated to the Authority for the ongoing provision of project-based voucher assistance previously awarded by the Department of Housing and Community Development;

"(E) Money for project-based voucher assistance transferred to the Housing Authority Rent Supplement Program Fund pursuant to subsection 26b(b-1)(3);

"(F) Money for tenant-based voucher assistance transferred to the Housing Authority Rent Supplement Program Fund pursuant to subsection (c)(4) of this section; and

"(G) Money remaining in the Rent Supplement Fund, established by section 26a(d)(1), at the end of Fiscal Year 2021.

"(3) Money in the Housing Authority Rent Supplement Program Fund shall be used solely to:

"(A) Provide sponsor-based voucher assistance and capital-based assistance;

"(B) Provide project-based voucher assistance to projects awarded such assistance by the Authority before October 1, 2021;

"(C) Provide project-based voucher assistance to projects awarded such assistance by the Department of Housing and Community Development after September 30, 2021, including assistance from funds transferred to the Housing Authority Rent Supplement Program Fund from the Rent Supplement Program Project-Based Allocation Fund established by subsection (b) of this section;

"(D) Provide tenant-based voucher assistance including assistance from funds transferred from the Rent Supplement Program Tenant-Based Allocation Fund established by subsection (c) of this section; and

"(E) Provide new tenant-based voucher assistance to families on the Housing Choice Voucher Program wait list.

"(4)(A) The money deposited into the Housing Authority Rent Supplement Program 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 any fiscal year or at any other time.

"(B) Subject to authorization in an approved budget and financial plan, any funds in the Housing Authority Rent Supplement Program Fund shall be continually available without regard to fiscal year limitation.

"(b) Rent Supplement Program Project-Based Allocation Fund.

"(1) There is established as a special fund the Rent Supplement Program Project-Based Allocation Fund, which shall be administered by the Department of Housing and Community Development in accordance with paragraph (3) of this subsection.

"(2) Amounts appropriated for new project-based voucher assistance shall be deposited into the Rent Supplement Program Project-Based Allocation Fund.

"(3)(A) Money in the Rent Supplement Program Project-Based Allocation Fund shall be used to fund awards to applicants selected for project-based voucher assistance as defined in section 2(39A) and shall be transferred to the Housing Authority Rent Supplement Program Fund as described in section 26b(b-1)(3).

"(B) Money in the Rent Supplement Program Project-Based Allocation Fund may be used to increase the amount of project-based voucher assistance previously awarded to an applicant to account for a documented need to increase the proposed rent charged on a rental unit.

"(4)(A) The money deposited into the Rent Supplement Program Project-Based Allocation 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 Rent Supplement Program Project-Based Allocation Fund shall be continually available without regard to fiscal year limitation.".

"(c) Rent Supplement Program Tenant-Based Allocation Fund.

"(1) There is established as a special fund the Rent Supplement Program Tenant-Based Allocation Fund, which shall be administered by the Department of Human Services in accordance with paragraph (3) of this subsection.

"(2) The following funds shall be deposited into the Rent Supplement Program Tenant-Based Allocation Fund:

"(A) Amounts appropriated to the Department of Human Services for new tenant-based voucher assistance; and

"(B) Any unspent local dollars appropriated for supportive services, as that term is defined in section 2(39) of the Homeless Services Reform Act, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(39)), for the Targeted Affordable Housing Program or a permanent housing program, as that term is defined in section 2(27C) of the Homeless Services Reform Act, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(27C)), in the operating budget of the Department of Human Services at the end of each fiscal year.

"(3) Money in the Rent Supplement Program Tenant-Based Allocation Fund shall be used in a fiscal year to fund awards to applicants selected for tenant-based voucher assistance, to the extent that the dollar amount of all new or previously awarded tenant-based voucher assistance awarded to applicants in that fiscal year or a prior fiscal year, for which the Authority continues to be obligated to make payments, exceeds the amount of money deposited into the Housing Authority Rent Supplement Program Fund during the then-current fiscal year for the ongoing provision of tenant-based voucher assistance pursuant to subsection (a)(2)(C) of this section.

"(4) Money in the Rent Supplement Program Tenant-Based Allocation Fund shall, at the direction of the Director of the Department of Human Services, be transferred to the Housing Authority Rent Supplement Program Fund when such funding is necessary to fund the award of new tenant-based vouchers because the dollar amount of tenant-based vouchers for which the Authority would be obligated to make payments would otherwise exceed the amount of money deposited into the Housing Authority Rent Supplement Program Fund during the applicable fiscal year for the ongoing provision of tenant-based voucher assistance pursuant to subsection (a)(2)(C) of this section.

"(5)(A) The money deposited into the Rent Supplement Program Tenant-Based Allocation 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 Rent Supplement Program Tenant-Based Allocation Fund shall be continually available without regard to fiscal year limitation.

"(6) For the purposes of this subsection, the phrase "new tenant-based voucher assistance" means, with respect to the amount of money to be deposited into the Rent Supplement Program Tenant-Based Allocation Fund, the amount of money appropriated to the Department of Human Services in a fiscal year for the provision of tenant-based voucher assistance".

(d) Section 26b (D.C. Official Code § 6-227) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "project-based and sponsor-based voucher assistance" and inserting the phrase "sponsor-based voucher assistance" in its place".

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

"(b-1)(1) The funds allocated under the program for new project-based voucher assistance shall be awarded by the Department of Housing and Community Development for the construction of new housing, or rehabilitation or preservation of existing housing, for extremely low-income District residents.

"(2) The Department of Housing and Community Development shall promulgate rules to govern the awarding of project-based voucher assistance and the continuing eligibility for such assistance.

"(3) The funds awarded pursuant to paragraphs (1) and (2) of this subsection shall be held in the Rent Supplement Program Project-Based Allocation Fund, established by section 26a-1(b).

"(4) Prior to the Authority's submission to the Council, pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and 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), for approval by the Council of an Agreement to Enter into a Long-Term Subsidy Contract ("ALTSC"), the Department of Housing and Community Development shall submit in a form satisfactory to the Authority:

"(A) A letter of commitment that confirms the project-based voucher assistance funding allocation to the Authority for the initial 15-year term Long-Term Subsidy Contract in accordance with the proposed terms of the ALTSC and the required certification to the Council under section 202(c)(6) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Code Official § 2-352.02(c)(6)); and

"(B) An acceptable memorandum of agreement between the Department of Housing and Community Development and the Authority that details the terms and conditions between the parties and shall include the transfer by the Department of Housing and Community Development of funds to the Housing Authority Rent Supplement Program Fund established by Section 26a-1(a).".

(3) Subsections (c) and (d) are amended to read as follows:

"(c) The Authority shall apply its existing Partnership Program and Housing Choice Voucher Program rules to govern eligibility, admission, and continuing occupancy by tenants in units receiving sponsor-based or project-based voucher assistance under this section, section 26a, and section 26d; except, if the rules are inconsistent with this section, section 26a, or section 26d; provided, that the Authority shall modify or waive such rules so as not to exclude households on the basis of immigration status, prior criminal convictions, or pending criminal matters. The Authority shall promulgate such additional rules as are necessary to ensure that eligibility for tenancy in the units supported by grants under this section is limited to households with gross income at or below 30% of the area median income. The Authority shall promulgate rules with

respect to eligibility, admission, and continuing occupancy by tenants in units receiving project-based voucher assistance that are consistent with similar rules previously promulgated by the Authority for eligibility for tenants in units receiving sponsor-based voucher assistance.

"(d) To maintain consistency for households receiving rental housing support, the Authority shall, to the extent possible, given funding resources available in the Housing Authority Rent Supplement Program Fund, continue to fund project-based and sponsor-based grantees at the same level, adjusted for inflation on an annual basis, or on such other basis as may be agreed to with the grantee, unless the Authority determines that a grantee is not meeting the criteria set forth in the rules governing project-based or sponsor-based voucher assistance.".

(4) Subsection (e) is repealed.

(e) Section 26c (D.C. Official Code § 6-228), is amended as follows:

(1) Subsection (a) is amended by striking the phrase "procedures for the Housing Choice Voucher Program." and inserting the phrase "procedures for the Housing Choice Voucher Program; provided, that the Authority shall waive or modify such rules, regulations, policies, and procedures so as not to exclude households on the basis of immigration status, prior criminal convictions, or pending criminal matters." in its place.

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

(A) The lead-in language is amended by striking the phrase "Eligible families shall be selected from the households" and inserting the phrase "Eligible households shall be selected from the individuals and families" in its place.

(B) Paragraph (1) is amended by striking the phrase "Eligible families" and inserting the phrase "Eligible households" in its place.

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

"(2)(A)(i) The Authority shall develop rules that give preference in awarding a percentage of the vouchers funded under this program to District residents who are homeless applicants with one or more children under 18 years of age.

"(ii) The percentage to be applied in sub-subparagraph (i) of this subparagraph shall be determined by the Authority and shall be included in the rules adopted for the program.

"(B) Notwithstanding subparagraph (A) of this paragraph, in Fiscal Year 2022, preference in awarding all vouchers funded under this program shall be given to District residents who are homeless applicants with one or more children under 18 years of age.

"(C) Families who participate in time-limited housing programs shall be considered homeless for purposes of this paragraph.".

(3) Subsection (c) is amended by striking the phrase "Eligible families may be referred" and inserting the phrase "Individuals and families may be referred for eligibility determination" in its place.

(4) Subsection (g)(2) is amended by striking the phrase "eligible to participate in the Authority's Housing Choice Voucher Program" and inserting the phrase "eligible for tenant-based voucher assistance" in its place.

(f) New sections 26d-1, 26d-2, and 26d-3 are added to read as follows:

"Sec. 26d-1. Housing Authority Rent Supplement Program quarterly reporting.

"(a) The Authority shall submit to the Mayor and the Council, within 30 days after the end of each fiscal quarter, a Rent Supplement Program report.

"(b) Each report shall include the following information with respect to the Housing Authority Rent Supplement Program Fund:

"(1) The total amount of money in the fund at the beginning and end of the reporting period;

"(2) The amount of money in the fund allocated to project-based voucher assistance at the beginning of the reporting period, the amount of money expended from the fund on project-based voucher assistance during the reporting period, and the amount of money in the fund allocated to project-based voucher assistance at the end of the reporting period;

"(3) The amount of money in the fund allocated to sponsor-based voucher assistance at the beginning of the reporting period, the amount of money expended from the fund on sponsor-based voucher assistance during the reporting period, and the amount of money in the fund allocated to sponsor-based voucher assistance at the end of the reporting period;

"(4) The amount of money in the fund allocated to tenant-based voucher assistance at the beginning of the reporting period, the amount of money expended from the fund on tenant-based voucher assistance during the reporting period, and the amount of money in the fund allocated to tenant-based voucher assistance at the end of the reporting period;

"(5) The amount of money in the fund allocated to capital assistance at the beginning of the reporting period, the amount of money expended from the fund on capital assistance during the reporting period, and the amount of money in the fund allocated to capital assistance at the end of the reporting period; and

"(6) The amount of money expended from the fund during the reporting period on administrative costs, which shall include a breakdown by category of expense.

"(c) Each report shall include the following information with respect to project-based voucher assistance:

"(1) For each project that has a contract with the Authority for project-based voucher assistance, the name of, address of, number of total housing units in, number of units subsidized by project-based voucher assistance ("project-based units") in, and contract end date of the project;

"(2) For each project listed pursuant to paragraph (1) of this subsection:

"(A) The dollar amount of project-based voucher assistance received during the reporting quarter;

"(B) The occupancy status of each project-based unit;

"(C) The contract rent for each project-based unit, including both the tenant-paid portion of the rent and project-based subsidy amount associated with the unit; and

"(D) The income level at the most recent income certification of the household occupying the unit.

"(3) The name of, address of, number of project-based units in, and project-based voucher assistance contract end date of, each project that has a contract with the Authority for project-based voucher assistance that is scheduled to expire within 24 months after the last day of the reporting period;

"(4) The name of, address of, number of project-based units in, and contract end date of each project whose contract with the Authority for project-based voucher assistance expired during the reporting period;

"(5) The name of, address of, and number of project-based units to be located in each project that has been awarded project-based voucher assistance but for which a contract with the Authority for such assistance has not been entered into, along with the date by which the Authority expects to enter into such a contract.

"(d) Each report shall include the following information with respect to sponsor-based voucher assistance:

"(1) The name and address of each nonprofit organization or landlord ("sponsor") with sponsor-based vouchers, along with the number of vouchers issued to the sponsor;

"(2) For each sponsor listed pursuant to paragraph (1) of this subsection, the following information with respect to each sponsor-based unit of the sponsor:

"(A) The address of the sponsor-based unit;

"(B) The occupancy level of each sponsor-based unit, defined as the number of days in the reporting quarter the unit was leased to a household eligible for Rent Supplement Program assistance;

"(C) The contract rent of the unit, including the tenant-paid portion of the rent and the sponsor-based subsidy amount allocated to the unit; and

"(D) The income level at last income certification of the household occupying the sponsor-based unit.

"(e) Each report shall include the following information with respect to tenant-based voucher assistance:

"(1) The number of households, categorized separately as individual households and family households, receiving tenant-based voucher assistance on the first day and last day of the reporting quarter, listed separately by the program in which the household is participating, including the Permanent Supportive Housing and Targeted Affordable Housing program;

"(2) The total dollar amount of rental payments made for tenant-based voucher recipients during the reporting quarter and fiscal year to date, listed separately by the program in which the household is participating, including the Permanent Supportive Housing and Targeted Affordable Housing program;

"(3) The average monthly rent of housing units leased by households receiving tenant-based voucher assistance, listed separately by the program in which the household is participating, including the Permanent Supportive Housing and Targeted Affordable Housing program;

"(4) The number of households receiving tenant-based vouchers at the beginning of the fiscal year that were no longer receiving tenant-based vouchers on the last day of the reporting quarter, listed separately by the program in which the household is participating, including the Permanent Supportive Housing and Targeted Affordable Housing program; and

"(5) Tenant-based voucher assistance funding spent on security deposits, administrative services, and any other non-rental expenses, by expenditure type, during the reporting quarter and fiscal year to date.

"(f) Each report shall include the following information with respect to capital-based assistance:

"(1) The name of, address of, and number of project-based and sponsor-based units in each project that received capital-based assistance during the reporting quarter; and

"(2) The dollar amount of capital assistance provided to each project listed pursuant to paragraph (1) of this subsection.

"Sec. 26d-2. Rent Supplement Program Project-Based Allocation Fund quarterly reporting.

"(a) The Department of Housing and Community Development shall submit to the Council, within 30 days after the end of each fiscal quarter, a Project-Based Rent Supplement Program report.

"(b) Each report shall include the following information with respect to the Rent Supplement Program Project-Based Allocation Fund:

"(1) The total amount of money in the fund at the beginning and end of the reporting period;

"(2) The amount of money in the fund transferred to the Authority for project-based voucher assistance during the reporting period, listed separately by the project for which the funds were awarded;

"(3) The amount of money in the fund awarded to projects that do not yet have a certificate of occupancy, listed separately by project;

"(4) For each project that has been awarded project-based voucher assistance, the developer, address, planned number of total housing units, planned number of units subsidized by project-based voucher assistance, planned period of project-based voucher assistance, date of award, expected completion date, and whether the project is new construction or existing housing rehabilitation or preservation; and

"(5) The amount of money expended from the fund during the reporting period on administrative costs, which shall contain a breakdown by category of expense.

"Sec. 26d-3. Rent Supplement Program Tenant-Based Allocation Fund quarterly reporting.

"(a) The Department of Human Services shall submit to the Council, within 30 days after the end of each fiscal quarter, a Rent Supplement Program Tenant-Based Allocation Fund report.

"(b) Each report shall include the following information with respect to the Rent Supplement Program Tenant-Based Allocation Fund:

"(1) The total amount of money in the fund at the beginning and end of the reporting period;

"(2) The amount of money in the fund transferred to the Authority for each tenant-based voucher assistance program during the reporting period, listed separately by the program

"(A) In which the household is currently participating, including the Permanent Supportive Housing, Targeted Affordable Housing program, and the Rapid Rehousing program if applicable, and categorized by individual households and family households; and

"(B) To which the household is being referred, including the Permanent Supportive Housing and Targeted Affordable Housing program;

"(3) The amount of money remaining in the fund at the end of the reporting period, listed separately by the program in which the household is participating, including the Permanent Supportive Housing, Targeted Affordable Housing program, and the Rapid Rehousing program, and categorized by individual households and family households;

"(4) The number of households, categorized separately as individual households and family households, matched with a tenant-based voucher assistance program during the reporting quarter, listed separately by the program in which the household is participating, including the Permanent Supportive Housing and Targeted Affordable Housing program; and

"(5) The amount of money expended from the fund during the reporting period on administrative costs, which shall contain a breakdown by category of expense.".

SUBTITLE F. HOUSING PRODUCTION TRUST FUND CONTRACTS

Sec. 2051. Short title.

This subtitle may be cited as the "Housing Production Trust Fund Pipeline Advancement Amendment Act of 2021".

Sec. 2052. Section 3(f)(2) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(f)(2)), is repealed.

SUBTITLE G. PROPERTY TAX RELIEF FOR LOW INCOME HOUSING

Sec. 2061. Short title.

This subtitle may be cited as the "Property Tax Relief for Low Income Housing Harmonization Amendment Act of 2021".

Sec. 2062. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1005.02 is amended as follows:

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

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

"(1) Real property eligible for the low-income housing tax credit provided by section 42 of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2189; 26 U.S.C. § 42), ("affordable housing") that is owned by or leased to an organization that is not organized or operated for private gain, or that is owned by or leased to an entity controlled, directly or indirectly, by such an organization, for which a certification has been made as to both the real property and owner or lessee pursuant to subsection (b)(1) of this section (and that has not been revoked under subsection (b)(2) of this section) shall be exempt from the taxes imposed by Chapters 8 and 10 of this title and from a payment in lieu of tax imposed under § 47-1002(20) during the time that the real property is being developed for or being used as affordable housing and is subject to restrictive covenants governing the income of residents that occupy the affordable housing units during the federal low-income housing tax credit compliance period,

including any extended use period; provided, that if the property is eligible for the tax relief provided by this subsection in part because it is leased to an organization that is not organized or operated for private gain, or is leased to an entity controlled, directly or indirectly, by such an organization, the owner and lessee shall certify to the Mayor, and the Mayor shall confirm, that the value of the tax abatement provided by this subsection will be passed through to the lessee.".

(B) Paragraph (2) is amended by striking the word "owner" wherever it appears and inserting the phrase "owner or lessee" in its place.

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

"(a-1)(1) Real property shall be exempt from the taxes imposed by Chapters 8 and 10 of this title and from a payment in lieu of tax imposed under § 47-1002(20), for the time period set forth in paragraph (2) of this subsection, if:

"(A) The real property is owned by or leased to a nonprofit owner, as defined by § 47-1005.03(a)(2), or leased to a nonprofit organization that provides rental housing in buildings that it owns and that satisfies the requirements of § 47-1005.03(a)(2)(B);

"(B) Affordable housing developed or to be developed on the real property has been awarded financial assistance in the form of a grant or a loan from the Housing Production Trust Fund or other District government low-income housing financing assistance program designated by the Mayor to provide housing affordable to households earning not in excess of 80% of the adjusted median income, as defined by § 47-1005.03(a)(1);

"(C) The financial assistance described in subparagraph (B) of this paragraph was awarded after the effective date of the Property Tax Relief for Low Income Housing Harmonization Emergency Amendment Act of 2021, effective August 23, 2021 (D.C. Act 24-159; 68 DCR 8602);

"(D) A certification as to both the real property and owner or lessee has been made pursuant to subsection (b)(1) of this section (and that has not been revoked under subsection (b)(2) of this section); and

"(E) The real property is subject to, and in compliance with, restrictive covenants governing the income of residents that occupy or will occupy the affordable housing units developed or to be developed on the real property.

"(2) Real property described in paragraph (1) of this subsection shall be exempt from the taxes imposed by Chapters 8 and 10 of this title and from a payment in lieu of tax imposed under § 47-1002(20) during the time that the real property is being developed for or being used as affordable housing.".

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

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

(i) The lead-in language is amended to read as follows:

"The Mayor shall certify to the Office of Tax and Revenue ("OTR") each property and owner or lessee eligible for an exemption. The certification shall identify:".

(ii) Subparagraph (B) is amended by striking the word "owner" and inserting the phrase "owner or lessee" in its place.

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

"(E) The effective date of the exemption, which shall be:

"(i) In the case of an application by an eligible owner, the date on which the eligible owner acquired the real property or October 1, 2012, whichever is later; and

"(ii) In the case of an application by an eligible lessee, the date on which the eligible lessee leased the real property, or October 1, 2021, whichever is later.".

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

(i) The lead-in language is amended as follows:

(I) Strike the phrase "owner or property" and insert the phrase "property, owner, or lessee" in its place.

(II) Strike the phrase "subsection (a)" and insert the phrase "subsection (a) or (a-1)" in its place.

(ii) Subparagraph (B) is amended by striking the word "owner" and inserting the phrase "owner or lessee" in its place.

(iii) Subparagraph (E) is amended by striking the phrase "taxpayer or property" and inserting the phrase "property, owner, or lessee" in its place.

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

(i) Strike the phrase "subsection (a)" and insert the phrase "subsection (a) or (a-1)" in its place.

(ii) Strike the word "owner" and insert the phrase "owner or lessee, whichever is applicable," in its place.

(4) Subsection (c) is amended by striking the word "owner" and inserting the phrase "owner or lessee" in its place.

(b) Section 47-1005.03 is amended as follows:

(1) Subsection (a)(2)(B) is amended as follows:

(A) Sub-subparagraph (i) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(B) Sub-subparagraph (ii) is amended by striking the period and inserting the phrase "; or" in its place.

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

"(iii) Is a limited-equity cooperative as defined by § 42-2061(2).".

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

(A) The lead-in language is amended by striking the phrase "provided, that" and inserting the phrase "provided, that the land and buildings are acquired by the nonprofit owner in an arm's-length transaction on or after October 1, 2020, or, in the case of a nonprofit owner that is a limited-equity cooperative as defined by § 42-2061(2), on or after October 1, 2021; provided further, that" in its place.

(B) Paragraph (6) is amended to read as follows:

"(6) Such nonprofit owner, or its sole member if the nonprofit owner is disregarded for income tax purposes, is the subject of a Determination Letter issued by the Internal Revenue Service providing for recognition under section 501(c)(3) of the Internal Revenue Code; except, that this requirement shall not apply to a limited-equity cooperative.".

SUBTITLE H. SECTION 108 DEBT RESERVE ACCOUNT

Sec. 2071. Short title.

This subtitle may be cited as the "Section 108 Debt Reserve Account Establishment Act of 2021".

Sec. 2072. Section 108 debt reserve account.

(a) The Chief Financial Officer shall establish as a special fund under section 450 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.50), or as an account at a financial institution outside the District government, the Section 108 Debt Reserve Account ("Account").

(b) The Chief Financial Officer shall deposit into the Account an amount sufficient to pay the principal and interest due during the remainder of that fiscal year to the Department of Housing and Urban Development in the event of a default on a loan of amounts borrowed by the District under the federal loan guarantee program authorized by section 108 of the Housing and Community Development Act of 1974, approved August 22, 1974 (88 Stat. 647; 42 U.S.C. 5308).

SUBTITLE I. PARK MORTON REDEVELOPMENT

Sec. 2081. Short title.

This subtitle may be cited as the "Park Morton Redevelopment Act of 2021".

Sec. 2082. Park Morton Redevelopment.

The use of funds allocated for the redevelopment of public housing at Park Morton shall be limited to furthering the project requirements and shall be subject to the guidelines, conditions, and standards as approved by the Zoning Commission for the District of Columbia in Zoning Commission Order Nos. 16-11 and 16-12, and in any subsequent applicable orders.

SUBTITLE J. REENTRY HOUSING AND SERVICES PROGRAM

Sec. 2091. Short title.

This subtitle may be cited as the "Reentry Housing and Services Program Act of 2021".

Sec. 2092. Definitions.

For purposes of this subtitle, the term:

(1) "Area median income" means the area median income of the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the U.S. Department of Housing and Urban Development.

(2) "Community Housing Development Organization" means a private nonprofit community-based organization with the capacity to develop affordable housing for the target population.

(3) "Extremely low-income" means having a household income equal to 30% or less of the area median income.

(4) "Housing production" means the construction, rehabilitation, or preservation of decent, safe, and affordable housing.

(5) "Low-income" means having a household income that is less than 60% of the area median income.

(6) "On-site services" means services, provided in connection with housing, designed primarily to help tenants maintain housing, including coordination or case management, physical and mental health support, substance use management and recovery support, job training, literacy and education, youth and children's programs, and money management.

(7) "Project-based assistance" means funds allocated to a particular Community Housing Development Organization to subsidize rent and social services in units owned and operated by the Community Housing Development Organization for a maximum number of households as established by contract.

(8) "Qualifying housing project" means a development that has an approved building permit and provides permanent and transitional housing with on-site services for the target population.

(9) "Returning citizen" means a District resident who was previously incarcerated.

(10) "Target population" means low-income, very low-income, and extremely low-income individuals, families, or returning citizens.

(11) "Very low-income" means a household income equal to or less than 50% of the area median income.

Sec. 2093. (a)(1) The Department of Housing and Community Development ("DHCD") shall establish a Reentry Housing and Services Program ("Program"), subject to available funding, to provide project-based assistance to a Community Housing Development for qualifying housing projects.

(2) The Program shall allocate project-based funds to produce and maintain new affordable housing units and subsidize the cost of monthly rent and on-site services for the target population at a qualifying housing project.

(3) In Fiscal Year 2022 only, DHCD may use up to $174,000 of funds allocated for this project for administrative costs associated with implementing the Program.

(b) To be eligible, a qualifying housing project shall provide:

(1) No fewer than 60 units of housing, which may include single room occupancy units;

(2) On-site services for the target population; and

(3) A preference for returning citizens as tenants.

(c) The agency shall issue a request for proposals no later than January 31, 2022, and issue awards no later than July 1, 2022.

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

(A) The distribution of funds under this program; and

(B) The allocation of project-based funds pursuant to this section, including by combining funds under this program with other sources of funds for housing production and development.

(2) The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, by resolution, within the 45-day review period, the proposed rules shall be deemed approved.

SUBTITLE K. EMORY BEACON OF LIGHT TAX EXEMPTION

Sec. 2101. Short title.

This subtitle may be cited as the "Emory United Methodist Church Tax Exemption and Equitable Tax Relief Amendment Act of 2021".

Sec. 2102. Chapter 10 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:

"47-1099.11. Emory United Methodist Church; Square 2940, Lots 826, 828, 831, 832, 7007, 7008, 7009, 7010, 7011, and 7012.".

(b) A new section 47-1099.11 is added to read as follows:

"§ 47-1099.11. Emory United Methodist Church; Square 2940, Lots 826, 828, 831, 832, 7007, 7008, 7009, 7010, 7011, and 7012.

"(a) The real property described for assessment and taxation purposes as Square 2940, Lots 826, 828, 831, 832, 7007, 7008, 7009, 7010, 7011, and 7012 ("real property") shall be exempt from real property taxation and possessory interest taxation so long as the real property is:

"(1) Owned by Emory United Methodist Church or an entity controlled directly or indirectly by Emory United Methodist Church;

"(2) If leased, leased to Beacon Center QALICB, LLC, or a nonprofit organization, including Emory Beacon of Light;

"(3) If subleased, subleased to Beacon Center QALICB, LLC, or a nonprofit organization, including Emory United Methodist Church or Emory Beacon of Light; and

"(4) Used, or, if vacant, held for use, by Emory United Methodist Church, an entity controlled directly or indirectly by Emory United Methodist Church, Beacon Center QALICB, LLC, or a nonprofit organization, including Emory Beacon of Light, for affordable housing or community-serving purposes, such as a church, gymnasium, classroom, food pantry, community or incubator kitchen, immigration clinic, small-business services, restaurant staffed by returning citizens, youth leadership academy, or health clinic.

"(b) Any transfer, assignment, or other disposition of all or any portion of the real property, including a lease or sublease of the real property between Emory United Methodist Church or any entity controlled directly or indirectly by Emory United Methodist Church

including Emory Beacon of Light, and Beacon Center QALICB, LLC, and any security interest instrument in the real property granted by Emory United Methodist Church, an entity controlled directly or indirectly by Emory United Methodist Church, or Beacon Center QALICB, LLC, shall be exempt from the tax imposed by §§ 42-1103 and 47-903.".

Sec. 2103. The Council orders that all recordation and transfer taxes, interest, and penalties assessed or assessable, fees, and other related charges assessed with respect to documents recorded concerning the real property, for the period beginning January 1, 2016, through the end of the month following the effective date of this subtitle be forgiven, and any payments made of such taxes, interest, penalties, fees, or other related charges be refunded.

Sec. 2104. This section shall apply as of January 1, 2016.

SUBTITLE L. DSLBD GRANTS

Sec. 2111. Short title.

This subtitle may be cited as the "Department of Small and Local Business Development Grant Act of 2021".

Sec. 2112. Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2022, the Department of Small and Local Business Development shall award:

(a) By November 1, 2021, a grant in the amount of $175,000 to Columbia Heights Day Initiative DBA District Bridges to hire two full-time positions to provide direct support, relationship development, and resource brokering to individuals who spend time in the Columbia Heights Civic Plaza who face systemic challenges and mental health or substance abuse issues.

(b)(1) A grant in the amount of up to $250,000 to the DC Community Development Consortium ("Consortium") to develop a Ward 8 Community Investment Fund to provide access to capital to entrepreneurs residing in Ward 8 or to assist in operating a small business in Ward 8.

(2) Grant funds shall be matched with private capital and shall be used to provide grants or microloans to eligible entrepreneurs.

(3) The Consortium shall give Ward 8 residents control over the deployment of capital in the Community Investment Fund through an investment committee comprised of Ward 8 residents and supported by technical and administrative staff, as necessary.

(c) A grant of not less than $300,000 to an organization partnering with property owners in the Friendship Heights neighborhood for place making, place management, branding, and economic development.

SUBTITLE M. REDEVELOPMENT OF THE CENTER LEG FREEWAY

Sec. 2121. Short title.

This subtitle may be cited as the "Redevelopment of the Center Leg Freeway (Interstate 395) Amendment Act of 2021".

Sec. 2122. Section 47-4640 of the District of Columbia Official Code is amended by adding a new subsection (i) to read as follows:

"(i)(1) For the purposes of this subsection, the term "Property" means the real property, including any improvements thereon, described as Lots 50, 861, and 862 in Square 566 and Lots 44 and 865 in Square 568, including any future subdivisions of those lots.

"(2) The Owner shall make real property tax payments to the District in the amount of 25% of the real property taxes that otherwise would be imposed on the Property by Chapter 8 of this title for 10 years starting October 1, 2027; provided, that:

"(A) The residential building on the Property is constructed and has received its final certificate of occupancy by September 30, 2027;

"(B) The Owner and the Mayor, prior to October 1, 2022, have executed an amendment to the documents governing the transfer of the Center Leg Freeway (Interstate 395) PILOT Area to the Owner pursuant to section 3 of the Redevelopment of the Center Leg Freeway (Interstate 395) Act of 2010, effective October 26, 2010 (D.C. Law 18-257; 57 DCR 8144), to require, in addition to completion of the residential building on the Property by September 30, 2027, completion of all remaining development of the Property by September 30, 2033, and such economic inclusion requirements as the Mayor may require;

"(C) The Owner is in compliance with the amended documents described in subparagraph (B) of this paragraph; and

"(D) The total amount of real property taxes abated under this paragraph shall not exceed $100 million.".

SUBTITLE N. DMPED GRANTS AND INITIATIVES

Sec. 2131. Short title.

This subtitle may be cited as the "Deputy Mayor for Planning and Economic Development Grants and Initiatives Amendment Act of 2021".

Sec. 2132. Section 2032 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), is amended by adding new subsections (j) through (v) to read as follows:

"(j)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make grants to eligible BID corporations, as defined by section 2(4) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(4)), and Main Street corridors supported by the Department of Small and Local Business Development for the purpose of making the area served by the BID corporation or Main Street organization ("commercial district") and the surrounding area more people-focused and engaging to attract more residents and visitors to the commercial district and surrounding area.

"(2) A grant awarded pursuant to paragraph (1) of this subsection may be used to pay for the costs of:

"(A) The development of neighborhood brand identities;

"(B) Investments to implement neighborhood brand identities guidelines;

"(C) Marketing campaigns for the commercial district and surrounding area;

"(D) Wayfinding signage and resources for the commercial district and surrounding area;

"(E) Training of employees who work in the commercial district;

"(F) Market studies that examine visitor attraction, hotel occupancy, marketing campaigns in competitive jurisdictions, and other indicators that may inform actions that may be taken to gain market share; and

"(G) Public space improvements and activation, including pedestrian priority zones in the commercial district and surrounding area.

"(3) A BID corporation or Main Street organization seeking a grant under paragraph (1) of this subsection shall submit to the Deputy Mayor an application, in a form proscribed to the Deputy Mayor. The application shall include:

"(A) A description of how the applicant proposes to spend the grant funds to attract visitors to its commercial district and surrounding area to shop, eat, and attend or engage in cultural and entertainment activities.

"(B) A description of how the increased spending by visitors attracted through the expenditure of the grant funds will directly impact local businesses in the commercial district and surrounding area; and

"(C) Any additional information requested by the Deputy Mayor.

"(k) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make grants:

"(1) To the Anacostia BID to support an art and culture district;

"(2) To the Southwest Waterfront BID to support autonomous vehicle shuttles; and

"(3) To the Golden Triangle BID for an innovation district.

"(l)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and subject to the availability of funds, the Deputy Mayor shall establish the Small Business Rent Relief Program to award grants to small businesses operating a restaurant, tavern, nightclub, entertainment venue, or retail establishment on leased property to pay one-third of the applicant's past-due rent for the period of April 1, 2020, through June 30, 2021.

"(2)(A) To be eligible for rent relief, a small business operating a restaurant, tavern, nightclub, entertainment venue, or retail establishment on leased property shall meet the following criteria:

"(i) The restaurant, tavern, nightclub entertainment venue, or retail establishment shall be physically located in the District;

"(ii)(I) The small business shall have operated the restaurant, tavern, nightclub entertainment venue, or retail establishment continuously since at least

December 1, 2019, except for any interruptions required by Mayor's Orders 2020-045 and 2020-046 and subsequent public health emergency orders; or

"(II) The small business shall have opened and begun operating the restaurant, tavern, nightclub entertainment venue, or retail establishment between January 1, 2020, and December 31, 2021, and remained open and operating except for any interruptions required by Mayor's Orders 2020-045 and 2020-046 and subsequent public health emergency orders;

"(iii) The small business shall be in good standing with the District of Columbia's Office of Tax and Revenue;

"(iv)(I) If the small business was in operation since at least December 31, 2019, the small business shall have experienced a 50% decrease in revenue during any 3-month period from April 2020 through March 2021 when compared to the same time period the year prior; or

(II) If the small business was opened and began operating between January 1, 2020, and December 31, 2021, the small business shall have incurred significant costs or losses due to the COVID-19 pandemic, as determined by the Mayor;

"(v) The lease for the restaurant, tavern, nightclub entertainment venue, or retail establishment shall extend at least until December 31, 2023;

"(vi) If the small business is a franchisee of a franchise with multiple locations, the business receiving assistance shall be independently owned and operated;

"(vii) The small business shall not have received funding from the Restaurant Revitalization Fund established by section 5003 of the American Rescue Plan Act of 2021, approved March 11, 2021 (135 Stat. 85; 15 U.S.C. § 9009c);

"(viii) The small business shall not have received funding from the Shuttered Venue Operators Grant established by section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits and Venues Act, approved December 27, 2020 (134 Stat. 2022; 15 U.S.C. § 9009a); and"

"(ix) The small-business owner shall demonstrate that he or she will pay one-third of the amount of past due rent.

"(B) In addition to the requirements set forth under subparagraph (A) of this paragraph, as part of the grant application, the landlord of a small-business owner applying to receive grants shall certify that:

"(i) He or she will forgive one-third of the past due rent; and

"(ii) The grant will make the business current on rent.

"(3) The Mayor shall prioritize grant funding under this subsection for eligible small businesses that did not receive Paycheck Protection Program loans from the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*) or section 501 of Division N of the Consolidated Appropriations Act, 2021, approved December 27, 2020 (134 Stat. 2069; 15 U.S.C. § 9058a).

"(4) The Mayor may issue one or more grants to a third-party grant-managing entity for the purpose of administering the grant program under this subsection and making subgrants on behalf of the Mayor in accordance with the requirements of this subsection.

"(5)(A) The Mayor, and any third-party entity chosen pursuant to paragraph (4) of this subsection, shall, at a minimum, maintain the following information for each grant award:

"(i) The name, location, and business license number of the grant recipient;

"(ii) Proof of revenue declines or significant costs or losses due to the COVID-19 pandemic as required by paragraph (2)(A)(iv) of this subsection;

"(iii) The date and amount, if any, of Paycheck Protection Program loans received by the small business for purposes of compliance with paragraph (3) of this subsection;

"(iv) The date of the award;

"(v) The intended uses of the award;

"(vi) A certification of rent forgiveness by the landlord as required by paragraph (2)(B)(i) of this subsection;

"(vii) Proof of the small-business owner's ability to pay a third of past due rent as required by paragraph (2)(A)(ix) of this subsection;

"(viii) The award amount; and

"(ix) Any other information considered necessary to implement the requirements of this section.

"(B) The Mayor shall issue a report with information required to be maintained pursuant to subparagraph (A) of this paragraph to the Council no later than June 1, 2022.

"(6) For purposes of this subsection, the term "small business" means a brick-and-mortar, for-profit establishment located in the District that made no more than $5 million in annual revenue in 2020 and 2021.

"(7) The Deputy Mayor may use up to 1% of the funds allocated for the grants in this subsection for administrative expenses associated with implementing the grant programs authorized in subsections (j) through (v) of this section.

"(m) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make grants to support the buildout or acquisition of new office and community space for the DC Center for the LGBT Community, currently located at the Frank D. Reeves Center.

"(n)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may award grants to attract large companies, in sectors designated by the Deputy Mayor, that have the ability to attract additional businesses to the District.

"(2) Grants awarded pursuant to this subsection may be used for the following purposes:

"(A) As initial startup capital;

"(B) To cover operational costs;

"(C) As down-payment assistance or to subsidize rent;

"(D) Tenant improvements;

"(E) Workforce training or professional development costs not eligible for support through other workforce programs; and

"(F) Recruitment and hiring costs.

"(3) To be eligible to receive a grant under this subsection, a business must:

"(A) Have 25 or more employees;

"(B) Lease or own, or agree to lease or acquire, a physical office or business location of at least 20,000 square feet in the District's central business District and enter into an agreement with the District to remain in the leased or owned space for at least 10 years;

"(C) Be in the field of cloud and computer systems, food technology, cybersecurity, artificial intelligence, big data, life sciences, education, education technology, research, consulting services, professional services, marketing, or communications;

"(D) Enter into an agreement with the District to implement a workforce development program that offers District residents opportunities for training or employment within the business or the industry in which it operates;

"(E) Commit to spending at least 5% of its total annual contracting with businesses eligible for certification as local business enterprises, pursuant to section 2331 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31), during the 10-year period referred to in subparagraph (B) of this paragraph; and

"(F) Require its employees, in the aggregate, to be on-site at the location referred to in subparagraph (B) of this paragraph for at least 50% of their work hours.

"(o)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*) the Deputy Mayor may make grants and loans for the purpose of supporting the equitable distribution of food businesses in Wards 7 and 8 and in eligible areas, including:

"(A) Grants and loans to assist in the startup, growth, and long-term sustainability of food business in Wards 7 and 8 and in eligible areas; and

"(B) Grants for the provision of technical assistance to food businesses and individuals seeking to establish food businesses in the District.

"(2) The Deputy Mayor may issue one or more grants to a third-party grant-managing entity to issue or administer, or both, the grants and loans authorized by this subsection.

"(3) For the purposes of this subsection, the term "eligible areas" shall have the same meaning as set forth in D.C. Official Code § 47-3801(1D).

"(p)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in Fiscal Year 2022, the Deputy Mayor shall have grant-making authority for the purpose of providing funds, on or before December 1, 2021, and in amount of at least $1.5 million to support District-based direct cash assistance programs or pilot programs that provide unrestricted cash assistance directly to individuals or households and that are administered by a nonprofit organization or organizations.

"(2) By September 30, 2022, a grantee who has received a grant pursuant to paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the grant funds, including a description of:

"(A) The cash assistance program, including how often cash was distributed and in what amounts, and for any grant funds not yet distributed, the plan for their distribution and in what amounts;

"(B) The eligibility requirements for the program or pilot, including the total number of individuals or households served;

"(C) The funding structure for the program or pilot program; and

"(D) Information on how the program or pilot-program participants used the cash assistance they received.

"(3) By December 1, 2022, the Deputy Mayor shall provide to the Council a report based on the information required by paragraph (2) of this subsection, along with a summary analysis of the efficacy and benefits of the cash assistance issued by the grantee or grantees.

"(q)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in Fiscal Year 2022, the Deputy Mayor shall make grants to multiple Community Development Financial Institutions or Minority Depository Institutions located in the District of Columbia in an aggregate amount of up to $1 million to assist activities that support equitable economic recovery and increase access to loans, grants, technical assistance, and financial services to eligible entities.

"(2) An applicant shall submit a grant application in the form and with the information required by the Deputy Mayor, which may include:

"(A) An explanation of proposed activities to be supported by the grant funds; and

"(B) A demonstration that the applicant has a record of success in serving small business based in the District of Columbia.

"(3) Grant funds may be used:

"(A) To provide technical assistance to eligible entities that have outstanding loans from the CDFI or MDI or to borrow funds from the CDFI or MDI within one year of the date of the CDFI or MDI's application for grant funds. Technical assistance shall be tailored to help ensure the success of borrowers and repayment of loans;

"(B) For loan capital; provided, that the approved loan is for a business purpose;

"(C) For risk capital, including loan loss reserves, loan guarantees, and cash collateral support for business loans;

"(D) For administrative support for the CDFI or MDI, including the provision of technical and financial assistance; except, that the amount of grant proceeds used for this purpose may not exceed the NICRA between a CDFI and the federal government, or 10% of the grant proceeds if the CDFI does not have a NICRA in effect.

"(4) By November 1, 2022, a grantee who has received a grant pursuant to paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the grant funds, including:

"(A) A description of services provided through the grant funds;

"(B) The aggregate number of eligible entities receiving support from the grantee and the aggregate amount received; and

"(C) Except as may be prohibited by federal law, the business name and address for each business receiving support from the grantee and the amount received by each such business.

"(5) By December 1, 2022, the Deputy Mayor shall provide to the Council a report based on the information required by paragraph (4) of this subsection, along with a summary analysis of the efficacy and benefits of the use of the grant funds by the grantee.

"(6) For purposes of this subsection, the term:

"(A) "Community Development Financial Institution" or "CDFI" means an organization operating the District that has been certified as a community development financial institution by the federal community development institutions fund, pursuant to the Riegle Community Development and Regulatory Improvement Act of 1994, approved September 23, 1994 (108 Stat. 2160; 12 U.S.C. § 4701 *et seq.*).

"(B) "Eligible entity" means an equity impact enterprise, as defined in section 2302(8A) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)), or a business entity that meets the definition of an equity impact enterprise.

"(C) "Minority Depository Institution" or "MDI" means an organization operating in the District that qualifies as a minority depository institution pursuant to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, approved August 9, 1989 (Pub. L. No. 101-73; 103 Stat. 183).

"(D) "NICRA" means a Negotiated Indirect Cost Rate Agreement, which is an agreement that estimates the indirect cost rate negotiated between the federal government and a grantee organization that reflects indirect costs and fringe benefit expenses incurred by the organization that the federal government may reimburse.

"(r)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in Fiscal Year 2022, the Deputy Mayor shall award a grant in an amount of up to $400,000 to an organization based and located in the District and founded in 2017 that is an affiliate of a national organization and that promotes and supports the growth of equity impact enterprises, as defined in section 2302(8A) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)), to provide resources for advocacy and education and the facilitation of networking opportunities.

"(2) By November 1, 2022, a grantee who has received a grant pursuant to paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the grant funds, including a description of services it provided through the grant funds.

"(3) By December 1, 2022, the Deputy Mayor shall provide to the Council a report based on the information required by paragraph (2) of this subsection, along with a summary analysis of the efficacy and benefits of services provided by the grantee.

"(s) For fiscal year 2022, the Deputy Mayor may make grants in an aggregate amount of up to $800,000 to businesses that are located within the geographical boundaries set forth in the Great Streets Neighborhood Retail Priority Amendment Act of 2021, as introduced on March 31, 2021 (Bill 24-179), and that would otherwise qualify for a Great Streets Small Business grant.

"(t)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Mayor may make grants, loans, and other financial assistance for the purpose of supporting the reopening, recovery, and long-term viability of businesses within the restaurant, retail, and hospitality sectors, along with arts, cultural, and entertainment venues that incurred significant financial losses due to the impacts of COVID-19, and to support arts, cultural, entertainment, and other special events, including through the waiver of District government fees associated with such events.

"(2) The Deputy Mayor may issue one or more grants to a third-party grant-managing entity for the purpose of issuing or administering grants or loans authorized by this subsection on behalf of the Deputy Mayor.

"(u)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make grants to new and existing District businesses to support activities that are likely to increase the revenue of the business, result in the hiring of additional employees by the business, or to improve the short-term and long-term sustainability of the business.

"(2) To be eligible for a grant pursuant to this subsection, a business must:

"(A) Be eligible for certification as a local business enterprise pursuant to section 2331 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31);

"(B) Be independently owned and operated, in the case of franchises;

"(C) Have no more than 100 employees; and

"(D) Have annual revenues less than $15 million.

"(3) A grant awarded pursuant to paragraph (1) of this subsection may be used for purposes such as:

"(A) Capital improvements to existing property owned or leased by the grantee;

"(B) Digital technology upgrades for the grantee's business; or

"(C) Acquiring or improving equipment for the grantee's business.

"(4) The Deputy Mayor may issue one or more grants to a third-party grant-managing entity for the purpose of issuing or administering grants authorized by this subsection on behalf of the Deputy Mayor.

"(5) The Deputy Mayor, and any third-party entity chosen pursuant to paragraph (4) of this subsection, shall maintain a list of all grants awarded pursuant to this subsection. The list shall identify the grant recipient, date of award, and award amount.

"(v)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make grants to a District equity impact enterprise business or a business eligible to be a certified equity impact enterprise to provide down payment assistance of up to $750,000 or 25% of the sale price, whichever is less, for the acquisition of commercial property in the District.

"(2) For the purposes of this section, "equity impact enterprise" shall have the same meaning as defined in section 2302(8A) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)).

"(3) To be eligible for a grant pursuant to this subsection, an equity impact enterprise or business eligible to be an equity impact enterprise must:

"(A) Be independently owned and operated, in the case of a franchise;

"(B) Have no more than 100 employees;

"(C) Have annual revenues less than $15 million; and

"(D) Commit to own and operate a business in at least 25% of the leasable square footage of the acquired commercial property as a small business enterprise or business eligible to be a small business enterprise for at least 7 years.

"(4) The Deputy Mayor may issue one or more grants to a third-party grant-managing entity for the purpose of issuing or administering the grants authorized by this subsection on behalf of the Deputy Mayor.

"(5) The Deputy Mayor, and any third-party grant-making entity chosen pursuant to paragraph (4) of this subsection, shall, by April 1, 2022, submit information to the Chairperson of the Committee on Business and Economic Development, that includes:

"(A) An explanation of the methods used to promote the grant program;

"(B) The number of grant applications received; and

"(C) The number of grants awarded, including the grant recipient, award date, award amount, and property location.

"(6)(A) If a grant recipient seeks to sell or transfer the commercial property within 7 years of purchase, uses the grant funds for an unauthorized purpose, uses the grant funds for any purpose other than the acquisition of the commercial property, including costs and fees associated with the acquisition, or otherwise breaches the grant agreement, the grant recipient shall return all grant funds to the District.

"(B) In the event of a breach of the grant agreement by the recipient or, in the event of one the failure of the recipient to return all grant funds as required by subparagraph (A) of this paragraph, the Deputy Mayor shall have all applicable remedies available at law or equity.".

Sec. 2133. Conforming amendments; rulemaking authority grants authorization from the Economic Development Special Account.

(a) 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 *passim*), is amended by adding a new section 2032a to read as follows:

"Sec. 2032a. Rules.

"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 to implement section 2032.".

(b) Section 301 of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.21), is amended by adding a new subsection (d-2) to read as follows:

"(d-2) Monies credited to the Account may be used to provide grants authorized by the section 2032(j) and (k) 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(j) and (k)).".

SUBTITLE O. BID CLARIFICATION

Sec. 2151. Short title.

This subtitle may be cited as the "Business Improvement Districts Clarification Amendment Act of 2021".

Sec. 2152. Section 206 of the Business Improvement Districts Act of 1996, effective March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56), is amended by adding a new subsection (a-1) to read as follows:

"(a-1)(1) Notwithstanding any other provision of law or order to the contrary, the initial term of the Adams Morgan BID began, pursuant to Mayor's Order 2005-121, dated August 22, 2005, on June 30, 2005, and expired on September 30, 2011.

"(2) This subsection shall apply as of January 1, 2010.".

SUBTITLE P. D.C. HOUSING AUTHORITY BOARD OF COMMISSIONERS REFORM

Sec. 2161. Short title.

This subtitle may be cited as the "District of Columbia Housing Authority Board of Commissioners Reform Amendment Act of 2021."

Sec. 2162. Section 12 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-211), is amended as follows:

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

(1) The lead-in language is amended by striking the number "11" and inserting the number "13" in its place.

(2) Paragraph (4) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(3) Paragraph (5) is amended by striking the period and inserting the phrase "; and" in its place.

(4) A new paragraph (6) is added to read as follows:

"(6) Two Commissioners, who shall not be employees of the Authority, one nominated by the Mayor, with the advice and consent of the Council by resolution, and one appointed by the Council, who shall be representatives with professional experience designing and developing public and private multi-family housing and who shall:

"(A) Have demonstrated professional competence in at least one of the following areas:

"(i) Public housing law and regulations;

"(ii) Public or affordable housing development, operation, and management;

"(iii) Subsidized or nonprofit housing production and development;

"(iv) Community-based redevelopment;

"(v) Legal or counseling services provided to public or affordable housing tenants for the purposes of obtaining or maintaining housing; or

"(vi) Multifamily residential housing construction; and

"(B) Not be an officer or employee of the federal government or the District government.".

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

(1) The lead-in language is amended by striking the phrase "nominated by the Mayor pursuant to subsection (a)(1) of this section" and inserting the phrase "nominated by the Mayor pursuant to subsection (a)(1) and (a)(6) of this section or appointed by the Council pursuant to subsection (a)(6) of this section" in its place.

(2) Paragraph (1) is amended by striking the word "individual's" and inserting the word "Commissioner's" in its place.

(3) Paragraph (2) is amended by striking the phrase "Each individual shall be selected by the Mayor from among District residents" and inserting the phrase "Each Commissioner shall be selected from among District residents" in its place.

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

"(j)(1) The Commissioners shall serve 3-year terms, which shall be staggered.

"(2) On the initial Board, the 3 elected Commissioners shall each serve a term of 3 years, the Chairperson shall serve a term of 3 years, 2 of the appointed Commissioners shall each serve initial terms of 2 years, and the remaining Commissioners shall each serve a term of one year.

"(3) The 2 Commissioners appointed by the Council shall serve 3-year terms: except, that their initial terms may be less than 3 years and shall end in 2024.".

SUBTITLE Q. CNHED TOPA STUDY

Sec. 2171. Short title.

This subtitle may be cited as the "The Coalition for Non-Profit Housing and Economic Development TOPA Study and Grant Act of 2021".

Sec. 2172. Tenant Opportunity to Purchase Act outcomes study.

In Fiscal Year 2022, the Department of Housing and Community Development shall issue a grant in the amount of $250,000 to the Coalition for Non-Profit Housing and Economic Development to conduct a study of Tenant Opportunity to Purchase Act outcomes. The study shall be completed and delivered to the Council by September 30, 2022.

SUBTITLE R. MCMILLAN SLOW SAND FILTRATION SITE DEVELOPMENT

Sec. 2181. This subtitle may be cited as the "McMillan Site Development Act of 2021."

Sec. 2182. (a) Notwithstanding any provision of law, the development of the McMillan Site, described in subsection (b) of this section, shall proceed expeditiously and without further delay through all phases of demolition and construction of the foundation of the community center consistent with the permits already issued by the Department of Consumer and Regulatory Affairs, including Demolition Permit number D1600814 and Foundation Permit number FD1800040, and any extensions or reinstatements of, or amendments to, those permits, and other permits for the project.

(b) The term "McMillan Site" means the McMillan Slow Sand Filtration Site located at 2501 First Street, N.W., and known for tax and assessment purposes as Lot 0800 in Square 3128.

Sec. 2183. Applicability.

This subtitle shall apply as of August 23, 2021.

SUBTITLE S. COVID-19 HOTEL RECOVERY

Sec. 2191. Short Title.

This subtitle may be cited as the "COVID-19 Hotel Recovery Grant Program Act of 2021".

Sec. 2192. Hotel Recovery Grant Program.

(a) To be eligible for a grant under this section, a business shall:

(1) Be physically located in the District;

(2) Have an active hotel, inn, motel, or bed and breakfast lodging business license;

(3) Be in good standing with the District of Columbia's Office of Tax and Revenue;

(4)(A) Have opened and begun operating during 2020 or 2021; or

(B) Have remained open and operating during 2020 and 2021, except for any interruptions required by Mayor's Orders 2020-045 and 2020-046 and subsequent public health emergency orders; and

(5)(A) For a business that remained open and operating in 2019, have experienced in 2020, as compared to end-of-year 2019, at least a 40% reduction in:

(i) Occupancy;

(ii) Revenue; or

(iii) Revenue per available room;

(B) For a business that was closed or partially closed in 2019, have experienced in 2020, as compared to end-of-year 2018, at least a 40% reduction in:

(i) Occupancy;

(ii) Revenue; or

(iii) Revenue per available room; or

(C) For a business that opened and began operating between January 1, 2020, and December 31, 2021, have incurred significant costs due to the COVID-19 pandemic, as determined by the Mayor.

(b) The Mayor shall prioritize grant funding for eligible businesses that did not receive Paycheck Protection Program loans pursuant to the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), or section 501 of Division N of the Consolidated Appropriations Act, 2021, approved December 27, 2020 (134 Stat. 2069; 15 U.S.C. § 9058a).

(c) The amount of funding awarded to an eligible business shall be calculated on a per room key basis.

(d) Grant funding issued to an eligible business shall be used to pay for employee wages, benefits, and other related costs, such as recruitment, training, uniforms, and personal protective equipment.

(e) The Mayor may issue one or more grants to a third-party grant-managing entity for the purpose of administering the grant program and making subgrants on behalf of the Mayor in accordance with the requirements of this section.

(f)(1) The Mayor, and any third-party entity chosen pursuant to subsection (e) of this section, shall, at a minimum, maintain the following information for each grant award:

(A) The name, location, and business license number of the grant recipient;

(B) Proof of eligibility under subsection (a)(5) of this section;

(C) The date and amount of Paycheck Protection Program loans received by the business for purposes of compliance with subsection (b) of this section;

(D) The date of the award;

(E) Evidence that the grant recipient used the award as required by subsection (d) of this section; ;

(F) The award amount; and

(G) Any other information considered necessary to implement the requirements of this section.

(2) The Mayor shall issue a report setting forth the information required by paragraph (1) of this subsection to the Council no later than June 1, 2022.

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

(h) For purposes of this section, the term "hotel, motel, inn, or bed and breakfast" means a real property:

(1) Any part of which is classified as Class 2 Property under D.C. Official Code § 47-813;

(2) That is commercially improved and occupied;

(3) That has 10 or more rooms; and

(4) That is regularly used for the purpose of furnishing rooms, lodgings, or accommodations to transients.

(i) In the event that the Mayor determines that a grant recipient violated the requirements of this subtitle, the grant recipient shall reimburse the amount of the grant not used in compliance with the act; except, that in the event the Mayor determines that the violation was knowing and willful, the grant recipient shall reimburse the entire amount of the grant.

SUBTITLE T. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESSES

Sec. 2201. Short title.

This subtitle may be cited as the "Equitable Impact Assistance for Local Businesses Amendment Act of 2021".

Sec. 2202. The Equitable Impact Assistance for Local Businesses Act of 2020, effective December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 2-281.01 *et seq.*), is amended as follows:

(a) Section 2162 (D.C. Official Code § 2-281.01) is amended as follows:

(1) Paragraph (2)(A) is amended by striking the phrase "equity impact enterprise" and inserting the phrase "equity impact enterprise or an entity that would qualify as an equity impact enterprise" in its place.

(2) A new paragraph (5A) is added to read as follows:

"(5A) "Investment", unless the context otherwise requires, means a grant, loan, credit enhancement, or other financial funding tool approved by the Mayor.".

(b) Section 2163 (D.C. Official Code § 2-281.02) is amended to read as follows:

"(a)(1) The Mayor shall select one or more Fund Managers to manage a fund outside the District of Columbia government to be known as the Equity Impact Fund ("Fund").

"(2) The selected Fund Managers shall have completed at least one round of prior funding in an amount greater than or equal to the amount of the District's initial grant.

"(3) The Deputy Mayor for Planning and Economic Development shall provide, upon selection of the Fund Manager, the District's initial grant to the Fund Manager for deposit into the Fund ("District's initial investment").

"(b) The Fund shall be used to:

"(1) Facilitate investment in eligible businesses that lack access to capital; and

"(2) Make investments into eligible businesses based on a strategy determined by the Fund Managers.".

(c) Section 2164 (D.C. Official Code § 2-281.03) is amended as follows:

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

(A) The lead-in text is amended by striking the phrase "contain description of" and inserting the phrase "contain a description of" in its place.

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

"(1) The applicant's qualifications, which shall include 5 or more years of demonstrable experience investing in:

"(A) Small businesses;

"(B) Businesses owned by economically disadvantaged individuals;

"(C) Businesses owned by individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities;

"(D) Businesses that otherwise meet the definition of, or are similar to, an equity impact enterprise; or

"(E) District-based businesses.".

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

(A) The lead-in language is amended by striking the phrase "The Fund Manager" and inserting the phrase "A Fund Manager" in its place.

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

"(1) A preference be given to applicants that:

"(A) Have experience working with entrepreneurs in the District; and

"(B)(i) Are at least 51% owned, operated, or controlled by economically disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities; or

"(ii) Are an equity impact enterprise; and".

(C) Paragraph (2) is amended by striking the figure "$100,000,000" and inserting the figure "$50,000,000" in its place.

(d) Section 2165 (D.C. Official Code § 2-281.04) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "The Fund Manager" and inserting the phrase "A Fund Manager" in its place.

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

(A) Paragraph (1) is amended by striking the phrase "The Fund Manager" and inserting the phrase "A Fund Manager" in its place.

(B) Paragraph (2) is amended by striking the phrase "The Fund Manager" and inserting the phrase "A Fund Manager" in its place.

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

"(3)(A) A Fund Manager shall establish, for each selected eligible business a 12-month individualized business plan.

"(B) The individualized business plan shall include technical assistance, provided at no cost to the eligible business, which shall include education on the management and scale of a business through live training or guided recorded sessions.

"(C) All eligible businesses that receive an investment from the Fund shall be required to participate in at least 3 months of technical-assistance training prior to receipt of an investment.

"(D) Investments shall be distributed to the eligible business in installments based upon completion of specific milestones clearly described in the eligible business's individualized business plan.".

(e) Section 2166 (D.C. Official Code § 2-281.05) is amended by striking the phrase "The Fund Manager" and inserting the phrase "A Fund Manager" in its place.

(f) Section 2167 (D.C. Official Code § 2-281.06) is amended to read as follows:

"Sec. 2167. Recovery of District grant.

"The Mayor shall reserve the right to recover the amount of the District's initial grant or any subsequent grant of funds to the Fund Manager for deposit into the Fund and may exercise this right if the Fund Manager does not, within a reasonable period, as determined by the Mayor, place investments into eligible businesses in an amount equal to the amount of the District's initial investment or any subsequent grant of funds to the Fund Manager for deposit into the Fund.".

Sec. 2203. Applicability.

This subtitle shall apply as of August 23, 2021.

SUBTITLE U. DC LOW INCOME HOUSING TAX CREDIT

Sec. 2211. Short title.

This subtitle may be cited as the "DC Low Income Housing Tax Credit Amendment Act of 2021".

Sec. 2212. Chapter 48 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-4801(8) is amended to read as follows:

"(8) "Qualified project" means a rental housing development in the District that receives an allocation of federal low-income housing tax credits under 26 U.S.C. § 42(h)(1) or (4) after October 1, 2021, and with respect to which an extended low-income housing commitment pursuant to 26 U.S.C. § 42(h)(6)(B) between the owner of the rental housing development and the Department is executed on or after October 1, 2021.".

(b) Section 47-4803 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "equal to 25% of the value" and inserting the phrase "up to 25% of the value" in its place.

(2) Subsection (b)(1)(A) is amended by striking the phrase "at least 80% of the per dollar sale" and inserting the phrase "an amount that exceeds the lesser of $0.70 per $1.00 in District of Columbia low-income housing tax credit or 80% of the per dollar sale" in its place.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. EMERGENCY MEDICAL SERVICE FEES

Sec. 3001. Short title.

This subtitle may be cited as the "Emergency Medical Services Fees Amendment Act of 2021".

Sec. 3002. Section 502 of the Revenue Act for Fiscal Year 1978, effective April 19, 1977 (D.C. Law 1-124; D.C. Official Code § 5-416), is amended as follows:

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

(1) Strike the phrase "his or her inability to pay" and insert the phrase "inability to pay" in its place.

(2) Strike the phrase "his or her ability to pay" and insert the phrase "ability to pay" in its place.

(b) Subsection (b)(2) is repealed.

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

"(2) Non-Medicaid revenue generated by fees authorized in subsection (a) of this section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998, effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)) ("Medical Services Act"), in excess of the amount of Medicaid and non-Medicaid revenue generated by fees authorized in subsection (a) of this section and section 3(a)(2) of the Medical Services Act, in Fiscal Year 2016, shall be deposited in the Fund.".

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

"(d) Fees charged for pre-hospital medical care and transport services shall be set as follows:

"(1) For the transportation of each patient in an advanced life support unit or basic life support unit, when advanced life support or basic life support, respectively, is administered to the patient being transported, no more than:

"(A) $750, beginning January 1, 2021;
"(B) $1,000, beginning January 1, 2022;
"(C) $1,250, beginning January 1, 2023;
"(D) $1,500, beginning January 1, 2024;
"(E) $1,750, beginning January 1, 2025; and
"(F) $2,000, beginning January 1, 2026; and

"(2) For each patient transported as described in paragraph (1) of this subsection, an additional fee for each mile, or fraction thereof, that the patient is transported by ambulance, no more than:

"(A) $11.25, beginning January 1, 2021;
"(B) $15, beginning January 1, 2022;
"(C) $18.75, beginning January 1, 2023;
"(D) $22.50, beginning January 1, 2024;
"(E) $26.25, beginning January 1, 2025; and
"(F) $30, beginning January 1, 2026.

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

"(1) "Advanced life support unit" means an ambulance staffed by an emergency medical technician and an emergency medical technician intermediate or paramedic.

"(2) "Ambulance" means any privately or publicly owned vehicle specially designed, constructed, modified, or equipped for use as a means for transporting patients in a

medical emergency, or any privately or publicly owned vehicle that is advertised, marked, or in any way held out as a vehicle for the transportation of patients in a medical emergency. The term "ambulance" includes vehicles capable of operation over ground, on water, and in air.

"(3) "Basic life support unit" means an ambulance staffed by 2 emergency medical technicians, or an emergency medical technician and an emergency medical technician intermediate or paramedic.

"(4) "Health care facility" shall have the same meaning as provided in section 2(5) of the Nurse Staffing Agency Act of 2003, effective March 10, 2004 (D.C. Law 15-74; D.C. Official Code § 44-1051.02(5)).".

SUBTITLE B. OFFICE OF RESILIENCY

Sec. 3011. Short title.

This subtitle may be cited as the "Office of Resiliency and Recovery Amendment Act of 2021".

Sec. 3012. Section 2(a) of the Office of Resilience and Recovery Establishment Act of 2020, effective May 6, 2020 (D.C. Law 23-84; D.C. Official Code § 1-301.201(a)), is amended as follows:

(a) Strike the phrase "Office of the City Administrator" and insert the phrase "Homeland Security and Emergency Management Agency" in its place.

(b) Strike the phrase "man-made challenges" and insert the phrase "human-made challenges" in its place.

SUBTITLE C. CONCEALED PISTOL LICENSING REVIEW BOARD STIPEND

Sec. 3021. Short title.

This subtitle may be cited as the "Concealed Pistol Licensing Review Board Stipend Amendment Act of 2021".

Sec. 3022. Section 1108(c-2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)), is amended by adding a new paragraph (7) to read as follows:

"(7) Each member of the Concealed Pistol Licensing Review Board, except members who are District or federal government employees, shall be entitled to a stipend of $250 per week for their service on the board.".

Sec. 3023. Section 908(b) 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)), is amended as follows:

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

(1) Subparagraph (A) is amended by striking the phrase "his or her designee" and inserting the phrase "the USAO's designee" in its place.

(2) Subparagraph (B) is amended by striking the phrase "his or her designee" and inserting the phrase "the Attorney General's designee" in its place.

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

"(4) Members of the Board, except members who are District or federal government employees, shall be entitled to compensation as provided in section 1108 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08), for their service on the Board.".

SUBTITLE D. SERVICES IN SUPPORT OF VIOLENCE PREVENTION, INTERRUPTION, AND RESPONSE

Sec. 3031. Short title.

This subtitle may be cited as the "Services in Support of Violence Prevention, Interruption, and Response Amendment Act of 2021".

Sec. 3032. Section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a new subsection (f-1) to read as follows:

"(f-1) Agencies within the District government may refer individuals and families who have been victims of gun violence or are at risk of gun violence to the Authority for eligibility determination for the Local Rent Supplement Program.".

Sec. 3033. The Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended by adding a new section 103b to read as follows:

"Sec. 103b. Violence prevention, interruption, and response services.

"(a) To support initiatives, programs, and interventions that aim to prevent, interrupt, or respond to violence in the District, the Mayor may:

"(1) Issue housing vouchers, financial assistance for housing, housing counseling, and other supportive services to individuals and families who have been victims of gun violence or are at risk of gun violence;

"(2) Waive statutory, regulatory, and administrative fees, including vital record fees and driver license and non-driver identification fees, for, and settle or forgive debts owed to the District government by, individuals participating in or potentially eligible to participate in a violence prevention, violence interruption, violence response, or victim services program;

"(3) Pay private, local, state, and federal fees, including fees for licenses and certifications, vital records, educational fees, and background and suitability checks, for individuals participating in or potentially eligible to participate in a violence prevention, violence interruption, violence response, or victim services program;

"(4) Provide social, economic, educational, health, and other services and supports for the purposes of violence prevention, violence interruption, violence response, and victim services to individuals participating in or eligible to participate in a violence prevention, violence interruption, violence response, or victim services program. Services and supports provided pursuant to this paragraph may include:

"(A) Transportation, including transportation to government offices and non-governmental service providers and transportation of public-school students in safe passage areas;

"(B) Housing relocation costs, including moving costs and the costs of establishing a new household;

"(C) Tests and test preparation;

"(D) Post office boxes;

"(E) Secure document storage;

"(F) Cell phones and cell phone service; and

"(G) Driver education;

"(5) Provide financial payments to individuals participating in or potentially eligible to participate in a violence prevention, violence interruption, or violence response program to incentivize such individuals to apply for, participate in, or continue to participate in, such program;

"(6) Issue grants in support of violence prevention, violence interruption, violence response, and victim services programs; and

"(7) Provide the services and supports described in section 402a of the District of Columbia Government Comprehensive Merit Personnel Act, effective February 22, 2019 (D.C. Law 22-211; D.C. Official § 1-604.02a), including paid internships, to individuals participating in a violence prevention, violence interruption, violence response, or victim services program, regardless of whether the individual has received a high school diploma or its equivalent.

"(b) The financial assistance for housing provided pursuant to subsection (a)(1) of this section shall be used to assist the recipients with relocation from their current housing and to provide them with short- and mid-term housing supports.

"(c) Payments made for services and supports under subsection (a)(4) and (5) of this section may be made by direct voucher.".

Sec. 3034. Applicability.

This subtitle shall apply as of August 23, 2021.

SUBTITLE E. HUMAN RIGHTS CASE MANAGEMENT METRICS

Sec. 3041. Short title.

This subtitle may be cited as the "Human Rights Case Management Metrics Amendment Act of 2021".

Sec. 3042. Section 301 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38, D.C. Official Code § 2-1403.01), is amended by adding a new subsection (g-1) to read as follows:

"(g-1)(1) The Mayor shall report quarterly to the Council as to the volume and age of cases before the Office and the Commission, including at minimum the following measures:

"(A) The number of initial questionnaires or other inquiries alleging unlawful discrimination that the Office received during the prior quarter, broken down by protected characteristics and categories of alleged discriminatory action;

"(B) The number of signed formal complaints that were filed during the prior quarter, broken down by protected characteristics and categories of alleged discriminatory action;

"(C) The number of intake interviews that took place during the prior quarter;

"(D) The number of initial inquiries awaiting intake interviews, broken down by number of weeks since initial questionnaire or other inquiry;

"(E) The number of initial inquiries that were withdrawn or otherwise closed before a signed formal complaint could be completed;

"(F) The number of mediation sessions that took place during the prior quarter, broken down by protected characteristics, categories of alleged discriminatory action, and number of weeks elapsed from complaint to mediation;

"(G) The number of mediation sessions that resulted in conciliation;

"(H) The number of mediation sessions that failed to produce conciliation and proceeded to the investigation stage;

"(I) The number of signed formal complaints awaiting mediation, broken down by number of weeks since filing;

"(J) The number of signed formal complaints withdrawn or otherwise closed before a mediation could be completed;

"(K) The number of determinations of jurisdiction and probable cause or lack thereof that the Office issued the prior quarter, broken down by protected characteristics, categories of alleged discriminatory action, determination, and number of weeks between unsuccessful mediation and determination;

"(L) The number of cases awaiting a determination of jurisdiction and probable cause following unsuccessful mediation, broken down by number of weeks since unsuccessful mediation;

"(M) The number of investigations open per Office full-time equivalent investigator;

"(N) The number of decisions and orders the Commission rendered in the prior quarter, broken down by protected characteristics and categories of alleged discriminatory conduct;

"(O) The number of matters withdrawn or otherwise terminated without a decision of the Commission in the prior quarter; and

"(P) The number of matters pending before the Commission, broken down by number of weeks since the Office issued a determination of jurisdiction and probable cause, and whether the Commission has held a hearing.

"(2) In each quarterly report, if the Mayor is unable to calculate one or more of the metrics specified in paragraph (1) of this subsection, then for each such omitted measure, the Mayor shall:

"(A) Briefly explain the obstacle preventing accurate measurement;

"(B) Specify what steps the Office and the Commission are taking to enable accurate measurement; and

"(C) Estimate the time remaining before the Office will be in a position to provide consistent quarterly updates on the measure.".

SUBTITLE F. ALTERNATIVE RESPONSES TO CALLS FOR SERVICE PILOT PROGRAM

Sec. 3051. Short title.

This subtitle may be cited as the "Alternative Responses to Calls for Service Amendment Act of 2021".

Sec. 3052. The Office of Unified Communications Establishment Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq.*), is amended by adding a new section 3205c to read as follows:

"Sec. 3205c. Alternative Responses to Calls for Service Pilot Program.

"(a)(1) The Office shall, in coordination with the Deputy Mayor for Public Safety and Justice ("DMPSJ") and the Department of Behavioral Health ("DBH"), establish an Alternative Responses to Calls for Service Pilot Program ("Pilot Program") to dispatch non-law enforcement agency personnel and community-based responders to calls for service, including calls for service related to individuals experiencing:

"(A) Behavioral health emergencies;

"(B) Homelessness; or

"(C) Substance use.

"(2) The Pilot Program shall:

"(A) Center a public-health approach to emergency response in its protocols, training, operations, and public engagement;

"(B) Prioritize the diversion of calls for service away from a law enforcement response and towards District agencies or community-based organizations that employ unarmed practitioners or professionals, such as mental-health professionals and social workers; and

"(C) To the extent possible, operate during non-business hours.

"(b) With regard to the Pilot Program, the Office, DMPSJ, and DBH shall:

"(1) Develop protocols for:

"(A) Identifying and dispatching certain categories of calls for service; and

"(B) Cross-training law enforcement personnel, non-law enforcement agency personnel, and community-based responders, including call-center employees;

"(2) Conduct public education to build awareness and trust in the Pilot Program, including by developing branding, publicly accessible and lay-friendly educational materials, and strategic messaging about:

"(A) The Pilot Program's purpose, goals, and operations; and

"(B) Alternatives to calling 9-1-1 or dispatching law enforcement for certain categories of calls for service;

"(3) By October 1, 2021, convene a working group of community-based experts and practitioners in alternative responses to calls for service, in addition to directly impacted individuals, to advise on the Pilot Program's development, training, operations, community engagement, and evaluation, including the District agencies, community-based organizations, or other entities to which individuals will be diverted pursuant to subsection (a)(2)(B) of this section; and

"(4) By January 1, 2022, and every 3 months thereafter, publish, at a minimum, the following information on the Office's website:

"(A) The members of the working group convened pursuant to paragraph (3) of this subsection;

"(B) The Pilot Program's protocols for identifying and dispatching calls for service;

"(C) The non-law enforcement agencies and community-based responders to which eligible calls for service are being dispatched; and

"(D) Aggregated for that reporting period:

"(i) The hours during which the Pilot Program operated;

"(ii) A description of the Pilot Program's staffing internal and external to the Office and any training provided;

"(iii) The expenditures for the Pilot Program, by purpose for the expenditure, amount, and source;

"(iv) A list of the public events held, attended, and upcoming related to the Pilot Program;

"(v) The number of calls for service eligible for diversion, broken down by day, period of time, and category of call for service;

"(vi) Of those eligible calls for service identified under sub-subparagraph (v) of this subparagraph, the number of calls for service diverted, broken down by day, period of time, category of call for service, entity to which the calls for service were diverted, response time, the reason for any significant delays in response time, and outcome of the call for service, including whether anyone on the scene was:

"(I) Taken into custody through arrest or other means, such as involuntary commitment;

"(II) Sustained physical injuries during the response; or

"(III) Connected to or provided supportive services, and the nature of those supportive services; and

"(vii) Of those eligible calls for service identified under sub-subparagraph (v) of this subparagraph, if law enforcement was not initially dispatched in response to the call for service, whether the responding non-law enforcement agency personnel or community-based responders later requested a law enforcement response, and if so, the outcome of that request.".

SUBTITLE G. ACCESS TO JUSTICE INITIATIVE

Sec. 3061. Short title.

This subtitle may be cited as the "Access to Justice Initiative Amendment Act of 2021".

Sec. 3062. The Access to Justice Initiative Amendment Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1701.01 *et seq.*), is amended as follows:

(a) Section 201(a) (D.C. Official Code § 4-1702.01(a)) is amended by striking the phrase "District residents and providing" and inserting the phase "District residents, or support to their nonprofit organization partners; and providing" in its place.

(b) Section 301(a) (D.C. Official Code § 4-1703.01(a)) is amended by striking the phrase "District residents, including" and inserting the phrase "District residents, or support to their nonprofit organization partners, including" in its place.

Sec. 3063. Section 3052(4) of the Expanding Access to Justice Amendment Act of 2017, effective December 17, 2013 (D.C. Law 22-33; D.C. Official Code § 4-1801(4)), is amended by striking the phrase "whose gross household income falls at or below 200% of the federal poverty guidelines" and inserting the phrase "whose gross household income falls at or below 250% of the federal poverty guidelines" in its place.

SUBTITLE H. OFFICE OF THE CHIEF MEDICAL EXAMINER AND CHILD FATALITY REVIEW COMMITTEE

Sec. 3071. Short title.

This subtitle may be cited as the "Office of the Chief Medical Examiner and Child Fatality Review Committee Amendment Act of 2021".

Sec. 3072. The Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1401 *et seq.*), is amended as follows:

(a) Section 2902 (D.C. Official Code § 5-1401) is amended as follows:

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

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

"(1) "CME" means the Chief Medical Examiner within the OCME.".

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

"(2A) "OCME" means the Office of the Chief Medical Examiner.".

(b) Section 2903 (D.C. Official Code § 5-1402) is amended as follows:

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

"(a) There is established as a subordinate agency in the Executive branch of the District government, the Office of the Chief Medical Examiner.".

(2) Subsection (b) is amended by striking the phrase "Examiner ("CME") within" and inserting the phrase "Examiner within" in its place.

(3) Subsection (c)(1) is amended by striking the phrase "District of Columbia." and inserting the phrase "District." in its place.

(c) Section 2904(b) (D.C. Official Code § 5-1403(b)) is amended by striking the phrase "equipment, as" and inserting the phrase "equipment as" in its place.

(d) Section 2905 (D.C. Official Code § 5-1404) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "the District of Columbia" and inserting the phrase "the District" in its place.

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

"(a-1) The CME may provide pathology and toxicology services to other District government agencies, non-District government agencies, and private entities, and may establish fees or require the payment of costs for the provision of such services.".

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

"(b) The CME, and OCME employees authorized by the CME, may teach post-secondary, medical, and law school classes, conduct special classes for government personnel, conduct research, and engage in other activities related to their work.".

(4) Subsection (c) is amended by striking the phrase "in any event within" and inserting the phrase "in any event, within" in its place.

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

"(d) The CME, or the CME's designee, shall attend all reviews of deaths by District government fatality review committees and fatality review boards. The CME shall coordinate with such committees and boards in their investigations of deaths.".

(e) Section 2906 (D.C. Official Code § 5-1405) is amended as follows:

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

(A) The lead-in language is amended by striking the phrase "the District of Columbia" and inserting the phrase "the District" in its place.

(B) Paragraph (1) is amended by striking the phrase "suicidal or accidental including" and inserting the phrase "suicidal, or accidental, including" in its place.

(C) Paragraph (7) is amended by striking the phrase "District of Columbia government" and inserting the phrase "District government" in its place.

(D) Paragraph (9) is amended by striking the phrase "legal custody" and inserting the phrase "the legal custody" in its place.

(E) Paragraph (10) is amended by striking the phrase "trauma including" and inserting the phrase "trauma, including" in its place.

(F) Paragraph (11) is amended to read as follows:

"(11) Deaths for which the Metropolitan Police Department, another law enforcement agency, or the United States Attorney's Office for the District of Columbia requests, or a court orders, investigation;".

(G) Paragraph (12) is amended by striking the phrase "District of Columbia without" and inserting the phrase "District without" in its place.

(2) The lead-in language of subsection (b-1)(2) is amended by striking the phrase "a woman's" and inserting the phrase "a birthing parent's" in its place.

(3) Subsection (c) is amended by striking the phrase "the District of Columbia" and inserting the phrase "the District" in its place.

(f) Section 2907(b) (D.C. Official Code § 5-1406(b)) is amended by striking the phrase "(EMS) personnel," and inserting the phrase "personnel," in its place.

(g) Section 2908 (D.C. Official Code § 5-1407) is amended by striking the phrase "in his or her opinion" and inserting the phrase "in the CME's opinion" in its place.

(h) Section 2909(a) (D.C. Official Code § 5-1408(a)) is amended by striking the phrase "in his or her opinion" and inserting the phrase "in the opinion of the medical examiner, medicolegal investigator, or law enforcement officer" in its place.

(i) Section 2912(b) (D.C. Official Code § 5-1411(b)) is amended by striking the phrase "the District of Columbia" and inserting the phrase "the District" in its place.

(j) Section 2915 (D.C. Official Code § 5-1414) is amended by striking the phrase "the United States Attorney, on his or her own motion, or on request of a medical examiner, or the Metropolitan Police Department, or other law enforcement agency" and inserting the phrase "the United States Attorney for the District of Columbia, on the United States Attorney's own motion, or at the request of a medical examiner, the Metropolitan Police Department, or another law enforcement agency" in its place.

(k) A new section 2918c is added to read as follows:

"Sec. 2918c. Office of the Chief Medical Examiner Fund.

"(a) There is established as a special fund the Office of the Chief Medical Examiner Fund ("Fund"), which shall be administered by the Mayor in accordance with subsection (c) of this section.

"(b) All funds from fees received by OCME for services provided pursuant to section 2905(a-1) shall be deposited in the Fund.

"(c) Money in the Fund shall be used to support any personnel and non-personnel expenses associated with District fatality reviews, in addition to other agency expenses.

"(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. 3073. The Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.01 *et seq.*), is amended as follows:

(a) Section 4603 (D.C. Official Code § 4-1371.03) is amended to read as follows:

"Sec. 4603. Establishment and purpose.

"(a) There is established a Child Fatality Review Committee. Facilities and other administrative support shall be provided by the Office of the Chief Medical Examiner.

"(b) The Committee shall:

"(1) Identify and characterize the scope and nature of all child deaths in the District, particularly those that are violent, accidental, unexpected, or unexplained;

"(2) In an effort to reduce the number of preventable child fatalities, examine past events and circumstances surrounding child deaths in the District by reviewing the records, files,

and other pertinent documents of public and private agencies responsible for serving families and children, investigating deaths, or treating children, giving special attention to child deaths that may have been caused by abuse, negligence, or other forms of maltreatment;

"(3) Develop and revise, as necessary, operating rules and procedures for the review of child deaths, including identification of cases to be reviewed, coordination among the agencies and professionals involved, and improvement of the identification, data collection, and record keeping of the causes of child death;

"(4) Recommend specific and systemic improvements to promote improved and integrated public and private systems serving families and children;

"(5) Recommend components for prevention and education programs; and

"(6) Recommend training to improve the investigation of child deaths.".

(b) Section 4604 (D.C. Official Code § 4-1371.04) is amended as follows:

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

(A) Paragraph (13) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(B) Paragraph (14) is amended by striking the period and adding the phrase "; and" in its place.

(C) A new paragraph (15) is added to read as follows:

"(15) Director of Gun Violence Prevention.".

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

"(a-1) The Council Chairpersons with jurisdiction over judiciary and human services matters, or their designees, shall serve as Committee members.".

(c) Section 4605 (D.C. Official Code § 4-1371.05) is amended as follows:

(1) The lead-in language of subsection (a) is amended by striking the phrase "the deaths of children who were residents of the District of Columbia and of such children" and inserting the phrase "all deaths of children who were residents of the District of Columbia, and with particular attention, such children" in its place.

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

"(c) The Committee's manner of review shall be to conduct a multidisciplinary, multi-agency review of all individual fatalities within 6 months after the final determination of the cause and manner of death and prioritize fatalities where child abuse, neglect, or another form of child maltreatment is the cause of death or a contributing factor.".

(3) Subsection (d) is amended by striking the phrase "establish 2 review teams" and inserting the phrase "establish at least 2 review teams" in its place.

(4) Subsection (e) is repealed.

(d) Section 4606 (D.C. Official Code § 4-1371.06) is amended as follows:

(1) Subsection (c) is repealed.

(2) Subsection (d) is repealed.

(e) Section 4607(b) (D.C. Official Code § 4-1371.07(b)) is amended by striking the phrase "or his or her" and inserting the phrase "or the witness's'" in its place.

(f) Section 4608(a) (D.C. Official Code § 4-1371.08(a)) is amended by striking the phrase ". Committee members" and inserting the phrase ". Unless authorized by a majority vote of the Committee members appointed pursuant to section 4604(c), Committee members" in its place.

(g) Section 4609 (D.C. Official Code § 4-1371.09) is amended as follows:

(1) Subsection (e) is amended by striking the phrase "any person, other than a person who has consented to be identified, are" and inserting the phrase "a person identified in section 4608(c) are" in its place.

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

"(f) The Committee shall compile an Annual Report of Findings and Recommendations which shall be publicly available and submitted to the Mayor and Council. The annual report shall include:

"(1) The number of child fatalities in the District annually, with a description of the causes, and for those fatalities where abuse, neglect, or another form of child maltreatment is the cause of the fatality or a contributing factor, the number, type, and response of any agency contact prior to the fatality;

"(2) Statistics on all reviews conducted in the past calendar year, including the date of each fatality, when the Committee staff learned of the fatality, and when the Committee began and concluded each review;

"(3) Findings regarding factors, including agency practices, that may have prevented particular fatalities from occurring;

"(4) Recommendations for preventing fatalities and identifying children most at risk of fatalities, including agency policies and practices that need improvement to prevent fatalities;

"(5) A timeline for implementing corrective actions;

"(6) An identification of any necessary funding to implement changes to policies and practices or corrective actions;

"(7) The responses required by subsection (f-1) of this section; and

"(8) A description of the progress made on the findings and recommendations made in the prior annual report.".

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

"(f-1) Any agency that is implicated by a recommendation included in the Committee's Annual Report of Findings and Recommendations shall provide the Committee with a response to the specific recommendation.".

(4) Subsection (g) is repealed.

(5) Subsection (j) is amended by striking the phrase "Human Services" and inserting the phrase "Human Services, Child and Family Services Agency," in its place.

(h) Section 4610 (D.C. Official Code § 4-1371.10) is amended by striking the phrase "from liability, administrative, civil, or criminal, that" and inserting the phrase "from administrative, civil, or criminal liability that" in its place.

(i) Section 4611 (D.C. Official Code § 4-1371.11) is amended by striking the phrase "the Corporation Counsel or his or her designee" and inserting the phrase "the Attorney General" in its place.

(j) Section 4613 (D.C. Official Code § 4-1371.13) is amended by striking the phrase "from liability, administrative, civil, or criminal, that" and inserting the phrase "from administrative, civil, or criminal liability that" in its place.

(k) Section 4614 (D.C. Official Code § 4-1371.14) is amended by striking the phrase "the Corporation Counsel of the District of Columbia, or his or her agent, in" and inserting the phrase "the Attorney General in" in its place.

SUBTITLE I. REDUCING LAW ENFORCEMENT PRESENCE IN SCHOOLS

Sec. 3081. Short title.

This subtitle may be cited as the "Reducing Law Enforcement Presence in Schools Amendment Act of 2021".

Sec. 3082. The School Safety and Security Contracting Procedures Act of 2004, effective April 13, 2005 (D.C. Law 15-350; D.C. Official Code § 5-132.01 *et seq.*), is amended as follows:

(a) Section 101(3) (D.C. Official Code § 5-132.01(3)) is amended to read as follows:

"(3) "School resource officer" means a sworn MPD officer assigned to DCPS or public charter schools for the purpose of working in collaboration with DCPS, public charter schools, and community-based organizations to ensure that DCPS schools, public charter schools, and their grounds are safe environments for students, teachers, and staff through the use of culturally competent, developmentally-appropriate, and community-oriented policing strategies and practices.".

(b) Section 102 (D.C. Official Code § 5-132.02) is amended as follows:

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

"(c-1) School resource officers shall not report any information regarding a student's suspected crew or gang affiliation, or that of their family members, to a law enforcement agency for the purpose of including such information in any District government crew or gang database, nor shall any such information shared by or derived from a school resource officer be otherwise included in any District government crew or gang database.".

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

"(e) The School Safety Division's sworn and civilian staffing shall be as follows:

"(1) By July 1, 2022, a maximum of 60 personnel;

"(2) By July 1, 2023, a maximum of 40 personnel;

"(3) By July 1, 2024, a maximum of 20 personnel; and

"(4) By July 1, 2025, the School Safety Division shall be dissolved, and MPD no longer shall staff DCPS and public charter schools with school resource officers.".

Sec. 3083. Section 16-2309 of the District of Columbia Official Code is amended by adding new subsections (c) and (d) to read as follows:

"(c) Notwithstanding any other law, a law enforcement officer shall not seize, serve a custody order on, or take into custody a DCPS or public charter school student at a DCPS or public charter school or on its grounds for a:

"(1) School-based offense unless:

"(A) The school-based offense is alleged to be a crime of violence, as that term is defined in § 23-1331(4); or

"(B) Exigent circumstances exist; or

"(2) Non-school-based offense unless exigent circumstances exist.

"(d) Prior to seizing, serving a custody order on, or taking into custody of a DCPS or public charter school student at a DCPS or public charter school or on its grounds pursuant to subsection (c) of this section, a law enforcement officer shall:

"(1) In consultation with the administration of the DCPS or public charter school, MPD Youth and Family Engagement Bureau leadership, and the Office of the Attorney General, determine if there are reasonable alternatives to seizing, serving a custody order on, or taking into custody a DCPS or public charter school student at the DCPS or public charter school or on its grounds; and

"(2) If the law enforcement officer is seeking to execute a custody order, present a copy of that custody order to the DCPS or public charter school's principal or assistant principal.

TITLE IV. PUBLIC EDUCATION SYSTEMS

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASES

Sec. 4001. Short title.

This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools Increase Amendment Act of 2021".

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 § 38-2901 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 38-2901) is amended as follows:

(1) Redesignate existing paragraph (2B) as paragraph (2C).

(2) Add a new paragraph (2B) to read as follows:

"(2B) "At-Risk High School Over-age Supplement" means weighting provided in addition to the at-risk weight for a student who is at-risk because the student is a high school student that is one year older, or more, than the expected age for the grade in which the student is enrolled.".

(3) Add a new paragraph (4A) to read as follows:

"(4A) "Elementary ELL" means students who are LEP/NEP and enrolled in grades pre-kindergarten 3 through 5.".

(4) Redesignate existing paragraph (10B) as paragraph (10C).

(5) Add a new paragraph (10B) to read as follows:

"(10B) "Secondary ELL" means students who are LEP/NEP and enrolled in:

"(A) Grades 6 through 12 at a DCPS or public charter school;

"(B) An alternative program;

"(C) Adult education; or

"(D) Grades 6 through 12 at a special education school.".

(b) Section 103(b) (D.C. Official Code § 38-2902(b)) is amended by striking the phrase "Charter Schools" and inserting the phrase "Charter Schools; except, that, for Fiscal Year 2022, the Formula shall not apply to funding allocated to a DCPS school to meet the requirement of section 108a(a)(2) that the school be provided with not less than 95% of its prior year allocation of Formula funds" in its place.

(c) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase "$11,310 per student for Fiscal Year 2021" and inserting the phrase "$11,730 per student for Fiscal Year 2022" in its place.

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

"Grade Level	Weighting	Per Pupil Allocation in FY 2022
"Pre-Kindergarten 3	1.34	$15,718
"Pre-Kindergarten 4	1.30	$15,249
"Kindergarten	1.30	$15,249
"Grades 1-5	1.00	$11,730
"Grades 6-8	1.08	$12,668
"Grades 9-12	1.22	$14,311
"Alternative program	1.52	$17,830
"Special education school	1.17	$13,724
"Adult	0.89	$10,440

".

(e) 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:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
"Level 1: Special Education	Eight hours or less per week of specialized services	0.97	$11,378
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	$14,076
"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	$23,108

"Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	$40,938
"Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.099	$1,161
"Attorney's Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney's fees.	0.089	$1,043
"Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	$19,589

"General Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
"Elementary ELL	Additional funding for English Language Learners in grades PK3-5.	0.50	$5,865
"Secondary ELL	Additional funding for English Language Learners in grades 6-12, alternative students, adult students, and students in special education schools.	0.75	$8,798
"At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level in high school.	0.24	$2,815
"At-risk High School Over-Age Supplement	Weighting provided in addition to at-risk weight for students who are behind grade level in high school.	0.06	$704

"Residential Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
"Level 1: Special	Additional funding to support the after-hours level 1 special education needs of	0.37	$4,340

Education – Residential	students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting		
"Level 2: Special Education – Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.34	$15,718
"Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	$33,900
"Level 4: Special Education – Residential	Additional funding to support the after-hours level 4 special education needs of limited and non- English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	$33,900
"LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	$7,836

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

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
"Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs.	0.063	$739
"Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.227	$2,663
"Special Education Level 3 ESY	Additional funding to support the summer school or program need for	0.491	$5,759

	students who require extended school year (ESY) services in their IEPs		
"Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs".	0.491	$5,759

".

(f) Section 106a (D.C. Official Code § 38-2905.01) is amended as follows:

(1) Subsection (b) is amended my striking the phrase "a weighting factor" and inserting the phrase "weighting factors" in its place.

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

(A) Strike the phrase "weighting for at-risk students" and insert the phrase "weighting factors for at-risk students" in its place.

(B) Strike the phrase "both as at-risk" and insert the phrase "both at-risk" in its place.

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

"(c-1) To ensure alignment between the alternative program and at-risk weighting factors, the alternative program weighting factor should be amended whenever the grades 9-12, at-risk, or at-risk high school over-age supplement weighting factors are amended.".

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

(1) Subsection (b-2)(2D) is amended to read as follows:

"(2D) For Fiscal Years 2021, 2022, and 2023, the per pupil facility allowance for Public Charter Schools shall be $3,408.".

(2) A new subsection (b-3) is added to read as follows:

"(b-3) Beginning with Fiscal Year 2024, and for each subsequent fiscal year, the per pupil facility allowance for Public Charter Schools shall be 3.1% greater than the previous fiscal year's per pupil facility allowance. The per pupil facility allowance shall be multiplied by the number of students estimated to attend each Public Charter School to determine the actual facility allowance payments to be received by each Public Charter School.".

Sec. 4003. Section 6(b) of the Board of Education Continuity and Transition Amendment Act of 2004, effective December 7, 2004 (D.C. Law 15-211; D.C. Official Code § 38-2831(b)), is amended as follows:

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

"(B) Any funding associated with at-risk students and with the at-risk high school over-age supplement that has been retained by the Chancellor;".

(b) Paragraph (4) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(c) Paragraph (5) is amended to read as follows:

"(5) For each school's individual budget, a separate budget line item for funding allocated to the following, as coded in the District's current official financial system of record:

"(A) At-risk students;

"(B) The at-risk high school over-age supplement;
"(C) Elementary ELL; and
"(D) Secondary ELL; and".

(d) A new paragraph (6) is added to read as follows:

"(6) The projected enrollment, by school, for the following:
"(A) At-risk students;
"(B) The number of students counted for the at-risk high school over-age supplement;
"(C) Elementary ELL; and
"(D) Secondary ELL.".

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

"(h) For the purposes of this section, the following terms shall have the same meaning as provided in section 102 of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901):
"(1) "At-risk";
"(2) "At-risk high school over-age supplement";
"(3) "Elementary ELL";
"(4) "Secondary ELL".".

SUBTITLE B. DCPS REPROGRAMMING FLEXIBILITY

Sec. 4011. Short title.

This subtitle may be cited as the "DCPS Intra-School Reprogramming Flexibility Amendment Act of 2021".

Sec. 4012. Section 4012(a) of the DCPS Contracting and Spending Flexibility Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 38-2955(a)), is amended by striking the figure "$10,000" and inserting the figure "$25,000" in its place.

SUBTITLE C. PARKS AND RECREATION GRANT-MAKING AUTHORITY

Sec. 4021. Short title.

This subtitle may be cited as the "Parks and Recreation Grant-Making Authority Amendment Act of 2021".

Sec. 4022. 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 subsection (f) to read as follows:

"(f) Beginning in Fiscal Year 2022, and on an annual basis thereafter, and 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.*), the Department of Parks and Recreation shall issue:

"(1) A grant of not less than $150,000 to an organization to plan, promote, and manage events and programs for the community in the new Eastern Market Metro Park. The organizer shall obtain permits, book talent, publicize programming, and supervise the site during events and clean up.

"(2) One or more grants that total no more than $235,000 to individual program providers and nonprofit organizations to assist the Department in implementing a comprehensive program of public recreation as described in section 3 of Article II of An Act To create a Recreation Board for the District of Columbia, to define its duties, and for other purposes, approved April 29, 1942 (56 Stat. 263; D.C. Official Code § 10-213).".

Sec. 4023. In Fiscal Year 2022, the Department of Parks and Recreation, 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.*), shall award:

(a) A grant of not less than $7,000 to an organization to conduct a community run or walk event series. Grant funds shall be used to organize weekly run or walk events in at least 3 locations, and may be spent on outreach, advertising, equipment, or permits associated with the event series.

(b) One or more grants that total not less than $50,000 for regular activation of spaces in Ward 1 at Columbia Heights Civic Plaza, 14th and Girard Park, and Unity Park.

(c) A grant of not less than $500,000 to an organization developing an urban farm and community wellness space in Oxon Run Park in Ward 8.

(d) A grant of not less than $375,000 to a nonprofit organization working on the restoration of the Chesapeake and Ohio Canal in Georgetown to support the design of a welcome center.

SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA FUNDRAISING MATCH

Sec. 4031. Short title.

This subtitle may be cited as the "University of the District of Columbia Fundraising Match Act of 2021".

Sec. 4032. (a) In Fiscal Year 2022, of the funds allocated to the Non-Departmental agency, $1, up to a maximum of $1.5 million, shall be transferred to the University of the District of Columbia ("UDC") for every $2 that UDC raises from private donations by April 1, 2022.

(b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less than one-third of the funds shall be deposited into UDC's endowment fund.

SUBTITLE E. APPRENTICESHIP FINES

Sec. 4041. Short title.

This subtitle may be cited as the "Apprenticeship Fines Amendment Act of 2021".

Sec. 4042. Section 5(c)(3) of the Amendments to An Act To Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-156; D.C. Official Code § 32-1431(c)(3)), is amended as follows:

(1) Strike the phrase "District of Columbia Public Schools" and insert the phrase "Department of Employment Services" in its place.

(2) Strike the phrase "education program, subject to appropriations by Congress" and insert the phrase "education programs" in its place.

SUBTITLE F. SCHOLARSHIP AND TUITION ASSISTANCE PAYMENTS

Sec. 4051. Short title.

This subtitle may be cited as the "Scholarship and Tuition Assistance Payment Method Amendment Act of 2021".

Sec. 4052. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by adding a new paragraph (29A) to read as follows:

"(29A) Have the authority to increase access, promote retention, and improve District resident completion of postsecondary education in the District by:

"(A) Awarding scholarships and financial assistance for tuition, fees, room and board, books, supplies, and other costs of postsecondary education, including:

"(i) Dual enrollment programs;

"(ii) Costs associated with gaining admission or increasing the chances of gaining admission to an institution of higher education in the District, including test preparation programs, standardized test fees, and application fees;

"(iii) Programs designed to support students navigating the college process through completion; and

"(iv) Funding if the cost of education prevents a student or prospective student from starting, continuing, or completing their postsecondary education; and

"(B) Paying for the financial assistance described in subparagraph (A) of this paragraph through the issuance of direct vouchers or payments to institutions of higher education in the District;".

SUBTITLE G. UNIVERSAL PAID LEAVE

Sec. 4061. Short title.

This subtitle may be cited as the "Universal Paid Leave Amendment Act of 2021".

Sec. 4062. The Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 32-541.01) is amended as follows:

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

"(1) "Average weekly wage" means the total wages subject to contribution under section 103 earned by an eligible individual during the 4 quarters during which the individual's

wages were the highest out of the 5 quarters immediately preceding the qualifying leave event, divided by 52; except that, for claims filed after October 1, 2021, and before the 365th day after the end of the public health emergency, the term "average weekly wage" means the total wages subject to contribution under section 103 for the 4 quarters during which the individual's wages were the highest out of the 10 quarters immediately preceding the qualifying leave event, divided by 52.".

(2) New paragraphs (6A) and (6B) are added to read as follows:

"(6A) "Employer contribution rate" means the uniform percentage of covered employees' wages that covered employers must contribute to the Universal Paid Leave Fund, including the percentage of annual self-employment income that a covered employer who is a self-employed individual must contribute, as provided under this act.

"(6B) "Exigent circumstances" means:

"(A) Physical or mental incapacity that prevents an eligible individual or eligible individual's authorized representative from filing for paid leave benefits following the occurrence of a qualifying leave event;

"(B) A demonstrable inability to reasonably access the means by which a claim could have been filed by the eligible individual or the eligible individual's authorized representative following the occurrence of a qualifying leave event; or

"(C) Actual lack of knowledge by an eligible individual of his or her right to apply for paid leave benefits pursuant to this act due to the noncompliance of all of the eligible individual's covered employers with the notice requirements required by section 106(i)(3) during the period when the individual could have received paid leave benefits pursuant to this act; provided, that such employer noncompliance shall be confirmed by the Mayor before the eligible individual shall be eligible for paid leave benefits pursuant to this act.".

(3) A new paragraph (8A) is added to read as follows:

"(8A) "Insurer" shall have the same meaning as provided in section 101(7) of the Insurance Trade and Economic Development Amendment Act of 2000, effective April 2, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.01(7)).".

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

"(9A) "Miscarriage" means the loss of a pregnancy before 20 weeks' gestation.".

(5) New paragraphs (11A) and (11B) are added to read as follows:

"(11A) "Pre-natal medical care" means routine and specialty appointments, exams, and treatments associated with a pregnancy provided by a health care provider, including pre-natal check-ups, ultrasounds, treatment for pregnancy complications, bedrest that is required or prescribed by a health care provider, and pre-natal physical therapy.

"(11B) "Public health emergency" means the Coronavirus (COVID-19) public health emergency declared pursuant to Mayor's Order 2020-046, on March 11, 2020, and all subsequent extensions.".

(6) Paragraph (12) is amended to read as follows:

"(12) "Qualifying family leave" means paid leave that an eligible individual may take in order to provide care or companionship to a family member because of the occurrence of a qualifying family leave event.".

(7) A new paragraph (13A) is added to read as follows:

"(13A) "Qualifying leave event" means a qualifying family leave event, a qualifying medical leave event, a qualifying pre-natal leave event, or a qualifying parental leave event.".

(8) Paragraph (14) is amended to read as follows:

"(14) "Qualifying medical leave" means paid leave that an eligible individual may take following the occurrence of a qualifying medical leave event.".

(9) Paragraphs (15) and (16) are amended to read as follows:

"(15) "Qualifying medical leave event" means, for an eligible individual, the diagnosis or occurrence of a serious health condition, which shall include the occurrence of a stillbirth and the medical care related to a miscarriage.

"(16) "Qualifying parental leave" means paid leave that an eligible individual may take within one year of the occurrence of a qualifying parental leave event.".

(10) New paragraphs (17A) and (17B) are added to read as follows:

"(17A) "Qualifying pre-natal leave" means paid leave that an eligible individual who is pregnant may take for pre-natal medical care following the occurrence of a qualifying pre-natal leave event and prior to the occurrence of a qualifying parental leave event.

"(17B) "Qualifying pre-natal leave event" means the diagnosis of pregnancy by a health care provider.".

(11) A new paragraph (19A) is added to read as follows:

"(19A) "Self-insured employer" means an employer that uses its own resources, rather than providing benefits directly through an insurance contract with a third-party insurer, to pay its employees' family, medical, short-term disability, or related leave benefits ("leave benefits") and includes an employer that contracts with a third-party insurer to administer its leave benefits program.".

(12) A new paragraph (20A) is added to read as follows:

"(20A) "Stillbirth" means the loss of a pregnancy at 20 weeks' gestation or later.".

(13) Paragraph (21) is amended to read as follows:

"(21) "Universal Paid Leave Fund" means the fund established pursuant to section 1153 of the Universal Paid Leave Implementation Fund Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.02).".

(b) Section 102 (D.C. Official Code § 32-541.02) is amended by adding a new subsection (c) to read as follows:

"(c) Within 30 days after October 1, 2021, or after any expansion of benefits or change to the employer contribution rate pursuant to section 104a(c), the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules, which may include the issuance of emergency rules, to implement the provisions of this act.".

(c) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "0.62%" and inserting the phrase "0.62%, or a lower rate computed pursuant to section 104a(c)(2)," in its place.

(2) Subsection (b) is amended by striking the phrase "0.62%" and inserting the phrase "0.62%, or a lower rate computed pursuant to section 104a(c)(2)," in its place.

(d) Section 104 (D.C. Official Code § 32-541.04) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "qualifying family leave event, qualifying medical leave event, or qualifying parental leave event" and inserting the phrase "qualifying leave event" in its place.

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

"(b)(1) Except as provided in paragraph (2) of this subsection, after the occurrence of a qualifying leave event, an eligible individual shall wait one week during which no benefits are payable before being entitled to receive payment of his or her paid-leave benefits; provided, that regardless of the number of qualifying events for which an eligible individual files a claim for paid-leave benefits, he or she shall have only one such waiting period within a 52-week period.

"(2) For claims filed after October 1, 2021, and before the 365th day after the end of the public health emergency, paragraph (1) of this subsection shall not apply.".

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

"(d)(1)(A) An eligible individual may submit a claim for payment of his or her paid-leave benefits for a period during which he or she does not or did not perform his or her regular and customary work because of the occurrence of a qualifying leave event.

"(B) An eligible individual may receive retroactive paid-leave benefits pursuant to subparagraph (A) of this paragraph only if he or she submits a claim within 30 calendar days after the qualifying leave event; provided, that the 30-calendar day limitation may be waived if an individual is unable to apply for his or paid-leave benefits within 30 calendar days after the qualifying leave event due to exigent circumstances.

"(2) Except as provided in paragraph (3), within a 52-workweek period, an eligible individual shall not receive paid-leave benefits, for any number or combination of qualifying leave events, for a duration that exceeds the maximum duration of qualifying parental leave available in the fiscal year during which the individual files a claim for paid-leave benefits, as provided in subsection (e-1) of this section.

"(3) Within a 52-workweek period, an eligible individual may receive the maximum duration of qualifying pre-natal leave available in the fiscal year during which the individual files a claim for paid-leave benefits in addition to the maximum duration of parental leave available during such fiscal year, as provided in subsection (e-1) of this section; provided, that an eligible individual shall not receive any combination of qualifying pre-natal leave and qualifying medical leave for a duration that exceeds the maximum duration of qualifying medical leave available for the fiscal year during which the individual files a claim for paid-leave benefits.".

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

"(e) The International Classification of Diseases, Tenth Revision (ICD-10), or subsequent revisions by the World Health Organization to the International Classification of Diseases, along with the health care provider or caretaker assessments, shall be used to determine the appropriate length of qualifying family leave an eligible individual is entitled to, based on the serious health condition of the eligible individual's family member, or the appropriate length of qualifying

medical leave an eligible individual is entitled to, based on the serious health condition of the eligible individual, subject to the limits set forth in subsection (e-1) of this section.".

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

"(e-1)(1) For claims filed before October 1, 2021, the maximum duration of each type of paid-leave benefits within a 52-workweek period shall be:

"(A) 8 workweeks of qualifying parental leave;

"(B) 6 workweeks of qualifying family leave;

"(C) 2 workweeks of qualifying medical leave; and

"(D) Zero workweeks of qualifying pre-natal leave.

"(2) For claims filed on or after October 1, 2021, and before October 1, 2022, the maximum duration of each type of paid-leave benefits within a 52-workweek period shall be:

"(A) 8 workweeks of qualifying parental leave;

"(B) 6 workweeks of qualifying family leave;

"(C) 6 workweeks of qualifying medical leave; and

"(D) 2 workweeks of qualifying pre-natal leave.

"(3) For claims filed on or after October 1, 2022, and thereafter, the maximum duration of each type of paid-leave benefits within a 52-workweek period shall be determined pursuant to section 104a, but shall be no less than the maximum duration for each type of paid-leave benefits set forth in paragraph (1) of this subsection.".

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

"(f) An eligible individual may receive payment for intermittent leave; provided, that the duration of paid-leave benefits an individual receives in a 52-week period shall not exceed the total maximum duration of paid-leave benefits or the maximum duration of any type of paid-leave benefits available in the fiscal year during which the individual files a claim to receive paid-leave benefits, as provided in subsections (d)(2) and (3) and (e-1) of this section.".

(7) Subsection (g)(4) is amended to read as follows:

"(4) Medical, family, parental, and pre-natal leave benefits for partial weeks of leave shall be prorated.".

(e) A new section 104a is added to read as follows:

"Sec. 104a. Expansion of paid-leave benefits and employer contribution rate change.

"(a) By March 1, 2022, and annually thereafter, the Chief Financial Officer ("CFO") shall update estimates of the projected cost of the paid-leave program established by this act and any paid-leave benefit expansions set forth in subsection (c)(1) of this section that have not yet been implemented.

"(b)(1) On or before March 1 of each year beginning with March 1, 2022, the CFO shall certify the:

"(A) Fund balance of the Universal Paid Leave Fund;

"(B) Projected annual revenues for the current fiscal year and future fiscal years, for the duration of the financial plan, to be deposited into the Universal Paid Leave Fund at the then-existing employer contribution rate;

"(C) Projected annual expenditures from the Universal Paid Leave Fund at the then-existing maximum paid-leave benefit durations;

"(D) Projected fiscal impact of the paid-leave benefit expansions and employer contribution rate change set forth in subsection (c) of this section, which shall include whether, and at what tier of expansion, the paid-leave benefit expansions and employer contribution rate would cause the projected fund balance of the Universal Paid Leave fund to fall below the equivalent of 9 months of paid-leave benefits at the expanded tier; and

"(E) Projected employer contribution rate necessary to maintain the then-existing level of benefits and continued solvency of the Universal Paid Leave Fund.

"(2) The Mayor shall incorporate the certification required pursuant to paragraph (1) of this subsection into the Mayor's annual submission of the District's multiyear budget and financial plan to the Council, which shall reflect any paid-leave benefit expansions or employer contribution rate change required pursuant to subsection (c) of this section, as certified pursuant to paragraph (1) of this subsection.

"(3) A paid-leave benefit expansion or employer contribution rate change set forth in subsection (c) of this section shall apply as of July 1 of the year in which the paid-leave benefit expansion or employer contribution rate change will not cause the projected fund balance of the Universal Paid Leave Fund to fall below the equivalent of 9 months of benefits at the expanded tier, as certified pursuant to paragraph (1) of this subsection.

"(c)(1) Paid-leave benefits shall be expanded in the following order:

"(A) Extend the maximum duration of qualifying pre-natal leave by one or more workweeks, until the maximum duration of qualifying pre-natal leave equals 2 workweeks;

"(B) Extend the maximum duration of qualifying medical leave by one or more workweeks, until the maximum duration of qualifying medical leave equals 6 workweeks;

"(C) Extend the maximum duration of qualifying parental leave by one or more workweeks, until the maximum duration of qualifying parental leave equals 10 workweeks;

"(D) Extend the maximum duration of qualifying medical leave by one or more workweeks, until the maximum duration of qualifying medical leave equals 8 workweeks;

"(E) Extend the maximum duration of qualifying family leave by one or more workweeks, until the maximum duration of qualifying family leave equals 8 workweeks;

"(F) Extend the maximum duration of qualifying parental leave by one or more workweeks, until the maximum duration of qualifying parental leave equals 12 workweeks;

"(G) Extend the maximum duration of qualifying medical leave by one or more workweeks, until the maximum duration of qualifying medical leave equals 10 workweeks;

"(H) Extend the maximum duration of qualifying family leave by one or more workweeks, until the maximum duration of qualifying family leave equals 10 workweeks;

"(I) Extend the maximum duration of qualifying medical leave by one or more workweeks, until the maximum duration of qualifying medical leave equals 12 workweeks;

"(J) Extend the maximum duration of qualifying family leave by one or more workweeks, until the maximum duration of qualifying family leave equals 12 workweeks;

"(2) Beginning with July 1 of the first year in which all paid-leave benefit expansions set forth in paragraph (1) of this subsection have been implemented, and annually thereafter, if the projected employer contribution rate calculated by the CFO pursuant to subsection (b)(1)(E) of this section is below 0.62%, the employer contribution rate shall equal

that projected employer contribution rate. If the projected employer contribution rate calculated pursuant to subsection (b)(1)(E) is greater than or equal to 0.62%, then the employer contribution rate shall be 0.62%.

"(d)(1) At least 60 days before implementation of any paid-leave benefit expansion or employer contribution rate change pursuant to this section, the Mayor shall prescribe and provide to covered employers an update to the notice required under section 106(i). The Mayor may conduct a public-education campaign to inform individuals of expanded benefits. Costs of the notice and campaign authorized under this subsection shall be payable pursuant to section 1153(c)(1) of the Universal Paid Leave Implementation Fund Act of 2016, effective December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 32–551.02(c)(1)), from the Universal Paid Leave Administration Fund.

"(2) A public education campaign conducted pursuant to paragraph (1) of this subsection shall include:

"(A) Updated programmatic notices sent electronically to all covered employers, which shall be distributed to their covered employees;

"(B) At least 3 webinars, of which at least one shall be offered during evening hours or on the weekend, that are open to the public and that shall be promoted through multiple methods of communication at least 2 weeks before they occur; and

"(C) Promotional mailers, including postcards, sent to all households with residents enrolled in the District's Medicaid or Health Care Alliance Program, and other households as determined by the Mayor.".

(f) Section 106(j)(1) (D.C. Official Code § 32-541.06(j)(1)) is amended by striking the phrase "provided for in this act. The Workplace Leave Navigators Program, established pursuant to section 2093 of the Workplace Leave Navigators Program Establishment Amendment Act of 2020, passed on 2nd reading on July 28, 2020 (Enrolled version of Bill 23-760), shall be a component of the Mayor's public-education campaign" and inserting the phrase "provided for in this act" in its place.

(g) Section 107 (D.C. Official Code § 32-541.07) is amended by adding a new subsection (j) to read as follows:

"(j)(1) An insurer shall not offset or reduce benefits or income available to an eligible individual under a temporary or short-term disability insurance policy or contract provided by an insurer based on estimated or actual payment of benefits under this act.

"(2) Paragraph (1) of this subsection shall not apply to the actions of a self-insured employer or to the actions of an insurer to the extent the insurer is acting on behalf of a self-insured employer as a third-party administrator for the self-insured employer.".

(h) Section 108(e) (D.C. Official Code § 32-541.08(e)) is amended by striking the period and inserting the phrase "; except, that complaints arising from a violation of section 107(j) shall be filed with the Department of Insurance, Securities, and Banking for resolution pursuant to Title I of the Insurance Trade and Economic Development Amendment Act of 2000, effective April 3, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.01 *et seq.*)." in its place.

(i) Section 112(a) (D.C. Official Code § 32-541.12(a)) is amended to read as follows:

"(a) Subject to the provisions in subsection (b) of this section, an eligible individual, the Attorney General for the District of Columbia, or the Mayor may bring a civil action against an employer to enforce the provisions of this act in a court of competent jurisdiction; except, that a civil action for a violation of section 107(j) may only be brought against an insurer and may not be brought against an employer or self-insured employer.".

Sec. 4063. The Universal Paid Leave Implementation Fund Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01 *et seq.*), is amended as follows:

(a) Section 1152 (D.C. Official Code § 32-551.01) is amended as follows:

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

"(l) As of December 31, 2021, and as of the last day of each quarter thereafter, the Chief Financial Officer shall compare its estimated costs of each type of paid-leave benefit with the actual cost of such leave during the most recently completed calendar quarter. If, on the basis of such comparison, the estimated cost of any type of paid-leave benefit was 3 or more times greater than the actual cost of such leave, then the Chief Financial Officer shall promptly deliver a letter to the Council disclosing the extent to which costs were overestimated, whether funds are sufficient to implement all or any portion of the paid-leave benefit expansions and the employer contribution rate change in the order set forth in section 104a(c) of the Act, and the earliest point at which the benefits could be expanded or the employer contribution rate could be reduced.".

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

"(n) The cost of the benefits authorized under the Act shall be payable solely from the Fund. Nothing contained in the Act or this act shall be construed to create an obligation on the part of the District to pay benefits from any source other than the Fund.".

(b) Section 1153 (D.C. Official Code Sec. § 32-551.02) is amended as follows:

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

(A) Strike the phrase "section 105(j)" and insert the phrase "sections 104a(d) and 105(j)" in its place.

(B) Strike the phrase "may be used for public education and of those public education funds, at least $500,000 shall be used to fund the Workplace Leave Navigators Program established pursuant to section 2093 of the Workplace Leave Navigators Program Establishment Amendment Act of 2020, passed on 2nd reading on July 28, 2020 (Enrolled version of Bill 23-760)" and insert the phrase "may be used for public education" in its place.

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

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

(B) Add a new paragraph (2) to read as follows:

"(2) In Fiscal Year 2022, notwithstanding any other provision of this section, up to 5 employees hired and employed with funds transferred pursuant to paragraph (1) of this subsection may perform work on matters other than enforcement pursuant to the Act; provided, that they prioritize enforcement.".

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

(A) Designate the existing text as paragraph (1)

(B) Add a new paragraph (2) to read as follows:

"(2) In Fiscal Year 2022, notwithstanding any other provision of this section, the Office of Administrative Hearings may use funds transferred pursuant to paragraph (1) of this subsection for matters other than the hearing of appeals of claims determinations pursuant to the Act; provided, that it prioritizes the use of such funds for the hearing of appeals of claims determinations.".

Sec. 4064. The District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*), is amended as follows:

(a) Section 2(1) (D.C. Official Code § 32-501(1)) is amended to read as follows:

"(1) "Employee" means:

"(A) For leave provided under sections 3 or 4, an individual who has:

"(i) Been employed by the same employer for at least 12 consecutive or non-consecutive months, inclusive of holiday, sick, or personal leave granted by the employer as part of its regular benefits whether such leave was paid or unpaid, in the 7 years immediately preceding the date on which the period of family or medical leave is to commence; and

"(ii) Worked at least 1,000 hours for the employer during the 12-month period referenced in sub-subparagraph (i) of this paragraph preceding the date on which the period of family or medical leave is to commence.

"(B) For leave provided under section 3a, an individual employed bay an employer for at least 30 days prior to the request for leave.".

(b) Section 11(b) (D.C. Official Code § 32-510(b)) is amended by striking the period and inserting the phrase "; except, that this limitations period shall toll while a claim is pending administrative review under section 10(b)." in its place.

Sec. 4065. The Workplace Leave Navigators Program Establishment Amendment Act of 2020, effective December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 32-561.01 *et seq.*), is repealed.

Sec. 4066. Title I of the Fiscal Year 2017 Budget Support Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR 10775), is amended by striking the subtitle heading "SUBTITLE P. UNIVERSAL PAID LEAVE IMPLEMENTATION FUND" and inserting the subtitle heading "SUBTITLE P. UNIVERSAL PAID LEAVE FUND" in its place.

Sec. 4067. Title I of the Insurance Trade and Economic Development Amendment Act of 2000, effective April 2, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.01 *et seq.*), is amended by adding a new section 120a to read as follows:

"Sec. 120a. Prohibition on offsetting short-term disability benefits.

"(a) No insurer may offset or reduce benefits or income available to an individual under a temporary or short-term disability insurance policy based on estimated or actual benefits the

individual may or does receive under the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*).

"(b) Subsection (a) of this section shall not apply to the actions of a self-insured employer or to the actions of an insurer to the extent the insurer is acting on behalf of a self-insured employer as a third-party administrator for the self-insured employer.

"(c) For the purposes of this section, the term "self-insured employer" shall have the same meaning as provided in section 101(19A) of the Universal Paid Leave Amendment Act of 2016 effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*).".

SUBTITLE H. STUDENT ACTIVITY FUND

Sec. 4071. Short title.

This subtitle may be cited as the "Student Activity Fund Theatrical and Music Performance Expenditures Act of 2021".

Sec. 4072. Use of Student Activity Funds for theatrical and music performances.

(a) Expenditures on school-administered theatrical and music performances, including stipends for non-District of Columbia Public Schools ("DCPS") employees, but excluding stipends for DCPS employees, shall be an allowable expenditure from a DCPS school's Student Activity Fund.

(b) For the purposes of this act, the term "theatrical and music performances" means the planning, rehearsal, or presentation of a musical, staged play, choral production, orchestral or band concert, variety show, improvised or sketch comedy performance, or other live performance.

SUBTITLE I. UDC HEI QUALIFIED APPLICANTS

Sec. 4081. Short title.

This subtitle may be cited as the "UDC HEI Qualified Applicants Expansion Amendment Act of 2021".

Sec. 4082. Section 402(b) of the "Pre-k Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202, D.C. Official Code § 38-274.02(b)), is amended to read as follows:

"(b)(1) A qualified applicant shall be a high school graduate enrolled in a post-secondary institution receiving funding pursuant to Title IV of this act in an effort to pursue an associate degree in education or early childhood education or a bachelor of arts degree in education, human development, or early childhood education.

"(2) A preference shall be given to individuals who:

"(A) Are domiciled in the District;

"(B)(i) Work in a bilingual childhood development facility in the District that is licensed by the Office of the State Superintendent of Education; and

"(ii) Are required to obtain an associate degree or bachelor's degree pursuant to sections 164 to 171 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR §§ 164-171);

"(C) Graduated from a District of Columbia Public Schools high school or District public charter high school; or

"(D) Commit to be domiciled in the District within 180 days of accepting a scholarship.".

SUBTITLE J. IT COMMUNITY TRAINING AND ADVISORY BOARD ESTABLISHMENT

Sec. 4091. Short title.

This subtitle may be cited as the "IT Community Training and Advisory Board Establishment Act of 2021".

Sec. 4092. Definitions.

For the purposes of this subtitle:

(1) "Community training provider" means an entity in the District that has received an IT training grant awarded pursuant to section 4097.

(2) "Dual-enrollment" means enrollment at both a WIC-approved community-based IT training program and UDC-CC or WDLL.

(3) "IT" means information technology.

(4) "IT Board" means the Information Technology Occupational Advisory Board.

(5) "IT training" means occupational skills training that leads to an industry-recognized credential for IT jobs in any sector.

(6) "Program" means the Information Technology Investment Program established pursuant to section 4093 of this subtitle.

(7) "Program participant" means a District resident who is enrolled in Program training and receiving Program assistance authorized pursuant to section 4093.

(8) "Program training" means any of the following, collectively or independently, as determined by context:

(A) Credit-bearing courses at UDC-CC that may be applied toward a UDC-CC degree;

(B) WDLL courses; or

(C) IT training through a community training provider.

(9) "Program training providers" means UDC-CC and WDLL, to the extent those entities are engaged in providing Program training, and community training providers.

(10) "Public health emergency" means the Coronavirus (COVID-19) public health emergency declared pursuant to Mayor's Order 2020-046, on March 11, 2020, and all subsequent extensions.

(11) "Satisfactory academic progress" means maintaining an academic standing consistent with the requirements for Program completion, as determined by the Program training provider.

(12) "UDC" means the University of the District of Columbia.

(13) "UDC-CC" means the UDC Community College.

(14) "UDC-CC degree" means the Associate of Science degree in Computer Science, Information Technology, or any of the technology academies offered through the UDC-CC.

(15) "WDLL" means the UDC-CC Division of Workforce Development and Lifelong Learning.

(16) "WDLL courses" means Information Technology and Office Administration Career Pathway courses offered through the WDLL.

(17) "WIC" means the Workforce Investment Council, established pursuant to section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603).

(18) "WIOA" means the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

Sec. 4093. Establishment of the Information Technology Investment Program.

(a) The WIC, in collaboration with UDC, the University of the District of Columbia Foundation, Inc., and community training providers, shall establish the Information Technology Investment Program to provide financial assistance to District residents who seek to obtain IT occupational credentials through Program training and to support District residents in obtaining IT jobs. The WIC shall be responsible for providing funding for the Program consistent with the memoranda of understanding required pursuant to section 4096 and the IT training grants authorized pursuant to section 4097.

(b) The Program shall provide industry-informed, up-to-date IT training and certification at no cost to eligible District residents, who, under the Program, may receive the following financial assistance to pursue Program training:

(1) Payment of tuition, to the extent charged;

(2) Payment of academic costs, including the costs of books, supplies, and membership fees; and

(3) A monthly stipend to be used toward living expenses and transportation for participants pursuing WDLL courses or IT training through community training providers.

(c) Program training shall be offered at the UDC-CC campus and any WDLL satellite location and at community training provider sites located in the District, as approved by the WIC.

(d) Program marketing and public education shall be provided by UDC-CC, WDLL, and community training providers to attract District residents to the Program and for the duration of the Program.

Sec. 4094. Conditions of Program eligibility.

(a) To be eligible for Program assistance to pursue a UDC-CC degree, an individual shall:

(1) Meet the relevant enrollment requirements for a UDC-CC degree;

(2) Be a resident of the District;

(3) Have a stated interest in working in IT occupations;

(4) Not have already completed an associate degree in IT or a bachelor's degree at an institution of higher education; and

(5)(A) Have experienced unemployment or significant loss of income due to the public health emergency; or

(B) Have multiple barriers to employment, as determined by the WIC.

(b) To be eligible for Program assistance to pursue WDLL courses, an individual shall:

(1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4), and (5) of this section; and

(2) Meet the enrollment requirements for WDLL courses.

(c) To be eligible for Program assistance to pursue IT training through a community training provider, an individual shall:

(1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4), and (5) of this section; and

(2) Meet the enrollment requirements of the community training provider.

(d) Program training providers shall select Program participants according to the terms of the applicable memorandum of understanding or grant agreement with the WIC.

Sec. 4095. Program participation.

(a) To maintain eligibility for Program assistance, an individual shall:

(1) Maintain satisfactory academic progress;

(2) Be a resident of the District throughout enrollment in Program training; and

(3) Meet any other requirements determined by the WIC to be necessary or appropriate for Program participation.

(b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor to remain a District resident for 6 months for each Program training course the participant completes.

(2) The WIC shall establish requirements and procedures to administer this subsection.

Sec. 4096. Memoranda of Understanding.

(a)(1) No later than November 1, 2021, and by November 1 annually thereafter, the WIC shall execute Memoranda of Understanding ("MOUs") with UDC and the University of the District of Columbia Foundation, Inc. ("Foundation") for the purpose of implementing the Program through UDC-CC, including WDLL, and authorizing the intradistrict transfer of funds in accordance with the terms of this subsection.

(2) The MOU with UDC shall, among other things, include funding from the WIC to support the following purposes in amounts to be determined by the parties:

(A) Tuition, required fees, equipment, supplies, tools, and memberships for Program participants who are full-time or part-time students enrolled at UDC-CC to obtain a UDC-CC degree;

(B) Required academic fees, equipment, supplies, tools, and membership fees for Program participants who are students enrolled in WDLL courses, and the salaries and fringe benefits of faculty and staff directly engaged in the provision of such courses;

(C) Reasonable costs of facilities and equipment upgrades necessary to provide Program training offered through UDC-CC, including WDLL;

(D) Marketing and recruitment activities to attract District residents to the Program; and

(E) Development of dual enrollment guidance and policies for the expansion of dual-enrollment programs.

(3) The MOU with UDC shall, among other things, include funding from the WIC to provide Program participants enrolled in WDLL courses monthly stipends to defray living expenses in amounts to be determined by the parties. UDC will disperse the stipends in a timely manner and apply criteria for providing stipends, which may include amounts for the following:

(A) Fees associated with occupational licensing exams;

(B) Reasonable transportation costs to and from classes; and

(C) Any other expenses considered appropriate by the WIC.

Sec. 4097. Establishment of IT training grants.

(a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than January 31, 2022, and by November 1 annually thereafter, the WIC shall issue IT training grants ("grants") to eligible providers of IT training in the District.

(b) Grant recipients shall use funds received pursuant to this section to support the salaries and fringe benefits of faculty and staff engaged in the provision of IT training and to provide Program participants the financial assistance outlined in section 4093(b).

(c) Subject to availability of funds, the WIC shall award grants totaling not less than $1,875,000 per year with the option of one additional year based on performance results from previous years.

(d) To be eligible for a grant, an applicant shall:

(1) Be licensed by the Higher Education Licensure Commission as a postsecondary institution, degree or non-degree seeking; and

(2) Demonstrate that its IT training participants consistently and successfully attain the following benchmarks:

(A) Completion of IT training;

(B) Attainment of an IT occupational credential;

(C) Obtainment of unsubsidized employment in an IT occupation; and

(D) Retention of employment in an IT occupation for 6 months or longer.

(e) The WIC may give preference to grant applicants utilizing integrated education and training, as defined by 34 C.F.R. § 463.35.

Sec. 4098. Program performance and reporting.

(a) At the termination of each semester, UDC shall furnish to the WIC a statement of:

(1) The disaggregated number of Program participants by course who, during that semester, participated in one or more Program training courses;

(2) The total number of Program training course enrollments attributable to the Program participants identified pursuant to paragraph (1) of this subsection;

(3) The disaggregated number of Program participants included in the response to paragraph (1) of this subsection who successfully completed each Program training course and, who dropped out or otherwise did not complete a Program training course in which the Program participant had enrolled;

(4) The disaggregated number, by occupational credential, of Program participants who successfully secured an IT occupational credential; and

(5) The total number of Program participants who successfully secured employment in an IT occupation and the average starting wage.

(b) At the end of each fiscal year, the University shall furnish to the WIC a written accounting, for the previous year, of the monthly stipends dispersed, the number of Program participants who received monthly stipends, the average amount of stipend per Program participant, and the approved purposes for the monthly stipends.

(c) At the middle and end of each grant award cycle, a community training provider shall furnish to the WIC a report on the number of Program participants achieving the targets identified by the IT Advisory Report outlined in section 4101(d).

(d) The WIC shall:

(1) Use common performance measures outlined in section 116 of WIOA (29 U.S.C. § 3141), to track the performance of Program training providers; and

(2) Report on the performance of the Program as required by section 102 of the Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018 (D.C. Law 22-95; D.C. Official Code § 32-1622).

(e) Beginning no later than September 30, 2022, and by September 30 annually thereafter, the WIC shall furnish to the Mayor and the Council of the District of Columbia copies of the IT Advisory Report issued pursuant to section 4101 and a report, which shall include;

(1) Reporting on the attainment of the target performance outcomes established pursuant to section 4101(d);

(2) A narrative analysis on the effectiveness of the Program at increasing the number of District residents in IT occupations; and

(3) Recommendations on the expansion or extension of the Program beyond the terms of this subtitle, including any additional budgetary needs.

Sec. 4099. Program funding.

The WIC shall make best efforts to use federal WIOA Title I Adult and Dislocated Worker funds to supplement funds appropriated for the purposes of implementing this subtitle.

Sec. 4100. Establishment of the Information Technology Occupational Advisory Board.

(a) The WIC shall establish an Information Technology Occupational Advisory Board, which shall work to advise UDC-CC, WDLL, and community training providers on their IT training courses to ensure a high quality of training, to maximize the employability of graduates of IT training course offerings, and to meet the IT staffing needs of employers in the District.

(b) After researching and analyzing existing IT occupational advisory boards in the District and the metropolitan region, the WIC shall determine the structure and membership of its IT Board. The WIC may use a third party to conduct the research and analysis and to make recommendations on the structure and membership of the IT Board.

(c) No later than March 1, 2022, the WIC's Executive Director shall provide to the WIC a recommendation on an IT Board structure, membership composition, membership selection process, and board duties.

(d) The WIC shall approve, deny, or amend the recommendation described in subsection (c) of this section by vote.

(e) The first meeting of the WIC-approved IT Board shall occur no later than July 1, 2022.

Sec. 4101. IT Advisory Report.

No later than September 30, 2022, the WIC shall submit to the Mayor, Council, UDC-CC, WDLL, and community training providers, an IT Advisory Report, which shall contain the following:

(1) The number of District residents needed to meet hiring demands of District employers hiring for IT occupation jobs;

(2) The occupational credentials less than a bachelor's degree needed for District residents to be eligible for employment in IT occupations;

(3) The necessary hard and soft skills needed to succeed in IT occupations;

(4) Target performance outcomes for Program training providers to achieve pertaining to recruitment, enrollment, course or degree completion, credential attainment, employment, average starting wage, and retention of employment at 6 months and one year; and

(5) Recommendations for Program training providers on the following:

(A) New or additional IT courses that Program training providers should offer;

(B) Existing IT course offerings that Program training providers should expand;

(C) IT course content adjustments that could be made to align courses with skills needed on the job in IT occupations;

(D) Equipment and facilities upgrades necessary for relevant IT education and IT training to achieve the recommendations in paragraphs (1), (2), and (3) of this subsection; and

(E) Any other information deemed appropriate by the IT Board.

Sec. 4102. Sunset.

This subtitle shall expire on September 30, 2024.

SUBTITLE K. NURSE EDUCATION ENHANCEMENT

Sec. 4111. Short title.

This subtitle may be cited as the "DC Nurse Education Enhancement Program Amendment Act of 2021".

Sec. 4112. Definitions.

For the purposes of this subtitle:

(1) "BON" means the Board of Nursing established pursuant section 204 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.04).

(2) "CNA" means a Certified Nursing Aide.

(3) "Community training provider" means an entity that has been approved by the BON to provide training to individuals to attain certification as a CNA, HHA, or MA-C.

(4) "Direct care worker" means an individual who is certified as a CNA, HHA, or MA-C.

(5) "Direct care worker training grant" means a grant issued pursuant to section 4117.

(6) "Direct care worker training grantee" means a community training provider that has received a direct care worker training grant.

(7) "Dual-enrollment" means enrollment in both a BON-approved training program and the University.

(8) "Healthcare Workforce Partnership" means the entity established pursuant to section 2075 of the Healthcare Workforce Partnership Act of 2020, effective December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 32-1684).

(9) "HHA" means Home Health Aide.

(10) "LPN to AASN degree" means a Licensed Practical Nurse to Associate in Applied Science in Nursing degree.

(11) "MA-C" means Medication Aide Certified.

(12) "Nursing care occupation" means an occupation that requires a worker to be certified as a CNA, HHA, MA-C, LPN, or RN.

(13) "Program" means the DC Nurse Education Enhancement Program established pursuant to this subtitle.

(14) "Program participant" means a District resident who is enrolled in Program training and receiving Program assistance authorized pursuant to section 4113.

(15) "Program training" means any of the following, collectively or independently, as determined by context:

(A) Credit-bearing courses at UDC that may be applied toward an RN to BSN degree;

(B) Credit-bearing courses at UDC-CC that may be applied toward an LPN to AASN degree;

(C) WDLL courses; or

(D) Training to obtain a certification as a CNA, HHA, or MA-C, or a CNA to HHA bridge program, through a community training provider.

(16) "RN to BSN degree" means a Registered Nurse to Bachelor of Science in Nursing degree.

(17) "Satisfactory academic progress" means maintaining an academic standing consistent with the requirements for program completion, as determined by the Program training provider.

(18) "UDC" means the University of the District of Columbia.

(19) "UDC-CC" means the University of the District of Columbia Community College.

(20) "University" means, collectively, UDC, UDC-CC, and WDLL.

(21) "WDLL" means the UDC-CC Division of Workforce Development and Lifelong Learning.

(22) "WDLL courses" means courses offered through WDLL's Healthcare Direct Career Pathway Nursing Assistant program.

(23) "WIC" means the Workforce Investment Council, established pursuant to section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603).

(24) "WIOA" means the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C § 3101 *et seq*.).

Sec. 4113. Establishment of the Nurse Education Enhancement Program.

(a) The WIC shall establish, in collaboration with the University, the University of the District of Columbia Foundation, Inc., and direct care worker training grantees, the DC Nurse Education Enhancement Program for the purpose of training District residents to obtain an occupational credential and employment in nursing care occupations. The WIC shall be responsible for providing funding for the Program consistent with the memoranda of understanding executed pursuant to section 4116 and the direct care worker training grants authorized pursuant to section 4117.

(b) The Program shall provide industry-informed, BON-approved training that leads to certifications required for nursing care occupations at no cost to eligible District residents, who, under the Program, may receive the following financial assistance to pursue Program training:

(1) Payment of tuition, to the extent charged;

(2) Payment of academic costs, including books, supplies, and membership fees; and

(3) A monthly stipend to be used toward living expenses and transportation for Program participants pursuing WDLL courses or certification as a CNA, HHA, MA-C, or a CNA to HHA bridge program, through a direct care worker training grantee.

(c) Program training shall be offered at the University's campuses and satellite locations and at community training provider sites located in the District.

(d) Program training shall be approved by the BON.

(e) Program marketing and public education shall be provided by the University and community training providers to attract residents to the Program and for the duration of the Program.

(f) The University shall review the recommendations and implement relevant sections of the Healthcare Occupations Report developed by the Healthcare Workforce Partnership pursuant to section 2075(e) of the Healthcare Workforce Partnership Act of 2020, effective December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 32-1684(e)), to maintain and enhance course offerings to meet the workforce needs of nursing care occupations in the District.

Sec. 4114. Conditions of Program eligibility.

(a) To be eligible for Program assistance while pursuing an RN to BSN degree through UDC, an individual shall:

(1) Have met the enrollment requirements of UDC;

(2) Be a resident of the District;

(3) Have a stated interest in employment in a nursing care occupation;

(4) Have not already completed a bachelor's degree at an institution of higher education;

(5) Have previously obtained a credential as a CNA, HHA, or LPN; and

(6) Have been employed in the District for a minimum of 2 years as a CNA, HHA, or LPN with a healthcare employer.

(b) To be eligible for Program assistance while pursuing an LPN to AASN degree through UDC-CC, an individual shall:

(1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

(2) Meet the enrollment requirements of UDC-CC;

(3) Have previously obtained a credential as a CNA, HHA, or MA-C; and

(4) Have been employed in the District for a minimum of 2 years as a CNA, HHA, or MA-C with a healthcare employer.

(c) To be eligible for Program assistance while pursuing certification as a CNA through WDLL, an individual shall:

(1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section; and

(2) Meet the enrollment requirements of WDLL;

(d) To be eligible for Program assistance while pursuing a certification as a CNA, HHA, MA-C, or while pursuing a CNA to HHA bridge program, through a direct care worker training grantee, an individual shall:

(1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section; and;

(2) Meet the enrollment requirements of the community training provider.

(e) The University and direct care worker training grantees shall select Program participants according to the terms of the applicable memorandum of understanding or grant agreement with the WIC.

Sec. 4115. Program participation.

(a) To maintain eligibility for Program assistance, an individual shall:

(1) Maintain satisfactory academic progress, as determined by the University or the direct care worker training grantee;

(2) Be a resident of the District throughout participation in Program training; and

(3) Meet any other requirements determined by the WIC to be necessary or appropriate.

(b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor to remain a District resident for 6 months for each Program training course the participant completes.

(2) The WIC shall establish requirements and procedures to implement this subsection.

Sec. 4116. Memoranda of Understanding.

(a) No later than November 1, 2021, and by November 1 annually thereafter, the WIC shall execute Memoranda of Understanding ("MOUs") with the University and the University of the District of Columbia Foundation, Inc. ("Foundation") for the purpose of implementing the Program at the University and authorizing the intradistrict transfer of funds in accordance with the terms of this subsection.

(b) The MOU with the University shall, among other things, include funding from the WIC to support the following purposes in amounts to be determined by the parties:

(1) Tuition, required fees, equipment, supplies, tools, and memberships for Program participants who are full-time or part-time students at UDC and UDC-CC seeking to obtain an RN to BSN degree or an LPN to AASN degree; provided, that the BON has approved such degree paths by the date of execution of the MOU; provided further, that the parties may modify the MOU to incorporate funding for BON-approved degree paths following BON approval.

(2) Required academic fees, equipment, supplies, tools, certification exam preparation fees, and memberships for Program participants who are students enrolled in WDLL courses, and the salaries and fringe benefits of faculty and staff directly engaged in the provision of such courses;

(3) Reasonable costs of facilities and equipment upgrades necessary for providing Program training through UDC-CC, including WDLL;

(4) Marketing and recruitment activities to attract District residents to the Program; and

(5) Development of dual enrollment guidance and policy for the expansion of dual-enrollment programs.

(c) The MOU with the Foundation shall, among other things, include funding from the WIC to provide Program participants enrolled in WDLL courses monthly stipends to defray living expenses in amounts to be determined by the parties, and may include amounts for the following:

(1) Fees associated with occupational licensing exams;

(2) Reasonable transportation costs to and from classes; and

(3) Any other expenses deemed appropriate by the WIC.

Sec. 4117. Establishment of direct care worker training grants.

(a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than January 31, 2022, and by November 1 annually thereafter, the WIC shall issue direct care worker training grants ("grants") to community training providers according to this section.

(b) Grant recipients shall use funds received pursuant to this section to support the salaries and fringe benefits of faculty and staff engaged in training Program participants to become direct care workers and to provide Program participants the financial assistance outlined in section 4113(b).

(c) Subject to availability of funds, the WIC shall award grants totaling not less than $900,000 per year with the option of 2 additional years based on performance results from previous years.

(d) To be eligible for a grant, an applicant shall:

(1) Be located in the District;

(2) Be a community training provider; and

(3) Demonstrate that its training participants consistently and successfully attain the following benchmarks:

(A) Completion of direct care worker training;

(B) Direct care worker credential attainment;

(C) Obtainment of unsubsidized employment as a direct care worker in the occupation of training; and

(D) Retention of employment as a direct care worker in the occupation of training for 6 months or longer.

(e) The WIC may give preference to grant applicants utilizing integrated education and training, as defined by 34 C.F.R. § 463.35.

Sec. 4118. Program performance and reporting.

(a) At the termination of each semester, the University shall furnish to the WIC a statement of:

(1) The disaggregated number of Program participants by course who, during that semester, participated in each Program course;

(2) The total number of Program training course enrollments attributable to the Program participants identified pursuant to paragraph (1) of this subsection;

Enhancement Program Amendment Act of 2021, passed on 2nd reading on August 10, 2021 (Enrolled version of Bill 24-285); and".

(b) Section 2075(b)(3) (D.C. Official Code § 32-1684(b)(3)) is amended as follows:

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

(2) Subparagraph (E) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(F) At least one representative from an employer of workers who are certified nursing aides, certified home health aides, or medication aide certified, including licensed home health agencies, assisted living residences, adult day health programs, nursing facilities, and long-term direct healthcare providers.".

Sec. 4121. The Nurses Training Corps Establishment Act of 1987, effective October 9, 1987 (D.C. Law 7-32; D.C. Official Code § 38-1501 *et seq.*), is repealed.

Sec. 4122. Sunset.

Sections 4112 through 4120 shall expire on September 30, 2024.

SUBTITLE L. SCHOOL YEAR INTERNSHIP PROGRAM

Sec. 4131. Short title.

This subtitle may be cited as the "School Year Internship Program Amendment Act of 2021".

Sec. 4132. Section 2a(a)(2A) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-242(a)(2A)), is amended as follows:

(a) The lead-in language is amended by striking the word "pilot" and inserting the word "program" in its place.

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

"(A) A program called the School Year Internship Program ("Program") for a minimum of 350 District high school students, each year, to provide work-based learning opportunities during the school year.".

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

"(C) DOES shall notify students of their placement with an internship host by January 5, 2022, and September 15 of each subsequent year.".

(d) Subparagraph (D) is amended to read as follows:

"(D) Interns shall remain matched with their internship host between the first week of October and the last day of May; provided, that for Fiscal Year 2022, internships may begin as late as the second week in January 2022.".

(e) Subparagraph (F)(ii) is amended by striking the phrase "December 1, 2020." and inserting the phrase "December 1, 2021, and July 1 of each subsequent year." in its place.

SUBTITLE M. JOBS FIRST DC PILOT PROGRAM ESTABLISHMENT

Sec. 4141. Short title.

This subtitle may be cited as the "Jobs First DC Pilot Program Establishment Act of 2021".

Sec. 4142. Definitions.

For the purposes of this subtitle:

(1) "Digital literacy" means fluency in the use and security of interactive digital tools and searchable networks including the ability to use digital tools safely and effectively for learning, collaborating, and producing.

(2) "DOES" means the District Department of Employment Services.

(3) "Employment retention support" means activities delivered to participants after securing employment that are aimed at assisting participants in maintaining employment with the same employer.

(4) "Grant" means the Program funds authorized to be issued pursuant to section 4144.

(5) "Grantee" means an organization in receipt of a grant issued pursuant to section 4144.

(6) "Participant" means an individual selected by a grantee, pursuant to section 4144, to participate in the Program.

(7) "Program" means the Jobs First DC Pilot Program established pursuant to section 4143.

(8) "Supportive services" shall have the same meaning as provided in 20 CFR § 651.10

(9) "WIOA" means the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

Sec. 4143. Establishment of the Jobs First DC Pilot Program.

(a) There is established a Jobs First DC Pilot Program for the purpose of issuing grants to assist in the placement of at least 300 District residents in unsubsidized permanent employment and to fund 12 months of job retention support.

(b) The Program shall provide participants the following assistance:

(1) Assessment and evaluation of their job history, skills, education, housing, and mental health barriers;

(2) Information and referral to support services, as defined by 20 CFR § 651.10;

(3) Career services, as described in section 134(c)(2) of WIOA (29 U.S.C. § 3174(c)(2));

(4) Resume development;

(5) Employment-readiness skills development;

(6) Interview preparation;

(7) Job search and application submission;

(8) Job referrals as described in 20 CFR § 651.10, to unsubsidized permanent employment opportunities;

(9) Job interview follow-up and feedback;

(10) Employment orientation paperwork completion;

(11) Professional networking coaching; and

(12) Twelve months of employment retention support.

(c) The Program may provide participants the following assistance:

(1) Digital literacy skills development;

(2) Review of credit scores and creation of a plan to improve a participant's credit score; and

(3) Review of criminal history records and creation of a plan to ameliorate the effects of or correct a participant's criminal record.

Sec. 4144. Establishment of Jobs First DC grants.

(a) Beginning no later than December 15, 2021, DOES shall award a minimum of 2 grants, each not less than $250,000 per year for a minimum of 2 years, subject to the availability of funds, to provide job placement and employment retention support for District residents.

(b) To be eligible for a grant, an applicant shall:

(1) Be located in the District;

(2) Be a nonprofit organization with a 501(c)(3) status, as determined by the Internal Revenue Service;

(3) Have demonstrated success providing the employment assistance described in section 4143(b) to individuals with the characteristics described in section 4145(d), as evidenced by a minimum of a 65% employment placement rate; and

(4) Have demonstrated success providing employment support to individuals for up to 12 months, as evidenced by a minimum of a 70% employment retention rate.

(c) DOES may give preference to applicants that have partnerships with:

(1) Organizations that provide criminal and credit record review and recovery support; or

(2) Financial institutions to establish individual development accounts ("IDAs") for employed participants, in which the progressive employment retention bonuses outlined in subsection (d)(3) of this section and other savings may be deposited and matched to help participants build assets and achieve financial stability.

(d) Grantees shall:

(1) Select Program participants according to the criteria outlined in section 4145.

(2) Provide participants the services outlined in section 4143(b); and

(3) Provide progressive employment retention bonuses totaling up to $500 for each participant who meets the following milestones:

(A) At 180 days of employment, a participant shall receive $250; and

(B) At 365 days of employment, a participant shall receive $250;

(4) Receive a training outcomes bonus totaling up to $500 for each participant who meets the following milestones:

(A) For each participant that remains employed for 180 days, a grantee shall receive $250; and

(B) For each participant that remains employed for 365 days, a grantee shall receive $250.

(e) Grantees may establish and facilitate a participant alumni group for the purpose of providing participants access to education and training opportunities and to promote professional advancement.

Sec. 4145. Participant conditions of eligibility.

To be eligible to participate in the Program, an individual shall:

(a) Be a resident of the District;

(b) Be unemployed at the time of application to the Program;

(c) Be able to engage in regular, full-time employment, as assessed by the grantee; and

(d) Have one or more of the following barriers to employment:

(1) Lack of consistent work history;

(2) History of a criminal record;

(3) History of substance abuse;

(4) History of mental illness; or

(5) Housing insecurity.

Sec. 4146. Reporting.

(a) Every 6 months, starting from receipt of a grant, a grantee shall furnish to DOES a report on the following outcomes from the previous 6 months:

(1) The total number of participants placed in employment;

(2) The average starting wage for participants;

(3) The average number of days from official enrollment in the Program to employment start date;

(4) The total number of participants achieving each progressive employment milestone outlined in section 4144(d)(3) and the average participant wage at each milestone;

(5) The total sum of progressive employment retention bonuses issued to participants; and

(6) The total sum of training outcomes bonuses issued to grantees.

(b) Beginning no later than December 15, 2022, and by December 15 annually thereafter, DOES shall furnish a report to the Mayor and the Council of the District of Columbia containing the grantee performance outcomes reported pursuant to subsection (a) of this section.

SUBTITLE N. WORKPLACE RIGHTS GRANT PROGRAM

Sec. 4151. This subtitle may be cited as "Workplace Rights Grant Program Amendment Act of 2021".

Sec. 4152. The Wage and Hour Education Grants Program Act of 2019, effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 32-171.01 *et seq.*), is amended to read as follows:

"SUBTITLE J. WORKPLACE RIGHTS GRANT PROGRAM

"Sec. 2091. Short title.

"This subtitle may be cited as the "Workplace Rights Grant Program Act of 2021".

"Sec. 2092. Definitions.

"For the purposes of this subtitle, the term:

"(1) "Activities" means conducting outreach to, providing worker education to, or providing legal services for eligible individuals related to employment laws.

"(2) "Community-based organization" means a nonprofit organization, including a legal services provider, headquartered in the District of Columbia whose purpose OAG determines is aligned with one or more purposes of the Program.

"(3) "Eligible individual" means an individual who works in the District.

"(4) "Employment laws" means workplace leave laws and:

"(A) The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*);

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

"(C) The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*); and

"(D) Federal laws that relate to or provide similar rights as the laws identified in subparagraphs (A) through (C) of this paragraph, including the Fair Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*), and the Family and Medical Leave Act of 1993, approved February 5, 1993 (107 Stat. 6; 29 U.S.C. § 2611 *et seq.*).

"(5) "Grantee" means a community-based organization in receipt of a Program grant issued pursuant to section 2093.

"(6) "Legal services" means the provision of legal advice, assistance, or representation regarding an individual's rights or responsibilities related to a particular matter or more general matters.

"(7) "Legal services provider" means a nonprofit organization or clinical program headquartered in the District that provides legal services.

"(8) "Low- or moderate-income eligible individual" means an individual who works in the District and who earns an hourly wage or salary equivalent to less than 3 times the District minimum wage or who has a household income that falls at or below 400% of the federal poverty guidelines issued by the United States Department of Health and Human Services.

"(9) "OAG" means the Office of the Attorney General for the District of Columbia.

"(10) "Program" means the Workplace Rights Grant Program established pursuant to section 2093.

"(11) "Workplace leave laws" means laws that provide for eligible individuals to take leave from their employment and protect the right to do so, and include the:

"(A) Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*);

"(B) Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*);

"(C) District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*); and

"(D) Protecting Pregnant Workers Fairness Act of 2014, effective March 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*).

"Sec. 2093. Establishment of Program and issuance of grants.

"(a) There is established the Workplace Rights Grant Program for the purpose of authorizing OAG to provide grants to community-based organizations to conduct activities with eligible individuals related to employment laws and to inform the OAG's work related to employment laws.

"(b) OAG shall administer the Program by:

"(1) Issuing Program grants to community-based organizations to provide:

"(A) Outreach and worker education;

"(B) Outreach and legal services; or

"(C) A combination of outreach, worker education, and legal services.

"(2) Awarding Program grants at least annually, which may include the continuation or renewal of multi-year grants, to at least 2 qualified community-based organizations;

"(3) Adopting policies, procedures, guidelines, and requirements for the grants, including performance measures and target outcomes; and

"(4) Issuing all grants pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

"(c) OAG may:

"(1) Require that at least 95% of the individuals served by a Program grant in a grant year be low- or moderate-income eligible individuals or reasonably believed to be low- or moderate-income eligible individuals; and

"(2) Pay grants on a performance basis or a reimbursable basis.

"(d) Program grants shall:

"(1) Have a duration of at least one year and up to 3 years, subject to the availability of appropriations and contingent on satisfactory performance by a grantee during the grant's first year or, if applicable, the grant's second year; and

"(2) Be for not less than $100,000 per year per grant.

"Sec. 2094. Grantee eligibility requirements.

"(a)(1) To be eligible for a grant authorized under this subtitle, a community-based organization shall:

"(A) Demonstrate in its application that it is well qualified to engage in the types of activities which will be funded, in whole or in part, by the grant;

"(B) Specify in its grant application the planned staff, schedule, format, and intended audience of the activities it plans to provide and provide a summary of the content of any worker education that will be carried out during the grant period;

"(C) Have the capacity to provide free legal services if applying to be a legal services provider; and

"(D) Include other information as required by OAG.

"(2)(A) In addition to the criteria specified in paragraph (1) of this subsection, to be eligible for Program grant funds, a community-based organization that is not a legal services provider shall demonstrate that it possesses at least 3 years' experience:

"(i) Conducting outreach to and establishing working relationships with significant numbers of eligible individuals; and

"(ii) Working on or assisting workers to secure rights under employment laws.

"(B) A community-based organization that does not satisfy the criteria in subparagraph (A)(i) of this paragraph may receive a Program grant if it applies in partnership with a community-based organization that meets the requirements of subparagraph (A)(i) and (ii) of this paragraph.

"Sec. 2095. Grant uses.

"(a) Grantees may conduct activities:

"(1) Regarding a subset of employment laws; and

"(2) With workers in a single occupational group; provided, that the grant application demonstrates that such occupational group experiences significant, disproportionately high, or persistent violations of employment laws or that the occupational group requires targeted assistance in order to access programs under employment laws.

"(b) Grantees that provide worker education shall provide, to an eligible individual or group of eligible individuals, information on the rights and responsibilities of accessing benefits under employment laws, recognizing violations of and learning how to prevent or rectify violations of employment laws, or learning how to assist others to take steps to prevent or rectify violations of employment laws.

"Sec. 2096. Transparency and reporting.

"(a) OAG annually shall collect the following information from grantees:

"(1) The number of eligible individuals served by gender, race, ethnicity, primary language, and age;

"(2) The number of eligible individuals served by state of residence, and for District residents, by election ward;

"(3) The occupational groups of eligible individuals served and the number of individuals served in each occupational group;

"(4) A list of the activities provided, with a descriptive summary of each activity;

"(5) The number of eligible individuals served in relation to each employment law or set of employment laws;

"(6) Performance outcomes; and

"(7) An evaluation of implementation challenges and recommendations for future improvements.

"(b) OAG annually shall provide to the Council a report that includes:

"(1) A list of grantees and the amount of grant funding provided to each;

"(2) For each grantee, the information provided to OAG pursuant to subsection (a) of this section; and

"(3) An overall evaluation of the Program, including implementation challenges and recommendations for future improvements.

"(c) OAG may not require grantees to release to OAG any personally identifying information in connection with the preparation or provision of the reports described in this section.".

Sec. 4153. The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.81 *et seq.*), is amended as follows:

(a) Section 106b(c)(1)(B) (D.C. Official Code § 1-301.86b(c)(1)(B)) is amended by striking the phrase "provided in section 108c(a)" and inserting the phrase "provided in sections 108c(a) and 108d(a)" in its place.

(b) A new section 108d is added to read as follows:

"Sec. 108d. Authority to issue grants for workplace rights.

"(a) The Attorney General may issue grants for the purposes authorized pursuant to the Workplace Rights Grant Program Amendment Act of 2021, passed on 2nd reading on August 10, 2021 (Enrolled version of Bill 24-285).

"(b) Personnel and non-personnel costs related to administering any grants issued pursuant to the authority provided in subsection (a) of this section may be paid from funds deposited into the Litigation Support Fund established in section 106b.

"(c) The Attorney General may issue rules to implement this section.".

SUBTITLE O. UNEMPLOYMENT COMPENSATION IMPROVEMENTS

Sec. 4161. This subtitle may be cited as the "Unemployment Compensation Improvements Amendment Act of 2021".

Sec. 4162. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

(a) Section 3(c)(2) (D.C. Official Code § 51-103(c)(2)) is amended by adding a new subparagraph (H) to read as follows:

"(H)(i) The following benefits paid to an individual who became unemployed or partially unemployed as a result of the circumstances giving rise to the public health emergency shall not be charged to an employer's experience rating:

"(I) Benefits paid to an affected employee pursuant to section 101(a), (b), (d), (e), and (g) of the Coronavirus Support Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824) ("section 101"), or any preceding act of the Council of the District of Columbia authorizing payment of benefits on substantially similar terms as those described in section 101;

"(II) Benefits paid to an affected employee after the expiration of section 101, because the employee continues to otherwise qualify for benefits; and

"(III) Benefits paid under other local or federal law, including the federal Pandemic Emergency Unemployment Compensation program and extended benefits authorized under section 7(g).

"(ii) For the purposes of this subparagraph, the term:

"(I) "Affected employee" shall have the same meaning as provided in section 101(d) of the Coronavirus Support Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824).

"(II) "Public health emergency" means the Coronavirus (COVID-19) public health emergency declared pursuant to Mayor's Order 2020-046, on March 11, 2020, and all subsequent extensions.".

(b) Section 10(a) (D.C. Official Code § 51-110(a)) is amended as follows:

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

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

"(2) For the purposes of paragraph (1) of this subsection, the term "good cause" includes working in unsafe locations or under unsafe conditions where such unsafe working condition or location would cause a reasonable and prudent person in the labor market to leave the work, as determined by the Director based on the facts in each case."

Sec. 4163. Requirement to produce educational videos for common questions about unemployment insurance.

(a) In Fiscal Year 2022, the Mayor shall produce 2 informational videos consistent with the requirements of this subtitle related to the administration and payment of benefits under the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*) ("UI program").

(b) The first video shall explain the UI program's rules regarding the requirement that claimants report weekly to the Department of Employment Services any earnings they receive during their benefit year, including earnings from employment and self-employment, ("benefit year earnings"), and shall specifically address:

(1) What income is considered benefit year earnings for the purpose of the weekly unemployment claim;

(2) When and how a claimant must report benefit year earnings;

(3) Examples of how to report benefit year earnings for hourly workers and for tipped workers; and

(4) Common errors claimants make when reporting benefit year earnings and how to avoid them.

(c) The second video shall explain the UI program's requirement that the claimant has inquired about available work in accordance with sections 9 and 10 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code §§ 51-109 and 51-110), and shall specifically address:

(1) What the work search requirement is;

(2) How a claimant can satisfy the work search requirement; and

(3) Common errors claimants make when trying to comply with the work search requirement and how to avoid them.

(d) Each video shall:

(1) Explain its content in simple, clear, and concise language that has a high likelihood of comprehension by a general audience;

(2) Provide audio in English, Spanish, Amharic, Chinese, French, and other languages commonly spoken in the District;

(3) Provide closed captions in English; and

(4) Be viewable online from both personal computers and mobile devices.

(e) For as long as the content of each video is current and substantially accurate, as determined by the Mayor, the Mayor shall display each video or a link leading to a website where the video can be viewed:

(1) On the UI program's website;

(2) On the Department of Employment Services' website;

(3) At American Job Centers;

(4) Through social media posts; and

(5) In emails to UI program claimants.

(f)(1) The Mayor shall procure the informational videos required pursuant to this section through grant or contract.

(2) The person selected to produce the videos shall prepare a script for each video prior to the video's production and submit it to the Mayor for review. Within 30 days after receiving each script, the Mayor shall review and provide feedback on the script in order to:

(A) Correct any misstatements related to federal or District law or procedures claimants must follow; and

(B) Optimize the videos' accessibility to claimants.

Sec. 4164. Applicability.

Section 4162 shall apply as of September 4, 2021.

SUBTITLE P. LEARNING LOSS FUNDS

Sec. 4171. Short title.

This subtitle may be cited at the "Learning Loss Program Act of 2021".

Sec. 4172. (a) In Fiscal Years 2022, 2023, and 2024, the Office of the State Superintendent of Education ("OSSE") shall use federal American Rescue Plan funds to establish a learning loss program to support evidence-based approaches to learning acceleration

or high impact tutoring. OSSE shall allocate at least $10.05 million in Fiscal Year 2022, $10.25 million in Fiscal Year 2023, and $7 million in Fiscal Year 2024 for the following purposes; provided, that at least 50% of the funds each year are used to award grants described in paragraph (1) of this section:

(1) Award multi-year grants, on either a formula or competitive basis, to District of Columbia Public Schools ("DCPS") schools, public charter schools, or community-based organizations to support evidence-based approaches to learning acceleration or high impact tutoring;

(2) Distribute funds to District government agencies for the purposes of starting or expanding new programs that are aimed at accelerating learning or addressing learning loss;

(3) Provide technical assistance, professional development, and other supports to DCPS schools, public charter schools, District government agencies, and community-based organizations to assist them in addressing learning loss by providing evidence-based approaches to learning acceleration or high-impact tutoring;

(4) Conduct evaluations on the effectiveness of the learning loss program; and

(5) Fund indirect and direct administrative costs associated with administering this subtitle; provided, that no more than 10% of funds each year shall be used for this purpose.

(b)(1) OSSE shall require, at a minimum, that each school or organization seeking a grant pursuant to subsection (a)(1) of this section indicate, in the entity's grant application, the specific evidence-based approaches that the school or organization intends to use to effectuate learning acceleration or high-impact tutoring.

(2) As part of the grant conditions, OSSE shall require that each grantee that receives an award pursuant to subsection (a)(1) of this section:

(A) Measure the impact of the evidence-based approach stated in the grantee's application on student educational development; and

(B) Share the de-identified data or results regarding student educational development with OSSE on a cycle specified by OSSE; provided, that the grantee shall share annual de-identified data or results with OSSE at least 30 days prior to receiving funding for additional grant years.

(c) By July 15, 2022, July 15, 2023, and July 15, 2024, OSSE shall submit to the Council, and make publicly available, a report detailing the following:

(1) For awards issued pursuant to subsection (a)(1) of this section:

(A) Award criteria used by OSSE to determine the grant recipients;

(B) A list of the grantees and the amount of funding received by each grantee;
and

(C) The de-identified results on student progress submitted to OSSE by the grantees pursuant to subsection (b)(2)(B) of this section;

(2) For the activities described in subsection (a)(2) and (3) of this section:

(A) A list of the District agency recipients and the amount of funding for each activity; and

(B) A description of how the recipient used the funds to address student learning loss.

(3) A description of any evaluation done pursuant to subsection (a)(4) of this section and the result of the evaluation; and

(4) An accounting of the indirect and direct administrative costs allowable under subsection (a)(5) of this section.

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

(1) "De-identified data or results" means data or results in which identifying information about a student is removed.

(2) "Evidence-based approaches" means an activity, strategy, or intervention that:

(A) Demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on:

(i) Strong evidence from at least one well-designed and well-implemented experimental study;

(ii) Moderate evidence from at least one well-designed and well-implemented quasi-experimental study; or

(iii) Promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or

(B)(i) Demonstrates a rationale, based on high-quality research findings or positive evaluation, that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and

(ii) Includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

SUBTITLE Q. OSSE SLDS DATA PLAN

Sec. 4181. This subtitle may be cited as the "OSSE Data Planning for the Future Amendment Act of 2021".

Sec. 4182. Section 7c of the State Education Office Establishment Act of 2000, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 38-2609), is amended by adding a new subsection (f) to read as follows:

"(f)(1) By March 14, 2022, OSSE, in coordination with the Office of the Chief Technology Officer, shall develop and submit to the Council, a plan for:

"(A) Creating a standardized course-coding system, such as the School Courses for the Exchange of Data (SCED) Classification System as provided in the National Forum on Education Statistics guidance, to identify, code, and track all courses offered by the District's LEAs. The system shall include:

"(i) Course codes and descriptions;

"(ii) Course enrollment, including dual enrollment;

"(iii) Final course grades; and

"(iv) Credit hours;

"(B) Developing and implementing an early warning system for use by the LEAs to identify individual students at risk of high school disengagement or dropping out of school, which shall use at least the following statewide data:

"(i) Student test scores on prior English language arts and math statewide assessments;

"(ii) Chronic absenteeism and truancy rates in the 8th grade;

"(iii) Out-of-school suspension rates;

"(iv) Mid-year school transfer rates; and

"(v) Designation of students as special education, English language learner, or at-risk.

"(C) Making improvements to the District's EDW system that align with the National Forum of Education Statistics guidance for statewide data system capacities and the collection, maintenance of, and longitudinal linkage of standard statewide data system data elements.

"(2)(A) The plan required pursuant to paragraph (1) of this subsection shall include a detailed cost analysis and implementation timeline for each component of the plan.

"(B) A plan that proposes a pilot rather than full-scale implementation of all components required in paragraph (1) of this subsection shall not satisfy the requirements of subparagraph (A) of this paragraph.

"(C) If OSSE proposes not to use the course coding system commonly used in Virginia and Maryland, then it needs to explain in particular detail why.".

Sec. 4183. The Early Warning and Support System Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-751.01 *et seq.*), is repealed.

SUBTITLE R. TEACHER PREPARATION PIPELINE

Sec. 4191. Short title.

This subtitle may be cited as the "Teacher Preparation Act of 2021".

Sec. 4192. Definitions.

For the purposes of this subtitle:

(1) "DCPS" means the District of Columbia Public Schools.

(2) "District university grantees" means an accredited university or college, other than UDC, that operates in the District and has received a teacher preparation grant from OSSE.

(3) "Dual enrollment student" means a student who is enrolled in:

(A) A DCPS or public charter school high school; and

(B) UDC or an accredited college or university, other than UDC, that operates in the District of Columbia.

(4) "Local education agency" or "LEA" means the District of Columbia Public Schools system, any individual District public charter school, or any group of public charter schools operating under a single charter.

(5) "OSSE" means the Office of the State Superintendent of Education.

(6) "Paraprofessional" means an individual employed by an LEA to provide instructional, behavioral, or other support, under the supervision of a licensed or certified teacher, to students in or outside of the classroom. This term includes instructional aides or assistants, teacher aides, and paraeducators.

(7) "Program" means the "Grow Your Own" Teacher Preparation Support Program established pursuant to this subtitle.

(8) "Program participant" means a public high school dual enrollment student, a public high school graduate, or a paraprofessional employed by an LEA that is receiving financial assistance or professional support through the Program.

(9) "Public high school" means a high school in the DCPS system or a District public charter high school.

(10) "UDC" means the University of the District of Columbia.

Sec. 4193. "Grow Your Own" Teacher Preparation Support Program establishment.

(a)(1) OSSE shall establish, in collaboration with UDC, District university grantees, and the District's LEAs, a dual pathway "Grow Your Own" Teacher Preparation Support Program for the purpose of educating, training, and providing financial support to public high school dual enrollment students, public high school graduates, and paraprofessionals to become licensed teachers at DCPS schools or certified teachers at District public charter schools.

(b) Through UDC and District university grantees, the Program shall provide:

(1) Education and training to District residents that will lead to:

(A) The successful completion of coursework for a baccalaureate or a master's degree in education or teaching needed to become a teacher licensed by OSSE or a certified teacher at a District public charter school;

(B) Passage of examinations required by OSSE or an LEA to become a teacher licensed by OSSE or a certified teacher at a District public charter school; and

(C) Hiring by an LEA as a licensed or certified teacher.

(2) Two pathways to teacher licensure or certification, which shall be:

(A) The baccalaureate degree pathway, which shall be available to District residents who:

(i) Enroll as or are public high school dual enrollment students that intend to continue to pursue a baccalaureate or master's degree in education or teaching to become a teacher licensed by OSSE or a certified teacher at a District public charter school; or

(ii) Are public high school graduates who are pursuing a baccalaureate or master's degree in education or teaching to become a teacher licensed by OSSE or a certified teacher at a District public charter school; and

(B) The paraprofessional pathway, which shall be available to District residents who are paraprofessionals currently employed by an LEA and who need to complete additional coursework or obtain a baccalaureate or master's degree in education or teaching to become a teacher licensed by OSSE or a certified teacher at a District public charter school; and

(3) Financial assistance to Program participants for payment of:

(A) Tuition and fees at UDC or a District university grantee, to the extent

charged;

(B) Academic costs, including books and supplies; and

(C) Testing fees associated with examinations required by OSSE or an LEA to become a licensed or certified teacher.

(c)(1) UDC shall select individuals to enroll or who are enrolled in UDC to participate in the Program, consistent with the eligibility criteria established pursuant to section 4196.

(2) District university grantees shall select individuals to enroll or who are enrolled in their institutions to participate in the Program consistent with the eligibility criteria established pursuant to section 4196 and their grant agreements with OSSE.

(3) OSSE and UDC shall coordinate to ensure that Program participants do not receive Program financial assistance from more than one post-secondary institution at the same time.

Sec. 4194. The Program at UDC.

(a) Beginning with School Year 2022-2023, UDC shall begin using at least $200,000 of the subsidy it receives from the District government for the Program to pay for the tuition, required academic fees, bootcamp preparation or training academies, required examination fees, and book and supply costs for District residents it selects to participate in the Program. UDC shall select individuals to participate in both Program pathways, provide extensive mentorship to each Program participant, including continued mentorship during the first 2 years after a Program participant is hired by an LEA as a teacher, and assist Program participants in obtaining employment at an LEA if the Program participant meets all of the employment criteria set by the LEA.

(b) UDC also may use the subsidy it receives from the District government to pay:

(1) The salaries and fringe benefits of faculty, staff, and peer mentors directly engaged in the provision of courses necessary to obtain a baccalaureate or master's degree in education or teaching at UDC;

(2) For instructional materials used in courses necessary to obtain a baccalaureate or master's degree in education or teaching at UDC; and

(3) For marketing and recruitment activities to attract District residents to the Program at UDC.

Sec. 4195. The Program at District university grantees.

(a)(1) OSSE shall establish and administer a competitive grant program to provide "grow your own" teacher preparation support grants ("grants") to eligible universities or colleges located in the District for the purposes of educating, training, and providing financial support to District residents pursuing a pathway to teacher licensure or certification described in section 4193(b)(2) at the university or college.

(2) No later than April 30, 2022, and annually thereafter, subject to the availability of funds, OSSE shall award at least 2 grants totaling not less than $550,000 per year for the purposes described in paragraph (1) of this subsection. At least one grant shall be for the baccalaureate degree pathway described in section 4193(b)(2)(A), and at least one grant shall be

for the paraprofessional degree pathway described in section 4193(b)(2)(B). OSSE may award a baccalaureate degree pathway grant and a paraprofessional pathway grant to the same university or college.

(3) OSSE may award the grants on a multi-year basis; provided, that no grant shall be for longer than 5 years.

(4) OSSE may consider the cost of attendance at a particular university or college in determining how much funding to award to each grantee.

(b) To be eligible for a grant, an applicant shall:

(1) Be an accredited university or college that has a physical campus in the District;

(2) Offer a baccalaureate or master's degree in education or teaching;

(3) Have an education program that includes at least one year of residency or student teaching for all participants; and

(4) Demonstrate that its students pursuing degrees in education or teaching consistently and successfully attain the following benchmarks:

(A) Graduate within 5 years with a baccalaureate or master's degree in education or teaching;

(B) Pass the PRAXIS examination;

(C) Obtain licensure by OSSE, if hired as a DCPS teacher;

(D) Be hired by an LEA within one-year of graduating; and

(E) Remain employed as a licensed or certified teacher at an LEA for at least 3 years.

(c) Each District university grantee shall:

(1) Use the grant to pay for Program participants' tuition, required academic fees, bootcamp preparation or training academies, required examination fees, and book and supply costs;

(2) Commit to paying, on behalf of Program participants, 100% of any remaining tuition, required academic fees, required examination fees, and book and supply costs not covered by the grant;

(3) Ensure the design and use of a teacher development plan for each Program participant, consistent with the requirements of subsection (d) of this section;

(4) Provide extensive mentorship and academic support to Program participants enrolled in its institution, including continued mentorship during the first 2 years after a Program participant is hired by a LEA as a teacher;

(5) Provide licensure examination support to all Program participants enrolled in its university or college;

(6) Execute a memorandum of understanding ("MOU") with an LEA or LEAs, consistent with the requirements of subsection (e) of this section, to facilitate participation in the Program and the hiring of Program participants;

(7) Assist Program participants in obtaining employment at an LEA if the Program participant meets all of the employment criteria set by the LEA; and

(8) Submit proof of each Program participant's progress to OSSE on a cycle, and in a manner, prescribed by OSSE.

(d)(1) The teacher development plan required pursuant to subsection (c)(3) of this section shall:

(A) Specify how the Program participant will attain the credentials or degree necessary to meet OSSE teacher licensure requirements or the certification requirements set forth by a public charter school LEA if the Program participant anticipates teaching at a District public charter school; and

(B) Identify one or more tools to be used to assess a Program participant's performance once the Program participant is halfway through the participant's teacher residency or student teaching.

(2) If a Program participant is pursuing licensure or credentials through the paraprofessional pathway, the teacher development plan shall be developed by comparing the participant's prior experience and coursework with the District's teacher licensure requirements or LEA's certification requirements.

(e) The MOU between a District university grantee and LEA or LEAs required pursuant to subsection (c)(6) of this section shall:

(1) Identify, indicate the commitment of, and describe the role of the District university grantee and the LEA, including specific duties of each partner, in supporting the goals of the Program; and

(2) Specify the:

(A) Responsibilities of each party in the recruitment, screening, selection, and oversight of Program participants;

(B) Role of each party in field placement and student teaching and a description of the time frame each pathway described in section 4193(b)(2) begins; and

(C) Role of each party in selecting, training, and supporting mentors for Program participants.

(f)(1) Prior to April 30, 2022, and every 4 years thereafter, OSSE shall conduct an assessment to identify the areas of high need in the District's elementary and secondary teaching workforce, which shall include an assessment of the District's progress toward achieving diversity in its elementary and secondary public school teachers that matches the demographics of the District's corresponding student population.

(2) In issuing the grants authorized pursuant to this section, OSSE may give a preference to applicants that offer a high-quality education or teaching degree program in one or more high-need categories identified pursuant to paragraph (1) of this subsection.

Sec. 4196. Conditions of Program eligibility and participation.

(a) To be eligible for Program participation through the baccalaureate degree pathway described in section 4193(b)(2)(A), an individual shall:

(1) Meet the relevant enrollment requirements for UDC or the District university grantee in which the individual enrolls;

(2) Be a resident of the District;

(3)(A)(i) Become or be a dual enrollment student; or

(ii) Be a graduate of a public high school; and

(B) Be enrolled in UDC or a District university grantee with an intent to pursue a baccalaureate or master's degree in education or teaching; and

(4) In exchange for Program financial assistance and professional support, commit to teaching at an LEA for a minimum of 3 years after receiving a baccalaureate or master's degree in education or teaching and earning the appropriate licensure or certification needed to teach at an LEA.

(b) To be eligible for Program participation through the paraprofessional degree pathway described in section 4193(b)(2)(B), an individual shall:

(1) Meet the relevant enrollment requirements for UDC or District university grantee in which the individual enrolls;

(2) Be a resident of the District;

(3) Be currently employed by an LEA as a paraprofessional;

(4) Enroll in a UDC or District university grantee to complete coursework or with the intent to pursue a baccalaureate or master's degree in education or teaching necessary to be a teacher licensed by OSSE or a certified teacher at a public charter school; and

(5) In exchange for Program financial assistance and support, commit to teaching at an LEA for a minimum of 3 years after completing the necessary coursework or receiving a baccalaureate or master's degree in education or teaching and earning the appropriate licensure or certification needed to teach at an LEA.

(c) To maintain eligibility for Program assistance, a Program participant shall:

(1)(A) Maintain the requisite cumulative grade point average to maintain satisfactory academic progress, as determined by UDC or the District university grantee; and

(B) If participating in the Program through the baccalaureate degree pathway described in section 4193(b)(2)(A), be consecutively enrolled as a full-time student in the Program at UDC or a District university grantee to pursue a baccalaureate or master's degree in education or teaching;

(2) Remain a District resident throughout participation in the Program;

(3) If pursuing teacher licensure or certification through the paraprofessional pathway described in section 4193(b)(2)(B), remain employed by an LEA as a paraprofessional while participating in the Program; and

(4) Meet any other requirement determined by UDC or OSSE to be necessary or appropriate for Program participation.

SUBTITLE S. ADULT, EARLY CHILDHOOD, AND RESIDENTIAL CHARTER SCHOOL STABILIZATION

Sec. 4201. Short title.

This subtitle may be cited as the "Public Charter Schools Equity in Stabilization Funding Amendment Act of 2021".

Sec. 4202. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C. Official Code § 38-2901 *et seq.*), is amended by adding a new section 107c to read as follows:

"Sec. 107c. Public charter school stabilization funding.

"(a) Notwithstanding any other provision of law, in Fiscal Year 2022, of the funds allocated to the Non-Departmental Agency, up to $10,208,530 shall be transferred to the Office of the State Superintendent of Education ("OSSE") to award formula-based payments to each eligible charter school described in subsection (b) of this section.

"(b) A public charter school shall be eligible to receive funds pursuant to this section if it operates:

"(1) An adult public charter school, an early childhood education public charter school, or a residential public charter school; and

"(2) The total annual payment the adult public charter, early childhood education public charter, or residential public charter school is projected to receive for School Year 2021-2022, based on the school's unverified October 15, 2021, enrollment count, is less than 95% of the total annual payment the school actually received for School Year 2019-2020.

"(c)(1)(A) No later than December 31, 2021, OSSE shall award each eligible school its stabilization funding amount.

"(B) For purposes of calculating the stabilization funding amount owed to an adult public charter school that also operates an alternative program, all students counted as being enrolled in the alternative program shall be counted as being enrolled in the adult public charter school.

"(2) Notwithstanding paragraph (1)(A) of this subsection, if the total amount of funds required to provide each eligible school its stabilization funding amount is more than $10,208,530, OSSE shall pay to each eligible school a proportional share of available funds equal to the product of the school's stabilization funding amount multiplied by the stabilization factor.

"(d) Payments allocated pursuant to this section shall be supplemental to other funds a school may receive from the District and shall not supplant other funds to which a school or local education agency is entitled, including pursuant to this act or federal law.

"(e) Any funds in excess of the funds required to satisfy the requirements of subsection (b) of this section shall be transferred to the Office of Victim Services and Justice Grants for the Access to Justice program by December 31, 2021.

"(f) For the purposes of this section, the term:

"(1) "Adult public charter school" means a public charter school or a program in a public charter school that, during School Year 2021-2022, was identified as an adult education performance management framework school by the District of Columbia Public Charter School Board

"(2) "Annual payment" means the sum of the quarterly payments described in section 107b, including all applicable weightings provided pursuant to sections 105, 106, and 106a.

"(3) "Early childhood education public charter school" means:

"(A) A public charter school LEA whose prekindergarten 3 and prekindergarten 4 student enrollment comprised at least 33% of the public charter school LEA's total enrollment during School Year 2019-2020 and whose LEA will serve only grades pre-kindergarten 3 up to third grade in School Year 2021-2022; provided, that if a public charter school LEA served more grades in School Year 2019-2020 than it serves in School Year 2021-2022, the percentage of the public charter school LEA's prekindergarten 3 and prekindergarten 4 student enrollment shall be calculated using only the grade bands that the public charter school serves in School Year 2021-2022; or

"(B) A public charter school that is an adult public charter school that also serves grades prekindergarten 3 and grades prekindergarten 4.

"(4) "Eligible school" means an adult public charter school, an early childhood education public charter school, or a residential public charter school that meets the criteria for funding described in subsection (b)(2) of this section.

"(5) "LEA" means any individual District public charter school, or any group of public charter schools operating under a single charter."

"(6) "Residential public charter school" means:

"(A) A public charter school that, during School Year 2021-2022, provides students with room and board in a residential setting, in addition to their instructional program; or

"(B) A public charter school that operates a residential program that provides support services to its students, in addition to an instructional program, but is unable to provide its students with overnight room and board in a residential setting in order to comply with health guidance provided by the District's Department of Health related to the COVID-19 (SARS-CoV-2) pandemic.

"(7) Stabilization funding amount" means the amount of money equal to 95% of an eligible school's actual School Year 2019-2020 total annual payment, less the amount of the total annual payment the school is projected to receive for School Year 2021-2022 based on its unverified October 15, 2021, enrollment count.

"(8) "Stabilization factor" means the quotient of $10,208,530 divided by the sum of all eligible schools' stabilization funding amounts.".

SUBTITLE T. PAYMENTS FOR DELAYED UNEMPLOYMENT CLAIMS

Sec. 4211. Short title.

This subtitle may be cited as the "Delayed Unemployment Compensation Payments Relief Amendment Act of 2021".

Sec. 4212. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-101), is amended by adding a new section 7a to read as follows:

"Sec. 7a. Delayed unemployment compensation payments.

"(a)(1) No later than December 31, 2021, the Director shall issue a $500 payment to each of the 10,000 claimants with the greatest number of days between the timeframes described in paragraph (2)(B)(i) and (ii) of this subsection.

"(2) To be eligible for the payment authorized in paragraph (1) of this subsection:

"(A) A claimant's initial claim must have been approved by the Director for payment between March 16, 2020, and July 1, 2021;

"(B)(i) For claimants receiving traditional unemployment compensation or extended benefits under this act (section 7), or receiving Pandemic Emergency Unemployment Compensation (section 2104 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 318; 15 U.S.C. § 9023)), there must be at least 60 days between the time the claimant filed the claimant's initial claim for benefits or claim for extension program and the issuance of the first payment to the claimant; and

"(ii) For claimants receiving Pandemic Unemployment Assistance (section 2102 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 313; 15 U.S.C. § 9021)), there must be at least 60 days between the time the claimant's initial monetary determination was made and the time the monetary redetermination was made;

"(C) A claimant must be a District resident based on the claimant's address of record at the time the claimant was first deemed eligible for a first payment;

"(D) A claimant must not have engaged in conduct with respect to a claim for unemployment benefits that the Director deems fraudulent; and

"(E) The claimant must have provided all necessary documentation to support the claim, including weekly certifications and identity verification documents as requested by the Director and required by applicable law or regulation.

"(3) The Director shall not require claimants to provide additional documentation or an application to receive the payment authorized in paragraph (1) of this subsection.

"(4) If there are fewer than 10,000 claimants eligible to receive payments pursuant to paragraph (2) of this subsection, the Director may increase the size of the payments, subject to availability of funds.

"(5) The Director may not withhold payments authorized pursuant to this section to compensate for overpayments the Director has made to a claimant.

"(6) Should the District determine that a claimant received a payment authorized pursuant to paragraph (1) of this subsection to which the claimant was not entitled, because of fraud or ineligibility, the District may recoup the payment through any means available to it for the recovery of debts owed to the District. Any funds recovered through recoupment may be used for additional payments to claimants qualified under this subsection.

"(b) For the purposes of this subsection, the term:

"(1) "Benefits" means the money payments to an individual, as provided in this Act or federal law, with respect to his unemployment including any dependent's allowance paid under the provisions of section 8; and

"(2) "Claim" means either an application or claim.".

SUBTITLE U. ELLINGTON SCHOOL PERSONNEL GRANT

Sec. 4221. Short title.

This subtitle may be cited as the "Duke Ellington School of the Arts Project Grant Act of 2021".

Sec. 4222. Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2022, the Office of the State Superintendent of Education shall provide a $1,500,000 grant to Duke Ellington School of the Arts Project to support personnel costs at the Duke Ellington School of the Arts.

SUBTITLE V. DISTRICT OF COLUMBIA PUBLIC SCHOOLS INSIGHT SURVEY DATA

Sec. 4231. Short title.

This subtitle may be cited as the "District of Columbia Public Schools INSIGHT Survey Data Act of 2021."

Sec. 4232. District of Columbia Public Schools INSIGHT survey data.

(a) No later than the start of Fiscal Year 2022, the District of Columbia Public Schools ("DCPS") shall release publicly the full analysis conducted by American University's School of Education for DCPS of IMPACT, the DCPS evaluation and feedback system for school-based personnel, and the raw, aggregated quantitative data related to the INSIGHT surveys of DC educators' perceptions of the IMPACT evaluation system.

(b) DCPS shall redact any personally identifiable information from the analysis and data released pursuant to subsection (a) of this section.

Sec. 4233. Applicability.

This subtitle shall apply as of August 23, 2021.

SUBTITLE W. HEALTHY SCHOOLS ACT

Sec. 4241. Short title.

This subtitle may be cited as the "Healthy Schools Amendment Act of 2021".

Sec. 4242. The Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01 *et seq.*), is amended as follows:

(a) Section 102(f) (D.C. Official Code § 38-821.02(f)) is amended by striking the phrase "Beginning on October 1, 2020, an amount of $5,590,000" and inserting the phrase "Beginning on October 1, 2021, an amount of $5,690,000" in its place.

(b) Section 501a (D.C. Official Code § 38-825.01a), is amended as follows:

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

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

"(4) After a public charter school provides proof of compliance to the PCSB, pursuant to paragraph (3)(B) of this subsection, the PCSB shall provide proof of compliance to DGS, in a manner to be prescribed by DGS.".

(B) Paragraph (6)(B)(i) is amended by striking the phrase "pursuant to paragraph (4) of this subsection" and inserting the phrase "to cover the cost of complying with paragraph (2) of this subsection" in its place.

(2) Subsection (d) is amended by striking the phrase ", including rules by which the Department of General Services shall reimburse public charter schools for the reasonable costs incurred in complying with subsection (b)(2) of this section." and inserting a period in its place.

SUBTITLE X. DUKE ELLINGTON SCHOOL OF THE ARTS FUNDING AND ORGANIZATION MODEL

Sec. 4251. Short title.

This subtitle may be cited as the "Duke Ellington School of the Arts New Funding and Organization Model Act of 2021".

Sec. 4252. Definitions.

For the purposes of this subtitle:

(1) "DCPS" means the District of Columbia Public Schools.

(2) "DESAP" means the Duke Ellington School of the Arts Project, the public and private partnership that supports the Duke Ellington School of the Arts, which includes DCPS, the Ellington Fund, the John F. Kennedy Center for the Performing Arts, and George Washington University.

(3) "Ellington Fund" means the 501(c)(3) organization established in 1979 to serve as the charitable arm of the Duke Ellington School of the Arts.

Sec. 4253. Proposed new funding and organization model for the Duke Ellington School of the Arts.

(a) Starting no later than October 1, 2021, DCPS shall discuss with other DESAP partners and the DESAP Board of Directors a proposed new funding and organization model for the Duke Ellington School of the Arts ("DESA").

(b) The proposed new funding and organizational model shall address and resolve the following matters:

(1) The conversion of DESAP faculty and staff to DCPS employee status with levels of pay for all former DESAP faculty and staff comparable to those of DCPS employees;

(2) The absorption of all DESA's human resources, staff payroll, and student support functions into the budget of DCPS;

(3) The protection of, and due regard for, the dual-curriculum nature of DESA, including its arts faculty and staff;

(4) The continuation of DESA's pre-professional arts program at the same or higher level of quality as the current pre-professional arts program; and

(5) The continued role of the current DESAP Board of Directors in providing guidance and support for the DESA arts program, including partnerships with third-party organizations and the Ellington Fund.

(c) DCPS shall present to the Council the proposed new funding and organizational model no later than January 31, 2022.

TITLE V. HUMAN SUPPORT SERVICES

SUBTITLE A. MEDICAID HOSPITAL OUTPATIENT PAYMENT

Sec. 5001. Short title.

This subtitle may be cited as the "Medicaid Hospital Outpatient Payment Amendment Act of 2021".

Sec. 5002. Section 5066 of the Medicaid Hospital Outpatient Supplemental Payment Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.05), is amended by adding a new subsection (b-1) to read as follows:

"(b-1) For visits and services beginning October 1, 2021, the District shall make fee-for-service outpatient rate payments to hospitals at a rate that is an aggregate of 100% of Medicaid allowable costs for the fiscal year in which payments are being made.".

SUBTITLE B. MEDICAL ASSISTANCE AND IMMIGRANT CHILDREN'S PROGRAM

Sec. 5011. Short title.

This subtitle may be cited as the "Medical Assistance and Immigrant Children's Program Amendment Act of 2021".

Sec. 5012. Section 2202 of the Medical Assistance Expansion Program Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 1-307.03), is amended as follows:

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

(1) The lead-in language is amended by striking the phrase "family income" and inserting the phrase "household income" in its place.

(2) The lead-in language of paragraph (5) is amended by striking the phrase "family income" and inserting the phrase "household income" in its place.

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

(1) The lead-in language is amended to read as follows:

"(b) The Mayor shall establish a program to provide medical assistance to undocumented children not eligible for coverage under Medicaid who reside in the District and have an annual household income up to 319% of the federal poverty level for children age 18 or younger, and up to 216% of the federal poverty level for children ages 19 and 20. In determining a household income under this subsection, the Mayor may implement an income disregard amount, based on family size, of up to 5% of the federal poverty level or such higher percentage as may be

authorized by the federal government as an income disregard for the determination of eligibility for Medicaid.".

(2) Paragraphs (2) and (3) are amended to read as follows:

"(2) Upon the Mayor's determination of a resident's eligibility for the program, the Mayor shall enroll the resident in the program and assign the enrollee to a health maintenance organization with a current contract with the District to provide health care services for program enrollees.

"(3) For a period of time of at least 30 days after the Mayor's assignment of an enrollee under paragraph (2) of this subsection, the enrollee may choose to enroll in a different health maintenance organization with a current contract with the District to provide health care services for program enrollees.".

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

"(c) Beginning on October 1, 2021, the Mayor may modify the standards for eligibility to enroll in a program established by subsections (a) and (b) of this section to increase the number of District residents who would be eligible to enroll in the program to the extent such expansion is consistent with the District's budget and financial plan.".

SUBTITLE C. MEDICAID RESERVE FUND

Sec. 5021. Short title.

This subtitle may be cited as the "Medicaid Reserve Fund Amendment Act of 2021".

Sec. 5022. The Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended as follows:

(a) Section 8b (D.C. Official Code § 7-771.07b) is repealed.

(b) Section 11a (D.C. Official Code § 7-771.10a) is repealed.

SUBTITLE D. UNJUST CONVICTIONS HEALTH CARE

Sec. 5031. Short title.

This subtitle may be cited as the "Unjust Convictions Amendment Act of 2021".

Sec. 5032. Section 4b(a)(3)(A) of the District of Columbia Unjust Imprisonment Act of 1980, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 2-423.02(a)(3)(A)), is amended to read as follows:

"(A) Physical and behavioral health care for the duration of the petitioner's life through participation in the D.C. Healthcare Alliance or any successor comprehensive community-centered health care and medical services system established pursuant to section 7 of the Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405), or through another locally funded comprehensive health care and medical services program offered by the District;".

SUBTITLE E. MATERNAL HEALTH RESOURCES AND ACCESS

Sec. 5041. Short title.

This subtitle may be cited as the "Maternal Health Resources and Access Amendment Act of 2021".

Sec. 5042. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*) is amended as follows:

(a) The table of contents is amended by adding a new section 672 to read as follows:

"Sec. 672. Reimbursement for doula services.".

(b) Section 101 (D.C. Official Code § 3-1201.01) is amended as follows:

(1) The existing paragraph (6C) is redesignated as paragraph (6D).

(2) A new paragraph (6C) is added to read as follows:

"(6C) "Doula" means an individual certified by the Board of Medicine to provide culturally competent and continuous physical, emotional, and informational support to a birthing parent during pregnancy, labor, birth, and postpartum, including:

"(A) Providing support to pregnant individuals and their families, including surrogates and adoptive parents;

"(B) Conducting prenatal and postpartum visits;

"(C) Accompanying pregnant individuals to health care and social service appointments;

"(D) Connecting individuals to medical, community-based, or government funded resources, including those addressing social determinants of health; and

"(E) Providing support to individuals following either the loss of pregnancy or birth of a child for up to one year.".

(3) A new paragraph (11A) is added to read as follows:

"(11A) "Postpartum" means the time after delivery when maternal physiological changes related to pregnancy return to the nonpregnant state, which may last for as long as 12 months after delivery.".

(c) Section 203(a) (D.C. Official Code § 3-1202.03(a)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase "the practice of medicine," and inserting the phrase "the practice of medicine, the practice of doulas," in its place.

(2) Paragraph (8) is amended as follows:

(A) Subparagraph (G) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(B) Subparagraph (H) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(I) The practice of doulas.".

(d) Section 501(a)(3) (D.C. Official Code § 3-1205.01(a)(3)) is amended by striking the phrase "advanced practice registered nursing," and inserting the phrase "advanced practice registered nursing, doula," in its place.

(e) A new section 672 is added to read as follows:

"Sec. 672. Reimbursement for doula services.

"(a) By October 1, 2022, health insurance coverage through Medicaid or the DC HealthCare Alliance and the Immigrant Children's Program shall cover and reimburse eligible services provided by doulas; except, that no Medicaid payment shall be made until such time that the Centers for Medicare and Medicaid Services approves the Medicaid state plan amendment described in subsection (b) of this section.

"(b)(1) By September 30, 2022, the Department of Health Care Finance ("DHCF") shall submit for approval from the Centers for Medicare and Medicaid Services an amendment to the Medicaid state plan to authorize the Medicaid payments described in this section.

"(2) While preparing the Medicaid state plan amendment application, DHCF shall:

"(A) In consultation with organizations providing doula services and other relevant entities, establish processes for billing and reimbursement of doula services, including:

"(i) Setting competitive reimbursement rates;

"(ii) Setting a reasonable number of doula visits to be reimbursed during the course of the pregnancy and postpartum period;

"(iii) Developing program support and training for doula service providers to facilitate billing; and

"(iv) Assessing the viability of incentive payments to doulas whose clients attend postpartum appointments with a medical provider.

"(B) In consultation with the Department of Health and other relevant entities, issue rules to determine eligibility for reimbursement by Medicaid, the DC HealthCare Alliance, and the Immigrant Children's Program.".

Sec. 5043. DC HealthCare Alliance coverage of transportation costs for maternal health appointments.

(a) By October 1, 2021, health insurance coverage through the DC HealthCare Alliance shall include transportation costs for travel to and from non-emergency prenatal and postpartum health care appointments.

(b) For purposes of this section, the term "transportation costs" means expenses incurred for non-emergency medical transportation, including public transportation or a public or private vehicle-for-hire service regulated by the Department of For-Hire Vehicles, but not including the cost of travel by private vehicle or parking fees.

Sec. 5044. Applicability.

Section 5042(d) shall apply as of October 1, 2022.

SUBTITLE F. HOWARD UNIVERSITY HOSPITAL CENTERS OF EXCELLENCE

Sec. 5051. Short title.

This subtitle may be cited as the "Howard University Hospital Centers of Excellence Fund Amendment Act of 2021".

Sec. 5052. Section 47-4673 of the District of Columbia Official Code is amended by adding a new subsection (j) to read as follows:

"(j)(1) There is established as a special fund the Howard University Hospital Centers of Excellence Fund ("Fund"), which shall be administered by the Department of Health in accordance with paragraph (3) of this subsection.

"(2) The following funds shall be deposited into the Fund:

"(A) Funds appropriated in Fiscal Year 2022 or later for the purpose of providing operational and start-up support to the centers of excellence described in subsection (f) of this section; and

"(B) Funds appropriated in Fiscal Year 2021 for the purposes of providing operational and start-up support to the centers of excellence described in subsection (f) of this section that remain unspent at the end of Fiscal Year 2021.

"(3) Money in the Fund shall be used to provide operational and start-up support to the centers of excellence described in subsection (f) of this section. Such support may be provided through non-competitive grants or other means.

"(4)(A) 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.

"(B) Subject to authorization in an approved budget and financial plan, money in the Fund shall be continually available without regard to fiscal year limitation.".

Sec. 5053. Applicability.

This subtitle shall apply as of September 30, 2021.

SUBTITLE G. SNAP REINVESTMENT FUND

Sec. 5061. Short title.

This subtitle may be cited as the "SNAP Reinvestment Fund Establishment Amendment Act of 2021".

Sec. 5062. The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 4-261.01 *et seq.*), is amended by adding a new section 5085 to read as follows:

"Sec. 5085. SNAP Reinvestment Fund.

"(a) There is established as a special fund the SNAP Reinvestment Fund ("Fund"), which shall be administered by the Mayor in accordance with subsection (c) of this section.

"(b) The unspent local fund dollars remaining in the operating budget of the Department of Human Services at the end of each fiscal year shall be deposited into the Fund; provided, that the amount of unspent local fund dollars deposited into the Fund at the end of a fiscal year shall not exceed the difference between the total of all amounts that remain to be invested by the Department of Human Services pursuant to active Supplemental Nutrition Assistance Program excessive payment error rate liability settlement agreements ("Settlement Agreements") between

the Department of Human Services and the United States Department of Agriculture minus the amount in the Fund at the end of the fiscal year.

"(c) Money in the Fund shall be used to implement the Settlement Agreements.

"(d)(1) The money deposited into the Fund but not expended during 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. 5063. Applicability.

This subtitle shall apply as of September 30, 2021.

SUBTITLE H. VETERAN TRANSPORTATION PROGRAM EXPANSION

Sec. 5071. Short title.

This subtitle may be cited as the "Veteran Transportation Program Expansion Amendment Act of 2021".

Sec. 5072. Section 704 of the Office of Veterans Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 49-1003), is amended as follows:

(a) Paragraph (24) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (25) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (26) is added to read as follows:

"(26) Subject to the availability of funding, provide a free on-demand transportation or public transportation option to veterans who reside in a household with an annual household income of less than or equal to 80% of area median income as defined in D.C. Official Code § 47-1806.09(1)(A), which, at a minimum:

"(A) Offers 15 one-way trips per month for each eligible veteran in the program;

"(B) Operates 6 days a week; and

"(C) Does not restrict the point of origin or destination of each trip; except, that trips must begin and end within the District.".

SUBTITLE I. FIRST TIME MOTHERS HOME VISITING PROGRAM

Sec. 5081. Short title.

This subtitle may be cited as the "Still Leverage for Our Future Amendment Act of 2021".

Sec. 5082. Section 105a(a) of the Birth-to-Three for All DC Amendment Act of 2018, effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 4-651.05a(a)), is amended by adding a new paragraph (3) to read as follows:

"(3) In Fiscal Year 2022, DOH shall provide an amount not to exceed $150,000 to the home visiting provider who was awarded the competitive grant pursuant to paragraph (1) of this subsection.".

SUBTITLE J. STEVIE SELLOW'S DIRECT SUPPORT PROFESSIONALS QUALITY IMPROVEMENTS

Sec. 5091. Short title.

This subtitle may be cited as the "Stevie Sellow's Direct Support Professionals Quality Improvements Amendment Act of 2021".

Sec. 5092. Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "12D. Stevie Sellows" and inserting the phrase "12D. Stevie Sellow's" in its place.

(b) Chapter 12D is amended as follows:

(1) The heading is amended by striking the phrase "Stevie Sellows" and inserting the phrase "Stevie Sellow's" in its place.

(2) Section 47-1270 is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "Stevie Sellows" and inserting the phrase "Stevie Sellow's" in its place.

(B) The existing paragraph (1A) is redesignated as paragraph (1B).

(C) The existing paragraph (1B) is redesignated as paragraph (1C) and is amended by striking the phrase "Stevie Sellows" and inserting the phrase "Stevie Sellow's" in its place.

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

"(1A) "DD waiver provider" means an entity that provides residential, in-home, day, or support services, including employment and community development services under the District's Medicaid Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities program as authorized by section 1915(c) of the Social Security Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1396n(c)).".

(3) Section 47-1271 is amended as follows:

(A) Subsection (a) is amended by striking the phrase "Stevie Sellows" and inserting the phrase "Stevie Sellow's" in its place.

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

(i) Paragraph (1) is amended by striking the phrase "reimbursement of ICF/IID." and inserting the phrase "reimbursement of ICF/IID; provided, that if the quality-of-care improvement is for an increase in salaries, the total payment amount, on average, for qualifying direct support professionals should be up to the greater of 117.6% of the District minimum wage pursuant to § 32-1003 or 117.6% of the District living wage pursuant to subchapter X-A of Chapter 2 of Title 2." in its place.

(ii) Paragraph (2) is amended by striking the phrase "Stevie Sellows" and inserting the phrase "Stevie Sellow's" in its place.

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

"(c-1) Notwithstanding subsection (b) of this section, revenues deposited in the Fund beginning in Fiscal Year 2022 may be used to support quality of care improvements for DD waiver providers.".

(4) Section 47-1272 is amended as follows:

(A) Subsection (a) is amended by striking the phrase "an ICF-IDD" and inserting the phrase "an ICF-IDD or DD waiver provider" in its place.

(B) Subsection (f) is amended by striking the phrase "the ICF-IDD" and inserting the phrase "the ICF-IDD or DD waiver provider" in its place.

(5) Section 47-1275 is amended as follows:

(A) Subsection (a) is amended by striking the phrase "an ICF-IDD" and inserting the phrase "an ICF-IDD or DD waiver provider" in its place.

(B) Subsection (b) is amended by striking the phrase "an ICF-IDD" and inserting the phrase "an ICF-IDD or DD waiver provider" in its place.

SUBTITLE K. EARLY CHILDHOOD EDUCATOR PAY EQUITY FUND

Sec. 5101. Short title.

This subtitle may be cited as the "Early Childhood Educator Pay Equity Fund Establishment Act of 2021".

Sec. 5102. Early Childhood Educator Pay Equity Fund.

(a) There is established as a special fund the Early Childhood Educator Pay Equity Fund ("Fund"), which shall be administered by the Office of the State Superintendent of Education in accordance with subsection (c) of this section.

(b) The following funds shall be deposited into the Fund:

(1) In Fiscal Year 2022, $53,920,878 in local funds;

(2) In Fiscal Year 2023, $72,889,092 in local funds;

(3) In Fiscal Year 2024, $73,883,680 in local funds;

(4) In Fiscal Year 2025, $74,878,268 in local funds ("base amount"); and

(5) Beginning with Fiscal Year 2026, and annually thereafter, an amount equal to the base amount increased each year by the Consumer Price Index for All Urban Consumers for the Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan Statistical Area (or such successor metropolitan statistical area that includes the District) increase for the preceding calendar year; and

(6) Any additional appropriated funds.

(c) The Fund shall be used to:

(1) Support the implementation of an employee compensation salary scale to increase the minimum compensation for employees of early childhood development providers as passed or approved by Council; and

(2) Pay agency administrative costs, including personnel costs and costs related to providing technical assistance to early childhood development providers, related to increasing the minimum compensation for employees of early childhood development providers pursuant to a salary scale passed or approved by the Council; provided, that such administrative costs shall not exceed $5 million in Fiscal Year 2022 and 5% in any fiscal year thereafter of the annual amount deposited into the Fund.

(d)(1) 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 time.

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

(e) For the purposes of this section, the term "Early childhood development provider" shall have the same meaning as provided in section 101(1G) of the Pre-K Enhancement and Expansion Amendment Act of 2008, July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.01(1G)).

SUBTITLE L. DC HEALTHCARE ALLIANCE

Sec. 5111. Short title.

This subtitle may be cited as the "DC HealthCare Alliance Conforming Amendments and Non-Lapsing Fund Amendment Act of 2021".

Sec. 5112. The Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1401 *et seq.*), is amended as follows:

(a) Section 7b (D.C. Official Code § 7-1407) is amended to read as follows:

"Sec. 7b. DC HealthCare Alliance recertification.

"(a) The Mayor shall allow enrollees for the DC HealthCare Alliance ("Alliance") program to complete an application for recertification with the Department of Human Services:

"(1) In person;

"(2) Over the telephone; and

"(3) Through electronic means, including through a web-based portal.

"(b) Applicants for the Alliance program shall not be required to complete a face-to-face interview to establish eligibility for enrollment in the Alliance program or to recertify their enrollment in person; except, that the Mayor may require enrollees to complete one in-person certification each year in Fiscal Years 2023, 2024, and 2025.

"(c) Enrollees in the Alliance before April 1, 2025, shall be required to recertify their enrollment every 6 months.

"(d) Enrollees in the Alliance after March 31, 2025, shall be required to recertify their enrollment on an annual basis.".

(b) Section 7e (D.C. Official Code § 7-1410) is repealed.

Sec. 5113. The Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended by adding a new section 8c to read as follows:

"Sec. 8c. DC HealthCare Alliance Reform Fund.

"(a) There is established as a special fund the DC HealthCare Alliance Reform Fund ("Fund"), which shall be administered by the Department in accordance with subsection (c) of this section.

"(b) Local funds appropriated in Fiscal Years 2022 through 2024 for the Department that remain unspent at the close of each fiscal year shall be deposited into the Fund.

"(c) Money in the Fund shall be used exclusively within the Department of Health Care Finance to fully fund reforms to the D.C. HealthCare Alliance Program, including:

"(1) Permanently eliminating the requirement for a face-to-face interview as a recertification requirement for the DC HealthCare Alliance program; and

"(2) Extending the period of time before recertification of enrollment from 6 months to one year.

"(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, money in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE M. DEPARTMENT OF HEALTH CARE FINANCE GRANT-MAKING AUTHORITY

Sec. 5121. Short title.

This subtitle may be cited at the "Department of Health Care Finance Grant-Making Amendment Act of 2021."

Sec. 5122. Section 8a of the Department of Health Care Finance Establishment Act of 2007, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 7-771.07a), is amended by adding a new subsection (a-5) to read as follows:

"(a-5) For Fiscal Year 2022, subject to the availability of funds, the Director may:

"(1)(A) Award a competitive grant in an amount not to exceed $150,000 to fund operating expenses associated with the provision of medical respite care services to individuals who are homeless; provided, that if such a grant is awarded to a Federally Qualified Health Center ("FQHC"), the amount of the grant shall not be offset against the FQHC's expenses for the purpose of determining its allowable cost in accordance with section 4511.2 of Title 29 of the District of Columbia Municipal Regulations (29 DCMR § 4511.2).

"(B) At a minimum, the selected entity shall possess:

"(i) The staff capacity and expertise necessary to provide medical respite care, with a particular emphasis on care for women who are homeless; and

"(ii) The ability to provide case management services, including assistance in accessing permanent housing services.

"(2)(A) Award competitive grants in an amount not to exceed $200,000 to community-based initiatives focused on addressing the social determinants of health in Wards 7 and 8.

"(B) In establishing criteria for the award of grants pursuant to this paragraph, the Department shall prioritize community-based initiatives that utilize a cohort-based curriculum that incorporates design-thinking.

"(3)(A) Award competitive grants in an amount not to exceed $200,000 to study the barriers to telehealth services for clients of the Department of Behavioral Health and the Department of Disability Services, utilizing a design-thinking approach, and to propose a set of recommendations for addressing those barriers.

"(B) In establishing criteria for the award of grants pursuant to this paragraph, the Department shall prioritize providers that have an established program dedicated to design-thinking.

"(4) Award competitive grants in an amount not to exceed $250,000 to assist FQHCs in educating their patients in Wards 7 and 8 on how to properly access telehealth services; provided, that the amount of the grant shall not be offset against the FQHC's expenses for the purpose of determining its allowable costs in accordance with section 4511.2 of Title 29 of the District of Columbia Municipal Regulations (29 DCMR § 4511.2).

"(5) Award a competitive grant in an amount not to exceed $100,000 to a District-based organization to deploy non-physician healthcare practitioners, such as social workers, to facilitate and improve care coordination for pregnant mothers receiving health benefits through Medicaid or the DC HealthCare Alliance; provided, that the Department shall select an awardee with experience providing prenatal and postpartum maternal care to Medicaid beneficiaries by way of digital health or telehealth with a focus on early detection of pregnancy-related illnesses, such as gestational hypertension or preeclampsia.".

TITLE VI. OPERATIONS AND INFRASTRUCTURE

SUBTITLE A. HIGHWAY TRUST FUND REPROGRAMMINGS

Sec. 6001. Short title.

This subtitle may be cited as the "Highway Trust Fund Reprogramming Amendment Act of 2021".

Sec. 6002. 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 subchapter shall not apply to a reprogramming from a master capital project in the Highway Trust Fund portion of the District's capital improvements plan to another master capital project in the Highway Trust Fund portion of the District's capital improvements plan, other than as provided in this subsection.

"(2) At the request of the Mayor, the Chief Financial Officer of the District of Columbia ("CFO") shall reprogram funds between master capital projects in the Highway Trust Fund portion of the District's capital improvements plan; provided, that the reprogramming of funds is consistent with the State Transportation Improvement Plan included in the

Transportation Improvement Plan prepared and approved by the Metropolitan Washington Council of Governments National Capital Region Transportation Planning Board; provided further, that the CFO determines that the funds are available for reprogramming.

"(3) After funds are reprogrammed pursuant to paragraph (2) of this subsection, the director of the implementing agency for the project may obligate and expend the reprogrammed funds.".

Sec. 6003. Applicability.

This subtitle shall apply as of July 1, 2021.

SUBTITLE B. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS TRANSITION

Sec. 6011. Short title.

The subtitle may be cited as the "Department of Consumer and Regulatory Affairs Transition Amendment Act of 2021".

Sec. 6012. Section 301 of the Department of Buildings Establishment Act of 2020, effective April 5, 2021 (D.C. Law 23-269; D.C. Official Code § 10-563.01), is amended as follows:

(a) The lead-in language of subsection (b) is amended by striking the date "October 1, 2021" and inserting the date "October 1, 2022" in its place.

(b) Subsection (c) is amended by striking the date "October 1, 2021" and inserting the date "October 1, 2022" in its place.

SUBTITLE C. BUSINESS RECOVERY AND SUSTAINABILITY FEE REDUCTIONS

Sec. 6021. Short title.

This subtitle may be cited as the "Business Recovery and Sustainability Fee Reductions Amendment Act of 2021".

Sec. 6022. Business recovery and sustainability fee reductions.

Title 17 of the District of Columbia Municipal Regulations is amended as follows:

(a) Chapter 5 is amended as follows:

(1) Section 500.2 (17 DCMR § 500.2) is amended to read as follows:

"500.2 The Director shall charge a fee of seventy dollars ($70) for each basic business license, plus a fee of twenty-five dollars ($25) for each endorsement added to the basic business license, except for a General Business license and endorsement under 516.1(c) and an Employment Services license and endorsement under 513.1(a), (b), and (c) for which no fee shall be charged. Each basic business license and endorsement shall be valid for two (2) years from the date of issuance, unless earlier revoked or voluntarily relinquished.".

(2) Section 500.3 (17 DCMR § 500.3) is amended to read as follows:

"500.3 The Director shall charge a fee of seventy dollars ($70) for the renewal of each

basic business license, plus a fee of twenty-five dollars ($25) for each renewal endorsement added to a basic business license, except for a General Business license and endorsement under 516.1(c) and an Employment Services license and endorsement under 513.1(a), (b), and (c) for which no fee shall be charged.".

(3) Section 513.1 (17 DCMR § 513.1) is amended as follows:

(A) Paragraph (a) is amended by striking the figure "$1,300" and inserting the figure "$90" in its place.

(B) Paragraph (b) is amended by striking the figure "$1,300" and inserting the figure "$90" in its place.

(C) Paragraph (c) is amended by striking the figure "$1,300" and inserting the figure "$90" in its place.

(4) Section 516.1(c) (17 DCMR § 516.1(c)) is amended by striking the figure "$200" and inserting the figure "$90" in its place.

(b) Chapter 6 is amended as follows:

(1) Section 602.1(a)(1) (17 DCMR § 602(a)(1)) is amended by striking the phrase "two hundred twenty dollars ($220)" and inserting the phrase "ninety-nine dollars ($99)" in its place.

(2) Section 606.1(a) (17 DCMR § 606.1(a)) is amended by striking the phrase "two hundred twenty dollars ($220)" and inserting the phrase "ninety-nine dollars ($99)" in its place.

(3) Section 607.1(a) (17 DCMR § 607.1(a)) is amended by striking the phrase "two hundred twenty dollars ($220)" and inserting the phrase "ninety-nine dollars ($99)" in its place.

(4) Section 608.1(a) (17 DCMR § 608.1(a)) is amended by striking the phrase "two hundred twenty dollars ($220)" and inserting the phrase "ninety-nine dollars ($99)" in its place.

(5) Section 611.1(a) (17 DCMR § 611.1(a)) is amended by striking the phrase "two hundred twenty dollars ($220)" and inserting the phrase "ninety-nine dollars ($99)" in its place.

(c) Section 1607.1 (17 DCMR § 1607.1) is amended by striking the phrase "five hundred dollars ($500)" and inserting the phrase "zero dollars ($0)" in its place.

(d) Chapter 35 is amended as follows:

(1) A new section 3500.6 (17 DCMR § 3500.6) is added to read as follows:

"3500.6. From October 1, 2021, through September 30, 2022, the following fees shall be charged for each class of non-health occupation license issued by the Department of Consumer and Regulatory Affairs (DCRA) in lieu of the fees listed in § 3500.2 unless the listed fee is lower than ninety-nine dollars ($99):

"(a) The application fee and examination fee shall be zero dollars ($0).

"(b) The license fee and the renewal fee shall be ninety-nine dollars ($99).".

Sec. 6023. Taxi industry recovery support.

During Fiscal Year 2022, the following fees shall not be charged:

(a) The Department of For-Hire Vehicles' fee for the renewal of an annual operator ID license, imposed by section 827 of Title 31 of the District of Columbia Municipal Regulations (31 DCMR § 827), for operators of public vehicles-for-hire;

(b) The Department of For-Hire Vehicles' per vehicle registration fee, imposed by section 1104 of Title 31 of the District of Columbia Municipal Regulations (31 DCMR § 1104), for public vehicles-for-hire;

(c) The Department of For-Hire Vehicles' independent taxicab owner certificate of operating authority application fee, imposed by section 505.2 of Title 31 of the District of Columbia Municipal Regulations (31 DCMR § 505.2);

(d) The Department of For-Hire Vehicles' taxicab company, association, and fleet certificate of operating authority fee, imposed pursuant to section 501.8 of Title 31 of the District of Columbia Municipal Regulations (31 DCMR § 501.8);

(e) The Department of For-Hire Vehicles' application fee for a certificate of operating authority to operate an independent luxury vehicle business, imposed by section 1221.6(e) of Title 31 of the District of Columbia Municipal Regulations (31 DCMR § 1221.6(e));

(f) The Department of Motor Vehicles' fee for certified and uncertified abstracts of operating records, imposed by section 801.3 and 801.5 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR §§ 801.3 and 801.5), for operators of public vehicles-for-hire;

(g) The Department of Motor Vehicles' motor vehicle inspection fee, imposed by section 1 of An Act To provide for annual inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50–1101), and section 601.8(i) of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 601.8(i)), for public vehicles for hire; and

(h) The Department of Motor Vehicles' motor vehicle registration fee, imposed by section 3 of title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 681; D.C. Official Code § 50-1501.03), for public vehicles for hire.

Sec. 6024. Biennial corporate report fee forgiveness authority.

Section 29-102.12 of the District of Columbia Official Code is amended by adding a new subsection (e) to read as follows:

"(e) The Mayor may implement fee forgiveness programs by rulemaking to encourage entities to come into compliance with the entity filing requirements of this subchapter.".

Sec. 6025. Conforming amendments.

Section 47-2851.08 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a)(1) is amended by striking the phrase "the basic business license" and inserting the phrase "the basic business license, with the exception of a General Business license and endorsement under 17 DCMR § 516.1(c) and an Employment Services license and endorsement under 17 DCMR § 513.1(a), (b), and (c), for which no fee shall be charged" in its place.

(b) Subsection (b)(1) is amended by striking the phrase "the basic business license" and inserting the phrase "the basic business license, with the exception of a General Business license and endorsement under 17 DCMR § 516.1(c) and an Employment Services license and endorsement under 17 DCMR § 513.1(a), (b), and (c), for which no fee shall be charged" in its place.

SUBTITLE D. SUSTAINABLE ENERGY TRUST FUND

Sec. 6031. Short title.

This subtitle may be cited as the "Sustainable Energy Trust Fund Amendment Act of 2021".

Sec. 6032. Section 210(c)(16) of the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)(16)), is amended to read as follows:

"(16) In Fiscal Years 2022, 2023, 2024, and 2025, transferring at least $10 million, but no more than $15 million, to the Green Finance Authority to support sustainable projects and programs; provided, that funding for such transfers is included in an approved budget and financial plan; provided further, that the total amount of money transferred to the Green Finance Authority from the Sustainable Energy Trust Fund in Fiscal Years 2020 through 2025 shall not exceed $70 million; and".

Sec. 6033. Section 4(b) of the Energy Efficiency Standards Act of 2007, effective December 11, 2007 (D.C. Law 17-64; D.C. Official Code § 8-1771.03(b)), is amended as follows:

(a) Paragraph (3B) is redesignated as paragraph (2D).

(b) Paragraph (3C) is redesignated as paragraph (3B).

(c) Paragraph (3D) is redesignated as paragraph (3C).

(d) Paragraph (3E) is redesignated as paragraph (3D).

(e) The newly redesignated paragraph (2D) is amended by striking the phrase "Residential ventilating fans shall have a fan motor efficacy of no less than 2.8 cubic feet" and inserting the phrase "In-line residential ventilating fans shall have a fan motor efficacy of no less than 2.8 cubic feet" in its place.

SUBTITLE E. WMATA DEDICATED FUNDING

Sec. 6041. Short title.

This subtitle may be cited as the "WMATA Dedicated Funding Amendment Act of 2021".

Sec. 6042. Section 6002 of the Dedicated WMATA Funding and Tax Changes Affecting Real Property and Sales Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168; D.C. Official Code § 1-325.401), is amended as follows:

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

"(3) In Fiscal Year 2021, and each successive year, $178.5 million.".

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

"(b-1) Notwithstanding subsection (b)(3) of this section, the District may reduce its dedicated funding payment to WMATA if Maryland or Virginia reduces its dedicated funding payment below the amount required in its dedicated funding agreement with WMATA; provided, that the District's reduction shall not be greater in proportion than the proportion by which Maryland or the proportion by which Virginia, whichever is greater, reduces its payment.".

SUBTITLE F. URBAN AGRICULTURE FUNDING AND CLARIFICATION

Sec. 6051. Short title.

This subtitle may be cited as the "Urban Agriculture Funding Amendment Act of 2021".

Sec. 6052. The Food Production and Urban Gardens Program Act of 1986, effective February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as follows:

(a) Section 2(4) (D.C. Official Code § 48-401(4)) is amended as follows:

(1) Strike the word "produce" and insert the word "crops" in its place.

(2) Strike the phrase "purposes." and insert the phrase "purposes. The term "urban farm" shall not include backyard or community gardens." in its place.

(b) Section 3b (D.C. Official Code § 48-402.02) is amended by striking the figure "$150,000" and inserting the figure "$90,000" in its place.

Sec. 6053. Section 47-868(d) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "shall, before the property is put to use as an urban farm," and inserting the word "shall" in its place.

(b) Paragraph (2) is amended by striking the phrase "to object to the proposed annual planting plan and request modifications to the annual planting plan" and inserting the phrase "to determine eligibility for an abatement under this section" in its place.

(c) Paragraph (3) is amended by striking the phrase "retain the annual planting plan for at least 3 years" and inserting the phrase "submit an annual planting plan for approval pursuant to this subsection at the beginning of each fiscal year" in its place.

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

"(4) The Department may establish additional requirements for eligibility by rulemaking or by publication on its website.".

SUBTITLE G. ZERO WASTE FUNDING AND CLARIFICATION AMENDMENT

Sec. 6061. Short title.

This subtitle may be cited as the "Zero Waste Funding and Clarification Amendment Act of 2021".

Sec. 6062. Title I of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01 *et seq.*), is amended as follows:

(a) Section 103a (D.C. Official Code § 8-1031.03a) is amended as follows:

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

(A) Paragraph (1) is amended by striking the word "food" and inserting the phrase "food to the extent practicable" in its place.

(B) Paragraph (3) is amended by striking the word "employee work area" and inserting the phrase "work area where employees are handling back-of-house commercial food waste" in its place.

(2) Subsection (e)(1) is repealed.

(b) Section 111(a) (D.C. Official Code § 8–1031.11(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "facilities." and inserting the phrase "facilities. Beginning January 1, 2023, the minimum fee for transfer at District-owned solid waste facilities shall be $13.38 per ton." in its place.

(2) Paragraph (2) is amended by striking the figure "$1" and inserting the figure "$2" in its place.

(c) Section 112b (D.C. Official Code § 8-1031.12b) is amended to read as follows:

"112b. On-Site Composting.

"Owners of commercial and residential properties in the District may engage in composting on the property; provided, that the composting is conducted in a manner that does not:

"(1) Promote the development, attraction, or harborage of vectors; or

"(2) Create a public nuisance.".

(d) Section 117(b)(8) (D.C. Official Code § 8-1041.03(b)(8)) is amended to read as follows:

"(8) A signed statement certifying that vendors who recycle or reuse covered electronic equipment collected under the manufacturer's waste management program have e-Stewards certification.".

(e) Section 128(2)(B) (D.C. Official Code § 8-771.01(2)(B)) is amended to read as follows:

"(B) A product in which the only batteries used are supplied by a producer that:

"(i) Is a member of a battery stewardship organization that has an approved battery stewardship plan pursuant to section 130(b) and is registered in accordance with section 131(b); and

"(ii) Has provided written certification of that membership to both the producer of the covered battery-containing product and the battery stewardship organization of which the battery producer is a member;".

(f) Section 130(a)(5) (D.C. Official Code § 8-771.03(a)(5)) is amended to read as follows:

"(5) A description of how the battery stewardship organization will arrange for components of the discarded batteries to be recycled to the maximum extent economically and technically feasible, in a manner that is environmentally sound and safe for waste management workers;".

(g) Section 132(a) (D.C. Official Code § 8-771.05(a)) is amended by striking the phrase "April 1" and inserting the phrase "June 1" in its place.

Sec. 6063. Section 3(e) of the Human and Environmental Health Protection Act of 2010, effective March 31, 2011 (D.C. Law 18-336; D.C. Official Code § 8-108.02(e)), is amended as follows:

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

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

"(2) There shall be a de minimis exemption for the sale of products containing 0.1% or less by mass of penta mixtures of polybrominated diphenyl ethers due to the presence of recycled raw materials.".

Sec. 6064. Section 720.7 of Title 21 of the District of Columbia Municipal Regulations (21 DCMR § 720.7), is amended to read as follows:

"720.7 The applicable fees for the disposal of commodities included in the District's solid waste reduction and recycling program at the waste-handling facilities shall be fifty-one dollars and fifty-nine cents ($51.59) for each ton disposed; provided, that a minimum fee of twelve dollars and eighty-nine cents ($12.89) shall be imposed on each load weighing five hundred pounds (500 lbs.) or less.".

SUBTITLE H. DEPARTMENT OF MOTOR VEHICLES KIOSKS FUND

Sec. 6071. Short title.

This subtitle may be cited as the "Department of Motor Vehicles Kiosk Fund Amendment Act of 2021".

Sec. 6072. The Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 50-901 *et seq.*), is amended by adding a new section 1825a to read as follows:

"Sec. 1825a. Department of Motor Vehicles Kiosk Fund.

"(a) There is established as a special fund the Department of Motor Vehicles Kiosk Fund ("Fund"), which shall be administered by the Mayor in accordance with subsection (c) of this section.

"(b) All convenience fees collected from the operation of the Department of Motor Vehicles' self-service kiosks shall be deposited in the Fund.

"(c) Money in the Fund shall be used to pay the costs of installing, renting, operating, maintaining, and providing supplies for the Department of Motor Vehicles' self-service kiosks.

"(d)(1) The money deposited in 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.

"(e) For the purposes of this section, the term "self-service kiosk" means a hardware device with specialized integrated software that enables users to conduct transactions related to the Department of Motor Vehicles' services without the need for assistance from Department of Motor Vehicles staff.".

SUBTITLE I. DC CIRCULATOR FARE

Sec. 6081. Short title.

This subtitle may be cited as the "DC Circulator Amendment Act of 2021".

Sec. 6082. Section 11d(b) of the Department of Transportation Establishment Act of 2002, effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-921.34(b)), is amended to read as follows:

"(b) The base fare to ride the DC Circulator shall be at least $1; except, that the Department may provide discounts for:

"(1) Seniors, veterans, students, children, and disabled persons;

"(2) All riders during a public health emergency declared by the Mayor;

"(3) All riders during promotional periods; provided, that promotional periods may not cumulatively total more than 2 months in a calendar year; and

"(4) Transfers.".

SUBTITLE J. LOW-INCOME WEATHERIZATION ASSISTSANCE

Sec. 6091. Short title.

This subtitle may be cited as the "Low-Income Weatherization Assistance Amendment Act of 2021".

Sec. 6092. Section 211(c) of the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.11(c)), is amended to read as follows:

"(c)(1) Except as described in paragraph (2) of this subsection, the Energy Assistance Trust Fund shall be used solely to fund the existing low-income program, and the Mayor shall have the fund audited every 2 years to ensure that the assessment imposed pursuant to subsection (b)(1) of this section is appropriately set to fund the low-income program funded by the EATF.

"(2) In Fiscal Year 2022, the Energy Assistance Trust Fund also may be used to fund weatherization assistance for low-income District residents.".

SUBTITLE K. ATE SYSTEM REVENUE DESIGNATION

Sec. 6101. Short title.

This subtitle may be cited as the "ATE System Revenue Designation Amendment Act of 2021".

Sec. 6102. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a new section 9q to read as follows:

"Sec. 9q. ATE system revenue designation.

"(a) There is established as a special fund, the Vision Zero Enhancement Omnibus Amendment Act Implementation Fund ("Fund"), which shall be administered by the Director of the District Department of Transportation ("Director") in accordance with subsections (c) and (d) of this section.

"(b) There shall be deposited in the Fund the amount by which the projected local funds revenue from fines generated from the automated traffic enforcement system, authorized by section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01), for that fiscal year exceeds $98,757,000.

"(c)(1) Money in the Fund shall be used according to the following order of priority:

"(A) To implement the Vision Zero Enhancement Omnibus Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-158; 67 DCR 13057), including to pay recurring costs;

"(B) To enhance the safety and quality of pedestrian and bicycle transportation, including education, engineering, and enforcement efforts designed to calm traffic and provide safe routes.

"(2) The Director is authorized to enter into intra-District transfers from the Fund and other agreements with the Department of Health, Department of Motor Vehicles, Department of Public Works, and Metropolitan Police Department as necessary to implement provisions of the Vision Zero Enhancement Omnibus Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-158; 67 DCR 13057).

"(d)(1) The money deposited into the Fund 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 L. ELECTRIC MOBILITY DEVICE AMENDMENT

Sec. 6111. Short title.

This subtitle may be cited as the "Electric Mobility Device Amendment Act of 2021".

Sec. 6112. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

(a) Section 2 (D.C. Official Code § 50-2201.02) is amended as follows:

(1) Paragraph (6A)(A) is amended as follows:

(A) The lead-in language is amended by striking the number "60" and inserting the number "75" in its place.

(B) Sub-subparagraph (iv) is amended striking the number "48" and inserting the number "55" in its place.

(2) Paragraph (13)(A)(i) is amended by striking the number "60" and inserting the number "75" in its place.

(b) Section 6c(b) (D.C. Official Code § 50-2201.03c(b)) is amended by adding a new paragraph (5) to read as follows:

"(5) The Director shall fine a permitted operator $100 per device that the permitted operator represented to DDOT as an electronic mobility device and deployed and that, when inspected by DDOT, weighs greater than 75 pounds or is longer than 55 inches.".

SUBTITLE M. GREEN BUILDING FUND SETF DISBURSEMENTS

Sec. 6121. Short title.

This subtitle may be cited as the "Green Building Fund SETF Disbursement Amendment Act of 2021".

Sec. 6122. Section 8 of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.07), is amended to read as follows:

"Sec. 8. Green Building Fund.

"(a) There is established as a special fund the Green Building Fund ("Fund"), which shall be administered by the Mayor in accordance with subsection (c) of this section. The purpose of the Fund is to streamline administrative green building processes, improve sustainability performance outcomes, build capacity of development and administrative oversight professionals in green building skills and knowledge, institutionalize innovation, overcome barriers to achieving high-performance buildings, and continuously promote the sustainability of green building practices in the District.

"(b) Monies obtained pursuant to sections 6 and 9 shall be deposited into the Fund.

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

"(1) The following amounts shall be transferred to the Sustainable Energy Trust Fund ("SETF") established by section 210 of the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10):

"(A) For each of Fiscal Years 2022, 2023, 2024, and 2025, a minimum of $900,000; and

"(B) For each fiscal year thereafter, 50% of monies in the Fund; and

"(2) Costs for at least 3 full-time employees at DCRA, or elsewhere as assigned by the Mayor, whose primary job duties are devoted to technical assistance, plan review, and inspections and monitoring of green buildings;

"(3) Additional staff and operating costs to provide training, technical assistance, plan review, inspections and monitoring of green buildings, and green codes development;

"(4) Research and development of green building practices;

"(5) Education, training, outreach, and other market transformation initiatives;

"(6) Seed support for demonstration projects, their evaluation, and when successful, their institutionalization; and

"(7) Costs incurred to make green building materials accessible to low-income residents.

"(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.

"(e) The Mayor may receive and administer grants for the purpose of carrying out the goals of this act.".

Sec. 6123. Section 210 of the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10), is amended as follows:

(a) Subsection (a)(1) is amended by striking the phrase "Fiscal Agent." and inserting the phrase "Fiscal Agent. In addition, money transferred from the Green Building Fund, pursuant to section 8(c)(1) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(1)), shall be deposited into the SETF; provided, that any such money shall be used solely for the purpose described in subsection (c)(18) of this section." in its place.

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

(1) Paragraph (16) is amended by striking the phrase "; and" and inserting a semi-colon in its place.

(2) Paragraph (17) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (18) is added to read as follows:

"(18) Activities permitted under section 8(c)(2) through (7) 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)-(7)).".

SUBTITLE N. LEAD PIPE REPLACEMENT ASSISTANCE PROGRAM SUBSIDY

Sec. 6131. Short title.

This subtitle may be cited as the "Lead Pipe Replacement Assistance Program Subsidy Amendment Act of 2021".

Sec. 6132. Section 6019b(b)(1) of the Lead Service Line Priority Replacement Assistance Act of 2004, effective March 13, 2019 (D.C. Law 22-241; D.C. Official Code § 34-2159(b)(1)), is amended as follows:

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

(1) Sub-subparagraph (i) is amended by striking the phrase "80% or" and inserting the phrase "100% or" in its place.

(2) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the phrase "; and" in its place.

(b) Subparagraph (B) is repealed.

SUBTITLE O. LEAD SERVICE LINE PLANNING TASK FORCE

Sec. 6141. Short title.

This subtitle may be cited as the "Lead Service Line Planning Task Force Establishment Amendment Act of 2021".

Sec. 6142. The Lead Service Line Priority Replacement Assistance Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 *et seq.*), is amended by adding new sections 6019d and 6019e to read as follows:

"Sec. 6019d. Lead Service Line Planning Task Force establishment.

"(a) There is established a Lead Service Line Planning Task Force ("Task Force"), to be administered by the Department of Energy and Environment ("DOEE"), to develop an interagency plan for the removal and replacement of all lead water service lines by 2030 ("Plan").

"(b) The Task Force shall consist of 6 members as follows:

"(1) The Director of DOEE, or the Director's designee;

"(2) The General Manager of the District of Columbia Water and Sewer Authority ("DC Water"); or the General manager's designee;

"(3) The Director of the District Department of Transportation, or the Director's designee;

"(4) The Director of the Department of Consumer and Regulatory Affairs, or the Director's designee;

"(5) One representative appointed by the Chairperson of the Council committee with oversight of DC Water; and

"(6) One representative appointed by the Chairperson of the Council committee with oversight of DOEE.

"(c)(1) Within 2 months after August 23, 2021, the Task Force shall hold its first meeting. The Task Force shall meet at least monthly.

"(2) The Task Force shall dissolve after submitting the report required by subsection (d) of this section.

"(d)(1) Within 10 months after August 23, 2021, the Task Force shall transmit the Plan to the Mayor, Council, and Chairperson of the DC Water Board of Directors.

"(2) The Plan shall include:

"(A) An account of the role of each District agency, including agencies not part of the Task Force, in the removal and replacement of all lead water service lines by 2030;

"(B) An account of identified barriers to the District removing and replacing all lead water services lines by 2030, and proposed solutions to reduce or eliminate those barriers;

"(C) An account of opportunities for interagency coordination or cooperation to accelerate or improve the efficiency and cost-effectiveness of lead water service line replacements;

"(D) An interagency spending proposal;

"(E) Recommended changes or clarifications to DC Water's Lead Service Line Replacement Plan, released on June 14, 2021;

"(F) A list of potential funding sources to support lead water service line replacements; and

"(G) A list of legislative, regulatory, and policy changes to complete and fund lead line replacement work by 2030 effectively and efficiently, including draft language, when appropriate.

"(3)(A) The interagency spending proposal required by paragraph (2)(D) of this subsection shall include an account of estimated spending, broken down by:

"(i) Fiscal year;

"(ii) Spending agency;

"(iii) How the funds are intended to be used; and

"(iv) Whether a funding source has been identified for the expenditure.

"(B) The spending proposal required by paragraph (2)(D) of this subsection also shall include:

"(i) Costs for recommendations identified pursuant to paragraph (2)(B) and (C) of this subsection; and

"(ii) A separate list of unfunded agency costs identified in the spending proposal, including the number of unfunded FTEs, by agency and the FTEs' anticipated responsibilities.

"(4) At least 2 months before transmitting the Plan to the Council, the Task Force shall make a draft version of the Plan available to the Mayor, the Council, and the public. The Task Force shall accept public comments on the report for at least 4 weeks following the Plan being made public.

"(e) Nothing in this section shall be construed to limit the authority of DC Water or DOEE to undertake lead water service line removal or replacements before the submission of the Plan.

"Sec. 6019e. Reporting on lead water service line replacement spending.

"(a) The District of Columbia Water and Sewer Authority ("DC Water") and the Department of Energy and Environment ("DOEE") shall separately provide the Council with a report on agency spending of federal and local funds on lead water service line replacements, broken down by spending of federal and local funds and by program. DC Water's report shall also include a breakdown of spending on lead line replacements, program management costs, street restoration, water main replacements, and other costs.

"(b) DC Water and DOEE shall transmit the reports required by subsection (a) of this section twice a year, on:

"(1) February 1, for the period beginning July 1 and ending December 31 of the

immediately preceding year; and

"(2) August 1, for the period beginning January 1 and ending June 30 of the same year.".

SUBTITLE P. PROTECT LOCAL WILDLIFE TAGS AND ANACOSTIA RIVER CLEAN UP AND PROTECTION FUND ELIGIBLE USES

Sec. 6151. Short title.

This subtitle may be cited as the "Protect Local Wildlife Specialty License Plate and Anacostia River Clean Up and Protection Fund Eligible Use Amendment Act of 2021".

Sec. 6152. Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01 *et seq.*), is amended as follows:

(a) A new section 2l is added to read as follows:

"Sec. 2l. Issuance of Protect Local Wildlife motor vehicle identification tags.

"(a) The Mayor shall design and make available for issue one or more Protect Local Wildlife vehicle identification tags to demonstrate support for the protection, rescue, and rehabilitation of native wildlife placed at risk due to the encroaching urban environment.

"(b)(1) A resident ordering a Protect Local Wildlife tag shall pay a one-time application fee and a display fee each year thereafter. The application fee shall be $25, and the display fee shall be $20, or such other amount as may be established by the Mayor by rule.

"(2) The application fee and annual display fee shall be deposited into the Anacostia River Clean Up and Protection Fund established by section 6 of the Anacostia River Clean Up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05).".

(b) Section 3 (D.C. Official Code § 50-1501.03) is amended as follows:

(1) Subsection (a)(1) is amended by adding a new subparagraph (P) to read as follows:

"(P) Any person ordering a Protect Local Wildlife identification tag shall pay the fees set forth in section 2l(b)(1).".

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

(A) Paragraph (12) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(B) Paragraph (13) is amended by striking the period and inserting the phrase "; and" in its place.

(C) A new paragraph (14) to read as follows:

"(14) The fees collected for the Protect Local Wildlife identification tags under section 2l shall be deposited into Anacostia River Clean Up and Protection Fund, established by section 6 of the Anacostia River Clean Up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05).".

Sec. 6153. Section 6 of the Anacostia River Clean Up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05), is amended as follows:

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

(1) Strike the phrase "Plates," and insert the phrase "Plates, all fees collected pursuant to section 2l(b)(1) of Title IV of the District of Columbia Revenue Act of 1937, passed on 2nd reading on August 10, 2021 (Enrolled version of Bill 24-285)," in its place.

(2) Strike the phrase "District Department of the Environment" and insert the phrase "Department of Energy and Environment ("DOEE")" in its place.

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

(1) Paragraph (1A) is amended by striking the phrase "District Department of the Environment" and inserting the phrase "DOEE" in its place.

(2) Paragraph (3) is amended by striking the phrase "District Department of the Environment" and inserting the phrase "DOEE" in its place.

(3) New paragraphs (7A) and (7B) are added to read as follows:

"(7A) Awarding an annual grant, on a competitive basis, in an amount not to exceed $200,000, to provide wildlife rehabilitation services;

"(7B) In Fiscal Year 2022, at least $50,000 to produce a report, which, upon its completion, shall be published on DOEE's website, analyzing the projected effects of banning the sale of beverages packaged in single-use plastic containers in the District, including effects on waterways, equity, and the local economy;".

SUBTITLE Q. RAIL SAFETY AND SECURITY RULEMAKING

Sec. 6161. Short title.

This subtitle may be cited as the "Rail Safety and Security Rulemaking Amendment Act of 2021".

Sec. 6162. Section 110(c) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.10(c)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "carriers." and inserting the phrase "carriers to cover the costs of administering and managing the expenses of the emergency response, rail safety, and rail security programs for railroad operations in the District." in its place.

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

"(2) In issuing rules pursuant to this subsection, the Mayor shall consider any recommendations submitted pursuant to section 203(b)(4) of the Rail Safety and Security Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-333(b)(4)).".

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

(1) Strike the phrase "the Rail Advisory Board's" and insert the word "any" in its place.

(2) Strike the phrase "provide the Rail" and insert the phrase "provide the Railroad" in its place.

Sec. 6163. Section 203(b)(4) of the Rail Safety and Security Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-333(b)(4)), is amended to read as follows:

"(4) At least once per year, submit recommendations to the Mayor regarding rules that have been or should be adopted pursuant to pursuant to section 110(c) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.10(c)).".

SUBTITLE R. DOEE AND DDOT GRANTS

Sec. 6171. Short title.

This subtitle may be cited as the "Grants Act of 2021".

Sec. 6172. In Fiscal Year 2022, the Department of Energy and the Environment shall award grants, on a competitive basis, in an amount not to exceed $50,000 for each grant and $150,000 for all grants awarded under this section, to community-based groups working to remove trash and invasive species, maintain trails, and engage residents in the District's parklands.

Sec. 6173. In Fiscal Year 2022, the District Department of Transportation shall award:

(1) A grant in an amount not to exceed $200,000 for a local airport authority to study aircraft operations and noise at Ronald Reagan Washington National Airport, and its impact on the quality of life of residents along the Potomac River; and

(2)(A) A grant of not less than $250,000 to a regional transportation system supporting efforts to establish M-495 Commuter Fast Ferry Service on the Occoquan, Potomac, and Anacostia River system.

(B) A grant awarded pursuant to this paragraph shall be in addition to any other grant awarded by DDOT for fast ferry service.

SUBTITLE S. RESIDENTIAL PARKING STUDY

Sec. 6181. Short title.

This subtitle may be cited as the "Residential Parking Study Act of 2021".

Sec. 6182. Residential Parking Study.

(a) Commencing no later than January 1, 2022, the District Department of Transportation ("DDOT") shall conduct a study of innovative parking practices on residential streets, including residential streets near major commercial centers.

(b) The study shall include an evaluation of the feasibility and cost of:

(1) Reducing the size of residential parking permit ("RPP") zones to the Advisory Neighborhood Commission boundaries; and

(2) Combining RPP zones with pay-by-phone parking zones.

(c) DDOT shall engage with Advisory Neighborhood Commissioners, Business Improvement Districts, and other affected stakeholders during the course of the study.

(d) The study results shall be provided to the Council no later than September 30, 2022.

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. UNCLAIMED PROPERTY

Part 1. Short Title; Definitions; Rules.

Sec. 7001. Short title.

This subtitle may be cited as the "Revised Uniform Unclaimed Property Act of 2021".

Sec. 7002. Definitions.

For the purposes of this subtitle, the term:

(1) "Administrator" means the authorized representative of the Mayor.

(2) "Administrator's agent" means a person with which the Administrator contracts to conduct an examination under Part 10 on behalf of the Administrator. The term includes an independent contractor of the person and each individual participating in the examination on behalf of the person or contractor.

(3) "Apparent owner" means a person whose name appears on the records of a holder as the owner of property held, issued, or owing by the holder.

(4) "Attorney General" means the Attorney General for the District of Columbia.

(5) "Business association" means a corporation, joint stock company, investment company other than an investment company registered under the Investment Company Act of 1940, approved August 22, 1940 (54 Stat. 789; 15 U.S.C. §§ 80a-1 *et seq.*), partnership, unincorporated association, joint venture, limited liability company, business trust, trust company, land bank, safe deposit company, safekeeping depository, financial organization, insurance company, federally chartered entity, utility, sole proprietorship, or other business entity, whether or not for profit.

(6) "Confidential information" means records, reports, and information that are confidential under section 7083.

(7) "District" means the District of Columbia.

(8) "Domicile" means:

(A) For a corporation, the state of its incorporation;

(B) For a business association whose formation requires a filing with a state, other than a corporation, the state of its filing;

(C) For a federally chartered entity or an investment company registered under the Investment Company Act of 1940, approved August 22, 1940 (54 Stat. 789; 15 U.S.C. §§ 80a-1 *et seq.*), the state of its home office; and

(D) For any other holder, the state of its principal place of business.

(9) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(10) "Electronic mail" means a communication by electronic means that is automatically retained and stored and may be readily accessed or retrieved.

(11) "Financial organization" means a savings and loan association, building and loan association, savings bank, industrial bank, bank, banking organization, or credit union.

(12)(A) "Game-related digital content" means digital content that exists only in an electronic game or electronic-game platform.

(B) The term "game-related digital content" includes:

(i) Game-play currency such as a virtual wallet, even if denominated in United States currency; and

(ii) The following if for use or redemption only within the game or platform or another electronic game or electronic-game platform:

(I) Points, sometimes referred to as gems, tokens, gold, and similar names; and

(II) Digital codes.

(C) The term "game-related digital content" does not include an item that the issuer:

(i) Permits to be redeemed for use outside a game or platform for:

(I) Money; or

(II) Goods or services that have more than minimal value; or

(ii) Otherwise monetizes for use outside a game or platform.

(13)(A) "Gift card" means a stored-value card:

(i) The value of which does not expire;

(ii) That may be decreased in value only by redemption for merchandise, goods, or services; and

(iii) That, unless required by law, may not be redeemed for or converted into money or otherwise monetized by the issuer.

(B) The term "gift card" includes a prepaid commercial mobile radio service, as defined in 47 C.F.R. 20.3.

(14) "Holder" means a person obligated to hold for the account of, or to deliver or pay to, the owner, property subject to this subtitle.

(15) "Insurance company" means an association, corporation, or fraternal or mutual-benefit organization, whether or not for profit, engaged in the business of providing life endowments, annuities, or insurance, including accident, burial, casualty, credit-life, contract-performance, dental, disability, fidelity, fire, health, hospitalization, illness, life, malpractice, marine, mortgage, surety, wage-protection, and worker-compensation insurance.

(16) "Loyalty card" means a record given without direct monetary consideration under an award, reward, benefit, loyalty, incentive, rebate, or promotional program that may be used or redeemed only to obtain goods or services or a discount on goods or services. The term does not include a record that may be redeemed for money or otherwise monetized by the issuer.

(17) "Mineral" means gas, oil, coal, oil shale, other gaseous liquid or solid hydrocarbon, cement material, sand and gravel, road material, building stone, chemical raw

material, gemstone, fissionable and nonfissionable ores, colloidal and other clay, steam and other geothermal resources, and any other substance defined as a mineral by law of the District other than this subtitle.

(18)(A) "Mineral proceeds" means an amount payable for extraction, production, or sale of minerals, or, on the abandonment of the amount, an amount that becomes payable after abandonment.

(B) The term "mineral proceeds" includes an amount payable:

(i) For the acquisition and retention of a mineral lease, including a bonus, royalty, compensatory royalty, shut-in royalty, minimum royalty, and delay rental;

(ii) For the extraction, production, or sale of minerals, including a net revenue interest, royalty, overriding royalty, extraction payment, and production payment; and

(iii) Under an agreement or option, including a joint-operating agreement, unit agreement, pooling agreement, and farm-out agreement.

(19) "Money order" means a payment order for a specified amount of money, including an express money order and a personal money order on which the remitter is the purchaser.

(20) "Municipal bond" means a bond or evidence of indebtedness issued by a municipality or other political subdivision of a state.

(21) "Net card value" means the original purchase price or original issued value of a stored-value card, plus amounts added to the original price or value, minus amounts used and any service charge, fee, or dormancy charge permitted by law.

(22) "Non-freely transferable security" means a security that cannot be delivered to the Administrator by the Depository Trust Clearing Corporation or similar custodian of securities providing post-trade clearing and settlement services to financial markets or cannot be delivered because there is no agent to effect transfer. The term includes a worthless security.

(23) "Owner" means a person that has a legal, beneficial, or equitable interest in property subject to this subtitle or the person's legal representative when acting on behalf of the owner, including:

(A) A depositor, for a deposit;

(B) A beneficiary, for a trust other than a deposit in trust;

(C) A creditor, claimant, or payee, for other property; and

(D) The lawful bearer of a record that may be used to obtain money, a reward, or a thing of value.

(24) "Payroll card" means a record that evidences a payroll-card account as defined in Regulation E, 12 C.F.R. Part 1005.

(25) "Person" means an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency, or instrumentality, or other legal entity.

(26)(A) "Property" means tangible property described in section 7009 or a fixed and certain interest in intangible property held, issued, or owed in the course of a holder's business or by a government, governmental subdivision, agency, or instrumentality.

(B) The term "property" includes all income from or increments to the property and includes property referred to as or evidenced by:

(i) Money, virtual currency, interest, or a dividend, check, draft, deposit, or payroll card;

(ii) A credit balance, customer's overpayment, stored-value card, security deposit, refund, credit memorandum, unpaid wage, unused ticket for which the issuer has an obligation to provide a refund, mineral proceeds, or unidentified remittance;

(iii) A security, except for:

(I) A worthless security; or

(II) A security that is subject to a lien, legal hold, or restriction evidenced on the records of the holder or imposed by operation of law, if the lien, legal hold, or restriction restricts the holder's or owner's ability to receive, transfer, sell, or otherwise negotiate the security;

(iv) A bond, debenture, note, or other evidence of indebtedness;

(v) Money deposited to redeem a security, make a distribution, or pay a dividend;

(vi) An amount due and payable under an annuity contract or insurance policy; and

(vii) An amount distributable from a trust or custodial fund established under a plan to provide health, welfare, pension, vacation, severance, retirement, death, stock purchase, profit-sharing, employee-savings, supplemental-unemployment insurance, or a similar benefit.

(C) The term "property" does not include:

(i) Property held in a plan described in section 529A of the Internal Revenue Code of 1986, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A);

(ii) Game-related digital content; or

(iii) A loyalty card.

(27) "Putative holder" means a person believed by the Administrator to be a holder, until the person pays or delivers to the Administrator property subject to this subtitle or the Administrator or a court makes a final determination that the person is or is not a holder.

(28) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(29) "Security" means:

(A) A security as defined in D.C. Official Code § 28:8-102(15);

(B) A security entitlement as defined in D.C. Official Code § 28:8-102(17), including a customer security account held by a registered broker-dealer, to the extent the financial assets held in the security account are not:

(i) Registered on the books of the issuer in the name of the person for which the broker-dealer holds the assets;

(ii) Payable to the order of the person; or

(iii) Specifically indorsed to the person; and

(C) An equity interest in a business association not included in subparagraph (A) or (B) of this paragraph.

(30) "Sign" means, with present intent to authenticate or adopt a record:

(A) To execute or adopt a tangible symbol; or

(B) To attach to or logically associate with the record an electronic symbol, sound, or process.

(31) "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(32)(A) "Stored-value card" means a record evidencing a promise made for consideration by the seller or issuer of the record that goods, services, or money will be provided to the owner of the record to the value or amount shown in the record.

(B) The term "stored-value card" includes

(i) A record that contains or consists of a microprocessor chip, magnetic strip, or other means for the storage of information that is prefunded and whose value or amount is decreased on each use and increased by payment of additional consideration; and

(ii) A gift card and payroll card.

(C) The term "stored-value card" does not include a loyalty card or game-related digital content.

(33) "Superior Court" means the Superior Court of the District of Columbia.

(34) "Utility" means a person that owns or operates for public use a plant, equipment, real property, franchise, or license for the following public services:

(A) Transmission of communications or information;

(B) Production, storage, transmission, sale, delivery, or furnishing of electricity, water, steam, or gas; or

(C) Provision of sewage or septic services, or trash, garbage, or recycling disposal.

(35) "Virtual currency" means a digital representation of value used as a medium of exchange, unit of account, or store of value, which does not have legal tender status recognized by the United States. The term "virtual currency" does not include:

(A) The software or protocols governing the transfer of the digital representation of value;

(B) Game-related digital content; or

(C) A loyalty card or gift card.

(36) "Worthless security" means a security whose cost of liquidation and delivery to the Administrator would exceed the value of the security on the date a report is due under this subtitle.

Sec. 7003. Inapplicability to foreign transaction.

This subtitle does not apply to property held, due, and owing in a foreign country if the transaction out of which the property arose was a foreign transaction.

Sec. 7004. Rules.

(a) 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 to implement this subtitle.

(b) The rules issued pursuant to section 138 of the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-138), shall remain in effect, unless inconsistent with this subtitle, until repealed or amended pursuant to this section.

Part 2. Presumption of Abandonment.

Sec. 7005. When property is presumed abandoned.

Subject to section 7014, the following property is presumed abandoned if it is unclaimed by the apparent owner during the period specified below:

(1) A traveler's check, 15 years after issuance;

(2) A money order, 7 years after issuance;

(3) A state or municipal bond, bearer bond, or original-issue-discount bond, 3 years after the earliest of the date the bond matures or is called or the obligation to pay the principal of the bond arises;

(4) A debt of a business association, 3 years after the obligation to pay arises;

(5) A payroll card or demand, savings, or time deposit, including a deposit that is automatically renewable, 3 years after the maturity of the deposit, except a deposit that is automatically renewable is deemed matured on its initial date of maturity unless the apparent owner consented in a record on file with the holder to renewal at or about the time of the renewal;

(6) Money or a credit owed to a customer as a result of a retail business transaction, 3 years after the obligation arose;

(7) An amount owed by an insurance company on a life or endowment insurance policy or an annuity contract that has matured or terminated, 3 years after the obligation to pay arose under the terms of the policy or contract or, if a policy or contract for which an amount is owed on proof of death has not matured by proof of the death of the insured or annuitant, as follows:

(A) With respect to an amount owed on a life or endowment insurance policy, 3 years after the earlier of the date:

(i) The insurance company has knowledge of the death of the insured; or

(ii) The insured has attained, or would have attained if living, the limiting age under the mortality table on which the reserve for the policy is based; and

(B) With respect to an amount owed on an annuity contract, 3 years after the date the insurance company has knowledge of the death of the annuitant.

(8) Property distributable by a business association in the course of dissolution, one year after the property becomes distributable;

(9) Property held by a court, including property received as proceeds of a class action, one year after the property becomes distributable;

(10) Property held by a government or governmental subdivision, agency, or instrumentality, including municipal bond interest and unredeemed principal under the administration of a paying agent or indenture trustee, one year after the property becomes distributable;

(11) Wages, commissions, bonuses, or reimbursements to which an employee is entitled, or other compensation for personal services, other than amounts held in a payroll card, one year after the amount becomes payable;

(12) A deposit or refund owed to a subscriber by a utility, one year after the deposit or refund becomes payable; and

(13) Property not specified in this section or sections 7006 through 7012, the earlier of 3 years after the owner first has a right to demand the property and 3 years after the obligation to pay or distribute the property arises.

Sec. 7006. When tax-deferred retirement account presumed abandoned.

(a) Subject to section 7014, property held in a pension account or retirement account that qualifies for tax deferral under the income-tax laws of the United States is presumed abandoned if it is unclaimed by the apparent owner 3 years after the later of:

(1) The following date:

(A) Except as otherwise provided in subparagraph (B) of this paragraph, the date a second consecutive communication sent by the holder by first-class United States mail to the apparent owner is returned to the holder undelivered by the United States Postal Service; or

(B) If the second communication is sent later than 30 days after the date the first communication is returned undelivered, the date the first communication was returned undelivered by the United States Postal Service; or

(2) The earlier of the following dates:

(A) The date the apparent owner becomes 72 years of age, if determinable by the holder; or

(B) If the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 3; 26 U.S.C. § 1 *et seq.*) requires distribution to avoid a tax penalty, 2 years after the date the holder:

(i) Receives confirmation of the death of the apparent owner in the ordinary course of its business; or

(ii) Confirms the death of the apparent owner under subsection (b) of this section.

(b) If a holder in the ordinary course of its business receives notice or an indication of the death of an apparent owner and subsection (a)(2) of this section applies, the holder shall attempt not later than 90 days after receipt of the notice or indication to confirm whether the apparent owner is deceased.

(c) If the holder does not send communications to the apparent owner of an account described in subsection (a) of this section by first-class United States mail, the holder shall attempt to confirm the apparent owner's interest in the property by sending the apparent owner an electronic-mail communication not later than 2 years after the apparent owner's last indication of interest in the property. However, the holder promptly shall attempt to contact the apparent owner by first-class United States mail if:

(1) The holder does not have information needed to send the apparent owner an electronic mail communication or the holder believes that the apparent owner's electronic mail address in the holder's records is not valid;

(2) The holder receives notification that the electronic-mail communication was not received; or

(3) The apparent owner does not respond to the electronic-mail communication not later than 30 days after the communication was sent.

(d) If first-class United States mail sent under subsection (c) of this section is returned to the holder undelivered by the United States Postal Service, the property is presumed abandoned 3 years after the later of:

(1) Except as in paragraph (2) of this subsection, the date a second consecutive communication to contact the apparent owner sent by first-class United States mail is returned to the holder undelivered;

(2) If the second communication is sent later than 30 days after the date the first communication is returned undelivered, the date the first communication was returned undelivered; or

(3) The date established by subsection (a)(2) of this section.

Sec. 7007. When other tax-deferred account presumed abandoned.

Subject to section 7014 and except for property described in section 7006 and property held in a plan described in section 529A of the Internal Revenue Code of 1986, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A), property held in an account or plan, including a health savings account, that qualifies for tax deferral under the income-tax laws of the United States is presumed abandoned if it is unclaimed by the apparent owner 3 years after the earlier of:

(1) The date, if determinable by the holder, specified in the income-tax laws and regulations of the United States by which distribution of the property must begin to avoid a tax penalty, with no distribution having been made; or

(2) 30 years after the date the account was opened.

Sec. 7008. When custodial account for minor presumed abandoned.

(a) Subject to section 7014, property held in an account established under D.C. Official Code §§ 21-301 to 21-324, or another state's Uniform Gifts to Minors Act or Uniform Transfers to Minors Act, is presumed abandoned if it is unclaimed by or on behalf of the minor on whose behalf the account was opened 3 years after the later of:

(1) Except as otherwise provided in paragraph (2) of this subsection, the date a second consecutive communication sent by the holder by first-class United States mail to the custodian of the minor on whose behalf the account was opened is returned undelivered to the holder by the United States Postal Service;

(2) If the second communication is sent later than 30 days after the date the first communication is returned undelivered, the date the first communication was returned undelivered; or

(3) The date on which the custodian is required to transfer the property to the minor or the minor's estate in accordance with the Uniform Gifts to Minors Act or Uniform Transfers to Minors Act of the state in which the account was opened.

(b) If the holder does not send communications to the custodian of the minor on whose behalf an account described in subsection (a) of this section was opened by first-class United States mail, the holder shall attempt to confirm the custodian's interest in the property by sending the custodian an electronic-mail communication not later than 2 years after the custodian's last indication of interest in the property. However, the holder promptly shall attempt to contact the custodian by first-class United States mail if:

(1) The holder does not have information needed to send the custodian an electronic mail communication or the holder believes that the custodian's electronic-mail-mail address in the holder's records is not valid;

(2) The holder receives notification that the electronic-mail communication was not received; or

(3) The custodian does not respond to the electronic-mail communication not later than 30 days after the communication was sent.

(c) If first-class United States mail sent under subsection (b) of this section is returned undelivered to the holder by the United States Postal Service, the property is presumed abandoned 3 years after the later of:

(1) The date a second consecutive communication to contact the custodian by first-class United States mail is returned to the holder undelivered by the United States Postal Service; or

(2) The date established by subsection (a)(3) of this section.

(d) When the property in the account described in subsection (a) of this section is transferred to the minor on whose behalf an account was opened or to the minor's estate, the property in the account is no longer subject to this section.

Sec. 7009. When contents of safe-deposit box presumed abandoned.

Tangible property held in a safe-deposit box and proceeds from a sale of the property by the holder permitted by law of the District other than this subtitle are presumed abandoned if the property remains unclaimed by the apparent owner 3 years after the earlier of the:

(1) Expiration of the lease or rental period for the box; or

(2) Earliest date when the lessor of the box is authorized by law of the District other than this subtitle to enter the box and remove or dispose of the contents without consent or authorization of the lessee.

Sec. 7010. When stored-value card presumed abandoned.

(a) Subject to section 7014, the net card value of a stored-value card, other than a payroll card or a gift card, is presumed abandoned on the latest of 3 years after:

(1) December 31 of the year in which the card is issued or additional funds are deposited into it;

(2) The most recent indication of interest in the card by the apparent owner; or

(3) A verification or review of the balance by or on behalf of the apparent owner.

(b) The amount presumed abandoned in a stored-value card is the net card value at the time it is presumed abandoned.

Sec. 7011. When gift card presumed abandoned.

Subject to section 7014, a gift card is presumed abandoned if it is unclaimed by the apparent owner 5 years after the later of the date of purchase or its most recent use.

Sec. 7012. When security presumed abandoned.

(a) Subject to section 7014, a security is presumed abandoned 3 years after:

(1) The date a second consecutive communication sent by the holder by first-class United States mail to the apparent owner is returned to the holder undelivered by the United States Postal Service; or

(2) If the second communication is made later than 30 days after the first communication is returned, the date the first communication is returned undelivered to the holder by the United States Postal Service.

(b) If the holder does not send communications to the apparent owner of a security by first-class United States mail, the holder shall attempt to confirm the apparent owner's interest in the security by sending the apparent owner an electronic-mail communication not later than 2 years after the apparent owner's last indication of interest in the security. However, the holder promptly shall attempt to contact the apparent owner by first-class United States mail if:

(1) The holder does not have information needed to send the apparent owner an electronic-mail communication or the holder believes that the apparent owner's electronic-mail address in the holder's records is not valid;

(2) The holder receives notification that the electronic-mail communication was not received; or

(3) The apparent owner does not respond to the electronic-mail communication not later 30 days after the communication was sent.

(c) If first-class United States mail sent under subsection (b) of this section is returned to the holder undelivered by the United States Postal Service, the security is presumed abandoned 3 years after the date the mail is returned.

Sec. 7013. When related property presumed abandoned.

At and after the time property is presumed abandoned under this subtitle, any other property right or interest accrued or accruing from the property and not previously presumed abandoned is also presumed abandoned.

Sec. 7014. Indication of apparent owner interest in property.

(a) The period after which property is presumed abandoned is measured from the later of:

(1) The date the property is presumed abandoned under this part; or

(2) The latest indication of interest by the apparent owner in the property.

(b) Under this subtitle, an indication of an apparent owner's interest in property includes:

(1) A record communicated by the apparent owner to the holder or agent of the holder concerning the property or the account in which the property is held;

(2) An oral communication by the apparent owner to the holder or agent of the holder concerning the property or the account in which the property is held, if the holder or its agent contemporaneously makes and preserves a record of the fact of the apparent owner's communication;

(3) Presentment of a check or other instrument of payment of a dividend, interest payment, or other distribution, or evidence of receipt of a distribution made by electronic or similar means, with respect to an account, underlying security, or interest in a business association;

(4) Activity directed by an apparent owner in the account in which the property is held, including accessing the account or information concerning the account, or a direction by the apparent owner to increase, decrease, or otherwise change the amount or type of property held in the account;

(5) A deposit into or withdrawal from an account at a financial organization, including an automatic deposit or withdrawal previously authorized by the apparent owner other than an automatic reinvestment of dividends or interest;

(6) Subject to subsection (e) of this section, payment of a premium on an insurance policy; and

(7) Any other action by the apparent owner that reasonably demonstrates to the holder that the apparent owner knows that the property exists.

(c) An action by an agent or other representative of an apparent owner, other than the holder acting as the apparent owner's agent, is presumed to be an action on behalf of the apparent owner.

(d) A communication with an apparent owner by a person other than the holder or the holder's representative is not an indication of interest in the property by the apparent owner unless a record of the communication evidences the apparent owner's knowledge of a right to the property.

(e) If the insured dies or the insured or beneficiary of an insurance policy otherwise becomes entitled to the proceeds before depletion of the cash surrender value of the policy by operation of an automatic-premium-loan provision or other nonforfeiture provision contained in the policy, the operation does not prevent the policy from maturing or terminating.

Sec. 7015. Knowledge of death of insured or annuitant.

(a) In this section, "death master file" means the United States Social Security Administration Death Master File or other database or service that is at least as comprehensive as the United States Social Security Administration Death Master File for determining that an individual reportedly has died.

(b) With respect to a life or endowment insurance policy or annuity contract for which an amount is owed on proof of death, but which has not matured by proof of death of the insured or annuitant, the company has knowledge of the death of an insured or annuitant when:

(1) The company receives a death certificate or court order determining that the insured or annuitant has died;

(2) Due diligence, performed as required under section 31 of Chapter V of the Life Insurance Act, passed on 2nd reading on August 10, 2021 (Enrolled version of Bill 24-285), to maintain contact with the insured or annuitant or determine whether the insured or annuitant has died validates the death of the insured or annuitant;

(3) The company conducts a comparison for any purpose between a death master file and the names of some or all of the company's insureds or annuitants, finds a match that provides notice that the insured or annuitant has died, and validates the death;

(4) The Administrator or the Administrator's agent conducts a comparison for the purpose of finding matches during an examination conducted under Part 10 between a death master file and the names of some or all of the company's insureds or annuitants, finds a match that provides notice that the insured or annuitant has died, and the company validates the death; or

(5) The company:

(A) Receives notice of the death of the insured or annuitant from an administrator, beneficiary, policy owner, relative of the insured, or trustee or from a personal representative or other legal representative of the insured's or annuitant's estate; and

(B) Validates the death of the insured or annuitant.

(c) The following rules apply under this section:

(1) A death-master-file match under subsection (b)(3) or (4) of this section occurs if the criteria for an exact or partial match are satisfied as provided by:

(A) Section 7093(d) of the Revised Uniform Unclaimed Property Act of 2021, passed on 2nd reading on August 10, 2021 (Enrolled version of Bill 24-285); or

(B) A rule or policy adopted by the Mayor under section 28 of the Life Insurance Act, effective March 14, 1985 (D.C. Law 5-160; D.C. Official Code § 31-4728), or a policy of the Commissioner of the Department of Insurance, Securities, and Banking.

(2) The death-master-file match does not constitute proof of death for the purpose of submission to an insurance company of a claim by a beneficiary, annuitant, or owner of the policy or contract for an amount due under an insurance policy or annuity contract.

(3) The death-master-file match or validation of the insured's or annuitant's death does not alter the requirements for a beneficiary, annuitant, or owner of the policy or contract to make a claim to receive proceeds under the terms of the policy or contract.

(d) This subtitle does not affect the determination of the extent to which an insurance company before the effective date of this subtitle had knowledge of the death of an insured or annuitant or was required to conduct a death-master-file comparison to determine whether amounts owed by the company on a life or endowment insurance policy or annuity contract were presumed abandoned or unclaimed.

Sec. 7016. Deposit account for proceeds of insurance policy or annuity contract.

If proceeds payable under a life or endowment insurance policy or annuity contract are deposited into an account with check or draft-writing privileges for the beneficiary of the policy or contract and, under a supplementary contract not involving annuity benefits other than death benefits, the proceeds are retained by the insurance company or the financial organization where the account is held, the policy or contract includes the assets in the account.

Part 3. Rules for Taking Custody of Property Presumed Abandoned.

Sec. 7017. Address of apparent owner to establish priority.

In this part, the following rules apply:

(1) The last-known address of an apparent owner is any description, code, or other indication of the location of the apparent owner that identifies the state, even if the description, code, or indication of location is not sufficient to direct the delivery of first-class United States mail to the apparent owner.

(2) If the United States postal zip code associated with the apparent owner is for a post office located in the District, the District is deemed to be the state of the last-known address of the apparent owner unless other records associated with the apparent owner specifically identify the physical address of the apparent owner to be in another state.

(3) If the address under paragraph (2) of this subsection is in another state, the other state is deemed to be the state of the last-known address of the apparent owner.

(4) The address of the apparent owner of a life or endowment insurance policy or annuity contract or its proceeds is presumed to be the address of the insured or annuitant if a person other than the insured or annuitant is entitled to the amount owed under the policy or contract and the address of the other person is not known by the insurance company and cannot be determined under section 7018.

Sec. 7018. Address of apparent owner in the District.

The Administrator may take custody of property that is presumed abandoned, whether located in the District, another state, or a foreign country if:

(1) The last-known address of the apparent owner in the records of the holder is in the District; or

(2) The records of the holder do not reflect the identity or last-known address of the apparent owner, but the Administrator has determined that the last-known address of the apparent owner is in the District.

Sec. 7019. If records show multiple addresses of apparent owner.

(a) Except as otherwise provided in subsection (b) of this section, if records of a holder reflect multiple addresses for an apparent owner and the District is the state of the most recently recorded address, the District may take custody of property presumed abandoned, whether located in the District or another jurisdiction.

(b) If it appears from records of the holder that the most recently recorded address of the apparent owner under subsection (a) of this section is a temporary address and the District is the jurisdiction of the next most recently recorded address that is not a temporary address, the District may take custody of the property presumed abandoned.

Sec. 7020. Holder domiciled in the District.

(a) Except as otherwise provided in subsection (b) of this section or section 7018 or 7019, the Administrator may take custody of property presumed abandoned, whether located in the District, another state, or a foreign country, if the holder is domiciled in the District or is the District or a governmental subdivision, agency, or instrumentality of the District; and:

(1) Another state or foreign country is not entitled to the property because there is no last-known address of the apparent owner or other person entitled to the property in the records of the holder; or

(2) The state or foreign country of the last-known address of the apparent owner or other person entitled to the property does not provide for custodial taking of the property.

(b) Property is not subject to custody of the Administrator under subsection (a) of this section if the property is specifically exempt from custodial taking under the law of the District or the state or foreign country of the last-known address of the apparent owner.

(c) If a holder's state of domicile has changed since the time property was presumed abandoned, the holder's state of domicile in this section is deemed to be the state where the holder was domiciled at the time the property was presumed abandoned.

Sec. 7021. Custody if transaction took place in the District.

Except as otherwise provided in section 7018, 7019, or 7020, the Administrator may take custody of property presumed abandoned whether located in the District or another state if:

(1) The transaction out of which the property arose took place in the District;

(2) The holder is domiciled in a state that does not provide for the custodial taking of the property, except that if the property is specifically exempt from custodial taking under the law of the state of the holder's domicile, the property is not subject to the custody of the Administrator; and

(3) The last-known address of the apparent owner or other person entitled to the property is unknown or in a state that does not provide for the custodial taking of the property, except that if the property is specifically exempt from custodial taking under the law of the state of the last-known address, the property is not subject to the custody of the Administrator.

Sec. 7022. Traveler's check, money order, or similar instrument.

The Administrator may take custody of sums payable on a traveler's check, money order, or similar instrument presumed abandoned to the extent permissible under sections 601 through

603 of An Act To increase deposit insurance from $20,000 to $40,000, to provide full insurance for public unit deposits of $100,000 per account, to establish a National Commission on Electronic Fund Transfers, and for other purposes, approved October 28, 1974 (88 Stat. 1525; 12 U.S.C. §§ 2501-2503).

Sec. 7023. Burden of proof to establish Administrator's right to custody.

If the Administrator asserts a right to custody of unclaimed property, the Administrator has the burden to prove:

(1) The existence and amount of the property;

(2) That the property is presumed abandoned; and

(3) That the property is subject to the custody of the Administrator.

Part 4. Report by Holder.

Sec. 7024. Report required by holder.

(a) A holder of property presumed abandoned and subject to the custody of the Administrator shall report in a record to the Administrator concerning the property. The Administrator may not require a holder to file a paper report.

(b) A holder may contract with a third party to make the report required under subsection (a) of this section.

(c) Whether or not a holder contracts with a third party under subsection (b) of this section, the holder is responsible:

(1) For the complete, accurate, and timely reporting of property presumed abandoned to the Administrator; and

(2) For paying or delivering to the Administrator property described in the report.

Sec. 7025. Content of report.

(a) The report required under section 7024 shall:

(1) Be signed by or on behalf of the holder and verified as to its completeness and accuracy;

(2) If filed electronically, be in a secure format approved by the Administrator that protects confidential information of the apparent owner in the same manner as required of the Administrator and the Administrator's agent under Part 14;

(3) Describe the property;

(4) Except for a traveler's check, money order, or similar instrument, contain the name, if known, last-known address, if known, and Social Security number or taxpayer identification number, if known or readily ascertainable, of the apparent owner of property with a value of $50 or more;

(5) For an amount held or owing under a life or endowment insurance policy or annuity contract, contain the name and last-known address of the insured, annuitant or other apparent owner of the policy or contract and of the beneficiary;

(6) For property held in or removed from a safe-deposit box, indicate the location of the property, where it may be inspected by the Administrator, and any amounts owed to the holder under section 7038;

(7) Contain the commencement date for determining abandonment under Part 2;

(8) State that the holder has complied with the notice requirements of section 7029;

(9) Identify property that is a non-freely transferable security and explain why it is a non-freely transferable security; and

(10) Contain other information the Administrator prescribes by rules.

(b) A report under section 7024 may include personal information as defined in section 7082(a) about the apparent owner or the apparent owner's property to the extent not otherwise prohibited by federal law.

(c) If a holder has changed its name while holding property presumed abandoned or is a successor to another person that previously held the property for the apparent owner, the holder shall include in the report under section 7024 its former name or the name of the previous holder, if any, and the known name and address of each previous holder of the property.

Sec. 7026. When report to be filed.

(a) Except as otherwise provided in subsection (b) of this section and subject to subsection (c) of this section, the report under section 7024 shall be filed before November 1 of each year and cover the 12 months preceding July 1 of that year.

(b) Subject to subsection (c) of this section, the report under section 7024 to be filed by an insurance company shall be filed before May 1 of each year for the immediately preceding calendar year.

(c) Before the date for filing the report under section 7024, the holder of property presumed abandoned may request the Administrator to extend the time for filing. The Administrator may grant an extension. If the extension is granted, the holder may pay or make a partial payment of the amount the holder estimates ultimately will be due. The payment or partial payment terminates accrual of interest on the amount paid.

Sec. 7027. Retention of records by holder.

A holder required to file a report under section 7024 shall retain records for 10 years after the later of the date the report was filed or the last date a timely report was due to be filed, unless a shorter period is provided by rule of the Administrator. The holder may satisfy the requirement to retain records under this section through an agent. The records shall contain:

(1) The information required to be included in the report;

(2) The date, place, and nature of the circumstances that gave rise to the property right;

(3) The amount or value of the property;

(4) The last address of the apparent owner, if known to the holder; and

(5) If the holder sells, issues, or provides to others for sale or issue in the District traveler's checks, money orders, or similar instruments, other than third-party bank checks, on

which the holder is directly liable, a record of the instruments while they remain outstanding indicating the state and date of issue.

Sec. 7028. Property reportable and payable or deliverable absent owner demand.

Property is reportable and payable or deliverable under this subtitle even if the owner fails to make demand or present an instrument or document otherwise required to obtain payment.

Part 5. Notice to Apparent Owner of Property Presumed Abandoned.

Sec. 7029. Notice to apparent owner by holder.

(a) Subject to subsection (b) of this section, the holder of property presumed abandoned shall send to the apparent owner notice by first-class United States mail that complies with section 7030 in a format acceptable to the Administrator not more than 180 days nor less than 60 days before filing the report under section 7024 if:

(1) The holder has in its records an address for the apparent owner which the holder's records do not disclose to be invalid and is sufficient to direct the delivery of first-class United States mail to the apparent owner; and

(2) The value of the property is $50 or more.

(b) If an apparent owner has consented to receive electronic-mail delivery from the holder, the holder shall send the notice described in subsection (a) of this section both by first-class United States mail to the apparent owner's last-known mailing address and by electronic mail, unless the holder believes that the apparent owner's electronic-mail address is invalid.

Sec. 7030. Contents of notice by holder.

(a) Notice under section 7029 shall contain a heading that reads substantially as follows: "Notice. The District of Columbia requires us to notify you that your property may be transferred to the custody of the District of Columbia's Unclaimed Property Administrator if you do not contact us before (insert date that is 30 days after the date of this notice).".

(b) The notice under section 7029 shall:

(1) Identify the nature and, except for property that does not have a fixed value, the value of the property that is the subject of the notice;

(2) State that the property will be turned over to the Administrator;

(3) State that after the property is turned over to the Administrator an apparent owner that seeks return of the property must file a claim with the Administrator;

(4) State that property that is not legal tender of the United States may be sold by the Administrator; and

(5) Provide instructions that the apparent owner must follow to prevent the holder from reporting and paying or delivering the property to the Administrator.

Sec. 7031. Notice by Administrator.

(a) The Administrator shall make a reasonable effort to give notice to an apparent owner that property of the owner that is presumed to be abandoned is held by the Administrator under

this subtitle. The Administrator shall use available resources, including information services, to ascertain the mailing address of an apparent owner.

(b) Subject to subsection (a) of this section, the Administrator shall:

(1) Except as otherwise provided in paragraph (2) of this subsection, send written notice by first-class United States mail to each apparent owner of property valued at $50 or more held by the Administrator, unless the Administrator determines that a mailing by first-class United States mail would not be received by the apparent owner, and, in the case of a security held in an account for which the apparent owner had consented to receiving electronic mail from the holder, send notice by electronic mail if the electronic-mail address of the apparent owner is known to the Administrator instead of by first-class United States mail; or

(2) Send the notice to the apparent owner's electronic-mail address if the Administrator does not have a valid United States mail address for an apparent owner, but has an electronic-mail address that the Administrator does not know to be invalid.

(c) In addition to the notice under subsection (b) of this section, the Administrator shall:

(1) Publish every 6 months in at least one newspaper of general circulation in the District a notice with the following information:

(A) The total value of property received by the Administrator during the preceding 6-month period, taken from the reports under section 7024;

(B) The total value of claims paid by the Administrator during the preceding 6-month period;

(C) The Internet web address of the unclaimed property website maintained by the Administrator;

(D) A telephone number and electronic-mail address to contact the Administrator to inquire about or claim property; and

(E) A statement that a person may access the Internet by a computer to search for unclaimed property and a computer may be available as a service to the public at a local public library; and

(2) Maintain a website or database accessible by the public and electronically searchable, which contains the names reported to the Administrator of all apparent owners for whom property is being held by the Administrator.

(d) The website or database maintained under subsection (c) of this section must include instructions for filing with the Administrator a claim to property and a printable claim form with instructions for its use.

(e) In addition to giving notice under subsections (b) and (c) of this section, the Administrator may use other printed publication, telecommunication, the Internet, or other media to inform the public of the existence of unclaimed property held by the Administrator.

Sec. 7032. Cooperation among District officers and agencies to locate apparent owner.

Unless prohibited by law of the District other than this subtitle, on request of the Administrator, each officer, agency, board, commission, division, and department of the District and any body politic and corporate created by the District for a public purpose shall make its books and records available to the Administrator and cooperate with the Administrator to

determine the current address of an apparent owner of property held by the Administrator under this subtitle.

Part 6. Taking Custody of Property by Administrator.

Sec. 7033. Definition of good faith.

In this part, payment or delivery of property is made in good faith if a holder:

(1) Had a reasonable basis for believing, based on the facts then known, that the property was required or permitted to be paid or delivered to the Administrator under this subtitle; or

(2) Made payment or delivery:

(A) In response to a demand by the Administrator or Administrator's agent; or

(B) Under a guidance or ruling issued by the Administrator which the holder reasonably believed required or permitted the property to be paid or delivered.

Sec. 7034. Dormancy charge.

(a) A holder may deduct a dormancy charge from property required to be paid or delivered to the Administrator if:

(1) A valid contract between the holder and the apparent owner authorizes imposition of the charge for the apparent owner's failure to claim the property within a specified time; and

(2) The holder regularly imposes the charge and regularly does not reverse or otherwise cancel the charge.

(b) The amount of the deduction under subsection (a) of this section is limited to an amount that is not unconscionable considering all relevant factors, including the marginal transactional costs incurred by the holder in maintaining the apparent owner's property and any services received by the apparent owner. A deduction of $10 a year for maintaining property valued at $50 or less, or $20 a year for maintaining property valued at more than $50, or other amounts established by the Administrator by rule, is not unconscionable, although a higher charge, if permitted under subsection (a) of this section, may be proper considering all relevant factors.

Sec. 7035. Payment or delivery of property to Administrator.

(a) Except as otherwise provided in this section, on filing a report under section 7024, the holder shall pay or deliver to the Administrator the property described in the report.

(b) If property in a report under section 7024 is an automatically renewable deposit and a penalty or forfeiture in the payment of interest would result from paying the deposit to the Administrator at the time of the report, the date for payment of the property to the Administrator is extended until a penalty or forfeiture no longer would result from payment, if the holder informs the Administrator of the extended date.

(c) Tangible property in a safe-deposit box may not be delivered to the Administrator until 120 days after filing the report under section 7024.

(d) If property reported to the Administrator under section 7024 is a security, the Administrator may:

(1) Make an endorsement, instruction, or entitlement order on behalf of the apparent owner to invoke the duty of the issuer, its transfer agent, or the securities intermediary to transfer the security; or

(2) Dispose of the security under section 7044.

(e) If the holder of property reported to the Administrator under section 7024 is the issuer of a certificated security, the Administrator may obtain a replacement certificate in physical or book-entry form under D.C. Official Code § 28:8-405. An indemnity bond is not required.

(f) The Administrator shall establish procedures for the registration, issuance, method of delivery, transfer, and maintenance of securities delivered to the Administrator by a holder.

(g) An issuer, holder, and transfer agent or other person acting under this section under instructions of and on behalf of the issuer or holder is not liable to the apparent owner for, and shall be paid by the Administrator for the value of the property turned over to the Administrator by the District against, a claim arising with respect to property after the property has been delivered to the Administrator.

(h) A holder is not required to deliver to the Administrator a security identified by the holder as a non-freely transferable security. If the Administrator or holder determines that a security is no longer a non-freely transferable security, the holder shall deliver the security on the next regular date prescribed for delivery of securities under this subtitle. The holder shall make a determination annually whether a security identified in a report filed under section 7024 as a non-freely transferable security is no longer a non-freely transferable security.

Sec. 7036. Effect of payment or delivery of property to Administrator.

(a) On payment or delivery of property to the Administrator under this subtitle, the Administrator as agent for the District assumes custody and responsibility for safekeeping the property. A holder that pays or delivers property to the Administrator in good faith and substantially complies with sections 7029 and 7030 is relieved of liability arising thereafter with respect to payment or delivery of the property to the Administrator.

(b) A holder is not liable for a claim against the holder resulting from the payment or delivery of property to the Administrator made in good faith and after the holder substantially complied with sections 7029 and 7030.

Sec. 7037. Recovery of property by holder from Administrator.

(a) A holder that under this subtitle pays money to the Administrator may file a claim for reimbursement from the Administrator of the amount paid if the holder:

(1) Paid the money in error; or

(2) After paying the money to the Administrator, paid money to a person the holder reasonably believed entitled to the money.

(b) If a claim for reimbursement under subsection (a) of this section is made for a payment made on a negotiable instrument, including a traveler's check, money order, or similar instrument, the holder shall submit proof that the instrument was presented and payment was

made to a person the holder reasonably believed entitled to payment. The holder may claim reimbursement even if the payment was made to a person whose claim was made after expiration of a period of limitation on the owner's right to receive or recover property, whether specified by contract, statute, or court order.

(c) If a holder is reimbursed by the Administrator under subsection (a)(2) of this section, the holder may also recover from the Administrator income or gain under section 7039 that would have been paid to the owner if the money had been claimed from the Administrator by the owner to the extent the income or gain was paid by the holder to the owner.

(d) A holder that under this subtitle delivers property other than money to the Administrator may file a claim for return of the property from the Administrator if:

(1) The holder delivered the property in error; or

(2) The apparent owner has claimed the property from the holder.

(e) If a claim for return of property under subsection (d) of this section is made, the holder shall include with the claim evidence sufficient to establish that the apparent owner has claimed the property from the holder or that the property was delivered by the holder to the Administrator in error.

(f) The Administrator may determine that an affidavit submitted by a holder is evidence sufficient to establish that the holder is entitled to reimbursement or to recover property under this section.

(g) A holder is not required to pay a fee or other charge for reimbursement or return of property under this section.

(h) Not later than 90 days after a claim is filed under subsection (a) or (d) of this section, the Administrator shall allow or deny the claim and give the claimant notice of the decision in a record. If the Administrator does not take action on a claim during the 90-day period, the claim is deemed denied.

(i) The claimant may bring an action in the Superior Court for review of the Administrator's decision or the deemed denial under subsection (h) of this section not later than:

(1) 30 days following receipt of the notice of the Administrator's decision; or

(2) 120 days following the filing of a claim under subsection (a) or (d) of this section in the case of a deemed denial under subsection (h) of this section.

(j) A final decision in an action brought under subsection (i) of this section is subject to review by the District of Columbia Court of Appeals.

Sec. 7038. Property removed from safe-deposit box.

(a) Property removed from a safe-deposit box and delivered under this subtitle to the Administrator under this subtitle is subject to the holder's right to reimbursement for the cost of opening the box and a lien or contract providing reimbursement to the holder for unpaid rent charges for the box, provided that the holder makes a request under subsection (b) of this section.

(b) The Administrator shall reimburse the holder from the proceeds remaining after deducting the expense incurred by the Administrator in selling the property, if the holder makes a request for reimbursement after property from the safe deposit box is delivered to the Administrator.

Sec. 7039. Crediting income or gain to owner's account.

(a) If property other than money is delivered to the Administrator, the owner is entitled to receive from the Administrator income or gain realized or accrued on the property before the property is sold. If the property is an interest-bearing demand, savings, or time deposit that continues to earn interest after delivery to the Administrator, the owner is entitled to that interest before the property is sold. Interest begins to accrue when the property is delivered to the Administrator and ends on the earlier of the expiration of 10 years after its delivery or the date on which payment is made to the owner.

(b) Interest on interest-bearing property is not payable under this section for any period before the effective date of this subtitle, unless authorized by section 121 of the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-121).

Sec. 7040. Administrator's options as to custody.

(a) The Administrator may decline to take custody of property reported under section 7024 if the Administrator determines that:

(1) The property has a value less than the estimated expenses of notice and sale of the property; or

(2) Taking custody of the property would be unlawful.

(b) A holder may pay or deliver property to the Administrator before the property is presumed abandoned under this subtitle if the holder:

(1) Sends the apparent owner of the property notice required by section 7029 and provides the Administrator evidence of the holder's compliance with this paragraph;

(2) Includes with the payment or delivery a report regarding the property conforming to section 7025; and

(3) First obtains the Administrator's consent in a record to accept payment or delivery.

(c) A holder's request for the Administrator's consent under subsection (b)(3) of this section shall be in a record. If the Administrator fails to respond to the request not later than 30 days after receipt of the request, the Administrator is deemed to consent to the payment or delivery of the property and the payment or delivery is considered to have been made in good faith.

(d) On payment or delivery of property under subsection (b) of this section, the property is presumed abandoned.

Sec. 7041. Disposition of property having no substantial value; immunity from liability.

(a) If the Administrator takes custody of property delivered under this subtitle and later determines that the property has no substantial commercial value or that the cost of disposing of the property will exceed the value of the property, the Administrator may return the property to the holder or destroy or otherwise dispose of the property.

(b) An action or proceeding may not be commenced against the District, an agency of the District, the Administrator, another officer, employee, or agent of the District, or a holder for or because of an act of the Administrator under this section, except for intentional misconduct or malfeasance.

Sec. 7042. Periods of limitation and repose.

(a) Expiration, before, on, or after the effective date of this subtitle, of a period of limitation on an owner's right to receive or recover property, whether specified by contract, statute, or court order, does not prevent the property from being presumed abandoned or affect the duty of a holder under this subtitle to file a report or pay or deliver property to the Administrator.

(b) The Administrator may not commence an action or proceeding to enforce this subtitle with respect to the reporting, payment, or delivery of property more than 10 years after the holder filed a non-fraudulent report under section 7024 with the Administrator. The parties may agree in a record to extend the limitation in this subsection.

(c) The Administrator may not commence an action, proceeding, or examination with respect to a duty of a holder under this subtitle more than 10 years after the duty arose.

Part 7. Sale of Property by Administrator.

Sec. 7043. Public sale of property.

(a) Subject to section 7044, not earlier than one year after receipt of property presumed abandoned, the Administrator may sell the property.

(b) Before selling property under subsection (a) of this section, the Administrator shall give notice to the public of:

(1) The date of the sale; and

(2) A reasonable description of the property.

(c) A sale under subsection (a) of this section shall be to the highest bidder:

(1) At public sale at a location in the District which the Administrator determines to be the most favorable market for the property;

(2) On the Internet; or

(3) On another forum the Administrator determines is likely to yield the highest net proceeds of sale.

(d) The Administrator may decline the highest bid at a sale under this section and reoffer the property for sale if the Administrator determines the highest bid is insufficient.

(e) If a sale held under this section is to be conducted other than on the Internet, the Administrator shall publish at least one notice of the sale, at least 3 weeks but not more than 5 weeks before the sale, in a newspaper of general circulation in the District of Columbia.

Sec. 7044. Disposal of securities.

(a) The Administrator may not sell or otherwise liquidate a security until 60 days after the Administrator receives the security and gives the apparent owner notice under section 7031 that the Administrator holds the security.

(b) The Administrator may not sell a security listed on an established stock exchange for less than the price prevailing on the exchange at the time of sale. The Administrator may sell a security not listed on an established exchange by any commercially reasonable method.

Sec. 7045. Recovery of securities or value by owner.

(a) If the Administrator sells a security before the expiration of 60 days after delivery of the security to the Administrator, an apparent owner that files a valid claim under this subtitle of ownership of the security before the 60-day period expires is entitled, at the option of the Administrator, to receive:

(1) Replacement of the security; or

(2) The market value of the security at the time the claim is filed, plus dividends, interest, and other increments on the security up to the time the claim is paid.

(b) Replacement of the security or calculation of market value under subsection (a) of this section shall take into account a stock split, reverse stock split, stock dividend, or similar corporate action.

(c) A person that makes a valid claim under this subtitle of ownership of a security after expiration of 60 days after delivery of the security to the Administrator is entitled to receive:

(1) The security the holder delivered to the Administrator, if it is in the custody of the Administrator, plus dividends, interest, and other increments on the security up to the time the Administrator delivers the security to the person; or

(2) The net proceeds of the sale of the security, plus dividends, interest, and other increments on the security up to the time the security was sold.

Sec. 7046. Purchaser owns property after sale.

A purchaser of property at a sale conducted by the Administrator under this subtitle takes the property free of all claims of the owner, a previous holder, or a person claiming through the owner or holder. The Administrator shall execute documents necessary to complete the transfer of ownership to the purchaser.

Sec. 7047. Military medal or decoration.

(a) The Administrator may not sell a medal or decoration awarded for military service in the armed forces of the United States.

(b) The Administrator, with the consent of the respective organization under paragraph (1) of this subsection, agency under paragraph (2) of this subsection, or entity under paragraph (3) of this subsection, may deliver a medal or decoration described in subsection (a) of this section to be held in custody for the owner, to:

(1) A military veterans organization qualified under section 501(c)(19) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(19));

(2) The agency that awarded the medal or decoration; or

(3) A governmental entity.

(c) On delivery under subsection (b) of this section, the Administrator is not responsible for safekeeping the medal or decoration.

Part 8. Administration of Property.

Sec. 7048. Deposit of funds by Administrator.

(a) The Administrator shall deposit all funds received under this subtitle, including proceeds from the sale of property under Part 7, into an account in the General Fund designated the Unclaimed Property Account. For each fiscal year, the Administrator shall designate an amount in the Unclaimed Property Account to be held for the payment of claims that reflects the Administrator's reasonable estimate of the value of claims that will be asserted under this subtitle during the fiscal year. Funds in the Unclaimed Property Account that exceed this designated amount may be used to pay the costs of administering the unclaimed property program established in this subtitle and to satisfy the District's cash flow needs during the fiscal year.

(b) All assets, liabilities, and unexpended balances of funds in the trust fund created by section 123 of the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-123), shall be transferred to the Unclaimed Property Account established under subsection (a) of this section on the applicability date of this subtitle.

Sec. 7049. Administrator to retain records of property.

The Administrator shall:

(1) Record and retain the name and last-known address of each person shown on a report filed under section 7024 to be the apparent owner of property delivered to the Administrator;

(2) Record and retain the name and last-known address of each insured or annuitant and beneficiary shown on the report;

(3) For each policy of insurance or annuity contract listed in the report of an insurance company, record and retain the policy or account number, the name of the company, and the amount due or paid; and

(4) For each apparent owner listed in the report, record and retain the name of the holder that filed the report and the amount due or paid.

Sec. 7050. Expenses and service charges of Administrator.

Before making a deposit of funds received under this subtitle to the General Fund of the District, the Administrator may deduct:

(1) Expenses of disposition of property delivered to the Administrator under this subtitle;

(2) Costs of mailing and publication in connection with property delivered to the Administrator under this subtitle;

(3) Reasonable service charges; and

(4) Expenses incurred in examining records of or collecting property from a putative holder or holder.

Sec. 7051. Administrator holds property as custodian for owner.

Property received by the Administrator under this subtitle is held in custody for the benefit of the owner and is not owned by the District.

Part 9. Claim to Recover Property from Administrator.

Sec. 7052. Claim of another state to recover property.

(a) If the Administrator knows that property held by the Administrator under this subtitle is subject to a superior claim of another state, the Administrator shall:

(1) Report and pay or deliver the property to the other state; or

(2) Return the property to the holder so that the holder may pay or deliver the property to the other state.

(b) The Administrator is not required to enter into an agreement to transfer property to the other state under subsection (a) of this section.

Sec. 7053. When property subject to recovery by another state.

(a) Property held under this subtitle by the Administrator is subject to the right of another state to take custody of the property if:

(1) The property was paid or delivered to the Administrator because the records of the holder did not reflect a last-known address in the other state of the apparent owner and:

(A) The other state establishes that the last-known address of the apparent owner or other person entitled to the property was in the other state; or

(B) Under the law of the other state, the property has become subject to a claim by the other state of abandonment;

(2) The records of the holder did not accurately identify the owner of the property, the last-known address of the owner was in another state, and, under the law of the other state, the property has become subject to a claim by the other state of abandonment;

(3) The property was subject to the custody of the Administrator of the District under section 7021 and, under the law of the state of domicile of the holder, the property has become subject to a claim by the state of domicile of the holder of abandonment; or

(4) The property:

(A) Is a sum payable on a traveler's check, money order, or similar instrument that was purchased in the other state and delivered to the Administrator under section 7022; and

(B) Under the law of the other state, has become subject to a claim by the other state of abandonment.

(b) A claim by another state to recover property under this section shall be presented in a form prescribed by the Administrator, unless the Administrator waives presentation of the form.

(c) The Administrator shall decide a claim under this section not later than 90 days after it is presented. If the Administrator determines that the other state is entitled under subsection (a) of this section to custody of the property, the Administrator shall allow the claim and pay or deliver the property to the other state.

(d) The Administrator may require another state, before recovering property under this section, to agree to indemnify the District and its agents, officers, and employees against any liability on a claim to the property.

Sec. 7054. Claim for property by person claiming to be owner.

(a) A person claiming to be the owner of property held under this subtitle by the Administrator may file a claim for the property on a form prescribed by the Administrator. The claimant shall verify the claim as to its completeness and accuracy.

(b) The Administrator may waive the requirement in subsection (a) of this section and may pay or deliver property directly to a person if:

(1) The person receiving the property or payment is shown to be the apparent owner included on a report filed under section 7024;

(2) The Administrator reasonably believes the person is entitled to receive the property or payment; and

(3) The property has a value of less than $500.

Sec. 7055. When Administrator must honor claim for property.

(a) The Administrator shall pay or deliver property to a claimant under section 7054(a) if the Administrator receives evidence sufficient to establish to the satisfaction of the Administrator that the claimant is the owner of the property.

(b) Not later than 90 days after a claim is filed under section 7054(a), the Administrator shall allow or deny the claim and give the claimant notice in a record of the decision.

(c) If the claim is denied under subsection (b) of this section:

(1) The Administrator shall inform the claimant of the reason for the denial and specify what additional evidence, if any, is required for the claim to be allowed;

(2) The claimant may file an amended claim with the Administrator or commence an action under section 7057; and

(3) The Administrator shall consider an amended claim filed under paragraph (2) of this subsection as an initial claim.

(d) If the Administrator does not take action on a claim during the 90-day period following the filing of a claim under section 7054(a), the claim is deemed denied.

Sec. 7056. Allowance of claim for property by the District.

(a) Not later than 45 days after a claim is allowed under section 7055(b), the Administrator shall pay or deliver to the owner the property or pay to the owner the net proceeds of a sale of the property, together with income or gain to which the owner is entitled under section 7039. On request of the owner, the Administrator may sell or liquidate a security and pay the net proceeds to the owner, even if the security had been held by the Administrator for less than 60 days or the Administrator has not complied with the notice requirements under section 7044.

(b) Property held under this subtitle by the Administrator is subject to a claim for the payment of an enforceable debt the owner owes to the District for:

(1) Child-support arrearages, including any child-support collection costs and child-support arrearages that are combined with maintenance;

(2) A civil or criminal fine or penalty, court costs, a surcharge, or restitution imposed by a final order of an administrative agency or a final court judgment; or

(3) District taxes, penalties, and interest that have been determined to be delinquent, including delinquent debts under Delinquent Debt Recovery Act of 2012, effective September 20, 2012, (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), and collection fees owed to the Central Collection Unit under section 3800 of Title 9 of the District of Columbia Municipal Regulations (9 DCMR § 3800).

(c) Before delivery or payment to an owner under subsection (a) of this section of property or payment to the owner of net proceeds of a sale of the property, the Administrator first shall apply the property or net proceeds to a debt under subsection (b) of this section the Administrator determines is owed by the owner. The Administrator shall pay the amount to the appropriate District agency and notify the owner of the payment, unless another District agency is required to notify the owner of the payment.

(d) The Administrator may make periodic inquiries of District agencies in the absence of a claim filed under section 7054 to determine whether an apparent owner included in the unclaimed-property records of the District has an enforceable debt described in subsection (b) of this section. The Administrator first shall apply the property or net proceeds of a sale of property held by the Administrator to a debt under subsection (b) of this section of an apparent owner which appears in the records of the Administrator and deliver the amount to the appropriate District agency. The Administrator shall notify the apparent owner of the payment, unless another District agency is required to notify the owner of the payment.

Sec. 7057. Action by person whose claim is denied.

Not later than one year after filing a claim under section 7054(a), the claimant may commence an action against the Administrator in the Superior Court to establish a claim that has been denied or deemed denied under section 7054(d).

Part 10. Verified Report of Property; Examination of Records.

Sec. 7058. Verified report of property.

If a person does not file a report required by section 7024 or the Administrator believes that a person may have filed an inaccurate, incomplete, or false report, the Administrator may require the person to file a verified report in a form prescribed by the Administrator. The verified report shall:

(1) State whether the person is holding property reportable under this subtitle;

(2) Describe property not previously reported or about which the Administrator has inquired;

(3) Specifically identify property described under paragraph (2) of this section about which there is a dispute about whether it is reportable under this subtitle; and

(4) State the amount or value of the property.

Sec. 7059. Examination of records to determine compliance.

The Administrator, at reasonable times and on reasonable notice, may:

(1) Examine the records of a person, including examination of appropriate records in the possession of an agent of the person under examination, if the records are reasonably necessary to determine whether the person has complied with this subtitle;

(2) Apply to the Superior Court for the issuance of a subpoena requiring the person or agent of the person to make records available for examination; and

(3) Request that the Attorney General bring an action seeking judicial enforcement of the subpoena.

Sec. 7060. Rules for conducting examination.

(a) The Administrator shall adopt rules governing procedures and standards for an examination under section 7059, including rules for use of an estimation, extrapolation, and statistical sampling in conducting an examination.

(b) An examination under section 7059 shall be performed under rules adopted under subsection (a) of this section and with generally accepted examination practices and standards applicable to an unclaimed-property examination.

(c) If a person subject to examination under section 7059 has filed the reports required under sections 7024 and 7058 and has retained the records required by section 7027, the following rules apply:

(1) The examination shall include a review of the person's records.

(2) The examination may not be based on an estimate unless the person expressly consents in a record to the use of an estimate.

(3) The person conducting the examination shall consider the evidence presented in good faith by the person in preparing the findings of the examination under section 7064.

Sec. 7061. Records obtained in examination.

Records obtained and records, including work papers, compiled by the Administrator in the course of conducting an examination under section 7049:

(1) Are subject to the confidentiality and security provisions of Part 14 and are not public records;

(2) May be used by the Administrator in an action to collect property or otherwise enforce this subtitle;

(3) May be used in a joint examination conducted with another state, the United States, a foreign country or subordinate unit of a foreign country, or any other governmental entity if the governmental entity conducting the examination is legally bound to maintain the confidentiality and security of information obtained from a person subject to examination in a manner substantially equivalent to Part 14;

(4) Shall be disclosed, on request, to the person that administers the unclaimed property law of another state for that state's use in circumstances equivalent to circumstances described in this part, if the other state is required to maintain the confidentiality and security of information obtained in a manner substantially equivalent to Part 14;

(5) Shall be produced by the Administrator under an administrative or judicial subpoena or administrative or court order; and

(6) Shall be produced by the Administrator on request of the person subject to the examination in an administrative or judicial proceeding relating to the property.

Sec. 7062. Evidence of unpaid debt or undischarged obligation.

(a) A record of a putative holder showing an unpaid debt or undischarged obligation is prima facie evidence of the debt or obligation.

(b) A putative holder may establish by a preponderance of the evidence that there is no unpaid debt or undischarged obligation for a debt or obligation described in subsection (a) of this section or that the debt or obligation was not, or no longer is, a fixed and certain obligation of the putative holder.

(c) A putative holder may overcome prima facie evidence under subsection (a) of this section by establishing by a preponderance of the evidence that a check, draft, or similar instrument was:

(1) Issued as an unaccepted offer in settlement of an unliquidated amount;

(2) Issued but later was replaced with another instrument because the earlier instrument was lost or contained an error that was corrected;

(3) Issued to a party affiliated with the issuer;

(4) Paid, satisfied, or discharged;

(5) Issued in error;

(6) Issued without consideration;

(7) Issued but there was a failure of consideration;

(8) Voided not later than 90 days after issuance for a valid business reason set forth in a contemporaneous record; or

(9) Issued but not delivered to the third-party payee for a sufficient reason recorded within a reasonable time after issuance.

(d) In asserting a defense under this section, a putative holder may present evidence of a course of dealing between the putative holder and the apparent owner or of custom and practice.

Sec. 7063. Failure of person examined to retain records.

If a person subject to examination under section 7059 does not retain the records required by section 7027, the Administrator may determine the value of property due using a reasonable method of estimation based on all information available to the Administrator, including extrapolation and use of statistical sampling when appropriate and necessary, consistent with examination procedures and standards adopted under section 7060(a) and in accord with section 7060(b).

Sec. 7064. Report to person whose records were examined.

At the conclusion of an examination under section 7059, the Administrator shall provide to the person whose records were examined a complete and unredacted examination report that specifies:

(1) The work performed;

(2) The property types reviewed;

(3) The methodology of any estimation technique, extrapolation, or statistical sampling used in conducting the examination;

(4) Each calculation showing the value of property determined to be due; and

(5) The findings of the person conducting the examination.

Sec. 7065. Complaint to Administrator about conduct of person conducting examination.

(a) If a person subject to examination under section 7059 believes the person conducting the examination has made an unreasonable or unauthorized request or is not proceeding expeditiously to complete the examination, the person in a record may ask the Administrator to intervene and take appropriate remedial action, including countermanding the request of the person conducting the examination, imposing a time limit for completion of the examination, or reassigning the examination to another person.

(b) If a person in a record requests a conference with the Administrator to present matters that are the basis of a request under subsection (a) of this section, the Administrator shall hold the conference not later than 30 days after receiving the request. The Administrator may hold the conference in person, by telephone, or by electronic means.

(c) If a conference is held under subsection (b) of this section, not later than 30 days after the conference ends, the Administrator shall provide a report in a record of the conference to the person that requested the conference.

Sec. 7066. Administrator's contract with another to conduct examination.

(a) In this section, "related to the Administrator" means an individual who is:

(1) The Administrator's spouse, partner in a civil union, domestic partner, or reciprocal beneficiary;

(2) The Administrator's child, stepchild, grandchild, parent, stepparent, sibling, step-sibling, half-sibling, aunt, uncle, niece, or nephew;

(3) A spouse, partner in a civil union, domestic partner, or reciprocal beneficiary of an individual under paragraph (2) of this subsection; or

(4) Any individual residing in the Administrator's household.

(b) The Administrator may contract with a person to conduct an examination under this part.

(c) If the person with which the Administrator contracts under subsection (b) of this section is:

(1) An individual, the individual may not be related to the Administrator; or

(2) A business entity, the entity may not be owned in whole or in part by the Administrator or an individual related to the Administrator.

(d) At least 60 days before assigning a person under contract with the Administrator under subsection (b) of this section to conduct an examination, the Administrator shall demand in a record that the person to be examined submit a report and deliver property that is previously unreported.

(e) If the Administrator contracts with a person under subsection (b) of this section:

(1) The contract may provide for compensation of the person based on a fixed fee, hourly fee, or contingent fee;

(2) A contingent fee arrangement may not provide for a payment that exceeds 10 percent of the amount or value of property paid or delivered as a result of the examination, except for contracts in force on the effective date of this subtitle; and

(3) On request by a person subject to examination by a contractor, the Administrator shall deliver to the person a complete and unredacted copy of the contract and any contract between the contractor and a person employed or engaged by the contractor to conduct the examination.

(f) A contract under subsection (b) of this section is subject to public disclosure without redaction under the District of Columbia Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

Sec. 7067. Limit on future employment.

The Administrator or an individual employed by the Administrator who participates in, recommends, or approves the award of a contract under section 7066(b) is subject to the Code of Conduct, or other ethical rules, applicable to employees in the Office of the Chief Financial Officer concerning post-employment conflicts of interest.

Sec. 7068. Report by Administrator at request of Mayor.

(a) Pursuant to a request of the Mayor, the Administrator shall compile and submit a report containing information about property presumed abandoned for the preceding fiscal year for the District. The information requested may include:

(1) The total amount and value of all property paid or delivered under this subtitle to the Administrator;

(2) The name of and amount paid to each contractor under section 7066 and the percentage the total compensation paid to all contractors under section 7066 bears to the total amount paid or delivered to the Administrator as a result of all examinations performed under section 7066;

(3) The total amount and value of all property paid or delivered by the Administrator to persons that made claims for property held by the Administrator under this subtitle and the percentage the total payments made and value of property delivered to claimants bears to the total amounts paid and value delivered to the Administrator; and

(4) The total amount of claims made by persons claiming to be owners.

(b) The report under subsection (a) of this section is a public record subject to public disclosure without redaction under the District of Columbia Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

Part 11. Determination of Liability; Putative Holder Remedies.

Sec. 7069. Determination of liability for unreported reportable property.

If the Administrator determines from an examination conducted under section 7059 that a putative holder failed or refused to pay or deliver to the Administrator property that is reportable under this subtitle, the Administrator shall issue a determination of the putative holder's liability to pay or deliver and give notice in a record to the putative holder of the determination.

Sec. 7070. Informal conference.

(a) Not later than 30 days after receipt of a notice under section 7069, the putative holder may request an informal conference with the Administrator to review the determination. Except as otherwise provided in this section, the Administrator may designate an employee to act on behalf of the Administrator.

(b) If a putative holder makes a timely request under subsection (a) of this section for an informal conference:

(1) Not later than 20 days after the date of the request, the Administrator shall set the time and place of the conference;

(2) The Administrator shall give the putative holder notice in a record of the time and place of the conference;

(3) The conference may be held in person, by telephone, or by electronic means, as determined by the Administrator;

(4) The request tolls the 90-day period under section 7071 until notice of a decision under paragraph (7) of this subsection has been given to the putative holder or the putative holder withdraws the request for the conference;

(5) The conference may be postponed, adjourned, and reconvened as the Administrator determines appropriate;

(6) The Administrator or Administrator's designee with the approval of the Administrator may modify a determination made under section 7069 or withdraw it; and

(7) The Administrator shall issue a decision in a record and provide a copy of the record to the putative holder and examiner not later than 20 days after the conference ends.

(c) A conference under subsection (b) of this section is not an administrative remedy and is not a contested case subject to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*). An oath is not required and rules of evidence do not apply in the conference.

(d) At a conference under subsection (b) of this section, the putative holder shall be given an opportunity to confer informally with the Administrator and the person that examined the records of the putative holder to:

(1) Discuss the determination made under section 7069; and

(2) Present any issue concerning the validity of the determination.

(e) If the Administrator fails to act within the period prescribed in subsection (b)(1) or (7) of this section, the failure does not affect a right of the Administrator, except that interest does not accrue on the amount for which the putative holder was determined to be liable under section 7069 during the period in which the Administrator failed to act until the earlier of:

(1) The date the putative holder requests a hearing under section 7071; or

(2) 90 days after the putative holder received notice of the Administrator's determination under section 7069 if the putative holder did not request a hearing under section 7071.

(f) The Administrator may hold an informal conference with a putative holder about a determination under section 7069 without a request at any time before the putative holder requests a hearing under section 7071.

(g) Interest and penalties under section 7075 continue to accrue on property not reported, paid, or delivered as required by this subtitle after the initiation, and during the pendency, of an informal conference under this section.

Sec. 7071. Review of Administrator's determination.

(a) Not later than 90 days after receiving notice of the Administrator's determination under section 7069, a putative holder may request a hearing on the Administrator's determination by the Office of Administrative Hearings, which shall make findings of fact and conclusions of law and render a final order in accordance with the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

(b) A final decision in a proceeding under subsection (a) of this section is subject to judicial review by the District of Columbia Court of Appeals.

Part 12. Enforcement.

Sec. 7072. Judicial action to enforce liability.

(a) If a determination under section 7069 becomes final and is not subject to administrative or judicial review, the Administrator may request that the Attorney General bring an action in the Superior Court or in an appropriate court of another state to enforce the determination and secure payment or delivery of past due, unpaid, or undelivered property. The action must be brought not later than one year after the determination becomes final.

(b) In an action under subsection (a) of this section, if no court in the District has jurisdiction over the defendant, the Attorney General may commence an action in any court having jurisdiction over the defendant.

Sec. 7073. Interstate and international agreement; cooperation.

(a) Subject to subsection (b) of this section, the Administrator may:

(1) Exchange information with another state or foreign country relating to property presumed abandoned or relating to the possible existence of property presumed abandoned; and

(2) Authorize in a record another state or foreign country or a person acting on behalf of the other state or country to examine its records of a putative holder as provided in Part 10.

(b) An exchange or examination under subsection (a) of this section may be done only if the state or foreign country has confidentiality and security requirements substantially equivalent to those in Part 14 or agrees in a record to be bound by the District's confidentiality and security requirements.

Sec. 7074. Action involving another state or foreign country.

(a) The Administrator may request that the Attorney General join another state or foreign country to examine and seek enforcement of this subtitle against a putative holder.

(b) On request of another state or foreign country, the Attorney General may commence an action on behalf of the other state or country to enforce, in the District, the law of the other state or country against a putative holder subject to a claim by the other state or country, if the other state or country agrees to pay costs incurred by the Attorney General in the action.

(c) The Administrator may request the official authorized to enforce the unclaimed property law of another state or foreign country to commence an action to recover property in the other state or country on behalf of the Administrator.

(d) The Administrator may request that the Attorney General pursue an action on behalf of the District to recover property subject to this subtitle but delivered to the custody of another state if the Administrator believes the property is subject to the custody of the Administrator.

(e) The Administrator, with the approval of the Attorney General, may retain an attorney in the District, another state, or a foreign country to commence an action to recover property on behalf of the Administrator and may agree to pay attorney's fees based in whole or in part on a fixed fee, hourly fee, or a percentage of the amount or value of property recovered in the action.

(f) Expenses incurred by the District in an action under this section may be paid from property received under this subtitle or the net proceeds of the property subject to appropriations. Expenses paid to recover property may not be deducted from the amount that is subject to a claim under this subtitle by the owner.

Sec. 7075. Interest and penalty for failure to act in timely manner.

(a) A holder that fails to report, pay, or deliver property within the time prescribed by this subtitle shall pay to the Administrator interest at 10% per year on the property or value of the property from the date the property should have been reported, paid, or delivered to the Administrator until the date reported, paid, or delivered.

(b) Except as otherwise provided in section 7076 or 7077, the Administrator may require a holder that fails to report, pay, or deliver property within the time prescribed by this subtitle to pay to the Administrator, in addition to interest included under subsection (a) of this section, a civil penalty of $200 for each day the duty is not performed, up to a cumulative maximum amount of $5,000.

Sec. 7076. Other civil penalties.

(a) If a holder enters into a contract or other arrangement for the purpose of evading an obligation under this subtitle or otherwise willfully fails to perform a duty imposed on the holder under this subtitle, the Administrator may require the holder to pay the Administrator, in addition to interest as provided in section 7075(a), a civil penalty of $1,000 for each day the obligation is evaded or the duty is not performed, up to a cumulative maximum amount of $25,000, plus 25 percent of the amount or value of property that should have been but was not reported, paid, or delivered as a result of the evasion or failure to perform.

(b) If a holder makes a fraudulent report under this subtitle, the Administrator may require the holder to pay to the Administrator, in addition to interest under section 7075(a), a civil penalty of $1,000 for each day from the date the report was made until corrected, up to a cumulative maximum of $25,000, plus 25 percent of the amount or value of any property that should have been reported but was not included in the report or was underreported.

Sec. 7077. Waiver of interest and penalty.

The Administrator:

(1) May waive, in whole or in part, interest under section 7075(a) and penalties under section 7075(b) or 7076; and

(2) Shall waive a penalty under section 7075(b) if the Administrator determines that the holder acted in good faith and without negligence.

Sec. 7078. Right to administrative hearing; entry of civil judgment by Superior Court.

(a) A holder is entitled to a hearing on the Administrator's imposition of a civil penalty or interest under section 7075 or a civil penalty under section 7076 by the Office of Administrative Hearings, which shall make findings of fact and conclusions of law and render a final order in accordance with the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

(b) The Administrator may cause a final order requiring a holder to pay a civil penalty, interest, or costs entered by the Office of Administrative Hearings under subsection (c) of this section as a judgment against the holder by requesting that the Attorney General file an action to enter the civil penalty, interest, or costs to as a civil judgment.

Part 13. Agreement to Locate Property of Apparent Owner Held by Administrator.

Sec. 7079. When agreement to locate property enforceable.

An agreement by an apparent owner and another person, the primary purpose of which is to locate, deliver, recover, or assist in the location, delivery, or recovery of property held by the Administrator, is enforceable only if the agreement:

(1) Is in a record that clearly states the nature of the property and the services to be provided;

(2) Is signed by or on behalf of the apparent owner; and

(3) States the amount or value of the property reasonably expected to be recovered, computed before and after a fee or other compensation to be paid to the person has been deducted.

Sec. 7080. When agreement to locate property void.

(a) Subject to subsection (b) of this section, an agreement under section 7079 is void if it is entered into during the period beginning on the date the property was paid or delivered by a holder to the Administrator and ending 24 months after the payment or delivery.

(b) If a provision in an agreement described in subsection (a) of this section applies to mineral proceeds for which compensation is to be paid to the other person based in whole or in

part on a part of the underlying minerals or mineral proceeds not then presumed abandoned, the provision is void regardless of when the agreement was entered into.

(c) An agreement under subsection (a) of this section that provides for compensation in an amount that is unconscionable is unenforceable except by the apparent owner. An apparent owner that believes the compensation the apparent owner has agreed to pay is unconscionable may file an action in the Superior Court to reduce the compensation to the maximum amount that is not unconscionable.

(d) An apparent owner may assert that an agreement described in this section is void on a ground other than it provides for payment of unconscionable compensation.

(e) This section does not apply to an apparent owner's agreement with an attorney to pursue a claim for recovery of specifically identified property held by the Administrator or to contest the Administrator's denial of a claim for recovery of the property.

Sec. 7081. Right of agent of apparent owner to recover property held by Administrator.

(a) An apparent owner that contracts with another person to locate, deliver, recover, or assist in the location, delivery, or recovery of property of the apparent owner which is held by the Administrator may designate the person as the agent of the apparent owner. The designation must be in a record signed by the apparent owner.

(b) The Administrator shall give the agent of the apparent owner all information concerning the property that the apparent owner is entitled to receive, including information that otherwise is confidential information under section 7083.

(c) If authorized by the apparent owner, the agent of the apparent owner may bring an action against the Administrator on behalf of and in the name of the apparent owner.

Part 14. Confidentiality and Security of Information.

Sec. 7082. Definitions; applicability.

(a) In this part, "personal information" means:

(1) Information that identifies or reasonably can be used to identify an individual, such as first and last name in combination with the individual's:

(A) Social security number or other government-issued number or identifier;

(B) Date of birth;

(C) Home or physical address;

(D) Electronic-mail address or other online contact information or Internet provider address;

(E) Financial account number or credit or debit card number;

(F) Biometric data, health or medical data, or insurance information; or

(G) Passwords or other credentials that permit access to an online or other account;

(2) Personally identifiable financial or insurance information, including nonpublic personal information defined by applicable federal law; and

(3) Any combination of data that, if accessed, disclosed, modified, or destroyed without authorization of the owner of the data or if lost or misused, would require notice or reporting under D.C. Official Code §§ 28-3851 to 28-3864 and federal privacy and data security law, whether or not the Administrator or the Administrator's agent is subject to the law.

(b) A provision of this part that applies to the Administrator or the Administrator's records applies to an Administrator's agent.

Sec. 7083. Confidential information.

(a) Except as otherwise provided in this subtitle, the following are confidential and exempt from public inspection or disclosure:

(1) Records of the Administrator and the Administrator's agent related to the administration of this subtitle;

(2) Reports and records of a holder in the possession of the Administrator or the Administrator's agent; and

(3) Personal information and other information derived or otherwise obtained by or communicated to the Administrator or the Administrator's agent from an examination under this subtitle of the records of a person.

(b) A record or other information that is confidential under law of the District other than this subtitle, another state, or the United States continues to be confidential when disclosed or delivered under this subtitle to the Administrator or Administrator's agent.

Sec. 7084. When confidential information may be disclosed.

(a) When reasonably necessary to enforce or implement this subtitle, the Administrator may disclose confidential information concerning property held by the Administrator or the Administrator's agent only to:

(1) An apparent owner or the apparent owner's personal representative, attorney, other legal representative, relative, or agent designated under section 7081 to have the information;

(2) The personal representative other legal representative, relative of a deceased apparent owner, agent designated under section 7081 by the deceased apparent owner, or a person entitled to inherit from the deceased apparent owner;

(3) Another department or agency of the District or the United States;

(4) The person that administers the unclaimed property law of another state, if the other state accords substantially reciprocal privileges to the Administrator of the District if the other state is required to maintain the confidentiality and security of information obtained in a manner substantially equivalent to Part 14; or

(5) A person subject to an examination as required by section 7061(6).

(b) Except as otherwise provided in section 7083(a), the Administrator shall include on the website or in the database required by section 7031(c)(2) the name of each apparent owner of property held by the Administrator. The Administrator may include in published notices, printed publications, telecommunications, the Internet, or other media and on the website or in the database additional information concerning the apparent owner's property if the Administrator

believes the information will assist in identifying and returning property to the owner and does not disclose personal information except the home or physical address of an apparent owner.

(c) The Administrator and the Administrator's agent may not use confidential information provided to them or in their possession except as expressly authorized by this subtitle or required by law other than this subtitle.

Sec. 7085. Confidentiality agreement.

A person to be examined under section 7059 may require, as a condition of disclosure of the records of the person to be examined, that each person having access to the records disclosed in the examination execute and deliver to the person to be examined a confidentiality agreement that:

(1) Is in a form that is reasonably satisfactory to the Administrator; and

(2) Requires the person having access to the records to comply with the provisions of this part applicable to the person.

Sec. 7086. No confidential information in notice.

Except as otherwise provided in sections 7029 and 7030, a holder is not required under this subtitle to include confidential information in a notice the holder is required to provide to an apparent owner under this subtitle.

Sec. 7087. Security of information.

(a) If a holder is required to include confidential information in a report to the Administrator, the information must be provided by a secure means.

(b) If confidential information in a record is provided to and maintained by the Administrator or Administrator's agent as required by this subtitle, the Administrator or agent shall:

(1) Implement administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of the information required by D.C. Official Code §§ 28-3851 to 28-3864 and federal privacy and data security law whether or not the Administrator or the Administrator's agent is subject to the law;

(2) Protect against reasonably anticipated threats or hazards to the security, confidentiality, or integrity of the information; and

(3) Protect against unauthorized access to or use of the information that could result in substantial harm or inconvenience to a holder or the holder's customers, including insureds, annuitants, and policy or contract owners and their beneficiaries.

(c) The Administrator:

(1) After notice and comment, shall adopt and implement a security plan that identifies and assesses reasonably foreseeable internal and external risks to confidential information in the Administrator's possession and seeks to mitigate the risks; and

(2) Shall ensure that an Administrator's agent adopts and implements a similar plan with respect to confidential information in the agent's possession.

(d) The Administrator and the Administrator's agent shall educate and train their employees regarding the plan adopted under subsection (c) of this section.

(e) The Administrator and the Administrator's agent shall in a secure manner return or destroy all confidential information no longer reasonably needed under this subtitle.

Sec. 7088. Security breach.

(a) Except to the extent prohibited by law other than this subtitle, the Administrator or Administrator's agent shall notify a holder as soon as practicable of:

(1) A suspected loss, misuse or unauthorized access, disclosure, modification, or destruction of confidential information obtained from the holder in the possession of the Administrator or an Administrator's agent; and

(2) Any interference with operations in any system hosting or housing confidential information that:

(A) Compromises the security, confidentiality, or integrity of the information; or

(B) Creates a substantial risk of identity fraud or theft.

(b) Except as necessary to inform an insurer, attorney, investigator, or others as required by law, the Administrator and an Administrator's agent may not disclose, without the express consent in a record of the holder, an event described in subsection (a) of this section to a person whose confidential information was supplied by the holder.

(c) If an event described in subsection (a) of this section occurs, the Administrator and the Administrator's agent shall:

(1) Take action necessary for the holder to understand and minimize the effect of the event and determine its scope; and

(2) Cooperate with the holder with respect to:

(A) Any notification required by law concerning a data or other security breach; and

(B) A regulatory inquiry, litigation, or similar action.

Sec. 7089. Indemnification for breach by agent.

(a) If a claim is made or action commenced arising out of an event described in section 7088(a) relating to confidential information possessed by an Administrator's agent, the Administrator's agent shall indemnify, defend, and hold harmless a holder and the holder's affiliates, officers, directors, employees, and agents as to:

(1) Any claim or action and

(2) A liability, obligation, loss, damage, cost, fee, penalty, fine, settlement, charge, or other expense, including reasonable attorney's fees and costs, established by the claim or action.

(b) The Administrator shall require an Administrator's agent that will receive confidential information required under this subtitle to maintain adequate insurance for indemnification obligations of the Administrator's agent under subsection (a) of this section. The agent required to maintain the insurance shall provide evidence of the insurance to:

(1) The Administrator not less frequently than annually; and

(2) The holder on commencement of an examination and annually thereafter until all confidential information is returned or destroyed under section 7087(e).

Part 15. Miscellaneous Provisions.

Sec. 7090. Uniformity of application and construction.

In applying and construing this uniform act consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Sec. 7091. Relation to electronic signatures in global and national commerce act.

This subtitle modifies, limits, or supersedes the Electronic Signatures in Global and National Commerce Act, approved June 30, 2000 (114 Stat. 464; 15 U.S.C. § 7001 *et seq.*), but does not modify, limit, or supersede section 101(c) of that act (15 U.S.C. § 7001(c)), or authorize electronic delivery of any of the notices described in section 103(b) of that act (15 U.S.C. § 7003(b)).

Sec. 7092. Transitional provision.

(a) An initial report filed under this subtitle for property that was not required to be reported before the effective date of this subtitle, but that is required to be reported under this subtitle, must include all items of property that would have been presumed abandoned during the 10-year period preceding the effective date of this subtitle as if this subtitle had been in effect during that period.

(b) This subtitle does not relieve a holder of a duty that arose before the effective date of this subtitle to report, pay, or deliver property. Subject to section 7042(b) and (c), a holder that did not comply with the law governing unclaimed property before the effective date of this subtitle is subject to applicable provisions for enforcement and penalties in effect before the effective date of this subtitle.

Sec. 7093. Transfer of funds.

All funds in the trust fund established under section 123 of the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-123), shall be transferred to the Unclaimed Property Account, established under section 7048(a).

Sec. 7094. Conforming amendments.

(a) The Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-101 *et seq.*), is repealed.

(b) Section 204(a) of the District of Columbia Administrative Procedure Act, effective March 29, 1977 (D.C. Law 1-96; D. C. Official Code § 2-534(a)), is amended as follows:

(1) The first paragraph (17) is amended by striking the period at the end and inserting a semicolon in its place.

(2) The second paragraph (17) is redesignated as paragraph (18).

(3) The redesignated paragraph (18) is amended by striking the period and inserting the phrase "; and" in its place.

(4) A new paragraph (19) is added to read as follows:

"(19) Information exempt from disclosure under Part 14 of the Revised Uniform Unclaimed Property Act of 2021, passed on 2nd reading on August 10, 2021 (Enrolled version of Bill 24-285).".

(c) Section 6 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), is amended by adding a new subsection (b-29) to read as follows:

"(b-29) This act shall apply to all adjudicated cases authorized by sections 7071 and 7073 of the Revised Uniform Unclaimed Property Act of 2021, passed on 2nd reading on August 10, 2021 (Enrolled version of Bill 24-285).".

(d) Chapter V of the Life Insurance Act, approved June 19, 1934 (48 Stat. 1156; D.C. Official Code § 31-4701 *et seq.*), is amended by adding a new section 31 to read as follows:

"Sec. 31. Duty of insurers to compare names of insureds with death master file and to locate beneficiaries.

"(a) For purposes of this section:

"(1) "Contract" means an annuity contract. The term "contract" does not include an annuity used to fund an employment-based retirement plan or program if:

"(A) The insurer does not perform the record keeping services; or

"(B) The insurer is not committed by terms of the annuity contract to pay death benefits to the beneficiaries of specific plan participants.

"(2) "Death master file" means the United States Social Security Administration Death Master File or other database or service that is at least as comprehensive as the United States Social Security Administration Death Master File for determining that an individual reportedly has died.

"(3) "Death master file match" means a search of the death master file that results in a match of the Social Security number or the name and date of birth of an insured, annuity owner, or retained asset account holder.

"(4) "Knowledge of death" means:

"(A) Receipt of an original or valid copy of a certified death certificate; or

"(B) A death master file match validated by the insurer in accordance with subsection (b)(1)(A) of this section.

"(5) "Policy" means any policy or certificate of life insurance that provides a death benefit. The term "policy" does not include:

"(A) A policy or certificate of life insurance that provides a death benefit under an employee benefit plan:

"(i) Subject to the Employee Retirement Income Security Act of 1974, approved September 2, 1974 (88 Stat. 829; 29 U.S.C. § 1001 *et seq.*); or

"(ii) Under any federal employee benefit program;

"(B) A policy or certificate of life insurance that is used to fund a pre-need funeral contract or prearrangement;

"(C) A policy or certificate of credit life or accidental death insurance; or

"(D) A policy issued to a group master policyholder for which the insurer does not provide record keeping services.

"(6) "Record keeping services" means those services which the insurer has agreed with a group policy or contract customer to be responsible for obtaining, maintaining, and administering in its own or its agents' systems information about each individual insured under an insured's group insurance contract, or a line of coverage thereunder, at least the following information:

"(A) Social Security number or name and date of birth;

"(B) Beneficiary designation information;

"(C) Coverage eligibility;

"(D) Benefit amount; and

"(E) Premium payment status.

"(7) "Retained asset account" means a mechanism whereby the settlement of proceeds payable under a policy or contract is accomplished by the insurer or an entity acting on behalf of the insurer depositing the proceeds into an account with check or draft writing privileges, if those proceeds are retained by the insurer or its agent, pursuant to a supplementary contract not involving annuity benefits other than death benefits.

"(b)(1) An insurer shall perform a comparison of its insureds' in-force policies, contracts, and retained asset accounts against a death master file, on at least a semi-annual basis, by using the full death master file once and thereafter using the death master file update files for future comparisons to identify potential matches of its insureds. For those potential matches identified as a result of a death master file match, the insurer shall within 90 days of a death master file match:

"(A) Complete a good faith effort, which shall be documented by the insurer, to confirm the death of the insured or retained asset account holder against other available records and information;

"(B) Determine whether benefits are due in accordance with the applicable policy or contract; and if benefits are due in accordance with the applicable policy or contract:

"(i) Use good faith efforts, which shall be documented by the insurer, to locate the beneficiary or beneficiaries; and

"(ii) Provide the appropriate claims forms or instructions to the beneficiary or beneficiaries to make a claim including the need to provide an official death certificate, if applicable under the policy or contract.

"(2) With respect to group life insurance, insurers are required to confirm the possible death of an insured when the insurers maintain at least the following information of those covered under a policy or certificate:

"(A) Social Security number or name and date of birth;

"(B) Beneficiary designation information;

"(C) Coverage eligibility;

"(D) Benefit amount; and

"(E) Premium payment status.

"(3) Every insurer shall implement procedures to account for:

"(A) Common nicknames, initials used in lieu of a first or middle name, use of a middle name, compound first and middle names, and interchanged first and middle names;

"(B) Compound last names, maiden or married names, and hyphens, blank spaces or apostrophes in last names;

"(C) Transposition of the "month" and "date" portions of the date of birth; and

"(D) Incomplete Social Security numbers.

"(4) To the extent permitted by law, the insurer may disclose minimum necessary personal information about the insured or beneficiary to a person who the insurer reasonably believes may be able to assist the insurer locate the beneficiary or a person otherwise entitled to payment of the claims proceeds.

"(c) An insurer or its service provider shall not charge any beneficiary or other authorized representative for any fees or costs associated with a death master file search or verification of a death master file match conducted pursuant to this section.

"(d) The benefits from a policy, contract, or a retained asset account, plus any applicable accrued contractual interest shall first be payable to the designated beneficiaries or owners and in the event said beneficiaries or owners cannot be found, shall be transferred to the Unclaimed Property Administrator as unclaimed property pursuant to the Revised Uniform Unclaimed Property Act of 2021, passed on 2nd reading on August 10, 2021 (Enrolled version of Bill 24-285) ("Revised Uniform Unclaimed Property Act of 2021"). Interest payable under D.C. Official Code § 28-3302 shall not be payable as unclaimed property.

"(e) Pursuant to section 7014 of the Revised Uniform Unclaimed Property Act of 2021, an insurer shall notify the Unclaimed Property Administrator upon the expiration of the statutory time period for abandoned property that:

"(1) A policy or contract beneficiary or retained asset account holder has not submitted a claim with the insurer; and

"(2) The insurer has complied with subsection (b) of this section and has been unable, after good faith efforts documented by the insurer, to contact the retained asset account holder, beneficiary or beneficiaries

"(f) Upon such notice, an insurer shall immediately submit the unclaimed policy or contract benefits or unclaimed retained asset accounts, plus any applicable accrued interest, to the Unclaimed Property Administrator pursuant section 7014 of to the Revised Uniform Unclaimed Property Act of 2021.

"(g) Failure to meet any requirement of this section with such frequency as to constitute a general business practice is a violation of a law of the District under section 6. Nothing herein shall be construed to create or imply a private cause of action for a violation of this section.".

SUBTITLE B. PAYGO CAPITAL FUNDING

Sec. 7101. Short title.

This subtitle may be cited as the "Paygo Capital Funding Amendment Act of 2021".

Sec. 7102. Section 47-392.02(f) of the District of Columbia Official Code is amended as follows:

(a) The lead-in language is amended by striking the phrase "Local funds revenue transfer" and inserting the phrase "Transfer of local or dedicated funds" in its place.

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

(1) Strike the phrase "local funds transfer" and insert the phrase "transfer of local or dedicated funds" in its place.

(2) Strike the phrase "Fiscal Year 2020" and insert the phrase "Fiscal Year 2020 ("minimum transfer amount"); except, that in Fiscal Year 2025, the minimum transfer amount shall be $206 million" in its place.

(c) Paragraph (3) is amended by striking the phrase "minimum local funds transfer" both times it appears and inserting the phrase "minimum transfer amount" in its place.

SUBTITLE C. TAXABLE INCOME EXCLUSIONS

Sec. 7111. Short title.

This subtitle may be cited as the "Taxable Income Exclusions Amendment Act of 2021".

Sec. 7112. Section 47-1803.02(a)(2) of the District of Columbia Official Code is amended as follows:

(a) New subparagraphs (GG) through (II) are added to read as follows:

"(GG) Small business loans awarded and subsequently forgiven under section 7A of the Small Business Act, approved March 27, 2020 (134 Stat. 297; 15 U.S.C. § 636m).

"(HH) Public health emergency small business grants awarded pursuant to section 2316 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 6913).

"(II) Public health emergency grants authorized pursuant to section 16(m)(1) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.13(m)(1)).".

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

"(JJ) Cash assistance for excluded workers given pursuant to grants awarded by the Washington Convention and Sports Authority after taxable year ending December 31, 2019, and ending before January 1, 2023.".

(c) New subsections (KK) through (PP) are added to read as follows:

"(KK) For tax years beginning after December 31, 2020, public health emergency response grants issued pursuant to section 5b of the District of Columbia Public Emergency Act of 1980, effective June 24, 2021 (D.C. Law 24-9; D.C. Official Code § 7-2304.02), or successor law.

"(LL) For taxable years beginning after December 31, 2020, unemployment insurance benefits provided by the District or any other state, including:

"(i) District-funded benefits paid pursuant to subchapter I of Chapter 1 of Title 51 of the District of Columbia Official Code or a similar program in another state, including any extension of such benefits;

"(ii) Fully or partially federally funded benefits paid pursuant to temporary or permanent unemployment benefits programs, including Federal Pandemic Unemployment Compensation provided for by section 2104 of Division A of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 318; 15 U.S.C. § 9023); and

"(iii) Benefits paid pursuant to special programs, including Disaster Unemployment Assistance provided for by section 410 of the Disaster Relief Act of 1974, approved May 22, 1974 (88 Stat. 156; 42 U.S.C. § 5177), or Pandemic Unemployment Assistance provided for by section 2102 of Division A of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 313; 15 U.S.C. § 9021), to individuals who do not qualify for regular unemployment insurance benefits.

"(MM) Grants issued pursuant to section 2032(h)(1)(A) of the Deputy Mayor for Planning and Economic Development Limited Grant Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04(h)(1)(A)).

"(NN) The following grants made by the Deputy Mayor for Planning and Economic Development, as authorized by section 2032 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) ("section 2032"):

"(i) Small business rent relief grants awarded pursuant to section 2032(l);

"(ii) Grants awarded to the DC Center for the LQBT Community pursuant to section 2032(m);

"(iii) Large company grants awarded pursuant to section 2032(n);

"(iv) Local food access grants awarded pursuant to section 2032(o);

"(v) Guaranteed income pilot program grants awarded pursuant to section 2032(p);

"(vi) Grants awarded to Community Development Financial Institutions or Minority Depository Institutions pursuant to section 2032(q);

"(vii) Equity growth impact grants awarded pursuant to section 2032(r);

"(viii) Great Streets program grants awarded pursuant to section 2032(s);

"(ix) Bridge Fund recovery and special events support grants awarded pursuant to section 2032(t);

"(x) Small and medium business recover and growth program grants awarded pursuant to section 2032(u); and

"(xi) Equity impact enterprise commercial property acquisition grants awarded pursuant to section 2032(v).

"(OO) COVID-19 hotel recovery grants awarded pursuant to section 2192 of the COVID-19 Hotel Recovery Grant Program Act of 2021, passed on 2nd reading August 10, 2021 (Enrolled version of Bill 24-285).

"(PP) Delayed unemployment compensation payments made pursuant to section 7(j) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-107(j)).".

Sec. 7113. Applicability.

Amendatory section 47-1803.02(a)(2)(MM) of the District of Columbia Official Code in section 7112(c) shall apply as of January 1, 2020.

SUBTITLE D. DCRB EXECUTIVE LEADERSHIP

Sec. 7121. Short title.

This subtitle may be cited as the "District of Columbia Retirement Board Executive Leadership Amendment Act of 2021".

Sec. 7122. Section 121 of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711), is amended as follows:

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

(1) Strike the phrase "exceed $10,000." and insert the phrase "exceed:" in its place.

(2) New subparagraphs (A) and (B) are added to read as follows:

"(A) Beginning in Fiscal Year 2021, $25,000 for the Chairperson of the Board; and

"(B) Beginning in Fiscal Year 2021, $15,000 for each member entitled to compensation under this paragraph other than the Chairperson.".

(b) Subsection (g)(2) is amended by adding a new subparagraph (D) to read as follows:

"(D) Notwithstanding any other provision of law, the annual salary of the Executive Director shall be fixed by the Board as it considers necessary at a rate not to exceed 135% of the highest step of Grade E5 of the Executive Service.".

7123. Applicability.

This subtitle shall apply as of August 23, 2021.

SUBTITLE E. TAX ABATEMENTS FOR AFFORDABLE HOUSING

Sec. 7131. Short title.

This subtitle may be cited as the "Tax Abatements for Affordable Housing in High-Need Areas Amendment Act of 2021".

Sec. 7132. Section 47-859.06(b) of Title 47 of the District of Columbia Official Code is amended to read as follows:

"(b) The Mayor may, through a competitive process, designate real property 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:

"(1) $200,000 in Fiscal Year 2024;

"(2) $4 million in Fiscal Year 2025; and

"(3) $4 million increased by 4% in Fiscal Year 2026 and further increased by 4% in each fiscal year thereafter.".

SUBTITLE F. EVENTS DC

Sec. 7141. Short title.

This subtitle may be cited as the "Events DC Grant-Making Act of 2021".

Sec. 7142. National Cherry Blossom Festival Fundraising.

(a) There is established a matching grant program to support the 2022 National Cherry Blossom Festival ("Program"), which shall be administered by the Washington Convention and Sports Authority ("Events DC"). Under the Program, a matching grant shall be awarded to a nonprofit organization that organizes and produces an event or events as part of the official, month-long National Cherry Blossom Festival ("Festival") of up to $1,000,000 at a rate of $2 for every dollar that the organization has raised in corporate donations by April 30, 2022.

(b) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Account, $1,000,000 shall be transferred to Events DC to use for the grant authorized by subsection (a) of this section.

(c) A grant awarded pursuant to this section shall be in addition to any other grant awarded by Events DC in support of the Festival.

Sec. 7143. The lead-in language of section 204(m) of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.04(m)), is amended by striking the phrase "Fiscal Year 2020 or Fiscal Year 2021" and inserting the phrase "Fiscal Year 2021 or Fiscal Year 2022" in its place.

SUBTITLE G. EXCLUDED WORKER PAYMENT

Sec. 7151. Short title.

This subtitle may be cited as the "Excluded Worker Payment Amendment Act of 2021".

Sec. 7152. The lead-in language of section 203a(a) of the Washington Convention Center Authority Act of 1994, effective December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 10-1202.03a(a)), is amended to read as follows:

"(a) 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:".

Sec. 7153. Applicability.
This subtitle shall apply as of August 23, 2021.

SUBTITLE H. COUNCIL PERIOD 24 RULE 736 AND OTHER REPEALS

Sec. 7161. Short title.
This subtitle may be cited as the "Council Period 24 Rule 736 and Other Repeals Amendment Act of 2021".

Sec. 7162. Section 5(b)(1) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(1)), is repealed.

Sec. 7163. The Trash Compactor Tax Incentive Amendment Act of 2014, effective March 11, 2015 (D.C. Law 20-223; 62 DCR 227), is repealed.

Sec. 7164. The Maternal Mental Health Task Force Establishment Act of 2018, effective July 17, 2018 (D.C. Law 22-139; 65 DCR 5966), is repealed.

Sec. 7165. The Hearing Aid Assistance Program Act of 2018, effective July 27, 2018 (D.C. Law 22-151; 65 DCR 6123), is repealed.

Sec. 7166. Sections 2(a), (b)(2), (c)(1), (c)(2)(A), (c)(3), (c)(4)(B), (f), (g), (h), and (i) of the Traffic and Parking Ticket Penalty Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-175; 65 DCR 9546), and amendatory section 207 of the District of Columbia Traffic Adjudication Act of 1978, effective October 30, 2018 (D.C. Law 22-175; D.C. Official Code § 50-2302.07), in section 2(e) of the Traffic and Parking Ticket Penalty Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-175; 65 DCR 9546), are repealed.

Sec. 7167. Section 101 of the Save Good Food Amendment Act of 2018, effective February 22, 2019 (D.C. Law 22-212; 65 DCR 12927), is repealed.

Sec. 7168. The Rental Housing Smoke Free Common Area Amendment Act of 2018, effective March 22, 2019 (D.C. Law 22-260; 66 DCR 1370), is repealed.

Sec. 7169. The Paperwork Reduction and Data Collection Act of 2018, effective March 22, 2019 (D.C. Law 22-264; 66 DCR 1388), is repealed.

Sec. 7170. The District Historical Records Advisory Board Amendment Act of 2018, effective March 28, 2019 (D.C. Law 22-271; 66 DCR 1446), is repealed.

Sec. 7171. The Language Access for Education Amendment Act of 2018, effective April 11, 2019 (D.C. Law 22-282; 66 DCR 1606), is repealed.

Sec. 7172. The Disabled Veterans Homestead Exemption Amendment Act of 2018, effective April 11, 2019 (D.C. Law 22-283; 66 DCR 1615), is repealed.

Sec. 7173. The Safe Disposal of Controlled Substances Act of 2018, effective April 11, 2019 (D.C. Law 22-285; 66 DCR 1621), is repealed.

Sec. 7174. The D.C. Healthcare Alliance Reform Amendment Act of 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

SUBTITLE I. SUBJECT-TO-APPROPRIATIONS REPEALS AND MODIFICATIONS

Sec. 7181. Short title.

This subtitle may be cited as the "Subject-to-Appropriations Repeals and Modifications Amendment Act of 2021".

Sec. 7182. Section 11 of the Childhood Lead Exposure Prevention Amendment Act of 2017, effective September 23, 2017 (D.C. Law 22-21; 64 DCR 7631), is repealed.

Sec. 7183. Section 10(a) of the Campaign Finance Reform Amendment Act of 2018, effective March 13, 2019 (D.C. Law 22-250; 66 DCR 985), is amended to read as follows:

"(a) Sections 6(b)(4), (8), and (22), and (pp)(8) and (9) shall not apply to contracts, as defined in section 101(10C)(A)(ii) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10C)(A)(ii)), including those contracts' option periods or similar contract extensions or modifications, sought, entered into, or executed before November 9, 2022.".

Sec. 7184. 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 repealed.

Sec. 7185. Section 4 of the Care for LGBTQ Seniors and Seniors with HIV Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-154; 67 DCR 13244), is repealed.

Sec. 7186. Section 3 of the Autonomous Vehicles Testing Program Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-156; 67 DCR 13048), is repealed.

Sec. 7187. Section 5 of the Dementia Training for Direct Care Workers Support Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-201; 67 DCR 14750), is repealed.

Sec. 7188. Section 3 of the Helping Children Impacted by Parental Incarceration Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-278; 68 DCR 1154), is repealed.

Sec. 7189. Section 3 of the MLK Gateway Real Property Tax Abatement Amendment Act of 2019, effective January 10, 2020 (D.C. Law 23-46; 66 DCR 15345), is repealed.

Sec. 7190. Section 4 of the Postpartum Coverage Expansion Amendment Act of 2020, effective October 20, 2020 (D.C. Law 23-132; 67 DCR 9887), is repealed.

Sec. 7191. Section 3 of the Office for the Deaf, Deafblind, and Hard of Hearing Establishment Amendment Act of 2020, effective December 8, 2020 (D.C. Law 23-152; 67 DCR 12254), is repealed.

Sec. 7192. Section 301 of the Commission on Poverty Establishment Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-184; 68 DCR 1220), is repealed.

Sec. 7193. Section 5 of the Residential Housing Environmental Safety Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-188; 68 DCR 1227), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "This act" and inserting the phrase "Sections 2 and 3" in its place.

(b) Subsection (c)(2) is amended by striking the phrase "this act" and inserting the phrase "the provisions identified in subsection (a) of this section" in its place.

Sec. 7194. Section 3 of the Psychology Interjurisdictional Compact Act of 2020, effective March 16, 2021 (D.C. Law 23-190; 68 DCR 16), is repealed.

Sec. 7195. Section 301 of the Addressing Dyslexia and Other Reading Difficulties Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-191; 68 DCR 115), is repealed.

Sec. 7196. Section 4 of the Initiative and Referendum Process Improvement Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-192; 68 DCR 1073), is repealed.

Sec. 7197. Section 3 of the Electric Vehicle Readiness Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-194; 68 DCR 1100), is repealed.

Sec. 7198. Section 3 of the Energy Efficiency Standards Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-195; 68 DCR 39), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "one year after the date described in subsection (b) of this section." and inserting the phrase "October 1, 2022." in its place.

(b) Subsection (b) is repealed.

Sec. 7199. Section 4 of the Diverse Washingtonians Commemorative Works Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-196; 68 DCR 753), is repealed.

Sec. 7200. Section 301 of the Shared Fleet Devices Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-203; 67 DCR 13886), is repealed.

Sec. 7201. Section 12 of the Students' Right to Home or Hospital Instruction Act of 2020, effective March 16, 2021 (D.C. Law 23-204; 67 DCR 14756), is repealed.

Sec. 7202. Section 302 of the Ban on Non-Compete Agreements Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-209; 68 DCR 782), is amended to read as follows:

"Section 302. Applicability.

"This act shall apply as of April 1, 2022.".

Sec. 7203. Section 6(a) of the Zero Waste Omnibus Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-211; 68 DCR 68), is amended to read as follows:

"(a) Section 2(b)(2), (d)(2), and (m)(1), amendatory section 103(e) of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03(e)), in section 2(b)(3), and amendatory sections 112c and 112e of the Sustainable Solid Waste Management Amendment Act of 2014, effective March 16, 2021 (D.C. Law 23-211; D.C. Official Code §§ 8-1031.12c and 8-1031.12e), in section 2(k), shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.".

Sec. 7204. Section 5 of the District of Columbia Water and Sewer Authority Omnibus Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-229; 68 DCR 1112), is repealed.

Sec. 7205. Section 4 of the Public Facilities Environmental Safety Amendment Act of 2020, effective March 16, 2021, (D.C. Law 23-233; 68 DCR 1128), is amended to read as follows:

"Sec. 4. Applicability.

"(a) Section 2(b)(2) of this act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

"(b) The Chief Financial Officer shall certify the date of 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 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 2(b)(2).".

Sec. 7206. Section 3 of the Voluntary Agreement Moratorium Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-246; 68 DCR 1232), is repealed.

Sec. 7207. Section 601 of the Department of Buildings Establishment Act of 2020, effective April 5, 2021 (D.C. Law 23-269; 68 DCR 1490), is repealed.

Sec. 7208. Section 301 of the Office of the Ombudsperson for Children Establishment Amendment Act of 2020, effective April 5, 2021 (D.C. Law 23-270; 68 DCR 1510), is repealed.

Sec. 7209. The Omnibus Public Safety and Justice Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-274; 68 DCR 1034), is amended as follows:

(a) Section 1101 is amended to read as follows:

"Sec. 1101. Section 4902(a-1)(1) of the Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731(a-1)(1)), is amended by striking the phrase "Central Detention Facility" and inserting the phrase "Central Detention Facility, Correctional Treatment Facility, and Central Cell Block" in its place.".

(b) Section 1501 is repealed.

Sec. 7210. Section 4 of the Medical Marijuana Program Patient Employment Protection Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-276; 68 DCR 48), is repealed.

Sec. 7211. Section 5 of the Restore the Vote Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-277; 67 DCR 13867), is repealed.

Sec. 7212. Section 6 of the Bella Evangelista and Tony Hunter Panic Defense Prohibition and Hate Crimes Response Amendment Act of 2020, effective May 15, 2021 (D.C. Law 23-283; 68 DCR 764), is repealed.

Sec. 7213. Section 4 of the Green Food Purchasing Amendment Act of 2021, enacted on June 7, 2021 (D.C. Act 24-93; 68 DCR 6015), is amended to read as follows:

"Sec. 4. Applicability.

"Section 3 shall apply as of January 1, 2023.".

Sec. 7214. Section 3 of the D.C. Central Kitchen, Inc. Tax Rebate Amendment Act of 2021, enacted on June 7, 2021 (D.C. Act 24-94; 68 DCR 6020), is repealed.

Sec. 7215. Section 6(b)(1) of the Comprehensive Plan Amendment Act of 2021, enacted July 7, 2021 (D.C. Act 24-110; 68 DCR 6918), is amended by striking the phrase "Sections 3

and 4 shall apply upon the date of inclusion of their" and inserting the phrase "Section 3 shall apply upon the date of inclusion of its" in its place.

SUBTITLE J. INCOME TAX FAIRNESS

Sec. 7221. Short title.

This subtitle may be cited as the "Income Tax Fairness Amendment Act of 2021".

Sec. 7222. Section 47-1806.03(a) of the District of Columbia Official Code is amended by adding a new paragraph (11) to read as follows:

"(11) In the case of taxable years beginning after December 31, 2021, there is imposed on the taxable income of every resident a tax determined in accordance with the following table:

Not over $10,000	4% of the taxable income
Over $10,000 but not over $40,000	$400, plus 6% of the excess over $10,000
Over $40,000 but not over $60,000	$2,200, plus 6.5% of the excess over $40,000
Over $60,000 but not over $250,000	$3,500, plus 8.5% of the excess over $60,000
Over $250,000 but not over $500,000	$19,650, plus 9.25% of the excess over $250,000
Over $500,000 but not over $1,000,000	$42,775, plus 9.75% of the excess over $500,000
Over $1,000,000	$91,525, plus 10.75% of the excess over $1,000,000

.".

SUBTITLE K. EARNED INCOME TAX CREDIT AS BASIC INCOME

Sec. 7231. Short title.

This subtitle may be cited as the "Earned Income Tax Credit as Basic Income Amendment Act of 2021".

Sec. 7232. Chapter 18 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:

"47-1806.04a. Public outreach for earned income tax credit.".

(b) Section 47-1806.04 is amended as follows:

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

(A) Paragraph (1) is amended by adding new subparagraphs (B-1), (B-2), and (B-3) to read as follows:

"(B-1) If a return is filed for a full calendar or fiscal year beginning after December 31, 2021, an individual with a qualifying child who is allowed an earned income tax credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against

the tax imposed by this chapter for the taxable year in an amount equal to 70% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986.

"(B-2) If a return is filed for a full calendar or fiscal year beginning after December 31, 2024, an individual with a qualifying child who is allowed an earned income tax credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against the tax imposed by this chapter for the taxable year in an amount equal to 85% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986.

"(B-3) If a return is filed for a full calendar or fiscal year beginning after December 31, 2025, an individual with a qualifying child who is allowed an earned income tax credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against the tax imposed by this chapter for the taxable year in an amount equal to 100% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986.".

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

"(3)(A) The credit allowed under this subsection shall be refundable to the individual claiming the credit.

"(B)(i) For the taxable year ending December 31, 2022, the amount equal to 40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986 shall be paid to the individual in one lump sum payment, and

"(I) If the amount of the remaining refund is at least $600, the remaining refund shall be paid in 11 equal monthly payments; or

"(II) If the amount of the remaining refund is less than $600, the remaining refund shall be paid in one lump sum payment.

"(ii) For taxable years beginning after December 31, 2022:

"(I) If the amount of the earned income tax credit allowed is at least $1,200, the entire amount of the earned income tax credit allowed shall be paid to the individual in 12 equal monthly payments; or

"(II) If the amount of the earned income tax credit allowed is less than $1,200, the entire amount of the earned income tax credit allowed shall be paid to the individual in one lump sum payment.

"(iii) No interest shall be allowed on any refund payments made under this subparagraph.

"(iv) Notwithstanding sub-subparagraphs (i) and (ii) of this subparagraph, the entire amount of a credit to be refunded shall be immediately subject to the offset provisions of subchapter III of Chapter 44 of this title.

"(v) The Chief Financial Officer shall send a notice to every individual whose refund, or any portion thereof, will be paid in monthly refund payments pursuant to sub-subparagraphs (i)(I) or (ii)(I) of this subparagraph.

"(vi) Notwithstanding sub-subparagraph (i) of this subparagraph, any refunds to be paid pursuant to paragraph (1)(C) of this subsection shall be paid in one lump sum for the taxable year ending December 31, 2022.".

(2) Subsection (g) is amended by adding a new paragraph (3) to read as follows:

"(3) Any refunds paid pursuant to this subsection shall be paid in the manner

described in subsection (f)(3) of this section.".

(c) A new section 47-1806.04a is added to read as follows:

"§ 47-1806.04a. Public outreach for earned income tax credit.

"(a) The Mayor may, subject to available funding, issue grants to a nonprofit organization registered in the District, pursuant to Chapter 4 of Title 29, to provide outreach and education about the tax credit allowed pursuant to § 47-1806.04(f) and (g).

"(b) By January 1, 2025, the Mayor shall issue a grant of $250,000 to a research institution located in the District for the purpose of collecting data and issuing a report to the Council describing the impact on eligible households of the payments required pursuant to § 47-1806.04(f) and (g).".

TITLE VIII. SPECIAL PURPOSE REVENUE, DEDICATED REVENUE, AND CAPITAL

SUBTITLE A. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS

Sec. 8001. Short title.

This title may be cited as the "Designated Fund Transfer Act of 2021".

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 2022 the following amounts from certified funds and other revenue in the identified accounts to the unassigned fund balance of the General Fund of the District of Columbia:

Agency Code	Fund Detail	Fund Name	FY22	Frequency
EN0	632	Small Business Access to Capital Access Fund	813,313	One-time
TO0	1200	SERV US Program	48,761	One-time
UC0	1630	911 and 311 Assessments	150,000	Recurring
		Total	1,012,074	

(b) Notwithstanding any provision of law limiting the use of the Universal Paid Leave Fund ("Fund") established by section 1152 of the Universal Paid Leave Implementation Fund Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01), the Chief Financial Officer shall transfer in Fiscal Year 2022 $171,462,418 from certified funds and other revenue in the Fund to the General Fund of the District of Columbia.

(c) The total amounts identified in subsections (a) and (b) of this section shall be made available as set forth in the approved Fiscal Year 2022 Budget and Financial Plan.

TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE

Sec. 9001. Applicability.

Except as otherwise provided, this act shall apply as of October 1, 2021.

Sec. 9002. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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.

Chairman
Council of the District of Columbia

Mayor
District of Columbia

APPROVED
September 27, 2021

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, DC, 20004

Docket No. **B24-0285**

[ ] ITEM ON CONSENT CALENDAR

[X] ACTION — **First Reading**

[X] VOTE DATE — **July 20, 2021**

[ ] VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

[X] ROLL CALL VOTE – Result — **Passed**

Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec
Chairman Mendelson	X					Henderson	X					R. White	X				
Allen	X					Lewis George	X					Silverman	X				
Bonds	X					McDuffie	X					T. White	X				
Cheh	X					Nadeau	X										
Gray	X					Pinto	X										

X - Indicate Vote **AB – Absent** **NV - Present, Not Voting** **Rec - Recused**

CERTIFICATION RECORD

Secretary to the Council

9.10.21
Date

Docket No. **B24-0285**

[ ] ITEM ON CONSENT CALENDAR

[X] ACTION — **Final Reading**

[X] VOTE DATE — **August 10, 2021**

[ ] VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

[X] ROLL CALL VOTE – Result — **Passed**

Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec
Chairman Mendelson	X					Henderson	X					R. White	X				
Allen	X					Lewis George	X					Silverman	X				
Bonds	X					McDuffie	X					T. White	X				
Cheh	X					Nadeau	X										
Gray	X					Pinto	X										

X - Indicate Vote **AB – Absent** **NV - Present, Not Voting** **Rec - Recused**

CERTIFICATION RECORD

Secretary to the Council

9.10.21
Date