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A BILL  
23-909

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend, on a temporary 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 Temporary 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.

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

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

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

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

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

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

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

41                               “(A) Documentation that planned encumbrances and expenditures are  
42 capital eligible; and

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

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

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

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

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

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

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

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

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

63 (b) Amendatory section 203a of the Washington Convention Center Authority Act of  
64 1994, enacted on August 31, 2020 (D.C. Act 23-407; 67 DCR 10493), in section 7212 is  
65 amended as follows:

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

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

68 (i) Strike the phrase “the Washington Convention and Sports  
69 Authority shall” and insert the phrase “the Washington Convention and Sports Authority  
70 (“Events DC”) shall” in its place.

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

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

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

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

77 ““(2)(A) Be ineligible for:

78 ““(i) Unemployment insurance; or

79 ““(ii) COVID-19 relief; or

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

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

86 ““(3) Provide a:

87                   “(A) Signed certification that the resident’s ~~unemployment status~~loss of  
88 income stems from the public health emergency; and

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

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

93                   ““(2) COVID-19 relief” means federal monetary unemployment assistance, ,  
94 provided under the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,  
95 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), which shall include tax credits but shall not  
96 include federal Economic Impact Payments or other stimulus relief where eligibility is not  
97 contingent on the recipient’s employment status.”.”.

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

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

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

104                   Sec. 3a. Section 2192 of the Fiscal Year 2021 Budget Support Emergency Act of 2020,  
105 enacted on August 28, 2020 (D.C. Act 23-404; 67 DCR 10098), is amended as follows:

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

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

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

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

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

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

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

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

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

125 “(A) Documentation that planned encumbrances and expenditures are  
126 capital eligible; and

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

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

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

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

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

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

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

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

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

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

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

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

151                           (A) Strike the phrase “the Washington Convention and Sports Authority  
152 shall” and insert the phrase “the Washington Convention and Sports Authority (“Events DC”)  
153 shall” in its place.

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

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

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

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

159                           “(2)(A) Be ineligible for:

160                                   “(i) Unemployment insurance; or

161                                   “(ii) COVID-19 relief; or

162                           “(B) Be a returning citizen, as defined by section 2(5) of the Office on Ex-  
163 Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of  
164 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301(5)), whose  
165 incarceration ended not more than 6 months before the time of application for assistance under  
166 this section;”.



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

168 “(3) Provide a:

169 “(A) Signed certification that the resident’s ~~unemployment status~~ loss of  
170 income stems from the public health emergency; and

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

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

175 “(2) COVID-19 relief” means federal monetary unemployment assistance, ,  
176 provided under the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,  
177 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), which shall include tax credits but shall not  
178 include federal Economic Impact Payments or other stimulus relief where eligibility is not  
179 contingent on the recipient’s employment status.”.

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

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

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

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

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

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

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

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

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

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

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

199           Sec. 6. Section 6(j)(3)(F) of the District of Columbia Traffic Act, 1925, approved March  
200 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(j)(3)(F)), is amended by striking the  
201 phrase “described in section 125(3)(C) of the District of Columbia Sales Tax Act, approved May  
202 27, 1949 (63 Stat. 115; D.C. Official Code § 47-2002(3)(C))” and inserting the phrase “described  
203 in D.C. Official Code §§ 47-2002(a)(4B) and 47-2002.02(2)(C)” in its place.

204           Sec. 7. Applicability.

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

206

207           Sec. 8. Fiscal impact statement.

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

211           Sec. 9. Effective date.

212           (a) This act shall take effect following approval by the Mayor (or in the event of veto by  
213 the Mayor, action by the Council to override the veto), a 30-day period of Congressional review  
214 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
215 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
216 Columbia Register.

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