

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Homeless Services Reform Act of 2005 to clarify the priority to be given to homeless families for tenant-based housing assistance; to amend section 47-4701 of the District of Columbia Official Code to improve the administrability of the tax abatement financial analysis process; to amend the District of Columbia Public Assistance Act of 1982 to provide the Mayor with authority to establish the review and redetermination schedule for persons receiving POWER benefits; and to amend section 47-2005 of the District of Columbia Official Code to clarify the scope of the processing exemption from the sales tax.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2014 Budget Support Technical Clarification Temporary Amendment Act of 2013”.

Sec. 2. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended by adding a new section 8c to read as follows:

“Sec. 8c. Placement of first-priority homeless families.

“(a) When funds which have been allocated for tenant-based assistance under section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), are made available because a family which has been receiving tenant-based assistance no longer requires or has become ineligible for the assistance, the Mayor and the District of Columbia Housing Authority shall use those funds to provide tenant-based assistance to homeless families referred by the Department of Human Services and determined to have first priority to shelter pursuant to 29 DCMR § 2508.01(a)(1). The referrals shall be made in accordance with the special eligibility criteria set forth in 29 DCMR § 2556 through 29 DCMR § 2558.

“(b) Funding for tenant-based assistance which has been made available due to reasons other than the circumstances described in subsection (a) of this section shall not be subject to the requirements of subsection (a) of this section. ”.

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Sec. 3. Section 47-4701(b) of the District of Columbia Official Code is amended as follows:

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

(1) Sub-subparagraph (ii) is amended by adding the word “and” at the end.

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

“(iii) For exemptions or abatements related to a person or small group of persons that can be readily identified, a review and analysis of the financial condition of the recipient of the proposed exemption or abatement and an advisory opinion stating whether or not it is likely that the recipient could be reasonably expected to meet its fiscal needs without the proposed exemption or abatement. If individual financial information is not available, the requirements of this sub-subparagraph may be met through an advisory opinion on whether the proposed exemption or abatement can reasonably be expected to meet the proposed public policy goal.”.

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

(b) Paragraph (2)(A) is amended by striking the phrase “for a bill that grants an exemption or abatement to a housing development” and inserting the phrase “where applicable” in its place.

Sec. 4. Section 572a(b) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.72a(b)), is amended by striking the phrase “shall be subject to annual review and redetermination” and inserting the phrase “shall be subject to review and redetermination by the Mayor” in its place.

Sec. 5. Section 47-2005(11) of the District of Columbia Official Code is amended by striking the phrase “refining;” and inserting the phrase “refining of tangible personal property for sale or resale;” in its place.

Sec. 6. Fiscal impact statement.

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

Sec. 7. Effective date.

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

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

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia