


Chairman Phil Mendelson

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Fiscal Year 2021 Budget Support Act of 2020, the Washington Convention Center Authority Act of 1994, the District of Columbia Traffic Act, and Title 47 of the D.C. Official Code, to clarify provisions supporting the Fiscal Year 2021 budget.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2021 Budget Support Clarification Emergency Amendment Act of 2020”.

Sec. 2. The Fiscal Year 2021 Budget Support Act of 2020, enacted on August 31, 2020 (D.C. Act 23-407; 67 DCR 10493), is amended as follows:

(a) Section 2192 is amended as follows:

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

“(a)(1) Capital project DHA21C (“DHA21C”) shall be administered by the Office of the Chief Financial Officer (“OCFO”), with available project allotments advanced to the District of Columbia Housing Authority (“Authority”) on a quarterly basis for the encumbrances and expenditures planned for that quarter; provided, that the requirements of subsection (b) of this section are met.

35 “(2) DHA21C funds shall be used by the Authority to fund capital-eligible
36 construction, renovation, or rehabilitation subprojects that:

37 “(A) Increase the longevity of public housing units;

38 “(B) Prevent existing tenants from being displaced; or

39 “(C) Increase the availability of public housing units for existing District
40 of Columbia residents listed on the Authority's waitlist.

41 “(3) DHA21C funds shall not be used to fund the Authority’s operating costs,
42 renovation or rehabilitation of any unit set to be demolished, sold, or otherwise removed from
43 the Authority inventory, or any administrative or overhead costs not specifically attributable to a
44 subproject.”.

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

46 “(b)(1) Each fiscal year that DHA21C funds are available, the Authority shall submit to
47 the Mayor, the Council, and the OCFO a proposed spending plan, which shall include:

48 “(A) Documentation that planned encumbrances and expenditures are
49 capital eligible; and

50 “(B) Information on each subproject for which the Authority proposes to
51 use DHA21C funds, including, at a minimum:

52 “(i) The proposed location of the subproject;

53 “(ii) A detailed proposed scope of the subproject;

54 “(iii) A detailed proposed line-item budget for the subproject;

55 “(iv) A detailed proposed timeline for the subproject; and

56 “(v) A statement of whether the implementation of the proposed
57 subproject will require the relocation of tenants and, if such relocation is required, a detailed
58 proposed relocation plan.

59 “(2) In the event of significant delays or changes in planned encumbrances and
60 expenditures for any subproject during the fiscal year, the Authority shall update its spending
61 plan and provide additional documentation as needed to minimize unencumbered and
62 unexpended transfers, avoid causing the District to incur unnecessary debt service costs, and
63 ensure that all subproject encumbrances and expenditures are capital eligible.”.

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

65 “(d) The Inspector General of the District of Columbia shall audit the Authority’s capital
66 project DHA21C financial statements for the previous fiscal year not later than February 1, 2021,
67 and not later than each February 1 thereafter for as long as DHA21C funds remain unspent by
68 the Authority. The Inspector General shall submit to the Mayor, the Chief Financial Officer, and
69 the Council a report on the results of each audit.”.

70 (b) Amendatory section 203a of the Washington Convention Center Authority Act of
71 1994, enacted on August 31, 2020 (D.C. Act 23-407; 67 DCR 10493), in section 7212 is
72 amended as follows:

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

74 (A) The lead-in paragraph is amended as follows:

75 (i) Strike the phrase “the Washington Convention and Sports
76 Authority shall” and insert the phrase “the Washington Convention and Sports Authority
77 (“Events DC”) shall” in its place.

78 (ii) Strike the phrase “a District resident shall” and insert the
79 phrase “a District resident shall, at the time of application for assistance under this section” in its
80 place.

81 (B) Paragraph (1) is amended to read as follows:

82 ““(1) Demonstrate loss of income due to the public health emergency;””.

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

84 ““(2)(A) Be ineligible for:

85 ““(i) Unemployment insurance; or

86 ““(ii) COVID-19 relief; or

87 ““(B) Be a returning citizen, as defined by section 2(5) of the Office on
88 Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act
89 of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301(5)), whose
90 incarceration ended not more than 6 months before the time of application for assistance under
91 this section;””.

92 (C) Add a new paragraph (3) to read as follows:

93 “(3) Provide a:

94 “(A) Signed certification that the resident’s unemployment status stems
95 from the public health emergency; and

96 “(B) Proof of residency and eligibility for relief, as determined by Events
97 DC and consistent with rules and standards for COVID-19 relief programs administered by
98 Events DC.”.

99 (2) Subsection (d)(2) is amended to read as follows:

100 “(2) COVID-19 relief” means federal monetary unemployment assistance, ,
101 provided under the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,
102 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), which shall include tax credits but shall not
103 include federal Economic Impact Payments or other stimulus relief where eligibility is not
104 contingent on the recipient’s employment status.”.”.

105 Sec. 3. Chief Financial Officer Collection of Fees and Processing Costs.

106 (a) For any payment made by credit card or other electronic payment method, the Chief
107 Financial Officer may impose any fee or processing cost related to the transfer or payment
108 method.

109 (b) The Office of the Chief Financial Officer may promulgate regulations to implement
110 the provisions of this section.

111 Sec. 4. Section 203a of the Washington Convention Center Authority Act of 1994,
112 effective August 19, 2020 (D.C. Act 23-404; 67 DCR 10098), is amended as follows:

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

114 (1) The lead-in paragraph is amended as follows:

115 (A) Strike the phrase “the Washington Convention and Sports Authority
116 shall” and insert the phrase “the Washington Convention and Sports Authority (“Events DC”)
117 shall” in its place.

118 (B) Strike the phrase “a District resident shall” and insert the phrase “a
119 District resident shall, at the time of application for assistance under this section” in its place.

120 (2) Paragraph (1) is amended to read as follows:

121 “(1) Demonstrate loss of income due to the public health emergency;”.

122 (3) Paragraph (2) is amended to read as follows:

123 “(2)(A) Be ineligible for:
124 “(i) Unemployment insurance; or
125 “(ii) COVID-19 relief; or
126 “(B) Be a returning citizen, as defined by section 2(5) of the Office on Ex-
127 Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of
128 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301(5)), whose
129 incarceration ended not more than 6 months before the time of application for assistance under
130 this section;”.

131 (4) Add a new paragraph (3) to read as follows:

132 “(3) Provide a:

133 “(A) Signed certification that the resident’s unemployment status stems
134 from the public health emergency; and

135 “(B) Proof of residency and eligibility for relief, as determined by Events
136 DC and consistent with rules and standards for COVID-19 relief programs administered by
137 Events DC.”.

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

139 “(2) COVID-19 relief” means federal monetary unemployment assistance, ,
140 provided under the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,
141 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), which shall include tax credits but shall not
142 include federal Economic Impact Payments or other stimulus relief where eligibility is not
143 contingent on the recipient’s employment status.”.

144 Sec. 5. Title 47 of the District of Columbia Official Code is amended as follows:

145 (a) Section 47-2002.02(2) is amended as follows:

146 (1) Subparagraph (B) is amended by striking the phrase “; or” and inserting a
147 semicolon in its place.

148 (2) Subparagraph (C) is amended by striking the period and inserting phrase “; or”
149 in its place.

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

151 “(D) Spirituous or malt liquors, beers, and wine sold by an alcoholic
152 beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or 25-113.01(f) or
153 (g).”.

154 (b) Section 47-2202.01(2) is amended as follows:

155 (1) Subparagraph (B) is amended by striking the phrase “; or” and inserting a
156 semicolon in its place.

157 (2) Subparagraph (C) is amended by striking the period and inserting phrase “; or”
158 in its place.

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

160 “(D) Spirituous or malt liquors, beers, and wine sold by an alcoholic
161 beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or 25-113.01(f) or
162 (g).”.

163 Sec. 6. Section 6(j)(3)(F) of the District of Columbia Traffic Act, 1925, approved March
164 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(j)(3)(F)), is amended by striking the
165 phrase “described in section 125(3)(C) of the District of Columbia Sales Tax Act, approved May
166 27, 1949 (63 Stat. 115; D.C. Official Code § 47-2002(3)(C))” and inserting the phrase “described
167 in D.C. Official Code §§ 47-2002(a)(4B) and 47-2002.02(2)(C)” in its place.

168 Sec. 7. Applicability.

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

170 Sec. 8. Fiscal impact statement.

171 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
172 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
173 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

174 Sec. 9. Effective date.

175 This act shall take effect following approval by the Mayor (or in the event of veto by the
176 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
177 90 days, as provided for emergency acts of the Council of the District of Columbia in section
178 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
179 D.C. Official Code § 1-204.12(a)).

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