

A BILL

21-396

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Fiscal Year 2016 Budget Support Act of 2015 and various other acts to clarify provisions supporting the Fiscal Year 2016 budget.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2016 Budget Support Clarification Temporary Amendment Act of 2015”.

Sec. 2. The Fiscal Year 2016 Budget Support Act of 2015, enacted on August 11, 2015 (D.C. Act 21-148; 62 DCR 10905), is amended as follows:

(a) Section 6004 is repealed.

(b) Section 7024(d) is repealed.

Sec. 3. Section 4a(a)(1) of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a(a)(1)), is amended by striking the word “permanent”.

Sec. 4. Section 7154 of the IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Support Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.311), is amended to read as follows:

“Sec. 7154. WMATA Operations Support Fund.

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28 “(a) There is established as a special fund the WMATA Operating Support Fund (“Fund”),
29 which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this
30 section.

31 “(b) Upon approval of the settlement by the District of Columbia Court of Appeals in
32 *District of Columbia v. Expedia, Inc., et al.*, Nos. 14-CV-308, 14-CV-309, the full amount the
33 District obtains from the settlement, minus the amounts designated for other purposes in sections
34 7152 and 7153 and in the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request
35 Emergency Adjustment Act of 2015, passed on emergency basis on September 22, 2015
36 (Enrolled version of Bill 21-343), and the Fiscal Year 2015 and Fiscal Year 2016 Revised
37 Budget Request Temporary Adjustment Act of 2015, passed on 1st reading on September 22,
38 2015 (Engrossed version of Bill 21-344), shall be deposited in the Fund.

39 “(c) The monies in the Fund shall be available to fund extraordinary or unanticipated
40 operating or capital needs of the Washington Metropolitan Area Transit Authority (“WMATA”)
41 that arise outside of WMATA’s regular inter-jurisdictional subsidy allocation formulae.

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

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

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48 Sec. 5. Section 907 of the Firearms Control Regulations Act of 1975, effective June 16,
49 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.07) is amended as follows:

50 (a) Subsections (a)(11) and (12) are amended to read as follows:

51 “(11) The White House Complex and its grounds up to and including to the curb
52 of the adjacent sidewalks touching the roadways of the area bounded by Constitution Avenue,
53 N.W., 15th Street, N.W., H Street N.W., and 17th Street, N.W.;

54 “(12) The U.S. Naval Observatory and its fence line, including the area from the
55 perimeter of its fence up to and including to the curb of the adjacent sidewalks touching the
56 roadway of Observatory Circle, from Calvert Street, N.W. to Massachusetts Avenue, N.W. and
57 around Observatory Circle to the far corner of Observatory Lane;”.

58 (b) Subsection (d)(1) is amended by striking the phrase “While he or she is traveling
59 along a public street, road, or highway, including an adjacent public sidewalk that touches the
60 perimeter of any of the premises where the carrying of a concealed pistol is prohibited under
61 subsection (a) and subsection (b) of this section” and inserting the phrase “While he or she is
62 traveling along a public sidewalk that touches the perimeter of any of the premises where the
63 carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this
64 section, except for the areas designated in subsection (a)(11) and (a)(12), or along a public street,
65 roadway, or highway” in its place.

66 Sec. 6. Section 401 of the Sustainable Solid Waste Management Amendment Act of 2014,
67 effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03, note), is repealed.

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69 Sec. 7. Section 308(d)(1) of the District of Columbia Public Space Rental Act, approved
70 October 17, 1968 (82 Stat. 1156; D.C. Official Code §10-1103.07(d)(1)), is amended by striking
71 the phrase “For periods beginning after June 30, 2015, interest on unpaid vault rent” and
72 inserting the phrase “Beginning September 15, 2015, interest on any unpaid vault rent for any
73 vault year” in its place.

74 Sec. 8. Section 2 of the Accrued Sick and Safe Leave Act of 2008, effective May 13,
75 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01), is amended as follows:

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

77 (1) Subparagraph (E) is amended by striking the word “or”.

78 (2) Subparagraph (F) is amended by striking the period and inserting the phrase
79 “; or” in its place.

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

81 “(G) A substitute teacher or a substitute aide who is employed by District
82 of Columbia Public Schools for a period of 30 or fewer consecutive work days.”.

83 (b) New paragraphs (9) and (10) are added to read as follows:

84 “(9) “Substitute aide” means an individual who is employed by District of
85 Columbia Public Schools to provide instructional assistance (general, specialized, or
86 concentrated) to students on a temporary basis when the regular instructional aide is unavailable.
87 The term “substitute aide” does not include an individual employed by District of Columbia
88 Public Schools on a term or full-time assignment.

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89 “(10) “Substitute teacher” means an individual who is employed by District of
90 Columbia Public Schools to work as a classroom teacher on a temporary basis when the regular
91 teacher is unavailable. The term “substitute teacher” does not include an individual employed by
92 District of Columbia Public Schools on a term or full-time assignment.”.

93 Sec. 9. Section 502(d) of the Sustainable DC Omnibus Act of 2014, effective December 17,
94 2014 (D.C. Law 20-142; D.C. Official Code § 32-152, note), is amended to read as follows:

95 “(d) Title III, Subtitle A, section 302(b) shall apply as of October 1, 2015.”.

96 Sec. 10. Section 2(g) of the Youth Employment Act of 1979, effective January 5, 1980
97 (D.C. Law 3-46; D.C. Official Code § 32-241(g)), is amended as follows:

98 (a) Paragraph (4) is amended by striking the word “outcomes” and inserting the phrase
99 “outcomes as of December 31, 2015,” in its place.

100 (b) A new paragraph (5) is added to read as follows:

101 “(5) For Fiscal Year 2016, the District of Columbia Auditor shall conduct an
102 evaluation of multiple years of the summer youth jobs program to assess whether the program has
103 met and is meeting program objectives.”.

104 Sec. 11. Section 2(h)(2)(A) of the School Transit Subsidy Act of 1978, effective March 6,
105 1979 (D.C. Law 2-152; D.C. Official Code § 35-233(h)(2)(A)), is amended by striking the phrase
106 “Under 22 years of age” and inserting the phrase “A resident of the District of Columbia under 22
107 years of age” in its place.

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109 Sec. 12. Section 47-355.07 of the District of Columbia Official Code is amended as
110 follows:

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

112 (1) Subparagraph (A) is amended by striking the phrase “serve at the pleasure of”
113 and inserting the phrase “shall be appointed by” in its place.

114 (2) Subparagraph (B) is amended by striking the phrase “serves at the pleasure of”
115 and inserting the phrase “shall be appointed by” in its place.

116 (3) Subparagraph (D) is amended by striking the phrase “serves at the pleasure of”
117 and inserting the phrase “shall be appointed by” in its place.

118 (b) Subsection (d)(3)(D) is amended by striking the phrase “take or proposed to be taken”
119 and inserting the word “recommended” in its place.

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

121 “(d-1)(1) The Review Board shall conduct an investigation upon receipt of a report of an
122 alleged violation.

123 “(2) In investigating a report of an alleged violation, the Review Board may:

124 “(A) Request assistance from the Office of the Chief Financial Officer, the
125 Office of the Inspector General, and Office of the Attorney General; and

126 “(B) Consult with the Office of the Attorney General for the purposes of
127 obtaining legal advice.

128 “(d-2) The Review Board:

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129 “(1) Shall have access, subject to any privileges or confidentiality requirement as
130 provided by law, to all facilities, files, and databases of the District government, including all files,
131 electronic paper records, reports, documents, and other materials that may relate to the investigation;

132 “(2) May request information or assistance from any District, federal, state, or local
133 government agency as may be necessary for carrying out the investigation; and

134 “(3) May seek information from parties outside the District government, including
135 government contractors, which may be relevant to the investigation.

136 “(d-3)(1) Subject to any applicable privileges, all officers, employees, and members of
137 boards, commissions, and councils of the District government shall cooperate in an investigation by
138 the Review Board and shall: provide documents, materials, and information to the Review Board
139 upon request.

140 “(2) Subject to any applicable privileges, officers, employees, and members of
141 boards, commissions, and councils of the District government shall respond truthfully to all
142 questions posed by the Review Board, and shall not prevent, or prohibit the Review Board from
143 initiating, carrying out, or completing an investigation within its jurisdiction.

144 “(3) The Review Board:

145 “(A) May require any officer, employee, or member of a board,
146 commission, or council of the District government to appear before the Review Board, including the
147 subject of an allegation; and

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148 “(B) Shall provide any officer, employee, or member of a board,
149 commission, or council of the District who is potentially subject to disciplinary action an
150 opportunity to appear before the Review Board.

151 “(4) The Review Board may recommend an appropriate disciplinary action with
152 respect to any officer, employee, or member of a board, commission, or council of the District
153 government who fails to cooperate fully with a Review Board investigation.”.

154 Sec. 13. Chapter 13 of Title 47 of the District of Columbia Official Code is amended as
155 follows:

156 (a) Section 47-1341 is amended as follows:

157 (1) Subsection (a)(1) is amended by striking the phrase “, postage prepaid, bearing a
158 postmark from the United States Postal Service,”.

159 (2) Subsection (b-1)(1) is amended by striking the phrase “, postage prepaid, bearing
160 a postmark form the United States Postal Service,”.

161 (b) Section 47-1353.01(a) is amended by striking the phrase “, postage prepaid, bearing a
162 postmark from the United States Postal Service to the last known address of the owner” and
163 inserting the phrase “to the person who last appears as the owner of the real property on the tax
164 roll, at the last address shown on the tax roll, as updated by the filing of a change of address in
165 accordance with § 42-405” in its place.

166 Sec. 14. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as
167 follows:

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168 (a) The table of contents is amended by striking the phrase “Tax haven updates.” and
169 inserting the phrase “Tax haven updates. (Repealed).” in its place.

170 (b) Section 47-1810.09 is repealed.

171 (c) Section 47-1801.04(49) is amended as follows:

172 (1) Subparagraph (A) is amended by striking the phrase “means the jurisdictions
173 listed in subparagraph (B-i) of this paragraph and any jurisdiction that” and inserting the phrase
174 “means a jurisdiction that” in its place.

175 (2) Subparagraph (B-i) is repealed.

176 Sec. 15. Section 47-1801.04(11) of the District of Columbia Official Code is amended as
177 follows:

178 (a) Subparagraph (A) is amended by striking the phrase “calendar year beginning January 1,
179 2011” wherever it appears and inserting the phrase “base year” in its place.

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

181 “(C) For the purposes of this paragraph, the term “base year” shall mean the
182 calendar year beginning January 1, 2011, or the calendar year beginning one calendar year before
183 the calendar year in which the new dollar amount of a deduction or exemption shall become
184 effective, whichever is later.”.

185 Sec. 16. D.C. Official Code § 47-1806.02(h-1)(1) is amended to read as follows:

186 “(h-1)(1) For taxable years beginning after December 31, 2014, the amount of the personal
187 exemption otherwise allowable for the taxable year in the case of an individual whose adjusted

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188 gross income exceeds \$150,000 shall be reduced by 2% for every \$2,500 (or fraction thereof) by
189 which the taxpayer's adjusted gross income for the taxable year exceeds \$150,000."

190 Sec. ~~46~~17. Section 6(b) of the Food Policy Council and Director Establishment Act of 2014,
191 effective March 10, 2015 (D.C Law 20-191; D.C. Official Code § 48-314, note), is amended to read
192 as follows:

193 "(b) Section 5 shall apply as of October 1, 2015."

194 Sec. ~~47~~18. Section 6012 of the Unlawfully Parked Vehicles Act of 2015, effective
195 October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 50-_____), is amended by striking the
196 phrase "violation of" and inserting the phrase "violation, to be adjudicated pursuant to" in its
197 place.

198 Sec. ~~48~~19. Chapter 24 of Title 18 of the District of Columbia Municipal Regulations (18
199 DCMR § 2400 *et seq.*) is amended as follows:

200 (a) Section 2404.15 is amended to read as follows:

201 "2404.15. Except as provided in § 2424, the rates for parking meters in the "Premium
202 Demand Parking Meter Rate Zones" shall be as follows:

203 "(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces ; and

204 "(b) ~~Fifty cents (50¢) for thirteen minutes (13 min.)~~Twenty-five cents per hour (25¢/hr.)
205 for motorcycle size spaces."

206 (b) Section 2404.17 is amended to read as follows:

207 "2404.17. Except as provided in § 2424, the rates for parking meters in the "Normal
208 Demand Parking Meter Rate Zone" shall be as follows:

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209 “(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces ; and

210 “(b) ~~Fifty cents (50¢) for thirteen minutes (13 min.)~~Twenty-five cents per hour (25¢/hr.)

211 for motorcycle size spaces.”.

212 Sec. 20. Section 8052 of the Fiscal Year 2016 Budget Support Act of 2015, enacted on
213 August 11, 2015 (D.C. Act 21-148; 62 DCR 10905), is amended as follows:

214 (a) In the table on page 130, strike the phrase “YY105C” and insert the phrase
215 “YY159C” in its place.

216 (b) In the table on page 130, strike the phrase “PROSPECT ES
217 MODERNIZATION/RENOVATION” and insert the phrase “ELLINGTON
218 MODERNIZATION/RENOVATION” in its place.

219 Sec. 4921. Applicability.

220 Section 18 of this act shall apply as of June 1, 2016.

221 Sec. 2022. Fiscal impact statement.

222 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
223 statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved
224 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

225 Sec. 2423. Effective date.

226 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
227 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
228 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

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229 December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the
230 District of Columbia Register.

231 (b) This act shall expire after 225 days of its having taken effect.