



**MURIEL BOWSER**  
**MAYOR**

May 18, 2020

The Honorable Phil Mendelson, Chairman  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Dear Chairman Mendelson:

On behalf of the residents of the District of Columbia, I am pleased to submit to you the proposed District of Columbia Fiscal Year 2021 Proposed Budget and Financial Plan, *DC HOPE (Health Opportunity Prosperity Equity)*. Included in this submission, you will find the “Fiscal Year 2021 Local Budget Act of 2020,” the “Fiscal Year 2021 Federal Portion Budget Request Act of 2020,” the “Fiscal Year 2021 Budget Support Act of 2020,” the “Fiscal Year 2020 Revised Local Budget Emergency Act of 2020,” the “Fiscal Year 2020 Revised Local Budget Temporary Act of 2020,” and the “Fiscal Year 2020 Revised Local Budget Emergency Declaration Resolution of 2020”.

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

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

The DC HOPE Budget includes \$306 million for a state-of-the-art community hospital at St. Elizabeths and \$69 million ambulatory complex to support a stronger network of care in Wards 7 and 8. The budget also includes \$4.8 million to support the recommendations of the Mayor’s Commission on Healthcare Systems Transformation, including investments to reduce reliance on emergency care and \$400,000 to improve pre-natal care. Through these investments, we can transform our health care system by promoting equity in care, access, and outcomes.

Despite the difficult circumstances we face, I remain steadfast in my commitment to affordable housing. Thus, this budget includes a \$100 million investment in the Housing Production Trust Fund and a \$1 million commitment to the Housing Preservation Fund which is leveraged with private investments to ensure we preserve critical affordable housing units.

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

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

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

### **Health and Human Services**

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

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

### **Affordable Housing**

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

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

### **High-Quality Education**

Our community continues to recognize the important role our public schools play in creating opportunity and helping us build a more equitable city. We know that investments in our public schools were the driving force behind the renaissance of our city, and our steadfast commitment to our students, families, and educators remains strong. In the DC HOPE Budget, we continue to make education a top priority through a range of investments, including:

- a \$113.5 million increase in funding for K-12 public education;
- 3.0 percent increase to the base amount of the Uniform Per Student Funding Formula;
- more than \$1.4 billion for DC Public Schools (DCPS) to fund school modernizations, small capital projects, and school expansions to address overcrowding;
- \$80.2 million for the opening of Bard High School Early College, \$22.7 million for a new expansion at Barnard Elementary School, \$56 million for the development of a new Foxhall School, and \$2 million to support Excel Academy;
- \$75 million in capital funding to support 17 schools in the creation of 540 new early childcare seats and 180 pre-kindergarten seats across the District;
- \$20 million in funding for the Parkland Turner Library in Ward 8;
- a continued investment of \$90.3 million for the University of the District of Columbia, including \$6.5 million in investments for IT upgrades and an additional \$108 million in capital investments for university improvements; and
- \$1 million to support the operations of the new Martin Luther King Library.

### **Public Safety and Justice**

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

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

### **Transportation and the Environment**

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

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

- \$40 million to conduct hazardous material remediation as part of ongoing efforts to make the Anacostia River fishable and swimmable.

### **Jobs and Economic Opportunity**

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

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

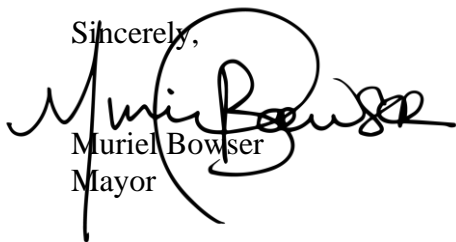
### **Government Operations**

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

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

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

Sincerely,



Muriel Bowser  
Mayor

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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

TABLE OF CONTENTS

17	<b>TITLE I. GOVERNMENT DIRECTION AND SUPPORT.....</b>	<b>4</b>
18	<b>SUBTITLE A. FACILITY OPERATIONS REPROGRAMMINGS .....</b>	<b>4</b>
19	<b>SUBTITLE B. REVIEW OF OPTION YEAR CONTRACTS .....</b>	<b>5</b>
20	<b>SUBTITLE C. FREEZE ON PAY INCREASES AND BENEFITS .....</b>	<b>6</b>
21	<b>TITLE II. ECONOMIC DEVELOPMENT AND REGULATION.....</b>	<b>7</b>
22	<b>SUBTITLE A. CREATIVE AND OPEN SPACE MODERNIZATION TAX REBATE</b>	<b>8</b>
23	<b>SUBTITLE B. ECONOMIC OPPORTUNITY AND CREATIVITY GRANTS .....</b>	<b>8</b>
24	<b>SUBTITLE C. OPPORTUNITY ZONE TAX BENEFITS .....</b>	<b>9</b>
25	<b>SUBTITLE D. STREETSCAPE BUSINESS DEVELOPMENT RELIEF .....</b>	<b>11</b>
26	<b>SUBTITLE E. PUBLIC ACCESS CORPORATION BUDGET.....</b>	<b>12</b>
27	<b>SUBTITLE F. ECONOMIC AND COMMUNITY DEVELOPMENT GRANTS IN</b>	
28	<b>WARDS 5, 7, AND 8.....</b>	<b>12</b>
29	<b>SUBTITLE G. TAX ABATEMENTS FOR AFFORDABLE HOUSING IN HIGH-</b>	
30	<b>NEED AREAS.....</b>	<b>13</b>
31	<b>SUBTITLE H. TARGETED HISTORIC PRESERVATION ASSISTANCE</b>	

32	<b>PROGRAM .....</b>	<b>17</b>
33	<b>SUBTITLE I. PROPERTY DISPOSITION AND DEVELOPMENT INCENTIVE</b>	
34	<b>ADMINISTRATIVE FEES.....</b>	<b>17</b>
35	<b>SUBTITLE J. SPORTS WAGERING SMALL BUSINESS DEVELOPMENT</b>	
36	<b>PROGRAM .....</b>	<b>18</b>
37	<b>SUBTITLE K. COMMUNITY RESTROOMS .....</b>	<b>19</b>
38	<b>TITLE III. PUBLIC SAFETY AND JUSTICE .....</b>	<b>19</b>
39	<b>SUBTITLE A. CRIMINAL CODE REFORM COMMISSION TERM EXTENSION</b>	<b>19</b>
40	<b>SUBTITLE B. INFORMATION-SHARING FOR AT-RISK YOUTH .....</b>	<b>20</b>
41	<b>SUBTITLE C. EMERGENCY MEDICAL SERVICES TRANSPORT CONTRACT .</b>	<b>22</b>
42	<b>SUBTITLE D. SENIOR POLICE OFFICERS PROGRAM.....</b>	<b>23</b>
43	<b>SUBTITLE E. OFFICE OF ADMINISTRATIVE HEARINGS JURISDICTION.....</b>	<b>23</b>
44	<b>SUBTITLE F. CONCEALED PISTOL LICENSING REVIEW BOARD .....</b>	<b>25</b>
45	<b>SUBTITLE G. REHIRING OF RETIRED POLICE OFFICERS .....</b>	<b>26</b>
46	<b>TITLE IV. PUBLIC EDUCATION SYSTEMS.....</b>	<b>26</b>
47	<b>SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASE .....</b>	<b>27</b>
48	<b>SUBTITLE B. EDUCATION FACILITY COLOCATION .....</b>	<b>30</b>
49	<b>SUBTITLE C. CHILD CARE GRANTS.....</b>	<b>32</b>
50	<b>SUBTITLE D. DEPARTMENT OF PARKS AND RECREATION SPONSORSHIP</b>	
51	<b>AND ADVERTISING REVENUE .....</b>	<b>33</b>
52	<b>SUBTITLE E. DEPARTMENT OF PARKS AND RECREATION PROGRAMMING</b>	
53	<b>GRANTS .....</b>	<b>35</b>
54	<b>SUBTITLE F. CHILD DEVELOPMENT FACILITY AND PRE-K REPORTS .....</b>	<b>36</b>

55	<b>SUBTITLE G. SCHOOL MEAL COST REIMBURSEMENTS AND SUBSIDIES .....</b>	<b>36</b>
56	<b>SUBTITLE H. EARLY HEAD START HOME VISITING GRANTS.....</b>	<b>37</b>
57	<b>SUBTITLE I. RECREATIONAL SPACE USE FEE WAIVERS.....</b>	<b>37</b>
58	<b>SUBTITLE J. WILKINSON SCHOOL DISPOSITION PROCESS.....</b>	<b>38</b>
59	<b>SUBTITLE K. FORT DUPONT ICE ARENA GRANT.....</b>	<b>39</b>
60	<b>TITLE V. HUMAN SUPPORT SERVICES .....</b>	<b>40</b>
61	<b>SUBTITLE A. MEDICAID HOSPITAL SUPPLEMENTAL AND DIRECTED</b>	
62	<b>PAYMENTS .....</b>	<b>40</b>
63	<b>SUBTITLE B. MEDICAL MARIJUANA PROGRAM ADMINISTRATION .....</b>	<b>42</b>
64	<b>SUBTITLE C. STEVIE SELLOWS DIRECT SUPPORT PROFESSIONALS</b>	
65	<b>QUALITY IMPROVEMENTS .....</b>	<b>48</b>
66	<b>SUBTITLE D. SENIOR STRATEGIC PLAN.....</b>	<b>48</b>
67	<b>TITLE VI. OPERATIONS AND INFRASTRUCTURE .....</b>	<b>48</b>
68	<b>SUBTITLE A. OPPORTUNITY ACCOUNTS.....</b>	<b>49</b>
69	<b>SUBTITLE B. SPECIAL PURPOSE REVENUE ACCOUNTS OF THE</b>	
70	<b>DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.....</b>	<b>51</b>
71	<b>SUBTITLE C. GAME OF SKILL MACHINES .....</b>	<b>57</b>
72	<b>SUBTITLE D. PAY-BY-PHONE TRANSACTION FEES FUND .....</b>	<b>85</b>
73	<b>SUBTITLE E. ENVIRONMENTAL SPECIAL PURPOSE REVENUE ACCOUNTS</b>	<b>86</b>
74	<b>SUBTITLE F. ALCOHOLIC BEVERAGE SALES AND DELIVERY .....</b>	<b>89</b>
75	<b>SUBTITLE G. THIRD PARTY INSPECTION PLATFORM.....</b>	<b>94</b>
76	<b>TITLE VII. FINANCE AND REVENUE.....</b>	<b>94</b>
77	<b>SUBTITLE A. PERSONAL PROPERTY TAX .....</b>	<b>94</b>

78        **SUBTITLE B. UNINCORPORATED BUSINESS FRANCHISE TAX..... 95**

79        **SUBTITLE C. BALLPARK REVENUE FUND..... 96**

80        **TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS ..... 96**

81        **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE ..... 98**

82            BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this

83 act may be cited as the “Fiscal Year 2021 Budget Support Act of 2020”.

84        **TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

85            **SUBTITLE A. FACILITY OPERATIONS REPROGRAMMINGS**

86            Sec. 1001. Short title.

87            This subtitle may be cited as the “Facility Operations Reprogrammings Amendment Act

88 of 2020”.

89            Sec. 1002. Section 47-363 of the District of Columbia Official Code is amended by

90 adding a new subsection (h) to read as follows:

91            “(h)(1) This subtitle shall not apply to a reprogramming from an activity within the

92 Facility Operations program of the Department of General Services to another activity within the

93 Facility Operations program of the Department of General Services, other than as provided in

94 this subsection.

95            “(2) The Chief Financial Officer of the District of Columbia (“CFO”) shall

96 reprogram funds from an activity within the Facility Operations program of the Department of

97 General Services to another activity within the Facility Operations program of the Department of

98 General Services upon the request of the director of the Department of General Services, unless

99 the CFO determines that the funds are not available for reprogramming.



100                   “(3) After funds are reprogrammed pursuant to paragraph (2) of this subsection,  
101 the director of the Department of General Services may obligate and expend the reprogrammed  
102 funds.”.

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

104                   Sec. 1011. Short title.

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

107                   Sec. 1012. Section 202 of the Procurement Practices Reform Act of 2010, effective April  
108 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), is amended as follows:

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

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

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

115                   “(B) Council approval of a multiyear contract or contract in excess of  
116 \$1,000,000 during a 12-month period that contains a provision that grants to the District the  
117 option to exercise one or more option periods each of a duration of 12 months or less shall  
118 constitute the Council review and approval required by section 451(b) of the District of  
119 Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-  
120 204.51(b)) of the base period and of each exercise of an option period when, at the time of the  
121 exercise of the option period, there has been no material change to the terms of the contract  
122 approved by the Council (“underlying contract”) before the option period is exercised and the

123 exercise of the option period does not result in a material change in the terms of the underlying  
124 contract.”.

125 **SUBTITLE C. FREEZE ON PAY INCREASES AND BENEFITS**

126 Sec. 1031. Short title.

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

129 Sec. 1032. Definitions.

130 For the purposes of this subtitle, the term:

131 (1) “CMPA” means the District of Columbia Government Comprehensive Merit  
132 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01  
133 *et seq.*).

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

140 (3) “Negotiated salary schedule” means a salary schedule specified in a collective  
141 bargaining agreement.

142 (4) “Negotiated salary, wage, and benefits provision” means the salary and  
143 benefits provided in a collective bargaining agreement.

144 (5) “Personnel authority” means an individual with the authority to administer all  
145 or part of a personnel management program as provided in sections 301(14) and 406 of the  
146 CMPA (D.C. Official Code §§ 1-601.01(14) and 1-604.06).

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

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

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

152 Notwithstanding any other provision of law, collective bargaining agreement,  
153 memorandum of understanding, side letter, or settlement, whether specifically outlined or  
154 incorporated by reference, all Fiscal Year 2020 salary schedules of covered agencies shall be  
155 maintained during Fiscal Years 2021, 2022, 2023, and 2024 and no increase in salary or benefits,  
156 including increases in negotiated salary, wage, and benefits provisions and negotiated salary  
157 schedules, shall be provided in Fiscal Years 2021, 2022, 2023, or 2024 from the Fiscal Year  
158 2020 salary and benefits levels of covered agencies.

159 Sec. 1035. Rules.

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

165 **TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

166           **SUBTITLE A. CREATIVE AND OPEN SPACE MODERNIZATION TAX**

167   **REBATE**

168           Sec. 2001. Short title.

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

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

175                       “(1A) Funds to provide real property tax rebates under D.C. Official Code § 47-  
176 4665, in an amount not to exceed \$3 million in a fiscal year.”.

177           **SUBTITLE B. ECONOMIC OPPORTUNITY AND CREATIVITY GRANTS**

178           Sec. 2011. Short title.

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

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

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

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

187           (c) Paragraph (7) is amended by striking the period at the end and inserting the phrase “;  
188 and” in its place.

189 (d) A new paragraph (8) is added to read as follows:

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

192 **SUBTITLE C. OPPORTUNITY ZONE TAX BENEFITS**

193 Sec. 2021. Short title.

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

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

198 “(20) Capital Gains. --

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

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

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

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

211 “(i) Invest in a QOF that:

212 “(I) Is certified by the Mayor as an eligible QOF pursuant  
213 to subparagraph (E) of this paragraph;

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

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

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

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

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

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

231 “(II) Have been selected by the Office of the Deputy Mayor  
232 for Planning and Economic Development to manage the redevelopment of a property, with  
233 respect to a business, or that are owned or disposed of by the District government, with respect to  
234 a property;

235   “(III) Have an unconditioned resolution of support from the  
236 Advisory Neighborhood Commission in which the business or property is located or a  
237 conditional resolution of support from the Advisory Neighborhood Commission in which the  
238 business or property is located and the Mayor determines that each of the conditions of the  
239 resolution have been met; or

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

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

247                   **SUBTITLE D. STREETScape BUSINESS DEVELOPMENT RELIEF**

248                   Sec. 2031. Short title.

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

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

254                   “(c) If the District undertakes a streetscape construction, capital infrastructure, or  
255 rehabilitation project, the Mayor, in his or her sole discretion, may make interest-free loans or  
256 issue grants from the Fund to a District Main Streets Program organization or individual or entity  
257 that operates a retail business within the project boundaries of, or adjoining, the streetscape

258 construction, capital infrastructure, or rehabilitation project. To obtain a loan or grant, a District  
259 Main Streets Program organization or individual or entity operating a retail business shall submit  
260 an application in the form, and with the information, that the Mayor shall require. The Mayor  
261 shall determine the terms and conditions of each loan or grant based upon the application  
262 submitted by the District Main Streets Program organization or individual or entity operating a  
263 retail business; provided, that the term of a loan or grant issued pursuant to this section shall not  
264 exceed 5 years after the termination of the streetscape construction, capital infrastructure, or  
265 rehabilitation project.”.

266 **SUBTITLE E. PUBLIC ACCESS CORPORATION BUDGET**

267 Sec. 2041. Short title.

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

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

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

274 Sec. 2051. Short title.

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

278 Sec. 2052. Section 2032(d) of the Deputy Mayor for Planning and Economic  
279 Development Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C.  
280 Law 19-168; D.C. Official Code § 1-328.04(d)), is amended as follows:



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

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

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

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

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

290 Sec. 2061. Short title.

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

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

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

297 “47-860. Tax abatement for affordable housing in high-need affordable housing areas.”.

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

299 “§ 47-860. Tax abatement for affordable housing in high need affordable housing areas.

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

302 “(1) The real property is located in a high-need affordable housing area;

303                   “(2) The real property is designated by the Mayor pursuant to subsection (b) of  
304 this section;

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

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

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

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

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

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

322                   “(b) The Mayor may, through a competitive process, designate real property in high-need  
323 affordable housing areas to be eligible to receive a tax abatement under this section; provided,  
324 that the total amount of the tax abatements associated with real property designated by the Mayor

325 pursuant to this subsection shall not exceed \$200,000 in Fiscal Year 2024 and shall not exceed  
326 \$4 million annually thereafter.

327 “(c) The tax exemption provided by this section shall begin in the tax year immediately  
328 following the tax year during which a certificate of occupancy for a project meeting the  
329 requirements of subsection (a) of this section is issued and shall continue until the end of the  
330 40th tax year after the tax year during which the certificate of occupancy is issued; provided, that  
331 the tax exemption provided by this section shall not begin before October 1, 2023.

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

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

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

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

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

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

343 “(2) If at any time the Mayor determines that the real property has become  
344 ineligible for the exemption provided by this section, the Mayor shall notify the Office of Tax  
345 and Revenue and shall specify the date that the property became ineligible. The entire property  
346 shall be ineligible for the exemption on the first day of the tax year following the date when the  
347 ineligibility occurred.

348           “(e) The tax exemption provided by this section shall be in addition to, not in lieu of, any  
349 other tax relief or assistance from any other source.

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

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

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

357                   “(2) “CBE Act” means the Small and Certified Business Enterprise Development  
358 and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code §  
359 2-218.01 *et seq.*).

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

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

364                   “(5) “First Source Act” means the First Source Employment Agreement Act of  
365 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2- 219.03).

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

369                   “(7) “High-need affordable housing area” means the 4 planning areas identified in  
370 the District’s Housing Equity Report, published in October 2019, with the highest dedicated

371 affordable housing production goals (Rock Creek West, Rock Creek East, Capitol Hill, and  
372 Upper Northeast).”.

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

375           Sec. 2071. Short title.

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

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

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

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

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

385                   “(16) Bloomingdale Historic District.”.

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

388           Sec. 2081. Short title.

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

391           Sec. 2082. Property disposition and development incentive fees.

392           (a) In connection with the proposed or actual disposition of District-owned real property,  
393 the proposed or actual provision of an economic development incentive, and other actions taken

394 by the District government at the request of a third party related to District-owned real property,  
395 such as the provision of a right of entry, license, or temporary easement, the Mayor may impose  
396 fees to:

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

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

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

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

406 (c) All fees collected pursuant to this section shall be deposited into the Economic  
407 Development Special Account, established by section 301 of the National Capital Revitalization  
408 Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March  
409 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.21).

410 **SUBTITLE J. SPORTS WAGERING SMALL BUSINESS DEVELOPMENT**

411 **PROGRAM**

412 Sec. 2091. Short title.

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

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

417           **SUBTITLE K. COMMUNITY RESTROOMS**

418           Sec. 2101. Short title.

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

421           Sec. 2102. Section 5 of the Public Restroom Facilities Installation and Promotion Act of  
422   2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is amended to read as follows:

423           “Sec. 5. Applicability.

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

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

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

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

433           **TITLE III. PUBLIC SAFETY AND JUSTICE**

434           **SUBTITLE A. CRIMINAL CODE REFORM COMMISSION TERM**

435           **EXTENSION**

436           Sec. 3001. Short title.

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

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

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

443           (b) Section 3127 (D.C. Official Code § 3-156) is amended by striking the date “October  
444   1, 2020” and inserting the date “April 1, 2021” in its place.

445           **SUBTITLE B. INFORMATION-SHARING FOR AT-RISK YOUTH**

446           Sec. 3011. Short title.

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

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

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

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

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

460           (b) The following records, data, and information may be shared with the Office of the  
461   City Administrator pursuant to subsection (a) of this section:



462 (1) Records, data, and information in the control or possession of the Department  
463 of Youth Rehabilitation Services, notwithstanding section 106 of the Department of Youth  
464 Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335;  
465 D.C. Official Code § 2-1515.06);

466 (2) Records, data, and information in the control or possession of the Child and  
467 Family Services Agency, notwithstanding section 306 of the Prevention of Child Abuse and  
468 Neglect Act of 1977, effective October 18, 1979 (D.C. Law 3-29; D.C. Official Code § 4-  
469 1303.06);

470 (3) Mental health information, administrative information, and diagnostic  
471 information in the control or possession of the Department of Behavioral Health or another  
472 District agency, notwithstanding the provisions of the District of Columbia Mental Health  
473 Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-  
474 1201.01 *et seq.*);

475 (4) Records, data, and information in the control or possession of the Department  
476 of Human Services, notwithstanding the provisions of section 12(a)(7) of the Homeless Services  
477 Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-  
478 754.11(a)(7)), and section 904 of the District of Columbia Public Assistance Act of 1982,  
479 effective April 20, 1999 (D.C. Law 12-241; D.C. Official Code § 4-209.04);

480 (5) Health and human services information, notwithstanding the provisions of the  
481 Data-Sharing and Information Coordination Amendment Act of 2010, effective December 4,  
482 2010 (D.C. Law 18-273; D.C. Official Code § 7-241 *et seq.*);

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

484 (7) Juvenile social records, notwithstanding D.C. Official Code § 16-2332;

485 (8) Law enforcement records and files concerning a child, notwithstanding D.C.  
486 Official Code § 16-2333;

487 (9) Compilations, copies, extracts, and unexpurgated records described in Chapter  
488 10 of Title 1 of the District of Columbia Municipal Regulations, notwithstanding the provisions  
489 of Chapter 10 of Title 1 of the District of Columbia Municipal Regulations; and

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

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

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

503 **SUBTITLE C. EMERGENCY MEDICAL SERVICES TRANSPORT CONTRACT**

504 Sec. 3021. Short title.

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

507           Sec. 3022. Section 3073 of the Emergency Medical Services Transport Contract  
508 Authority Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR  
509 10775), is repealed.

510           **SUBTITLE D. SENIOR POLICE OFFICERS PROGRAM**

511           Sec. 3031. Short title.

512           This subtitle may be cited as the “Senior Police Officers Retention Amendment Act of  
513 2020”.

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

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

519           Sec. 3041. Short title.

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

522           Sec. 3042. Section 6(b-23) of the Office of Administrative Hearings Establishment Act of  
523 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(b-23)), is  
524 amended to read as follows:

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

526                   “(1) Involving the attachment and levy of personal injury and worker’s  
527 compensation settlement funds from insurers participating in the Child Support Services  
528 Network when the assets are owed by a child support obligor who owes overdue child support

529 pursuant to section 25 of the District of Columbia Child Support Enforcement Amendment Act  
530 of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Official Code § 46-224);

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

535           “(3) Occurring before any proposed denial, refusal to renew, or revocation of a  
536 driver’s license and a car registration of a child support obligor by the Mayor, or the Mayor’s  
537 designee, for the failure to comply with a subpoena or warrant relating to paternity or child  
538 support proceedings, or the failure to pay child support pursuant to section 26a(b-2) of the  
539 District of Columbia Child Support Enforcement Amendment Act of 1985, effective February  
540 13, 1996 (D.C. Law 11-87; D.C. Official Code § 46-225.01(b-2));

541           “(4) Occurring before any proposed denial, refusal to renew, or suspension of a  
542 professional, business, recreational, or sporting license of a child support obligor by the Mayor,  
543 or the Mayor’s designee, for the failure to comply with a subpoena or warrant relating to  
544 paternity or child support proceedings, or the failure to pay child support pursuant to section  
545 26a(b-2) of the District of Columbia Child Support Enforcement Amendment Act of 1985,  
546 effective February 13, 1996 (D.C. Law 11-87; D.C. Official Code § 46-225.01(b-2));

547           “(5) Occurring before a certification to the Secretary of Health and Human  
548 Services, pursuant to sections 452(k) and 454(31)(A) of the Social Security Act, approved August  
549 22, 1996 (110 Stat. 2252; 42 U.S.C. §§ 652(k) and 654(31)(A)), that an individual owes  
550 arrearages in child support in an amount exceeding \$2,500; and

551 “(6) Arising pursuant to section 27c(c) of the District of Columbia Child Support  
552 Enforcement Amendment Act of 1985, effective April 3, 2001 (D.C. Law 13-269; D.C. Official  
553 Code § 46-226.03(c)), involving the attachment and seizure of:

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

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

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

560 Sec. 3051. Short title.

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

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

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

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

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

569 “(i) One mental health professional;

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

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

574           **SUBTITLE G. REHIRING OF RETIRED POLICE OFFICERS**

575           Sec. 3061. Short title.

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

578           Sec. 3062. Section 2 of the Retired Police Officer Redeployment Amendment Act of  
579 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761), is amended  
580 as follows:

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

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

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

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

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

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

595           **TITLE IV. PUBLIC EDUCATION SYSTEMS**

596 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASE**

597 Sec. 4001. Short title.

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

600 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public  
601 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §  
602 38-2903 *et seq.*), is amended as follows:

603 (a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase  
604 “\$10,980 per student for fiscal year 2020” and inserting the phrase “\$11,310 per student for  
605 Fiscal Year 2021” in its place.

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

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

608 (c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:  
609

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

612 “Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$10,971
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$13,572
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$22,281
“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	\$39,472
“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	\$1,120
“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	\$1,007
“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	\$18,888

613  
 614 “General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental
--------------------	------------	-----------	---------------------------



			Allocation FY 2021
“ELL	Additional funding for English Language Learners.	0.49	\$5,542
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.225	\$2,545

615

616

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.37	\$4,185
“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	\$15,155
“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	\$32,686
“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	\$32,686
“LEP/NEP -	Additional funding to support the after-	0.668	\$7,555

Residential	hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting		
-------------	---	--	--

617  
618 “Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated  
619 in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“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	\$713
“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	\$2,567
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.491	\$5,553
“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	\$5,553

620  
621 (d) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase “Fiscal  
622 Year 2022” and inserting the phrase “Fiscal Year 2024” in its place.

623 **SUBTITLE B. EDUCATION FACILITY COLOCATION**

624 Sec. 4011. Short title.

625 This subtitle may be cited as the “Education Facility Colocation Amendment Act of  
626 2020”.

627           Sec. 4012. Section 3422 of the Public School and Public Charter School Facilities  
628 Sharing Act of 2002, effective October 1, 2002 (D.C. Law 14-190; DC Official Code § 38-  
629 1831.01), is amended as follows:

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

631           “(a) The District of Columbia Public Schools (“DCPS”) system may allow existing  
632 public charter schools that are chartered by the District of Columbia Board of Education or the  
633 Public Charter School Board to utilize space in DCPS facilities, where such facilities are  
634 currently or projected to be underutilized.”.

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

636           (1) Paragraphs (1) and (2) are amended to read as follows:

637           “(1) As payment for the space allocation, the public charter school shall pay to  
638 DCPS an amount agreeable to the charter school and DCPS.

639           “(2) The amount of payment shall be agreed upon by DCPS and the public charter  
640 school before relocation of any public charter school into a public school facility.”.

641           (2) Paragraph (3) is repealed.

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

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

645           “(d)(1) There is established as a special fund the DCPS School Facility Colocation Fund  
646 (“Fund”), which shall be administered by DCPS in accordance with this paragraph (3) of this  
647 subsection.

648           “(2) All payments received from public charter schools under this section shall be  
649 deposited in the Fund.

650 “(3) Money in the Fund shall be used:

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

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

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

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

662 **SUBTITLE C. CHILD CARE GRANTS**

663 Sec. 4021. Short title.

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

666 Sec. 4022. Child care grantmaking authority.

667 Section 3(b) of the State Education Office Establishment Act of 2000, effective October  
668 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

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

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

672 (c) A new paragraph (32) is added to read as follows:

673                   “(32) Have the authority to issue grants, from funds under its administration, to  
674 non-profit and community-based organizations to increase access to, the affordability of, and the  
675 quality of child care in the District.”.

676                   **SUBTITLE D. DEPARTMENT OF PARKS AND RECREATION SPONSORSHIP**  
677 **AND ADVERTISING REVENUE**

678                   Sec. 4031. Short title.

679                   This subtitle may be cited as the “Parks and Recreation Sponsorship Amendment Act of  
680 2020”.

681                   Sec. 4032. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246;  
682 D.C. Official Code § 10-301 *et seq.*), is amended as follows:

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

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

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

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

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

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

694                   (4) Subsection (d) is amended by striking the word “Fund” and inserting the  
695 phrase “Enterprise Fund” in its place.

696 (5) Paragraph (e) is repealed.

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

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

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

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

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

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

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

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

715 “(d) Money in the Sponsorship Fund:

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

719                   “(2) May be used to support any other events, programs, activities, recreation  
720 centers, fields, pools, play courts, and other assets and facilities of the Department.

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

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

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

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

731                   **PROGRAMMING GRANTS**

732                   Sec. 4041. Short title.

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

735                   Sec. 4042. Section 3 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law  
736 10-246; D.C. Official Code § 10-302), is amended by adding a new paragraph (f) to read as  
737 follows:

738                   “(f) The Department may issue grants to qualified individuals and non-profit  
739 organizations who directly provide programming on behalf of the Department; provided, that  
740 such grants shall be issued and administered in accordance with the Grant Administration Act of  
741 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).”

742           **SUBTITLE F. CHILD DEVELOPMENT FACILITY AND PRE-K REPORTS**

743           Sec. 4051. Short title.

744           This subtitle may be cited as the “Child Development Facilities and Pre-k Reports  
745 Amendment Act of 2020”.

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

748           Sec. 4053. The Pre-k Enhancement and Expansion Amendment Act of 2008, effective  
749 July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.01 *et seq.*), is amended as follows:

750           (a) Section 103(e) (D.C. Official Code § 38-271.03(e)) is amended by striking the phrase  
751 “by December 30 of each year, beginning in 2009” and inserting the phrase “by December 30,  
752 2022, and triennially thereafter” in its place.

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

756           (c) Section 105(a) (D.C. Official Code § 38-271.05(a)) is amended by striking the phrase  
757 “by December 30 of each year, beginning in 2009” and inserting the phrase “by December 30,  
758 2022, and triennially thereafter” in its place.

759           **SUBTITLE G. SCHOOL MEAL COST REIMBURSEMENTS AND SUBSIDIES**

760           Sec. 4061. Short title.

761           This subtitle may be cited as the “School Meal Cost Reimbursement and Subsidies  
762 Amendment Act of 2020”.

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



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

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

768 (2) Paragraph (4A) is repealed.

769 (b) Subsection (f) is amended by striking the phrase “Beginning on October 1, 2019, an  
770 amount of \$5,110,000” and inserting the figure “Beginning on October 1, 2020, an amount of  
771 \$4,266,000” in its place.

772 **SUBTITLE H. EARLY HEAD START HOME VISITING GRANTS**

773 Sec. 4071. Short title.

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

776 Sec. 4072. Section 107 of the Birth to Three for All Act of 2018, effective October 30,  
777 2018 (D.C. Law 22-179; D.C. Official Code § 4-651.07), is amended as follows:

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

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

782 **SUBTITLE I. RECREATIONAL SPACE USE FEE WAIVERS**

783 Sec. 4081. Short title.

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

786           Sec. 4082. Section 4 of the Ensuring Community Access to Recreational Spaces Act of  
787 2018, effective February 22, 2019 (D.C. Law 22-210; D.C. Official Code § 38-433), is amended  
788 as follows:

789           (a) Subsection (b) is amended by striking the phrase “Within 180 days after February 22,  
790 2019, the Mayor” and inserting the phrase “The Mayor” in its place.

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

792           “Sec. 7a. Applicability.

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

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

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

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

802           **SUBTITLE J. WILKINSON SCHOOL DISPOSITION PROCESS**

803           Sec. 4091. Short title.

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

806           Sec. 4092. Section 2209(b)(1) of the District of Columbia School Reform Act of 1995,  
807 approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.09(b)(1)), is amended by  
808 adding a new subparagraph (B-ii) to read as follows:

809                   “(B-ii) Notwithstanding subparagraph (A) of this paragraph, the Mayor  
810 may give the right of first offer to purchase, lease, or otherwise use the former Wilkinson  
811 Elementary School building to a charter school facility incubator that leased, or a public charter  
812 school that occupied, all or a portion of the former Birney Elementary School building as of  
813 October 1, 2020.”.

814           Sec. 4093. Section 1 of An Act Authorizing the sale of certain real estate in the District of  
815 Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C.  
816 Official Code § D.C. Code § 10-801), is amended by adding a new subsection (b-6) to read as  
817 follows:

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

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

829           **SUBTITLE K. FORT DUPONT ICE ARENA GRANT**

830           Sec. 4101. Short title.

831 This subtitle may be cited as the “Fort Dupont Ice Arena Grant Amendment Act of  
832 2020”.

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

## 837 **TITLE V. HUMAN SUPPORT SERVICES**

### 838 **SUBTITLE A. MEDICAID HOSPITAL SUPPLEMENTAL AND DIRECTED** 839 **PAYMENTS**

840 Sec. 5001. Short title.

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

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

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

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

852 (c) Section 5064(a)(1) and (2) (D.C. Official Code § 44-664.03(a)(1) and (2)) is amended  
853 to read as follows

854                   “(1) An amount equal to the non-federal share of the total available spending  
855 room under the outpatient Medicaid upper payment limit for private hospitals applicable to  
856 District Fiscal Year 2020, consistent with requirements and approvals from the United States  
857 Department of Health and Human Services, Center for Medicaid or Medicare Services; plus

858                   “(2) An amount equal to the non-federal share of the total available spending  
859 room under the outpatient Medicaid upper payment limit for District operated hospitals  
860 applicable to District Fiscal Year 2020, consistent with the federal approval of the authorizing  
861 Medicaid State Plan amendment or associated templates and other authorities; plus”.

862                   (d) Section 5065(a) (D.C. Official Code § 44-664.04(a)) is amended by striking the  
863 phrase “the Centers for Medicare and Medicaid Services approves the Medicaid State Plan  
864 amendment” and inserting the phrase “the District obtains approvals required by the Centers for  
865 Medicare and Medicaid Services for” in its place.

866                   (e) Section 5066 (D.C. Official Code § 44-664.05) is amended to read as follows:

867                   “Sec. 5066. Medicaid outpatient hospital access payments; payments to MCOs.

868                   “(a) For visits and services beginning October 1, 2020, the District shall pay MCOs at a  
869 rate sufficient to support payments to hospitals located in the District for outpatient services at a  
870 rate that is not less than 130% of the District Fiscal Year 2020 fee-for-service base rate and shall  
871 direct MCOs to pay such rate to their participating hospitals located in the District for such  
872 services.

873                   “(b) No payment shall be made under this section until such time that the Centers for  
874 Medicare and Medicaid Services approves the Medicaid State Plan amendment, associated  
875 template, and other authorities authorizing the Medicaid payments described in this section.

876 “(c) The Medicaid payment methodologies authorized under this section shall not be  
877 altered unless such alteration is necessary to gain approval from the Centers for Medicare and  
878 Medicaid Services.”.

879 Sec. 5003. Section 5013(a) of the Medicaid Hospital Inpatient Rate Supplement Act of  
880 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.13(a)), is  
881 amended to read as follows:

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

885 “(2) The fee shall be charged at a uniform rate necessary to generate no more than  
886 \$8,454,038 to support inpatient Medicaid Fee-for-Service and managed care rates at the District  
887 Fiscal Year 2015 level of not less than 98% of cost to non-specialty hospitals.

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

890 **SUBTITLE B. MEDICAL MARIJUANA PROGRAM ADMINISTRATION**

891 Sec. 5011. Short title.

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

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

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

898 (1) Paragraphs (1), (1A), and (1B) are redesignated as paragraphs (1B), (1C), and

899 (1D), respectively.

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

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

902 “(1A) “ABC Board” means the Alcoholic Beverage Control Board.”.

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

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

907 (5) Paragraph (6) is repealed.

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

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

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

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

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

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

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

921 (d) Section 6 (D.C. Official Code §7-1671.05) is amended as follows:

922 (1) The lead-in text is amended by striking the phrase “be administered by the  
923 Mayor and shall”.

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

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

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

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

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

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

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

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

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

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

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

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



945 (1) Subsection (d) is amended as follows:

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

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

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

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

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

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

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

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

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

964 “Sec. 9. Medical Cannabis Administration Fund.

965 “(a) There is established as a special fund the Medical Cannabis Administration Fund  
966 (“Fund”), which shall be administered by ABRA in accordance with subsection (c) of this  
967 section.

968           “(b) All funds received from medical cannabis licensing, permitting, and registration fees  
969 shall be deposited into the Fund.

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

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

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

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

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

981           “§ 25-204a. Medical marijuana program; transfer of functions of the Department of  
982 Health.

983           “(a) The Alcoholic Beverage Control Board and ABRA shall be responsible for carrying  
984 out the responsibilities assigned to them by the Legalization of Marijuana for Medical Treatment  
985 Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-  
986 1671.01 *et seq.*) (“Medical Marijuana Act”), and for any responsibilities of the Mayor under the  
987 Medical Marijuana Act that are delegated to the Alcoholic Beverage Control Board or ABRA by  
988 the Mayor.

989           “(b)(1) Except as provided in paragraph (2) of this subsection, all personal property,  
990 assets, records, including both electronic and physical files, licensing agreements, and contracts,

991 equipment, computer software, obligations, and unexpended balances of appropriations,  
992 allocations, assets, and liabilities, and other funds available or to be made available relating to  
993 the powers, duties, functions, operations, and administration by the Department of Health of the  
994 medical marijuana program pursuant to the Legalization of Marijuana for Medical Treatment  
995 Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-  
996 1671.01 *et seq.*), as of September 30, 2020, are hereby transferred to ABRA.

997           “(2) This subsection shall not apply to the personal property, assets, records,  
998 including both electronic and physical files, licensing agreements, and contracts, equipment,  
999 computer software, obligations, and unexpended balances of appropriations, allocations, assets,  
1000 and liabilities, and other funds available or to be made available relating to the powers, duties,  
1001 functions, operations, and administration by the Department of Health of the medical marijuana  
1002 program which are within the purview of the Board of Medicine, Board of Nursing, or Board of  
1003 Dentistry.

1004           “(c) All rules, orders, obligations, determinations, contracts, agreements, and  
1005 understandings of the Department of Health pertaining to the medical marijuana program shall  
1006 remain in effect until such time as they may be lawfully amended, modified, or repealed.

1007           “(d) ABRA shall coordinate with the Department of Health regarding the transition of the  
1008 administration of the medical marijuana program to ABRA.

1009           “(e)(1) The directors of ABRA and the Department of Health shall jointly determine  
1010 which personnel, if any, of the Department of Health associated with the administration of the  
1011 medical marijuana program shall be transferred from the Department of Health to ABRA.

1012           “(2) Personnel who are transferred to ABRA pursuant to this subsection shall be  
1013 subject to the ABRA Director’s personnel authority, pursuant to section 406(b)(21) of the

1014 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March  
1015 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)(21)), including as it relates to  
1016 employment classifications and pay scales.”.

1017 **SUBTITLE C. STEVIE SELLOWS DIRECT SUPPORT PROFESSIONALS**  
1018 **QUALITY IMPROVEMENTS**

1019 Sec. 5021. Short title.

1020 This subtitle may be cited as the “Stevie Sellows Direct Support Professionals Quality  
1021 Improvements Amendment Act of 2020”.

1022 Sec. 5022. Section 47-1273 of the District of Columbia Official Code is amended by  
1023 striking the figure “5.5%” and inserting the figure “6.0%” in its place.

1024 **SUBTITLE D. SENIOR STRATEGIC PLAN**

1025 Sec. 5031. Short title.

1026 This subtitle may be cited as the “Senior Strategic Plan Amendment Act of 2020”.

1027 Sec. 5032. Section 307(e) of the District of Columbia Act on the Aging, effective March  
1028 28, 2019 (D.C. Law 22-267; D.C. Official Code § 7-503.07(e)), is amended as follows:

1029 (a) Paragraph (1) is amended by striking the date “December 31, 2019” and inserting the  
1030 phrase “on the last day of the second fiscal year for which funding for this act is included in an  
1031 approved budget and financial plan”.

1032 (b) Paragraph (3) is amended by striking the date “December 31, 2019” and inserting the  
1033 phrase “the date on which the initial Plan is filed in accordance with paragraph (1) of this  
1034 subsection” in its place.

1035 **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

1036           **SUBTITLE A. OPPORTUNITY ACCOUNTS**

1037           Sec. 6001. Short title.

1038           This subtitle may be cited as the “Opportunity Accounts Expansion Amendment Act of  
1039 2020”.

1040           Sec. 6002. The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-  
1041 266; D.C. Official Code § 1-307.61 *et seq.*), is amended as follows:

1042           (a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph  
1043 (2A) to read as follows:

1044                   “(2A) “Commissioner” means the Commissioner of the Department of Insurance,  
1045 Securities, and Banking.”.

1046           (b) Section 8(b) (D.C. Official Code § 1-307.67(b)) is amended as follows:

1047                   (1) Paragraph (2) is amended by striking the phrase “per account.” and inserting  
1048 the phrase “per account, except as provided in paragraph (3) of this subsection.” in its place.

1049                   (2) A new paragraph (3) is added to read as follows:

1050                   “(3) The Commissioner may waive the requirement in subsection (a) of this  
1051 section and may provide matching funds of up to \$4 for every dollar the account holder deposits  
1052 into the opportunity account when adequate federal or private matching funds are not available.  
1053 For each additional dollar of matching funds that the District provides to an opportunity account  
1054 pursuant to such a waiver, the aggregate matching funds limit set forth in paragraph (2) of this  
1055 subsection for that account shall be increased by \$1.”.

1056           (c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

1057                   (1) Paragraph (6) is repealed.

1058 (2) Paragraph (8) is amended by striking the period at the end and inserting the  
1059 phrase “; and” in its place.

1060 (3) A new paragraph (9) is added to read as follows:

1061 “(9) To pay for any cost, expense, or item authorized by a rule issued pursuant to  
1062 section 14.”.

1063 (d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

1064 (1) Subsection (b) is amended as follows:

1065 (i) Paragraph (2) is amended by striking the phrase “; or” and inserting a  
1066 semicolon in its place.

1067 (ii) Paragraph (3) is amended by striking the period and inserting the  
1068 phrase “; and” in its place.

1069 (iii) A new paragraph (4) is added to read as follows:

1070 “(4) Making health insurance premium payments in the event of a sudden,  
1071 unexpected loss of income.”.

1072 (2) Subsection (c) is repealed.

1073 (3) New paragraphs (c-1), (c-2), and (c-3) are added to read as follows:

1074 “(c-1) If an account holder makes an emergency withdrawal for the purposes of  
1075 subsection (b)(2) or (3) of this section, the account holder shall only withdraw funds deposited  
1076 by the account holder and shall not withdraw matching funds.

1077 “(c-2) If an account holder makes an emergency withdrawal for the purposes of  
1078 subsection (b)(1) of this section, the account holder shall only withdraw funds deposited by the  
1079 account holder and shall not withdraw matching funds, unless the withdrawal is for a medical  
1080 emergency.

1081 “(c-3) If an account holder makes an emergency withdrawal for the purposes of  
1082 subsection (b)(4) of this section, the account holder may withdraw funds deposited by the  
1083 account holder and matching funds.”.

1084 (4) The lead-in language of subsection (e) is amended to read as follows:

1085 “(e) An account holder shall not be required to repay funds withdrawn from the  
1086 opportunity account for an emergency withdrawal but must resume making deposits into the  
1087 opportunity account within 90 days after the emergency withdrawal. If the account holder fails to  
1088 make a deposit within 90 days after the emergency withdrawal:”.

1089 **SUBTITLE B. SPECIAL PURPOSE REVENUE ACCOUNTS OF THE**  
1090 **DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**

1091 Sec. 6011. Short title.

1092 This subtitle may be cited as the “Department of Consumer and Regulatory Affairs  
1093 Special Purpose Revenue Fund Flexibility Amendment Act of 2020”.

1094 Sec. 6012. Section 1 of An Act To provide for the abatement of nuisances in the District  
1095 of Columbia by the Commissioners of said District, and for other purposes, approved April 14,  
1096 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01), is amended as follows:

1097 (a) Subsection (b) is amended to read as follows:

1098 “(b)(1) There is established as a special fund the Nuisance Abatement Fund (“Fund”),  
1099 which shall be administered by the Mayor in accordance with paragraph (3) of this subsection.

1100 “(2) Revenue from the following sources shall be deposited in the Fund:

1101 “(A) Amounts assessed pursuant to subsections (a) and (c) of this section;

1102 “(B) Liens imposed pursuant to section 14(a);

1103 “(C) All fees, fines, and penalties imposed under this act, as provided in

1104 section 14(b), including:

1105                                   “(i) The fees imposed pursuant to subsection (d) of this section;

1106                                   “(ii) The vacant property registration fees collected pursuant to

1107 sections 6 and 9; and

1108                                   “(iii) Civil fines, penalties, and fees imposed under section 10;

1109                                   “(D) The proactive inspection program fees collected pursuant to

1110 subsection 207.1(d) of Title 14 of the District of Columbia Municipal Regulations (14 D.C.M.R.

1111 § 207.1(d));

1112                                   “(E) The portion of the rental unit fee set aside for the Fund pursuant to

1113 section 401(a)(2)(A) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10;

1114 D.C. Official Code § 42-3504.01(a)(2)(A));

1115                                   “(F) Amounts collected by the District under Subtitle B of Title IV-A of

1116 the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000,

1117 effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3173.01 *et seq.*), as

1118 provided in section 451 of that subtitle (D.C. Official Code § 42-3173.11);

1119                                   “(G) All fees and penalties collected under An Act To create a board for

1120 the condemnation of insanitary buildings in the District of Columbia, and for other purposes,

1121 approved May 1, 1906 (34 Stat. 157; D.C. Official Code § 6-901 *et seq.*), as provided in section

1122 16(b) of that act (D.C. Official Code § 6-916(b));

1123                                   “(H) If an accounting is made in accordance with, and subject to, D.C.

1124 Official Code § 47-1340(f), amounts assessed and collected as a tax against real property under

1125 subsection (a) of this section including any interest and any penalties thereon, or otherwise

1126 received to recoup any amounts, incidental expenses or costs incurred, obligated, or expended for



1127 the purposes of the fund;

1128                   “(I) Recoveries from enforcement actions brought by the Office of the  
1129 Attorney General on behalf of the District of Columbia or District of Columbia agencies for the  
1130 abatement of violations of Chapters 1 through 16 of Title 14 of the District of Columbia Code of  
1131 Municipal Regulations, excluding funds obtained through administrative proceedings; and

1132                   “(J) Restitutions from any source to the Fund or to the District for the  
1133 purposes of the Fund.

1134                   “(3) Money in the Fund shall be used for the following purposes:

1135                   “(A) Paying the costs of ensuring property maintenance and housing  
1136 inspections are timely and accurate;

1137                   “(B) Paying the costs of inspecting or correcting any condition, and all  
1138 costs incident thereto, that the Mayor may order or cause pursuant to subsection (a) of this  
1139 section;

1140                   “(C) Paying the costs of demolishing or enclosing a structure under  
1141 Subtitle B of Title IV-A of the Abatement and Condemnation Nuisance Properties Omnibus  
1142 Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-  
1143 3171.01 *et seq.*);

1144                   “(D) Paying the costs of the administration of the Board for the  
1145 Condemnation of Insanitary Buildings, established by section 2 of An Act To create a board for  
1146 the condemnation of insanitary buildings in the District of Columbia, and for other purposes,  
1147 approved May 1, 1906 (34 Stat. 157; D.C. Official Code § 6-902); and

1148                   “(E) Paying costs related to the abatement of nuisance properties and  
1149 housing code violations and improving the operations of the Department of Consumer and

1150 Regulatory Affairs.

1151           “(4)(A) The money deposited into the Fund shall not revert to the unrestricted  
1152 fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
1153 other time.

1154           “(B) Subject to authorization in an approved budget and financial plan,  
1155 any funds appropriated in the Fund shall be continually available without regard to fiscal year  
1156 limitation.”.

1157           (b) Subsection (c)(1)(F)(ii)(II) is amended as follows:

1158                   (A) Sub-sub-subparagraph (bb) is amended by striking the phrase “; or”  
1159 and inserting a semicolon in its place.

1160                   (B) Sub-sub-subparagraph (cc) is amended by striking the period and  
1161 inserting the phrase “; or” in its place.

1162                   (C) A new sub-sub-subparagraph (dd) is added to read as follows:

1163                                   “(dd) Any building, property maintenance, or  
1164 housing code violation that threatens the health or safety of District residents or visitors as  
1165 determined by the Mayor.”.

1166           Sec. 6013. Section 47-2851.13(c) of the District of Columbia Official Code is amended to  
1167 read as follows:

1168           “(c) Revenue credited to the Fund shall be expended by the Department for the purposes  
1169 of:

1170                   “(1) Maintaining and upgrading the basic business licensing system, including  
1171 copying fees, automation upgrades, personnel costs, and supplies; and

1172                   “(2) Otherwise supporting the business service functions of the Department.”.

1173           Sec. 6014. Section 8(c)(2) of the Green Building Act of 2006, effective March 8, 2007  
1174 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)), is amended as follows:

1175           (a) Subparagraph (D) is amended by striking the phrase “; and” and inserting a semicolon  
1176 in its place.

1177           (b) Subparagraph (E) is amended by striking the period and inserting a semicolon in its  
1178 place.

1179           (c) New subparagraphs (F) and (G) are added to read as follows:

1180                           “(F) Costs of abating nuisance properties and housing code violations,  
1181 including the use of green building materials for abatements; and

1182                           “(G) Costs incurred to make green building materials accessible to low-  
1183 income residents.”

1184           Sec. 6015. Section 29-102.13 of the District of Columbia Official Code is amended as  
1185 follows:

1186           (a) Subsection (b) is amended to read as follows:

1187                           “(b) Revenue credited to the Fund shall be expended by the Department of Consumer and  
1188 Regulatory Affairs for the purposes of maintaining and upgrading the corporate filing system and  
1189 supporting the other functions of the Department.”.

1190           (b) A new subsection (g) is added to read as follows:

1191                           “(g)(1) The money deposited in the Fund shall not revert to the unrestricted fund balance  
1192 of the General Fund of the District of Columbia at the end of a fiscal year or at any other time.

1193                           “(2) Subject to authorization in an approved budget and financial plan, any funds  
1194 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

1195           Sec. 6016. Section 8(b)(4) of the Vending Regulation Act of 2009, effective October 22,  
1196 2009 (D.C. Law 18-71, D.C. Official Code § 37-131.07(b)(4)), is amended by striking the phrase  
1197 “under this act” and inserting the phrase “by the Department of Consumer and Regulatory  
1198 Affairs under this act and any other act administered by the Department of Consumer and  
1199 Regulatory Affairs” in its place.

1200           Sec. 6017. Section 63(c) of the Construction Codes Approval and Amendments Act of  
1201 1986, effective October 30, 2018 (D.C. Law 22-168; D.C. Official Code § 6-1405.05(c)), is  
1202 amended as follows:

1203           (a) Subsection (c) is amended to read as follows:

1204           “(c) Money in the Fund shall be used to operate and administer the building permit  
1205 review programs of the Department and to support the other functions of the Department.”.

1206           (b) A new subsections (d) is added to read as follows:

1207           “(d)(1) The money deposited into the Fund shall not revert to the unrestricted fund  
1208 balance of the General Fund of the District of Columbia at the end of a fiscal year or at any other  
1209 time.

1210           “(2) Subject to authorization in an approved budget and financial plan, any funds  
1211 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

1212           Sec. 6018. Conforming amendments.

1213           (a) Section 451(b) of the Abatement and Condemnation of Nuisance Properties Omnibus  
1214 Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official § 42-  
1215 3173.11(b)), is repealed.

1216           (b) Section 14(b) of An Act to provide for the abatement of nuisances in the District of  
1217 Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001

1218 (D.C. Law 13-281; D.C. Official Code § 42-3131.14(b)), is amended by striking the phrase “and  
1219 shall be expended for the general administration, inspection, and abatement costs incurred in the  
1220 correction of wrongful conditions in vacant buildings and other nuisance properties” and  
1221 inserting the phrase “and shall be expended for the purposes authorized under section (1)(b)” in  
1222 its place

1223 (c) Section 16(b) of An Act to create a board for the condemnation of insanitary buildings  
1224 in the District of Columbia, and for other purposes, approved May 1, 1906 (34 Stat. 157; D.C.  
1225 Official Code § 6-916(b)), is amended by striking the phrase “and shall be expended for the  
1226 general administration of the Board”.

1227 **SUBTITLE C. GAME OF SKILL MACHINES**

1228 Sec. 6021. Short title.

1229 This subtitle may be cited as the “Game of Skill Machines Consumer Protection Act of  
1230 2020”.

1231 Sec. 6022. The Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles  
1232 for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172;  
1233 D.C. Official Code §§ 22-1716–22-1718 and 36.601.01 *et seq.*), is amended as follows:

1234 (a) The portion of section 3 currently codified as D.C. Official Code § 22-1716 is  
1235 amended by striking the phrase “Monte Carlo night parties,” and inserting the phrase “Monte  
1236 Carlo night parties, game of skill machines,” in its place.

1237 (b) The portion of section 3 currently codified as D.C. Official Code § 22-1717 is  
1238 amended by striking the period at the end and inserting the phrase “, or game of skill machines  
1239 licensed and regulated by the Office of Lottery and Gaming.” in its place.

1240 (c) The portion of section 3 currently codified as D.C. Official Code § 22-1718 is  
1241 amended by striking the period at the end and inserting the “, or the manufacture, distribution,  
1242 servicing, retailing, sale, lease, purchase, or possession of machines, tickets, slips, certificates, or  
1243 cards for game of skill machines excepted and permissible pursuant to this act.” in its place.

1244 (d) The portion of section 4 currently codified as D.C. Official Code § 36-601.12 is  
1245 amended as follows:

1246 (1) The section heading is amended by striking the phrase “Lottery, Charitable  
1247 Games, and Sports Wagering” and inserting the phrase “Gambling and Gaming” in its place.

1248 (2) Subsection (a) is amended to read as follows:

1249 “(a) There is hereby established as an enterprise fund the Lottery, Gambling, and Gaming  
1250 Fund (“Fund”), under the administration of the Chief Financial Officer.”

1251 (3) A new subsection (a-1) is added to read as follows:

1252 “(a-1) Revenue from the following sources shall be deposited into the Fund or a division  
1253 of the Fund established by the Chief Financial Officer:

1254 “(1) All funds generated by gambling activities operated or licensed by the Chief  
1255 Financial Officer; and

1256 “(2) All fees collected under sections 406 through 409.”.

1257 (4) Subsection (c) is amended by striking the word “gambling” and inserting the  
1258 phrase “gambling and gaming” in its place.

1259 (d) A new Title IV is added to read as follows:

1260 “TITLE IV. GAME OF SKILL MACHINES.

1261 “Sec. 401. Definitions

1262 “For purposes of this title, the term:

1263 “(1) “ABC Board” means the Alcoholic Beverage Control Board.

1264 “(2) “ABRA” means the Alcoholic Beverage Regulation Administration.

1265 “(3) “CFO” means the Chief Financial Officer of the District of Columbia.

1266 “(4) “Distributor” means a person licensed under this title to buy, sell, lease,  
1267 maintain, or service game of skill machines, or any major components or parts of a game of skill  
1268 machine, for distribution to retailers.

1269 “(5) “Game of skill machine” means a mechanical or electronic gaming device  
1270 that rewards the winning player or players with cash, a gift card, or a voucher that can be  
1271 redeemed for cash. The mechanical or electronic gaming device shall not be considered a game  
1272 of skill if:

1273 “(A) The ability of a player to succeed at the game is impacted by the  
1274 number or ratio of prior wins to prior losses of players playing the game;

1275 “(B) The outcome of the game can be controlled by a source other than a  
1276 player playing the game;

1277 “(C) The success of a player is or may be determined by a chance event  
1278 that cannot be altered by the player’s actions;

1279 “(D) The ability of a player to succeed at the game is impacted by game  
1280 features not visible or known to a reasonable player; or

1281 “(E) The ability of a player to succeed at the game is impacted by the  
1282 exercise of skill that no reasonable player could exercise.

1283 “(6) “Gross game of skill machine revenue” means the total of cash or cash  
1284 equivalents received from a game of skill machine minus the total of:

1285                   “(A) Cash or cash equivalents paid to players as a result of a game of skill  
1286 machine;

1287                   “(B) Cash or cash equivalents paid to purchase annuities to fund prizes  
1288 payable to players over a period of time as a result of a game of skill machine; and

1289                   “(C) The actual cost paid by the license holder for personal property  
1290 distributed to a player as a result of a game of skill machine, excluding travel expenses, food,  
1291 refreshments, lodging, and services.

1292                   “(7) “Licensed establishment” means an on-premises retail establishment licensed  
1293 by the ABC Board to sell, serve, and allow for the consumption of alcoholic beverages.

1294                   “(8) “Licensed premises” means the physical location of a licensed establishment  
1295 that is authorized by the Office to offer game of skill machines.

1296                   “(9) “Licensee” means a person who possesses a game of skill manufacturer,  
1297 distributor, supplier, or retailer license issued by the Office.

1298                   “(10) “Manufacturer” means a person that is licensed under this title and that  
1299 manufactures or assembles game of skill machines for sale or lease to distributors.

1300                   “(11) “Office” means the Office of Lottery and Gaming.

1301                   “(12) “Retailer” means a person that is licensed under this title to offer game of  
1302 skill machines on its licensed premises.

1303                   “(13) “Supplier” means a person that is licensed under this title to supply major  
1304 components or parts of game of skill machines to licensed manufacturers or distributors.

1305                   “Sec. 402. Authorization of game of skill machines.

1306                   “The operation of game of skill machines shall be lawful in the District if conducted in  
1307 accordance with this title and the rules issued pursuant to this title.



1308           “Sec. 403. Rules and regulations governing game of skill machines.

1309           “(a) The CFO, pursuant to Title I of the District of Columbia Administrative Procedure

1310 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue

1311 rules governing game of skill machines to implement the provisions of this title and protect the

1312 public interest.

1313           “(b) The rules issued by the CFO pursuant to subsection (a) of this section shall include:

1314                   “(1) Standards for conducting inspections of game of skill machines for

1315 compliance with industry standards;

1316                   “(2) Standards for inspecting licensed establishments for compliance with this

1317 title;

1318                   “(3) Minimum and maximum payment amounts for playing game of skill

1319 machines;

1320                   “(4) The maximum amount of allowable winnings per game;

1321                   “(5) Requirements relating to how fees and taxes are to be remitted;

1322                   “(6) The method of accounting to be used by a licensed establishment where a

1323 game of skill machine is authorized;

1324                   “(7) Methods of age verification;

1325                   “(8) Types of records that shall be required to be maintained by a licensee;

1326                   “(9) Posting requirements;

1327                   “(10) Advertising guidelines, including specific language concerning individuals

1328 under the age of 18;

1329                   “(11) Penalties for violating this title or rules issued pursuant to this title; and

1330                   “(12) Internal control standards for game of skill machines.

1331           “Sec. 404. Game of skill machine license requirements; prohibition.

1332           “(a)(1) Except as provided in subsection (f) of this section, no person may offer or allow

1333 a game of skill machine in the District unless all the licenses required by this title, or by a rule

1334 issued pursuant to this title, have been duly obtained.

1335           “(b)(1) The Office shall issue the following categories of game of skill machine licenses:

1336                           “(A) Manufacturer;

1337                           “(B) Distributor;

1338                           “(C) Supplier; and

1339                           “(D) Retailer.

1340           “(2) The Office shall not grant a license listed in paragraph (1) of this subsection

1341 until it has determined that each person that possesses 10% or greater beneficial or proprietary

1342 interest in the applicant has been approved for licensure in accordance with this title and the rules

1343 issued pursuant to this title.

1344           “(c)(1) An applicant for an initial manufacturer, distributor, or supplier license shall be

1345 subject to District and national criminal history background checks. The applicant shall submit

1346 an application to the Office, in a form determined by the Office, for fingerprints for a national

1347 criminal records check by the Metropolitan Police Department and the Federal Bureau of

1348 Investigation of all individuals required to be named in the application and a signed authorization

1349 of each individual submitting fingerprints for the release of information by the Metropolitan

1350 Police Department and the Federal Bureau of Investigation.

1351           “(2) In the case of an application for license renewal, the Office may require

1352 additional background checks.

1353           “(d) The Office shall require proof of good standing pursuant to D.C. Official Code § 29-  
1354 102.08 of an applicant for a license pursuant to this title and may, in addition, require  
1355 certification that the Citywide Clean Hands Database indicates that the proposed licensee is  
1356 current with its District taxes.”.

1357           “(e) Proprietary information, trade secrets, financial information, and personal  
1358 information about a person in an application submitted to the Office pursuant to this title shall  
1359 not be a public record and shall not be made available under the Freedom of Information Act of  
1360 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), or any  
1361 other law.

1362           “(f)(1) A retailer shall display its license as required by section 412(d) and shall make the  
1363 license immediately available for inspection upon request by an employee of the Office, the  
1364 Metropolitan Police Department, or ABRA.

1365           “(2) When present at a licensed establishment, an employee of a distributor shall  
1366 carry a copy of its license and make it readily available for inspection by an employee of the  
1367 Office, the Metropolitan Police Department, or ABRA.

1368           “(g) A licensed establishment that applied for and obtained a game of skill machine  
1369 endorsement from the ABC Board pursuant to D.C. Official Code § 25-113a(e) prior to the  
1370 effective date of this act shall have 180 calendar days after the effective date of this act to come  
1371 into compliance with this title and the rules issued pursuant to this title. Failure to do so may  
1372 result in the Office taking action against the licensed establishment in accordance with section  
1373 417 of this title.”

1374           “Sec. 405. License prohibitions; suspensions and revocation of licenses.

1375           “(a) An applicant convicted of a disqualifying offense shall not be licensed. The Office  
1376 shall define disqualifying offenses by a rule issued pursuant to this title.

1377           “(b) No Office or ABRA employee, or immediate family member of an Office or ABRA  
1378 employee, may be an applicant for, have an interest in, or obtain a license issued pursuant to this  
1379 title.

1380           “(c) Failure of an applicant or licensee to notify the Office of a change to the information  
1381 provided in its application for license or renewal within 10 days after the change may result in  
1382 the Office suspending or revoking the licensee’s license, denying the applicant’s license, and  
1383 issuing a fine.

1384           “(d)(1) The Office shall not grant a license pursuant to this title, and shall revoke a  
1385 license previously granted, if evidence satisfactory to the Office exists that the applicant or  
1386 licensee has:

1387                           “(A) Knowingly made a false statement of a material fact to the Office;

1388                           “(B) Had a license revoked by a governmental authority responsible for  
1389 regulation of games of skill;

1390                           “(C) Been convicted of a felony and has not received a pardon or been  
1391 released from parole or probation for at least 5 years; or

1392                           “(D) Been convicted of a gambling-related offense or a theft or fraud  
1393 offense.

1394           “(2) The Office may deny a license to an applicant or suspend or revoke a license  
1395 of a licensee if the applicant or licensee:

1396                           “(A) Has not demonstrated, to the satisfaction of the Office, financial  
1397 responsibility sufficient to adequately meet the requirement of the proposed activity;

1398                           “(B) Is not the true owner of the licensed business or has not disclosed the  
1399 existence or identity of another individual or entity that has an ownership interest in the business;  
1400 or

1401                           “(C) Is a corporation that sells more than 5% of a licensee’s voting stock,  
1402 more than 5% of the voting stock of a corporation that controls the licensee, or sells a licensee’s  
1403 assets, to an individual or entity not already determined by the Office to have met the  
1404 qualifications of a licensee pursuant to this title, or is a non-corporate entity where a person not  
1405 already determined by the Office to have met the qualifications of a licensee pursuant to this title  
1406 holds more than 10% interest in the non-corporate entity.”.

1407                   “Sec. 406. Conflicts of interest.

1408                   “(a) Before issuing, authorizing the transfer to a new owner of, or renewing a license, the  
1409 Office shall determine that the applicant is not disqualified because of a conflicting interest in  
1410 another license. In making this determination, the following standards shall apply:

1411                           “(1) No licensee under a supplier’s license shall hold a license in another license  
1412 issued under this title.

1413                           “(2) No licensee under a distributor’s license shall hold a license in another  
1414 license issued under this title; provided that the holder of a distributor’s license may also hold a  
1415 manufacturer’s license.

1416                           “(3) No licensee under a manufacturer’s license shall hold another license issued  
1417 under this title; provided that the holder of a manufacturer’s license may also hold a distributor’s  
1418 license.

1419                   “Sec. 407. Manufacturer licensure.

1420           “(a) A person may not manufacture a game of skill machine in the District unless the  
1421 person has a valid manufacturer’s license issued under this title. A manufacturer may only sell  
1422 game of skill machines for use in the District to persons having a valid distributor’s license.

1423           “(b) A person applying for a manufacturer’s license shall do so on a form proscribed by  
1424 the Office. The form shall require:

1425                   “(1) The name of the applicant;

1426                   “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
1427 name of the state in which it is incorporated, the location of its principal place of business, and  
1428 the names and addresses of its directors;

1429                   “(3) A report of the applicant’s financial activities, including evidence of financial  
1430 stability, such as bank statements, business and personal income and disbursement schedules,  
1431 and tax returns; and

1432                   “(4) Any other information the Office considers necessary.

1433           “(c) In considering whether to approve an application for a distributor’s license, the  
1434 Office may consider evidence the distributor submitted to the Office of an existing license as a  
1435 distributor from another jurisdiction that the Office has determined has licensing requirements  
1436 similar to those required by the District.

1437           “(d) An applicant for a manufacturer’s license shall pay a nonrefundable application fee  
1438 of \$10,000 with the application.

1439           “(e) A manufacturer’s license shall be renewed annually; provided that the licensee has  
1440 continued to comply with all statutory and regulatory requirements and pays upon submission of  
1441 its renewal application a \$5,000 renewal fee.

1442           “Sec. 408. Distributor licensure.

1443           “(a) A person may not buy, sell, distribute, lease, maintain, market, or service a game of  
1444 skill machine or a major component or part of a game of skill machine for distribution in the  
1445 District unless the person has a valid distributor’s license issued by the Office.

1446           “(b) A licensed distributor may buy, sell, distribute, lease, maintain, market, or service a  
1447 game of skill machine or any major component or part of a game of skill machine for distribution  
1448 in the District to a licensed establishment that possesses a retailer’s license from the Office and a  
1449 game of skill machine endorsement from the ABC Board pursuant to D.C. Official Code § 25-  
1450 113a(e). No distributor may give anything of value, including a loan or financing agreement, to  
1451 a licensed establishment as an incentive or inducement to locate a game of skill machine in the  
1452 establishment.

1453           “(c) A person applying for a distributor’s license shall do so on a form proscribed by the  
1454 Office. The form shall require:

1455                   “(1) The name of the applicant;

1456                   “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
1457 name of the state in which it is incorporated, the location of its principal place of business, and  
1458 the names and addresses of its directors;

1459                   “(3) A report of the applicant’s financial activities, including evidence of financial  
1460 stability, such as bank statements, business and personal income and disbursement schedules,  
1461 and tax returns; and

1462                   “(4) Any other information the Office considers necessary.

1463           “(d) In considering whether to approve an application for a distributor’s license, the  
1464 Office may consider evidence the distributor submitted to the Office of an existing license as a

1465 distributor from another jurisdiction that the Office has determined has licensing requirements  
1466 similar to those required by the District.

1467       “(e) An applicant for a distributor’s license shall demonstrate that the equipment, system,  
1468 or device that the applicant plans to offer to retailers conform to standards established pursuant  
1469 to this title, the rules issued pursuant to this title, and other applicable law.

1470       “(f) An applicant for a distributor’s license shall pay a nonrefundable application fee of  
1471 \$10,000 with the application.

1472       “(g) A distributor’s license shall be renewed annually; provided that the licensee has  
1473 continued to comply with all statutory and regulatory requirements and pays upon submission of  
1474 its renewal application a \$5,000 renewal fee.

1475       “(h) A distributor shall submit to the Office, at such times as are established by the Office  
1476 by rule, a list of all game of skill machines sold, delivered to, or offered to a retailer. All such  
1477 equipment shall be tested and approved by an independent testing laboratory approved by the  
1478 Office.

1479       “Sec. 409. Supplier licensure.

1480       “(a) A person shall not sell parts or components for a game of skill machine, or provide  
1481 services related to a game of skill machine, unless the person has a valid supplier’s license. A  
1482 supplier may only provide parts and components for a game of skill machine, or provide services  
1483 related to a game of skill machine, for use in the District to a person having a valid  
1484 manufacturer’s or distributor’s license.

1485       “(b) A person applying for a supplier’s license shall do so on a form proscribed by the  
1486 Office. The form shall require:

1487               “(1) The name of the applicant;



1488                   “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
1489 name of the state in which it is incorporated, the location of its principal place of business, and  
1490 the names and addresses of its directors;

1491                   “(3) A report of the applicant’s financial activities, including evidence of financial  
1492 stability, such as bank statements, business and personal income and disbursement schedules,  
1493 and tax returns; and

1494                   “(4) Any other information the Office considers necessary.”.

1495                   “(c) In considering whether to approve an application for a supplier’s license, the Office  
1496 may consider evidence the supplier submitted to the Office of an existing license as a supplier  
1497 from another jurisdiction that the Office has determined has licensing requirements similar to  
1498 those required by the District.

1499                   “(d) An applicant for a supplier’s license shall demonstrate that the equipment,  
1500 components, or parts that the applicant plans to offer to manufacturers or distributors conform to  
1501 standards established pursuant to this title, rules issued pursuant to this title, and other applicable  
1502 law.

1503                   “(e) An applicant for a supplier’s license shall pay a nonrefundable application fee of  
1504 \$2,000 with the application.

1505                   “(f) A supplier’s license shall be renewed annually; provided that the licensee has  
1506 continued to comply with all statutory and regulatory requirements and pays upon submission of  
1507 its renewal application a \$1,000 renewal fee.

1508                   “(g) A supplier shall submit to the Office, at such times as are established by the Office  
1509 by rule, a list of all components or parts for game of skill machines sold, delivered to, or offered

1510 to a manufacturer or operator. All such equipment shall be tested and approved by an  
1511 independent testing laboratory approved by the Office.

1512 “Sec. 410. Retailer licensure; registration of game of skill machines.

1513 “(a) A person may not own, lease, maintain, install, make available, or offer or allow  
1514 another to play a game of skill machine in the District unless the person:

1515 “(1) Is a licensed establishment;

1516 “(2) Possesses a retailer’s license from the Office and a game of skill machine  
1517 endorsement from ABRA in accordance with D.C. Official Code § 25-113a(e); and

1518 “(3) Has entered into a written use agreement with a licensed distributor for the  
1519 placement or installation of a game of skill machine or machines on the licensed premises.

1520 “(b) Each game of skill machine located on a retailer’s licensed premises shall be  
1521 registered with the Office by the retailer before the game of skill machine is installed on the  
1522 licensed premises. A retailer may register and operate up to 5 game of skill machines on the  
1523 licensed premises at any time. The registration fee for each game of skill machine shall be \$100.  
1524 The Office shall issue to the retailer a registration sticker for placement on each registered game  
1525 of skill machine.

1526 “(c) A person shall apply for a retailer’s license on a form proscribed by the Office. The  
1527 form shall require:

1528 “(1) The name of the applicant;

1529 “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
1530 name of the state in which it is incorporated, the location of its principal place of business, and  
1531 the names and addresses of its directors;

1532                   “(3) A report of the applicant’s financial activities, including evidence of financial  
1533 stability, such as bank statements, business and personal income and disbursement schedules,  
1534 and tax returns; and

1535                   “(4) Any other information the Office considers necessary.

1536                   “(d) An applicant for a retailer’s license shall pay a nonrefundable application fee of \$300  
1537 with the application.

1538                   “(e) A retailer’s license shall be renewed annually; provided that the licensee continued  
1539 to comply with the statutory and regulatory requirements and pays upon submission of its  
1540 renewal application a \$300 renewal fee.

1541                   “(f) The Office shall require a retailer to be bonded, in such amounts and in such manner  
1542 as determined by the Office, and to agree, in writing, to indemnify and hold harmless the District  
1543 government against any and all actions, claims, and demands of whatever kind or nature that the  
1544 District may incur by reason of or in consequence of issuing the retailer’s license to the retailer.

1545                   “(g)(1) Game of skill machines shall not be offered or allowed to be played in the District  
1546 other than at an establishment licensed as a retailer.

1547                   “(2) A person convicted of violating this subsection shall be subject to a fine not  
1548 to exceed \$5,000 or imprisonment not to exceed 6 months, or revocation of the retailer’s license,  
1549 or all of the foregoing.

1550                   “Sec. 411. Minimum requirements of game of skill machines.

1551                   “(a)(1) Every game of skill machine offered for play shall first be tested and approved  
1552 pursuant to this title and the rules issued pursuant to this title.

1553                   “(2) The Office shall utilize the services of an accredited independent outside  
1554 testing laboratory to test and assess each game of skill machine.

1555                   “(3) The applicant shall be responsible for paying the fees associated with testing  
1556 the game of skill machines.

1557                   “(b) Every game of skill machine offered in the District shall meet the minimum  
1558 standards approved by the Office, including the following:

1559                   “(1) The game of skill machine must conform to all requirements of federal law  
1560 and regulations, including the Federal Communications Commission’s Class A Emissions  
1561 Standards;

1562                   “(2) The game of skill machine shall pay out a mathematically demonstrable  
1563 percentage during the expected lifetime of the machine of all amounts played, which shall not be  
1564 less than 80%;

1565                   “(3) The game of skill machine shall display an accurate representation of the  
1566 game outcome;

1567                   “(4) The game of skill machine shall not automatically alter pay tables or any  
1568 function of the game of skill machine based on an internal computation of a hold percentage or  
1569 have a means of manipulation that affects the random selection process or probabilities of  
1570 winning a game;

1571                   “(5) The game of skill machine shall not be negatively affected by static discharge  
1572 or other electromagnetic inference;

1573                   “(6) The game of skill machine shall be capable of displaying the following  
1574 during idle status: “power reset”; “door open”; or “door closed”;

1575                   “(7) The game of skill machine shall be able to detect and display the game’s  
1576 complete play history and winnings for the previous 10 games;

1577                   “(8) The theoretical payback percentage of a game of skill machine shall not be  
1578 capable of being changed without making a hardware or software change in the machine itself;

1579                   “(9) The game of skill machine shall be designed so that the replacement of parts  
1580 or modules required for normal maintenance does not necessitate replacement of the  
1581 electromechanical meters;

1582                   “(10) The game of skill machine shall contain a non-resettable meter which shall  
1583 be located in a locked area of the machine that is accessible only by a key;

1584                   “(11) The game of skill machine shall be capable of storing the meter information  
1585 required by paragraph (10) of this subsection for a minimum of 180 days after a power loss to the  
1586 machine;

1587                   “(12) The game of skill machine shall have accounting software that keeps an  
1588 electronic record that includes:

1589                               “(A) Total cash inserted into the game of skill machine;

1590                               “(B) The value of winning tickets awarded to players by the game of skill  
1591 machine;

1592                               “(C) The total credits played on the game of skill machine;

1593                               “(D) The total credits awarded by the game of skill machine; and

1594                               “(E) The payback percentage credited to players of the game of skill  
1595 machine;

1596                   “(13) The game of skill machine shall be linked to a centralized accounting  
1597 system which will allow the Office to activate or deactivate the game of skill machine from the  
1598 centralized system remotely; and

1599                   “(14)(A) The game of skill machine shall be linked to a centralized accounting  
1600 system in accordance with section 415 by which all approved game of skill machines shall be  
1601 connected for purposes of accounting and reporting to the Office.

1602                   “(B) A manufacturer of a game of skill machine that has been approved to  
1603 distribute and install a game of skill machine in the District shall be allowed one year from the  
1604 effective date of this title to come into compliance with this paragraph.

1605                   “(c) The Office may issue rules to establish additional licensing and registration  
1606 requirements for purposes of preserving the integrity and security of game of skill machines in  
1607 the District.

1608                   “Sec. 412. Registration; display of registration sticker, license, and warning sign;  
1609 locations of game of skill machines.

1610                   “(a) A retailer shall register each of its game of skill machines in the District with the  
1611 Office before the game of skill machine may be installed at the licensed establishment.

1612                   “(b) A retailer shall locate its game of skill machines for play only in specific locations  
1613 approved by the ABRA within the retailer’s licensed establishment.

1614                   “(c) A retailer shall affix and maintain a registration sticker issued by the Office to the  
1615 game of skill machine at all times the game of skill machine is located at the establishment. If  
1616 the registration sticker is damaged, destroyed, lost, or removed, the retailer shall pay the Office  
1617 \$75 for a replacement registration sticker.

1618                   “(d) A retailer shall post both its retailer’s license and a warning sign, maintained in good  
1619 repair and in a place clearly visible at the point of entry to the designated areas where the game  
1620 of skill machines are located. The warning sign shall include:

1621                   “(1) The minimum age required to play a game of skill machine;

1622                   “(2) The contact information for the District’s gambling hotline; and  
1623                   “(3) The contact information for the Office of Lottery and Gaming for purposes of  
1624 filing a complaint against the manufacturer, supplier, distributor, or retailer.

1625                   “(e) Failure to display the registration sticker, license, or warning sign may result in the  
1626 Office revoking or suspending the license or issuing a fine against the licensed establishment  
1627 pursuant to section 417.

1628                   “Sec. 413. Cash award.

1629                   “(a) A game of skill machine shall not directly dispense cash awards or payments to a  
1630 player. If, at the conclusion of the game, a player is entitled to a cash award, the game of skill  
1631 machine shall dispense a ticket or voucher to the player. The ticket or voucher shall indicate:

1632                   “(1) The total amount of the cash award;

1633                   “(2) The time of day that the cash award was issued in a 24-hour format showing  
1634 hours and minutes, the date, the terminal serial number, and the sequential number of the ticket  
1635 or voucher; and

1636                   “(3) An encrypted validation number from which the validity of the cash award  
1637 may be determined.

1638                   “(b) A retailer must allow a player to take the ticket or voucher to the owner of the  
1639 licensed establishment or the owner’s designee, who must be located at the licensed  
1640 establishment, for payment of the cash award.

1641                   “Sec. 414. Game of skill machine use by minors prohibited.

1642                   “(a) A licensee shall not permit a person under the age of 18 to use or play a game of skill  
1643 machine.

1644           “(b) The Office may suspend or revoke a license and issue a fine, in accordance with  
1645 section 417, against a licensee that knowingly allows a person under the age of 18 to use or play  
1646 a game of skill machine.

1647           “Sec. 415. Centralized accounting system.

1648           “(a) Within 365 days after the effective date of this title, the Office shall procure a  
1649 centralized accounting system linked by a communications network through which all licensed  
1650 game of skill machines shall connect for the purpose of accounting and reporting to the District.

1651           “(b) By such date as shall be designated by the Office, all game of skill machines  
1652 registered in the District shall be linked by a communications network to the centralized  
1653 accounting system for purposes of monitoring and reading machine activities as provided for in  
1654 this title or rules issued pursuant to this title. When the Office is satisfied with the operation of  
1655 the centralized accounting system, it shall certify the effective status of the system and notify all  
1656 retailers of the date by which the retailer’s game of skill machines must be linked to the  
1657 centralized accounting system.

1658           “(c) The centralized accounting system shall be designed and operated to allow the  
1659 monitoring and reading of all game of skill machines for the purpose of compliance with this title  
1660 and rules issued pursuant to this title. The centralized accounting system shall be administered  
1661 by the Office.

1662           “(d) The centralized accounting system shall not provide for the monitoring or reading of  
1663 personal or financial information concerning patrons of game of skill machines.

1664           “(e) Employees and agents of a contractor or subcontractor of the Office that is engaged  
1665 in building, operating, maintaining, or contracting to build, operate, or maintain the centralized



1666 accounting system, and the immediate family members of such employees and agents, shall be  
1667 prohibited from obtaining a license under this title.

1668 “(f) Unless a retailer’s license is cancelled, suspended, or revoked, nothing in this section  
1669 shall authorize the Office to limit or eliminate a registered game of skill from the centralized  
1670 accounting system.

1671 “Sec. 416. Insurance.

1672 “Each distributor shall maintain liability insurance on all game of skill machines that it  
1673 places in a licensed establishment in an amount set by the Office by rule issued pursuant to this  
1674 title.

1675 “Sec. 417. Penalties.

1676 “(a) In the event of a violation of this title or a rule issued pursuant to this title, the Office  
1677 may:

1678 “(1) Impose a fine of not more than \$50,000;

1679 “(2) Revoke a licensee’s license; and

1680 “(3) Suspend the licensee’s license for up to one year.

1681 “(b) A person that has been fined or whose application has been denied, revoked, or  
1682 suspended pursuant to this section shall have a right to a hearing before the Office and, in the  
1683 event of the Office’s affirmation of the fine, denial, revocation, or suspension, the right to appeal  
1684 the decision of the Office to the Superior Court of the District of Columbia.

1685 “(c) The Office shall notify ABRA within 48 hours after the Office suspends or revokes a  
1686 retailers license.

1687 “Sec. 418. Authority of the Office.

1688           “(a) The Office may enforce the provisions of this title with respect to licensees and with  
1689 respect to any individual or entity not holding a license and offering a game of skill machine in  
1690 violation of the provisions of this title or rules issued pursuant to this title.

1691           “(b) Subject to subsection (c) of this section, the Office and the Metropolitan Police  
1692 Department may issue citations for civil violations of this title as set forth in rules issued  
1693 pursuant to this title.

1694           “(c) A citation for a violation for which the penalty includes the suspension or revocation  
1695 of a license shall be issued by the Office as a result of an investigation carried out by the Office.

1696           “(d) The Office may request and check the identification of a person who has played, is  
1697 playing, or is attempting to play a game of skill machine. The Office may seize evidence that  
1698 substantiates a violation under this title, which shall include seizing the tickets, vouchers, or cash  
1699 awards issued to a person under the age of 18 and fake identification documents used by a person  
1700 under the age of 18.

1701           “(e) The Office may seize a game of skill machine license from an establishment if:

1702                   “(1) The game of skill machine license has been suspended, revoked, or cancelled  
1703 by the Office;

1704                   “(2) The business is no longer in existence; or

1705                   “(3) The business has been closed by another District government agency.

1706           “Sec. 419. Investigations and inspections.

1707           “(a) The Office may conduct investigations, searches, seizures, and other duties  
1708 authorized by this title and rules issued pursuant to this title.

1709           “(b) An applicant for a license, and each licensee, shall allow any member of the Office,  
1710 any ABRA investigator, or any member of the Metropolitan Police Department full opportunity  
1711 to examine, at any time during business hours:

1712                   “(1) The location on the premises where game of skill machines are available to  
1713 play; and

1714                   “(2) The books and records of the licensee or applicant.

1715           “Sec. 420. Unlawful acts; action by the Attorney General.

1716           “(a)(1) No manufacturer, distributor, supplier, licensed establishment, or employee or  
1717 agent of a manufacturer, distributor, supplier, or licensed establishment shall intentionally make  
1718 a false or misleading representation concerning an individual’s chances, likelihood, or  
1719 probability of winning at playing a game of skill machine.

1720                   “(2) An individual or entity claiming to be aggrieved by a fraudulent act or a false  
1721 or misleading statement by a licensee shall have a cause of action in a court of competent  
1722 jurisdiction for damages and any legal or equitable relief as may be appropriate.

1723           “(b) The Attorney General for the District of Columbia, in the name of the District of  
1724 Columbia, may bring an action in the Superior Court of the District of Columbia to enjoin an  
1725 individual or entity or to seek a civil penalty of up to \$50,000 for a violation of this title or a rule  
1726 issued pursuant to this title.

1727           “Sec. 421. Taxation of game of skill machines.

1728           “(a)(1) On or before the 20th calendar day of each month, each retailer shall:

1729                   “(A) File a return, on forms and in the manner prescribed by the CFO,  
1730 with the CFO indicating the amount of gross game of skill machine revenue for the retailer’s  
1731 game of skill machines for the preceding calendar month; and

1732                   “(B) Pay to the District of Columbia Treasurer 10% of the gross game of  
1733 skill machine revenue for the preceding month.

1734           “(b) All funds owed to the District under this section shall be held in trust within the  
1735 boundaries of the District for the District by the retailer until the funds are paid the District of  
1736 Columbia Treasurer.

1737           “(c) A retailer that falsely reports or fails to report the amount due as required by this  
1738 section may be fined or imprisoned in accordance with title 22 of the District of Columbia Code  
1739 and shall have its retailer’s license revoked.

1740           “(d) Each retailer shall keep a record of the gross game of skill machine revenue, awards,  
1741 and net income of each game of skill machine in such form as the Office may require.

1742           “(e) A payment required by this section that is not remitted when due shall be assessed a  
1743 late payment penalty in amount set forth in § 47-4213.

1744           “(f) In the case of an underpayment of the tax set forth in this section, there shall be  
1745 added to the tax an amount of interest determined by applying the underpayment rate set forth in  
1746 § 47-4201 to the amount of the underpayment for the period of the underpayment.

1747           “Sec. 422. Deposit of license fees.

1748           “All fees collected under sections 406 through 409 shall be deposited in the Lottery,  
1749 Gambling, and Gaming Fund, established by section 4 of the Law to Legalize Lotteries, Daily  
1750 Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia,  
1751 effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code § 36-601.12).”.

1752           Sec. 6022. Title 25 of the District of Columbia Official Code is amended as follows:

1753           (a) Section 25-101 is amended as follows:

1754                   (1) A new paragraph (22B) is added to read as follows:

1755                               “(22B) “Game of skill machine” has the meaning set forth in section  
1756 401(5) of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for  
1757 Charitable Purposes in the District of Columbia.”.

1758                               (2) A new paragraph (53A) is added to read as follows:

1759                               “(53A) “Voucher” means a ticket issued by a game of skill machine that is  
1760 redeemable for cash winnings.”.

1761                               (b) Section 25-113a is amended by adding a new subsection (e) to read as follows:

1762                               “(e)(1) A licensee under a manufacturer’s license class A or B holding an on-site sales  
1763 and consumption permit, or an on-premises retailer’s license, class C/R, D/R, C/H, D/H, C/T,  
1764 D/T, C/N, D/N, C/X, or DX, shall obtain a game of skill machine endorsement from the Board in  
1765 order to offer a game of skill machine on the licensed premises.

1766                               “(2)(A) A game of skill machine shall not be placed on outdoor public or private  
1767 space; provided, that the Board, in its discretion, may allow for the placement of a game of skill  
1768 on outdoor public or private space if, in the Board’s determination, activity associated with the  
1769 game of skill machine is:

1770   “(i) Not visible from a public street or sidewalk;

1771   “(ii) Adequately secured against unauthorized entrance; and

1772   “(iii) Accessible only by patrons from within the establishment.

1773                               “(B) Subparagraph (A) of this paragraph shall not apply to a licensee  
1774 operating a passenger-carrying marine vessel in accordance with D.C. Official Code § 25-  
1775 113(h).”.

1776                               (c) Section 25-401 is amended by adding a new subsection (e) to read as follows:

1777 “(e) An applicant for a game of skill machine endorsement shall submit to the Board with  
1778 its application:

1779 “(1) A diagram of where the game of skill machines will be placed on the licensed  
1780 premises; and

1781 “(2) The name of the manufacturer and distributor of the game of skill machines  
1782 and documentation reflecting that the manufacturer and distributor are licensed to do business  
1783 and pays taxes in the District of Columbia.”.

1784 (d) Section 25-508 is amended to read as follows:

1785 “25-508. Minimum fee for permits, and manager’s license, and endorsement.

1786 “The minimum fees for permits, manager’s license, and endorsement shall be as follows:

1787 “Tasting permit for class A licensees \$100/year

1788 “Importation permit \$5

1789 “Manager’s license \$100/year

1790 “On-site sales and consumption permit \$1,000/year

1791 “Game of skill machine endorsement \$200”.

1792 (e) The table of contents of Chapter 7 is amended by adding a new section designation to  
1793 read as follows:

1794 “25-786. Game of skill machine operating requirements.”.

1795 (f) Section 25-763 is amended by adding a new subsection (g) to read as follows:

1796 “(g) Exterior signs advertising game of skill machines shall be prohibited on the licensed  
1797 establishment.”.

1798 (g) Section 25-765 is amended by adding a new subsection (c) to read as follows:

1799           “(c) Advertisements related to game of skill machines shall not be placed on the interior  
1800 or exterior of a window or on the exterior of a door that is used to enter or exit the licensed  
1801 establishment.”.

1802           (h) A new section 25-786 is added to read as follows:

1803           “§ 25-786. Game of skill machine operating requirements

1804           “A licensee with a game of skill machine endorsement shall:

1805           “(a) Not allow or permit a person under 18 years of age to play a game of skill machine  
1806 and shall designate an employee to regularly monitor the designated area where game of skill  
1807 machines are played to ensure that no person under 18 years of age is playing or attempting to  
1808 play a game of skill machine;

1809           “(b) Verify that each person playing a game of skill machine is lawfully permitted to do  
1810 so by checking the person’s government-issued identification document upon entry into either  
1811 the licensed establishment or the designated area where the game of skill machines are located  
1812 and where the person seeks to cash out his or her winnings, if any; except, that the failure of a  
1813 licensee to verify a person’s identification shall not be a violation of this paragraph if the person  
1814 whose identification was not checked is 18 years of age or older;

1815           “(c) Not allow or permit a person that appears intoxicated or under the influence of a  
1816 narcotic or other substance to play a game of skill machine;

1817           “(d) Not share revenue from the licensee’s sale of alcohol with a manufacturer or  
1818 distributor of a game of skill machine, unless approved by the Board as an owner of the license;

1819           “(e) Not allow or permit the placement of a game of skill machine on an outdoor public  
1820 or private space that has not been approved by the Board;

1821 “(f) Not allow or permit the placement of a game of skill machine outside of the  
1822 designated areas contained on the applicant’s diagram provided as part of the license application  
1823 or outside the areas approved by the Board;

1824 “(g) Not have more than 5 game of skill machines on the licensed premises; and

1825 “(h) Install security cameras that are operational and record for 30 days, in the areas  
1826 designated for game of skill machines, near the cash register or terminal where cash winnings of  
1827 game of skill machines are processed, and where the licensee’s money is stored.”.

1828 (i) Section 25-801 is amended by adding a new subsection (h) to read as follows:

1829 “(h) An ABRA investigator may request and check the identification of a person who has  
1830 played, is playing, or is attempting to play a game of skill machine. An ABRA investigator may  
1831 seize fake identification used by a person under 18 years of age and may seize such records  
1832 related to a game of skill machine as the investigator deems appropriate to investigate the  
1833 playing of a game of skill machine by a person under 18 years of age.”.

1834 Sec. 6023. Section 865 of An Act To establish a code of law for the District of Columbia,  
1835 approved March 3, 1901 (31 Stat. 1331; D.C. Official Code § 22-1704), is amended as follows:

1836 (a) The existing text is designated as subsection (a).

1837 (b) A new subsection (b) is added to read as follows:

1838 “(b) It shall be unlawful to install or operate a game of skill machine in the District  
1839 except as permitted by D.C. Official Code § 25-113a(e). Whoever shall install or operate a game  
1840 of skill machine at a location not licensed under Title 25 of the D.C. Official Code shall be  
1841 punished by imprisonment for a term of 180 days or fined not more than the amount set forth in  
1842 § 22-3571.01, or both.”.



1843           **SUBTITLE D. PAY-BY-PHONE TRANSACTION FEES FUND**

1844           Sec. 6031. Short title.

1845           This subtitle may be cited as the “Pay-By-Phone Transaction Fee Fund Amendment Act  
1846 of 2020”.

1847           Sec. 6032. Section 9f of the Department of Transportation Establishment Act, effective  
1848 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), is amended to read as  
1849 follows:

1850           “Sec. 9f. Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund.

1851           “(a) There is established the Parking Meter and Transit Services Pay-by-Phone  
1852 Transaction Fee Fund (“Fund”), which shall be administered by the director of the District  
1853 Department of Transportation in accordance with subsection (c) of this section.

1854           “(b) The following revenue shall be deposited in the Fund:

1855                   “(1) Notwithstanding section 3(h) of the District of Columbia Motor Vehicle  
1856 Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50–  
1857 2603(8)), all transaction fees imposed upon users who pay for parking, transit fares, Capital  
1858 Bikeshare trips, and other forms of shared mobility and transportation services with the pay-by-  
1859 phone system; and

1860                   “(2) All money remaining in the District Department of Transportation Parking  
1861 Meter Pay-by-Phone Transaction Fee Fund at the end of Fiscal Year 2020.

1862           “(c) Money in the Fund shall be used to pay vendors responsible for administering pay-  
1863 by-phone payment systems for parking, transit fares, Capital Bikeshare trips, and other forms of  
1864 shared mobility and transportation services.

1865 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
1866 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
1867 of a fiscal year, or at any other time.

1868 “(2) Subject to authorization in an approved budget and financial plan, any funds  
1869 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

1870 Sec. 6033. Section 3(h)(1)(A) of the District of Columbia Motor Vehicle Parking Facility  
1871 Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2603(8)(A)), is  
1872 amended by striking the phrase “to be transferred to the District Department of Transportation  
1873 Parking Meter Pay-by-phone Transaction Fee Fund and the DC Circulator Fund, in accordance  
1874 with section 9f of the Department of Transportation Establishment Act of 2002, effective  
1875 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14)” and inserting the  
1876 phrase “to be transferred to the Parking Meter and Transit Services Pay-by-Phone Transaction  
1877 Fee Fund, in accordance with section 9f of the Department of Transportation Establishment Act  
1878 of 2002, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), and  
1879 the DC Circulator Fund, in accordance with section 11c of the Department of Transportation  
1880 Establishment Act of 2002, effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-  
1881 921.33)” in its place.

1882 **SUBTITLE E. ENVIRONMENTAL SPECIAL PURPOSE REVENUE**

1883 **ACCOUNTS**

1884 Sec. 6041. Short title.

1885 This subtitle may be cited as the “Environmental Special Purpose Funds Reestablishment  
1886 Amendment Act of 2020”.

1887           Sec. 6042. The Lead-Hazard Prevention and Elimination Act of 2008, effective March  
1888 31, 2009 (D.C. Law 17-381; D.C. Official Code § 8-231.01 *et seq.*), is amended by adding a new  
1889 section 10a to read as follows:

1890           “Sec. 10a. Lead Poisoning Prevention Fund.

1891           “(a) There is established as a special fund the Lead Poisoning Prevention Fund (“Fund”),  
1892 which shall be administered by the Department of Energy and Environment in accordance with  
1893 subsection (c) of this section.

1894           “(b) All fees, fines, and penalties received from compliance with and enforcement of this  
1895 act, and all interest earned on those monies, shall be deposited into the Fund.

1896           “(c) Money in the Fund shall be used to pay for the costs of implementing this act and  
1897 may be used to provide low-income residents of the District with assistance to comply with the  
1898 requirements of section 4, in accordance with rules issued by the Mayor.

1899           “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
1900 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
1901 of a fiscal year, or at any other time.

1902           “(2) Subject to authorization in an approved budget and financial plan, any funds  
1903 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

1904           Sec. 6043. The District of Columbia Underground Storage Tank Management Act of  
1905 1990, effective March 8, 1991 (D.C. Law 8-242; D.C. Official Code § 8-113.01 *et seq.*), is  
1906 amended by adding a new section 6a to read as follows:

1907           “Sec. 6a. Underground Storage Tank Regulation Fund.

1908           “(a) There is established as a special fund the Underground Storage Tank Regulation  
1909 Fund (“Fund”), which shall be administered by the Department of Energy and Environment in  
1910 accordance with subsection (c) of this section.

1911           “(b) All fees, fines, and penalties received from compliance with and enforcement of this  
1912 act, and contributions and monies received as reimbursement, and all interest earned on those  
1913 monies, shall be deposited into the Fund.

1914           “(c) Money in the Fund shall be used to pay for the costs of implementing this act and  
1915 may be used for assessment, clean up, and housing and relocation assistance.

1916           “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
1917 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
1918 of a fiscal year, or at any other time.

1919           “(2) Subject to authorization in an approved budget and financial plan, any funds  
1920 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

1921           Sec. 6044. The District of Columbia Hazardous Waste Management Act of 1977,  
1922 effective March 8, 1991 (D.C. Law 8-229; D.C. Official Code § 8-1301 *et seq.*), is amended by  
1923 adding a new section 21a to read as follows:

1924           “Sec. 21a. Hazardous Waste and Toxic Chemical Source Reduction Fund.

1925           “(a) There is established as a special fund the Hazardous Waste and Toxic Chemical  
1926 Source Reduction Fund (“Fund”), which shall be administered by the Department of Energy and  
1927 Environment in accordance with subsection (c) of this section.

1928           “(b) All fees, fines, and penalties received from compliance with and enforcement of this  
1929 act, and all interest earned on those monies, shall be deposited into the Fund.

1930           “(c) Money in the Fund shall be used to pay for the costs of implementing this act.

1931           “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
1932 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
1933 of a fiscal year, or at any other time.

1934           “(2) Subject to authorization in an approved budget and financial plan, any funds  
1935 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

1936           **SUBTITLE F. ALCOHOLIC BEVERAGE SALES AND DELIVERY**

1937           Sec. 6051. Short title.

1938           This subtitle may be cited as the “Alcoholic Beverage Sales and Delivery Amendment  
1939 Act of 2020”.

1940           Sec. 6052. Chapter 7 of Title 25 of the District of Columbia Official Code is amended as  
1941 follows:

1942           (a) Section 25-112 is amended by adding a new subsection (h) to read as follows:

1943           “(h)(1) A retailer with commercial street frontage at the Walter E. Washington  
1944 Convention Center that sells food and is approved by the Washington Convention and Sports  
1945 Authority to sell alcoholic beverages for on-premises consumption (“Convention Center food  
1946 and alcohol business”) that registers as a Convention Center food and alcohol business with the  
1947 Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed  
1948 containers to individuals for carry out and may deliver beer, wine, or spirits in closed containers  
1949 to consumers in the District, pursuant to §§ 25-113(a)(3)(C) and 25-113a(h); provided, that such  
1950 carry out and delivery orders are accompanied by one or more prepared food items.

1951           “(2) Board approval shall not be required for a registration under this subsection  
1952 that occurs before April 1, 2021.

1953                   “(3) After March 31, 2021, a Convention Center food and alcohol business that  
1954 does not hold a valid registration under this subparagraph shall be required to obtain a carry out  
1955 and delivery license as set forth in § 25-113a(h) in order to sell beer, wine, or spirits in closed  
1956 containers to customers to carry out and to sell and deliver to the homes of District residents  
1957 beer, wine, or spirits in closed containers for delivery .

1958                   “(4) A Convention Center food and alcohol business that has been  
1959 authorized to offer alcoholic beverages for carry out and delivery in accordance with paragraph  
1960 (1) of this subsection may only offer alcoholic beverages for carry out and delivery between the  
1961 hours of 6:00 a.m. and 1:00 a.m., 7 days a week.”.

1962                   (b) Section 25-113(a)(3)(C) is amended to read as follows:

1963                   “(C) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,  
1964 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that registers with  
1965 the Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed  
1966 containers to individuals for carry out, or deliver beer, wine, or spirits in closed containers to  
1967 consumers in the District between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week; provided,  
1968 that each such carry out or delivery order is accompanied by one or more prepared food items.  
1969 Board approval shall not be required for a registration under this subparagraph that occurs prior  
1970 to April 1, 2021. After March 31, 2021, an on-premises retailer that does not hold a valid  
1971 registration under this subparagraph shall be required to obtain a carry out and delivery  
1972 endorsement as set forth in § 25-113a(g) in order to sell for carry out and deliver alcoholic  
1973 beverages.”.

1974                   (c) Section 25-113a is amended by adding new subsections (g) and (h) to read as follows:

1975           “(g)(1) Effective April 1, 2021, a licensee under an on-premises retailer’s license, class  
1976 C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or  
1977 private club, shall obtain a carry out and delivery endorsement from the Board to be eligible to  
1978 sell beer, wine, or spirits in closed containers to individuals for carry out, or deliver beer, wine,  
1979 or spirits in closed containers to consumers in the District.

1980           “(2) Carry out sales and delivery shall be authorized under paragraph (1) of this  
1981 subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

1982           “(3) Each carry out or delivery order of an alcoholic beverage pursuant to  
1983 paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

1984           “(4) The annual fee for a carry out and delivery endorsement shall be established  
1985 by the Board in an amount not less than \$200.

1986           “(5) An on-premises retailer’s licensee that has registered with the Board under §  
1987 25-113(a)(3)(C) before April 1, 2021 (a “registered licensee”), shall not be required to apply with  
1988 the Board for an endorsement under this subsection, and the registered licensee shall be granted  
1989 the carry out and delivery endorsement upon request to the Board, if the registered licensee  
1990 makes the request and pays the annual fee required by paragraph (4) of this subsection by March  
1991 31, 2021.

1992           “(h)(1) Effective April 1, 2021, a Convention Center food and alcohol business that has  
1993 registered with the Board under § 25-112(h), shall obtain a carry out and delivery license from  
1994 the Board to be eligible to sell beer, wine, or spirits in closed containers to individuals for carry  
1995 out, or deliver beer, wine, or spirits in closed containers to consumers in the District.

1996           “(2) Carry out sales and delivery shall be authorized under paragraph (1) of this  
1997 subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

1998                   “(3) Each carry out or delivery order of an alcoholic beverage pursuant to  
1999 paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

2000                   “(4) The annual fee for a carry out and delivery license shall be established by the  
2001 Board in an amount not less than \$200.

2002                   “(5) A Convention Center food and alcohol business that has registered with the  
2003 Board under § 25-112(h) before April 1, 2021 (a “registered Convention Center food and alcohol  
2004 business”), shall not be required to apply with the Board for a license under this subsection, and  
2005 the registered Convention Center food and alcohol business shall be granted a carry out and  
2006 delivery license upon request to the Board, if the registered Convention Center food and alcohol  
2007 business makes the request and pays the annual fee required by paragraph (4) of this subsection  
2008 by March 31, 2021.”.

2009                   (a) Section 25-721 is amended as follows:

2010                   (1) Subsection (a-1) is amended by striking the phrase “7:00 a.m. and 12:00 a.m.”  
2011 and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

2012                   (2) Subsection (c) is amended as follows:

2013                   (A) Paragraph (1) is amended by striking the phrase “2:00 a.m. and 8:00  
2014 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

2015                   (B) Paragraph (2) is amended by striking the phrase “3:00 a.m. and 8:00  
2016 a.m.” and inserting the phrase “3:00 a.m. 6:00 a.m.” in its place.

2017                   (3) Subsection (d) is amended by striking the phrase “7:00 a.m. and midnight”  
2018 and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

2019                   (b) Section 25-722 is amended as follows:



2020 (1) Subsection (a) is amended by striking the phrase “7:00 a.m. and midnight” and  
2021 inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

2022 (2) Subsection (b) is amended by striking the phrase “7:00 a.m. and midnight”  
2023 and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

2024 (b) Section 25-723 is amended as follows:

2025 (1) Subsection (b) is amended as follows:

2026 (A) Paragraph (1) is amended by striking the phrase “2:00 a.m. and 8:00  
2027 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

2028 (B) Paragraph (2) is amended by striking the phrase “3:00 a.m. and 8:00  
2029 a.m.” and inserting the phrase “3:00 a.m. and 6:00 a.m.” in its place.

2030 (2) Subsection (c)(1) is amended as follows:

2031 (A) Subparagraph (C) is amended by striking the word “and”.

2032 (B) Subparagraph (D) is amended by striking the period and inserting the  
2033 phrase “; and” in its place.

2034 (C) A new subparagraph (E) is added to read as follows:

2035 “(E) The Saturday and Sunday adjacent to Veterans Day, Christmas Day,  
2036 and District of Columbia Emancipation Day as set forth in § 1-612.02(a); except, that if the  
2037 holiday under this subparagraph occurs on a Tuesday, the extended hours shall occur on the  
2038 preceding Saturday and Sunday and if a holiday under this subparagraph occurs on a Wednesday  
2039 or Thursday, the extended hours shall occur on the following Saturday and Sunday.”.

2040 (3) Subsection (e)(1) is amended by striking the phrase “2017, January 14 through  
2041 January 22” and inserting the phrase “2021, January 9 through January 24” in its place.

2042           **SUBTITLE G. THIRD PARTY INSPECTION PLATFORM**

2043           Sec. 6061. Short title.

2044           This subtitle may be cited as the “Third Party Inspection Platform Amendment Act of  
2045 2020”.

2046           Sec. 6062. Section 6d of the Construction Codes Approval and Amendments Act of 1986,  
2047 effective June 25, 2002 (D.C. Law 14-162; D.C. Official Code § 6-1405.04), is amended by  
2048 adding a new subsections (f) to read as follows:

2049           “(f) The Department may establish an online platform that may, at the Director’s  
2050 discretion, serve as the exclusive mechanism by which an individual or entity may hire a third  
2051 party inspector to perform an inspection authorized by this section. The Department may charge  
2052 a fee for the use of the online platform by an individual or entity and by the third party  
2053 inspectors.”.

2054           **TITLE VII. FINANCE AND REVENUE**

2055           **SUBTITLE A. PERSONAL PROPERTY TAX**

2056           Sec. 7001. Short title.

2057           This subtitle may be cited as the “Personal Property Tax Amendment Act of 2020”.

2058           Sec. 7002. Title 47 of the District of Columbia Official Code is amended as follows:

2059           (a) Section 47-1508 is amended by adding a new paragraph (13) to read as follows:

2060                       “(13)(A) Computer software, unless:

2061                               “(i) The software is incorporated as a permanent component of a  
2062 computer, machine, piece of equipment, or device, or of real property, and the software is not  
2063 commonly available separately; or

2064                                   “(ii) The cost of the software is included as part of the cost of a  
2065 computer, machine, piece of equipment, or device, or of the cost of real property on the books or  
2066 records of the taxpayer.

2067                                   “(B) This paragraph shall not be construed to affect the value of a  
2068 machine, device, piece of equipment, or computer, or the value of real property, or to affect the  
2069 taxable status of any other property subject to tax under this title.”.

2070                   (b) Section 47-1521 is amended as follows:

2071                                   (1) Paragraph (1) is redesignated as paragraph (1A).

2072                                   (2) A new paragraph (1) is added to read as follows:

2073                                   “(1) “Computer software” means a set of statements or instructions that when  
2074 incorporated in a machine-usable medium is capable of causing a machine or device having  
2075 information processing capabilities to indicate, perform, or achieve a particular function, task, or  
2076 result.”.

2077                                   (3) Paragraph (4) is amended by striking the phrase “goods and chattels” and  
2078 inserting the phrase “goods and chattels, including computer software,” in its place.

2079                   Sec. 7003. Applicability.

2080                   This subtitle shall apply as of July 1, 2021.

2081                   **SUBTITLE B. UNINCORPORATED BUSINESS FRANCHISE TAX**

2082                   Sec. 7011. Short title.

2083                   This subtitle may be cited as the “Unincorporated Business Tax Amendment Act of  
2084 2020”.

2085                   Sec. 7012. Section 47-1808.02(1) of the District of Columbia Official Code is amended  
2086 by inserting the sentence “Taxable income shall include gain from the sale or other disposition of

2087 any assets, including tangible assets and intangible assets, including real property and interests in  
2088 real property, in the District, even when such a sale or other disposition results in the termination  
2089 of an unincorporated business.” at the end.

2090 Sec. 7013. Applicability.

2091 This subtitle shall apply as of January 1, 2021.

2092 **SUBTITLE C. BALLPARK REVENUE FUND**

2093 Sec. 7021. Short title.

2094 This subtitle may be cited as the “Ballpark Revenue Fund Excess Revenue Amendment  
2095 Act of 2020”.

2096 Sec. 7022. Section 102(d) of the Ballpark Omnibus Financing and Revenue Act of 2004,  
2097 effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.02(d)), is amended by  
2098 striking the phrase “due on the bonds.” and inserting the phrase “due on the bonds; provided, that  
2099 any excess that accrues during Fiscal Year 2020, Fiscal Year 2021, or Fiscal Year 2022 shall be  
2100 deposited in the unrestricted fund balance of the General Fund during the fiscal year in which it  
2101 accrues.” in its place.

2102 Sec. 7023. Applicability.

2103 This subtitle shall apply as of August 1, 2020.

2104 **TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

2105 Sec. 8001. Short title.

2106 This subtitle may be cited as the “Designated Fund Transfer Act of 2020”.

2107 Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the  
2108 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year

2109 2020 the following amounts from certified fund balances and other revenue in the identified  
 2110 accounts to the unassigned fund balance of the General Fund of the District of Columbia:

<b>Agency Code</b>	<b>Fund Detail</b>	<b>Fund Name</b>	<b>Amount (\$)</b>
AG0	0601	Accountability Fund	60,000
AT0	0606	Recorder of Deeds Surcharge	700,000
BD0	2001	Historic Landmark and Historic District Filing Fees	127,039
BX0	0600	Arts and Humanities Enterprise Fund	222,753
BX0	0110	Commission on Arts and Humanities	1,245,000
CB0	0616	Litigation Support Fund	1,024,373
CI0	0600	Special Purpose Revenue	700,000
CQ0	6000	Rental Unit Fee Fund	462,101
CR0	6040	Corporate Recordation Fund	5,895,623
FB0	0601	FEMS Reform Fund	189,064
GD0	0620	Child Development Facilities Fund	86,737
GD0	6007	Site Evaluation	40,000
GL0	0619	State Athletic Acts Programming and Office Fund	49,801
HT0	0631	Medicaid Collections Third Party Liability	384,592
HT0	0632	Bill of Rights (Grievances and Appeals)	1,596,337
KG0	0645	Pesticide Product Registration	361,081
KT0	6052	Solid Waste Diversion Fund	113,762
KT0	6082	Solid Waste Disposal Fee Fund	37,889
KT0	6591	Clean City Fund	205,723

KV0	6258	Motor Vehicle Inspection Station	1,200,000
LQ0	6017	ABC Import and Class License Fees	249,202
LQ0	0110	Dedicated Taxes	568,715
RJ0	0640	Subrogation Fund	4,321,489
RM0	0640	DMH Medicare and Third Party Reimbursement	188,400
SR0	2350	Securities and Banking Fund	1,100,000
TO0	0602	DC Net Services Support	3,295,975
UC0	1630	911 and 311 Assessments	1,455,501
UP0		Workforce Investments Fund	57,202,000

2111  
2112 (b) Notwithstanding any provision of law limiting the use of funds in the accounts listed  
2113 in D.C. Official Code § 47-392.02(j-5)(1) and (2), the amounts deposited and committed to those  
2114 accounts pursuant to D.C. Official Code § 47-392.02(j-5) in Fiscal Year 2020, based on the  
2115 Comprehensive Annual Financial Report for Fiscal Year 2019, shall, after such deposits and  
2116 commitments have been made, be transferred by the Chief Financial Officer before the end of  
2117 Fiscal Year 2020 to the unassigned balance of the General Fund of the District of Columbia.

2118 (c) The amounts identified in subsections (a) and (b) of this section shall be made  
2119 available as set forth in the approved Fiscal Year 2021 Budget and Financial Plan.

2120 Sec. 8003. Applicability.

2121 This subtitle shall apply as of August 1, 2020.

2122 **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

2123 Sec. 9001. Applicability.

2124 Except as otherwise provided, this act shall apply as of October 1, 2020.

2125 Sec. 9002. Fiscal impact statement.

2126           The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal  
2127 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
2128 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

2129           Sec. 9003. Effective date.

2130           This act shall take effect following approval by the Mayor (or in the event of veto by the  
2131 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
2132 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
2133 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
2134 Columbia Register.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL  
KARL A. RACINE

Legal Counsel Division

**MEMORANDUM**

**TO: Ronan Gulstone**  
**Executive Director**  
**Office of Policy and Legislative Support**

**FROM: Brian K. Flowers**  
**Deputy Attorney General**  
**Legal Counsel Division**

**DATE: May 18, 2020**

**SUBJECT: Legal Sufficiency Review of Proposed Bill, the “Fiscal Year 2021 Budget Support Act of 2020”**  
**(AE-20-415)**

---

**This is to Certify that** this Office has reviewed the above-referenced legislation and has found it to be legally sufficient. If you have any questions regarding this certification, please do not hesitate to contact me at 724-5565.

*Bkf/A.Parker*  
\_\_\_\_\_  
**Brian K. Flowers**

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