

ENROLLMENT(S)

kwiktag®

062 313 335



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

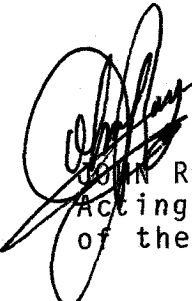
NOTICE

D.C. LAW 10-11

"Omnibus Budget Support Temporary Act
of 1993".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 10-259 on first and second readings, May 4, 1993, and June 1, 1993, respectively. Following the signature of the Mayor on June 15, 1993, this legislation was assigned Act No. 10-39, published in the June 25, 1993, edition of the D.C. Register, (Vol. 40 page 4007) and transmitted to Congress on June 16, 1993 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 10-11, effective August 6, 1993.


JOHN RAY
Acting Chairman
of the Council

Dates Counted During the 30-day Congressional Review Period:

June 16,17,18,21,22,23,24,25,28,29,30
July 1,13,14,15,16,19,20,21,22,23,26,27,28,29,30
August 2,3,4,5

AN ACT

Codification

D.C. ACT 10-39

District of Columbia Code

(1994 Supplement)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 15, 1993

To amend, on a temporary basis, the District of Columbia Real Property Tax Revision Act of 1974, the District of Columbia Revenue Act of 1937, An Act To provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia, in case of subdivisions or sales of land therein, the Residential Property Tax Relief Act of 1977, An Act To define real property exempt from taxation in the District of Columbia, An Act In relation to taxes and tax sales in the District of Columbia, and An Act Relating to the levying and collecting of taxes and assessments to conform the real property tax year to the fiscal year; to amend the District of Columbia Income and Franchise Tax Act of 1947 to make certain professionals subject to the professional license fee; to amend the District of Columbia Sales Tax Act to define food or drink, food prepared for immediate consumption, and snack food, to impose a 6% sales tax on snack food, to repeal the sales tax exemption for the sale of newspapers and publications of semipublic institutions and impose the 6% sales tax on newspapers and other publications, to impose the 6% sales tax on cellular mobile telecommunication services, specialized mobile radio services, paging services, dispatch services, stationary two-way radio services, telegraph services, teletypewriter services, teleconferencing services, "900" and "900"-type telecommunication services, telephone answering services, and coin-operated telephone service, unless charges for the services are subject to the District's gross receipts tax or toll telecommunication tax, and to require a street vendor to make quarterly payments in lieu of collecting and remitting sales tax; to amend the District of Columbia Use Tax Act to impose the 6% use tax on newspapers and other publications, to impose the 6% use tax on cellular mobile telecommunication services, specialized mobile radio services, paging services, dispatch services, stationary two-way radio services, telegraph services, teletypewriter services, teleconferencing services, "900" and "900"-type telecommunication services, telephone answering services, and coin-operated telephone service, unless charges for the services are subject to the District's gross receipts tax or toll telecommunication tax, and to change the reference for food prepared for immediate consumption; to amend the District of Columbia Cigarette Tax Act to increase the tax

imposed on cigarettes from 2.50 cents per individual cigarette to 3.25 cents per individual cigarette; to amend the District of Columbia Revenue Act of 1937 to conform with the provision requiring a street vendor to make quarterly payments in lieu of collecting and remitting sales tax; to amend Resolution 73-48, the Resolution Fixing the Date of the Annual Real Estate Tax Sale to conform to the provision conforming the real property tax year to the fiscal year; to amend A Regulation Governing Vending Businesses in Public Space to require a street vendor to pay all payments in lieu of collecting and remitting sales tax in order to receive a license renewal, to eliminate the requirement that a street vendor post a bond, and to refund all vendor bonds; to amend the District of Columbia Public Space Rental Act to apply the public space rental rates to flower and fruit stands; to amend titles 11 and 16 of the District of Columbia Code to increase compensation paid to attorneys appointed in criminal proceedings and child abuse and neglect proceedings, in order to secure sufficient numbers of qualified and experienced attorneys for persons financially unable to obtain counsel in these proceedings; to abolish the Office of Business and Economic Development and transfer its capital project authority and financial balances to the Office of the Deputy Mayor for Economic Development, and to abolish the Office of International Business and to transfer the functions and the 2 authorized FTE positions to the Office of the Deputy Mayor for Economic Development; to amend the Rental Housing Act of 1985 to increase and expand the coverage of the fee for registration of rental units; and to amend section 18 of the Rules and Regulations of the Fire and Emergency Medical Services Department to reduce from 5 to 4 the minimum number of truck company staffing requirements.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Omnibus Budget Support Temporary Act of 1993".

TITLE I - REVENUE MEASURES

Sec. 101. The District of Columbia Real Property Tax Revision Act of 1974, approved September 3, 1974 (88 Stat. 1051; D.C. Code §§ 47-801 *et seq.*), is amended as follows:

(a) Section 403(6) (D.C. Code § 47-802(7)) is amended by striking the phrase "July 1st each year and ending June 30th" and inserting the phrase "October 1st each year and ending September 30th" in its place.

Note,
Section
47-802

(b) Section 411 (D.C. Code § 47-811) is amended as follows:

(1) Subsection (b) is amended by striking the phrase "September 15th, and the 2nd installment to be paid on or before March 31st" and inserting the phrase "March 31st, and the 2nd installment to be paid on or before September 15th" in its place.

Note,
Section
47-811

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

"(d) Notwithstanding subsection (b) of this section, a payment shall be due on or before September 15, 1993, equal to one-half of: the tax year 1993 tax rate for the real property upon which real

Enrolled Original

property tax is levied multiplied by the assessed value for tax year 1994 of the real property upon which real property tax is levied."

Sec. 102. Section 412a of the District of Columbia Real Property Tax Revision Act of 1974, effective November 20, 1979 (D.C. Law 3-37; D.C. Code § 47-813), is amended as follows:

Note,
Section
47-813

(a) Subsection (c-2) is amended by adding the phrase "and for the period beginning July 1, 1993 and ending September 30, 1993," after the phrase "and beginning July 1, 1992 and ending June 30, 1993,".

(b) Subsection (c-3) is amended by striking the phrase "July 1, 1993 and ending June 30, 1994" and inserting the phrase "October 1, 1993 and ending September 30, 1994" in its place.

Sec. 103. Section 426a(1)(1)(B) of the District of Columbia Real Property Tax Revision Act of 1974, effective March 17, 1993 (D.C. Law 9-241; D.C. Code § 47-825.1(1)(1)(B)), is amended by striking the phrase "both tax year and fiscal year" in sub-subparagraphs (vi) and (vii) and inserting the phrase "the tax year" in its place.

Note,
Section
47-825.1

Sec. 104. Section 5(b)(1) of title IX of the District of Columbia Revenue Act of 1937, approved May 16, 1938 (52 Stat. 373; D.C. Code § 47-829(a)), is amended as follows:

Note,
Section
47-829

(a) By striking the phrase "to become effective July 1, and payable September 15," and inserting the phrase "to become effective October 1, and payable March 31," in its place; and (b) By striking the phrase "to become effective January 1, and payable March 31," and inserting the phrase "to become effective April 1, and payable September 15," in its place.

Sec. 105. Section 2 of An Act To provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia, in cases of subdivisions or sales of land therein, approved March 1, 1921 (41 Stat. 1196; D.C. Code § 47-832), is amended as follows:

Note,
Section
47-832

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

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

"(a) Whenever a subdivision of any lot or parcel of land in the District of Columbia, or any portion of any such lot or parcel, is made during the months of July, August, September, October, November, or December, the general tax due and payable upon such lot or parcel of land for prior years and for the first half of the then current fiscal year shall then be paid, and all water main and sewer assessments and special assessments of any kind thereon shall then become due and payable, and be paid before such subdivision shall be admitted to record in the Office of the Surveyor of the District of Columbia; and the general tax thereon for the last half of the then current fiscal year shall be due and payable in the following May."

(c) New subsections (c) and (d) are added to read as follows:

"(c) For tax year 1994 and each tax year thereafter, whenever a subdivision of any lot or parcel of land in the District of Columbia, or any portion of any such lot or parcel, is made during the months of October, November, December, January, February or March, the general tax due and payable upon such lot or parcel of land for prior years and

for the first half of the then current tax year shall be paid, and all water main and sewer assessments and special assessments of any kind assessed thereon shall become due and payable, and be paid before such subdivision shall be admitted to record in the Office of the Surveyor of the District of Columbia; and the general tax levied thereon for the last half of the current tax year shall be due and payable in the following September.

"(d) For tax year 1994 and each tax year thereafter, whenever a subdivision is made during the months of April, May, June, July, August, or September, the total general tax assessed against the original lot or parcel of land for prior years and for the current tax year, and all water main and sewer assessments and special assessments of any kind assessed thereon, shall become due and payable and be paid before such subdivision shall be admitted to record in the Office of the Surveyor of the District of Columbia."

Sec. 106. Section 3(e) of the Residential Property Tax Relief Act of 1977, effective February 28, 1978 (D.C. Law 2-45; D.C. Code § 47-850(e)), is amended as follows:

Note,
Section
47-850

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

(1) The first sentence is amended by striking the date "July 1st" and inserting the date "October 1st" in its place.

(2) The last sentence is amended by striking the phrase "the beginning of the new tax year on".

(b) Paragraph (5) is amended as follows:

(1) By striking the date "January 1st" and inserting the date "April 1st" in its place; and

(2) By striking the date "December 31st" wherever it appears and inserting the date "March 31st" in its place.

Sec. 107. Section 5(b) of An Act To define real property exempt from taxation in the District of Columbia, approved December 24, 1942 (56 Stat. 1091; D.C. Code § 47-1009(b)), is amended as follows:

Note,
Section
47-1009

(a) By striking the date "June 30th" and inserting the date "September 30th" in its place; and

(b) By striking the date "July 1" and inserting the date "October 1st" in its place.

Sec. 108. Section 1 of An Act In relation to taxes and tax sales in the District of Columbia, approved February 28, 1898 (30 Stat. 250; D.C. Code § 47-1301), is amended by striking the phrase "first day of July" and inserting the phrase "1st day of October" in its place.

Note,
Section
47-1301

Sec. 109. Section 12 of An Act Relating to the levying and collecting of taxes and assessments, and for other purposes, approved October 5, 1943 (57 Stat. 570; D.C. Code § 47-1302), is amended by striking the date "July 1" wherever it appears and inserting the date "October 1st" in its place.

Note,
Section
47-1302

Sec. 110. Section 1a(a) of title XIV of the District of Columbia Income and Franchise Tax Act of 1947, effective September 10, 1992 (D.C. Law 9-145; D.C. Code § 47-1814.1a(a)), is amended as follows:

Note,
Section
47-1814.1a

(a) Paragraph (4) is amended by striking the word "and" at the end of the paragraph.

(b) Paragraph (5) is amended by striking the period and inserting a semi-colon in its place.

(c) New paragraphs (6) and (7) are added to read as follows:

"(6) A person licensed to practice acupuncture, chiropractic, podiatry, or psychology in the District of Columbia pursuant to section 501 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Code § 2-3305.1); and

"(7) A person licensed as an interior designer in the District of Columbia pursuant to the District of Columbia Interior Designer Licensure Act of 1986, effective February 24, 1987 (D.C. Law 6-172; D.C. Code §§ 2-3401 *et seq.*)".

Sec. 111. The District of Columbia Sales Tax Act, approved May 27, 1949 (63 Stat. 112; D.C. Code §§ 47-2001 *et seq.*), is amended as follows:

(a) Section 107 (D.C. Code § 47-2001(g)) is amended to read as follows:

"Sec. 107. "Food or drink" means items sold for human or animal ingestion that are consumed for their taste or nutritional value. These items include, but are not limited to, baby foods and formula; baked goods; baking soda, baking powder, and baking mixes; bouillon; cereal and cereal products; cocoa and cocoa products; coffee and coffee substitutes; condiments; cooking wines; cough drops; edible cake decorations; egg and egg products; fish and fish products, including shellfish; fruit, fruit products, and fruit juices; gelatin; honey; ice cream; meat and meat products; milk and milk products; nondairy creamers; oleomargarine; pasta and pasta products; poultry and poultry products; powdered drinks, including health and diet drinks; salad dressings; salt and salt substitutes; sauces and gravies; snack foods; soups; spices and herbs; sugar and sugar products; syrup and syrup substitutes; tea and tea substitutes; vegetables, vegetable products, and vegetable juices; vitamins; water; yogurt; pet foods; flavored extracts; ice; and any combination of these items. "Food or drink" does not include spiritous or malt liquors, beers, and wines; drugs, medicines or pharmaceuticals; chewing tobacco; toothpaste; or mouthwash."

(b) New sections 107a and 107b are added to read as follows:

"Sec. 107a. "Food or drink prepared for immediate consumption" includes, but is not limited to, food or drink in a heated state (except heated baked goods whose heated state is solely a result of baking); sandwiches suitable for immediate consumption; prepared salads; salad bars; party platters; cold drinks dispensed in or with a cup or glass either by a retailer or on a self-service basis by the consumer; frozen yogurt, ice cream, or ice milk sold in quantities of less than one pint; and all food or drink, served by, or sold in or by, restaurants, lunch counters, cafeterias, hotels, caterers, boarding houses, carryout shops or like places of business.

"Sec. 107b. "Snack food" includes, but is not limited to, potato chips and sticks; corn or tortilla chips; pretzels; cookies; popped popcorn; pork rinds; cheese puffs and curls; crackers; fabricated snacks; snack cakes and pies, such as donuts, cake and pie slices, and other pastries that are baked or fried in, or sliced into, individual

Note,
Section
47-2001

Note,
Section
47-2001

serving sizes; candy; chewing gum; nuts and edible seeds; marshmallows; mixtures that contain one or more snack foods; soft drinks; and fruit or vegetable drinks that contain less than 15% natural fruit or vegetable juice by volume. "Snack food" includes only those items that are sold suitable for consumption without further processing such as heating, cooking, or thawing. "Snack food" does not include any food or drink included in section 107a."

(c) Section 114 (D.C. Code § 47-2001(n)) is amended as follows:

Note,
Section
47-2001

(1) Subsection (a) (D.C. Code § 47-2001(n)(1)) is amended as follows:

(A) Paragraph (1) (D.C. Code § 47-2001(n)(1)(A)) is amended to read as follows:

"(1)(A) Food or drink prepared for immediate consumption as defined in section 107a;

"(B) Food or drink when sold from vending machines; and

"(C) Snack food as defined in section 107b;"

(B) A new paragraph (15) is added to read as follows:

"(15) The sale of or charge for any newspaper or publication;"

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

"(16)(A) The sale of or charges for cellular mobile telecommunication services, specialized mobile radio services, paging services, dispatch services, stationary two-way radio services, telegraph services, teletypewriter services, and teleconferencing services. The sale of or charges for services listed in this subparagraph shall not be considered sales of or charges for private communication services as defined in section 114(a)(7)(D);

"(B) The sale of or charges for "900", "976", "915", and other "900"-type telecommunication services;

"(C) The sale of or charges for telephone answering services, including automated services and services provided by human operators;

"(D) The sale of or charges for telephone services rendered by means of coin-operated telephones; and

"(E) The sale of or charges for services enumerated in subparagraphs (A) through (D) of this paragraph shall not include sales of or charges for services that are subject to tax under paragraph 5 of section 6 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes, approved July 1, 1902 (32 Stat. 619; D.C. Code § 47-2501) or the Toll Telecommunication Service Tax Act of 1989, effective September 20, 1989 (D.C. Law 8-26; D.C. Code §§ 47-3901 *et seq.*)."

(2) Subsection (b) (D.C. Code § 47-2001(n)(2)) is amended as follows:

(A) Paragraph (1) (D.C. Code § 47-2001(n)(2)(A)) is amended to read as follows:

"(1) Sales of transportation and communication services other than sales of data processing services, information services, local telephone service, or any service enumerated in paragraph (16) of subsection (a) of this section."

(B) Paragraph (5) (D.C. Code § 47-2001(n)(2)(E)) is amended to read as follows:

"(5) Sales of food or drink as defined in section 107, except sales of food or drink for immediate consumption as defined in section 107a, and snack food as defined in section 107b."

(d) Section 116(a)(4) (D.C. Code § 47-2001(p)(1)(D)) is amended by striking the comma after "food".

(e) Section 125(3)(A) (D.C. Code § 47-2002(3)(A)) is amended to read as follows:

"(A) Food or drink prepared for immediate consumption as defined in section 107a."

(f) A new section 125a is added to read as follows:

"Sec. 125a. Payment in Lieu of Collecting and Remitting Sales Tax to be Made by Street Vendors.

"(a) For the purpose of this section:

"(1) The terms "Class A licenses," "Class A temporary licenses," "Class B licenses," "Class B temporary licenses," "Class C nonfood licenses," and "Class C food licenses" shall have the same meaning as in section 6(b)(1) through 6(b)(6) of A Regulation Governing Vending Businesses in Public Space, enacted December 13, 1974 (Reg. 74-39; 24 DCMR 502.4(a) through 502.4(f)); and

"(2) The term "street vendor" shall mean a person who holds a "Class A license," "Class A temporary license," "Class B license," "Class B temporary license," "Class C nonfood license," or "Class C food license."

"(b)(1) Notwithstanding any other provision of law, every street vendor shall make payments in lieu of collecting and remitting sales tax, as prescribed in this subsection.

"(2) On or before January 20, 1994, and on or before the 20th day of every January, April, July and October thereafter, every holder of a Class A license, Class B license, Class C nonfood license, or Class C food license shall make a \$375 payment to the Mayor in lieu of collecting and remitting sales tax for the immediately preceding 3 months.

"(3) If an individual required to make a payment in lieu of collecting and remitting sales tax in paragraph (2) of this subsection does not have his or her license for the full 3 months preceding a payment required in paragraph (2) of this subsection, the individual shall pay an apportioned amount of the payment in lieu of collecting and remitting sales tax based upon the number of months the individual held his or her license.

"(4) The holder of a Class A temporary or B temporary license shall make a \$125 payment in lieu of collecting and remitting sales tax to the Mayor on or before the 10th day following the expiration of his or her license.

"(c) All payments in lieu of collecting and remitting sales tax made pursuant to subsection (b) of this section must be made in cash or by cashier's check, certified check, or money order.

"(d) If a street vendor fails to make a payment in lieu of collecting and remitting sales tax on or before the prescribed payment date, any amount of the unpaid payment shall be considered unpaid sales tax and all sections of this title applicable to the collection and assessment of unpaid sales tax, and the imposition of interest and penalties, shall be applicable to unpaid payments in lieu of collecting and remitting sales tax."

Note,
Section
47-2001
Note,
Section
47-2002

Note,
Section
47-2002

(g) Section 126(a) (D.C. Code § 47-2003(a)) is amended by inserting the phrase ", except a street vendor as defined in section 125a(a)(2)," after the phrase "by the vendor".

Note,
Section
47-2003

(h) Section 127 (D.C. Code § 47-2004) is amended as follows:

Note,
Section
47-2004

(1) Subsection (a) is amended by inserting the phrase ", except a street vendor as defined in section 125a(a)(2)," after the word "vendor".

(2) Subsection (b) is amended by inserting the phrase ", except a street vendor as defined in section 125a(a)(2)," after the word "vendor" where it first appears.

(i) Section 128 (D.C. Code § 47-2005) is amended as follows:

Note,
Section
47-2005

(1) Subsection (g) (D.C. Code § 47-2005(6)) is repealed.

(2) Subsection (i) (D.C. Code § 47-2005(8)) is amended by striking the word "food" wherever it appears and inserting the phrase "food or drink" in its place.

(3) Subsection (j) (D.C. Code § 47-2005(9)) is amended by adding the phrase "or drink," after the word "food".

(4) Subsection (s) (D.C. Code § 47-2005(18)) is amended to read as follows:

"(s) Food or drink described in section 114(a)(1), which is delivered and sold without profit by a nonprofit volunteer organization to persons who are confined to their homes due to age, illness, handicap, or infirmity: Provided that such sales shall not be exempt unless such organization has received a certificate of exemption from the District as a semipublic institution."

(j) Section 140 (D.C. Code § 47-2020) is amended as follows:

Note,
Section
47-2020

(1) Subsection (a) is amended by striking the phrase "Except as provided in subsection (d) of this section, any" and inserting the word "Any" in its place.

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

"(d)(1) After September 30, 1993, a vendor shall not be required to file a bond or prepayment with surety prescribed by section 26a(d)(1) of A Regulation Governing Vending Businesses in Public Space, approved December 13, 1974 (Reg. 74-39; 24 DCMR 524.7).

"(2) If a vendor files under oath, on a form prescribed by the Mayor, a request that the Mayor refund the street vendor's cash bond or prepayment with surety which was filed with the Mayor pursuant to section 26a(d)(1) of A Regulation Governing Vending Businesses in Public Space, approved December 13, 1974 (Reg. 74-39; 24 DCMR 524.7), and the Mayor determines that the street vendor is in compliance with all District tax laws, the Mayor shall refund the street vendor's cash bond plus accrued interest, or release the street vendor's prepayment with surety."

Sec. 112. The District of Columbia Use Tax Act, approved May 27, 1949 (63 Stat. 124; D.C. Code §§ 47-2201 *et seq.*), is amended as follows:

Note,
Section
47-2201

(a) Section 201(a) (D.C. Code § 47-2201(a)(1)) is amended as follows:

(1) At the end of paragraph (11) strike the period and insert a semicolon in its place.

(2) A new paragraph (12) is added to read as follows:

"(12) The sale of or charge for any newspaper or publication; or".

(3) A new paragraph (13) is added to read as follows:

"(13)(A) The sale of or charges for cellular mobile telecommunication services, specialized mobile radio services, paging services, dispatch services, stationary two-way radio services, telegraph services, teletypewriter services, and teleconferencing services. The sale or charges described in this subparagraph shall not be considered sales of private communication services as defined in section 114(a)(7)(D);

"(B) The sale of or charges for "900", "976", "915", and other "900"-type telecommunication services;

"(C) The sale of or charges for telephone answering services, including automated services and services provided by human operators; and

"(D) The sale of or charges for services enumerated in subparagraphs (A) through (C) of this paragraph shall not include sales of or charges for services that are subject to tax under paragraph 5 of section 6 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes, approved July 1, 1902 (32 Stat. 619; D.C. Code § 47-2501) or the Toll Telecommunication Service Tax Act of 1989, effective September 20, 1989 (D.C. Law 8-26; D.C. Code §§ 47-3901 *et seq.*)".

(b) Section 201(b)(1) (D.C. Code § 47-2201(a)(2)(A)) is amended to read as follows:

Note,
Section
47-2201

"(1) Sales of transportation and communication services other than sales of data processing services, information services, or any service enumerated in paragraph (13) of subsection (a) of this section;"

(c) Section 210 (D.C. Code § 47-2201(j)) is amended by striking the word "food" and inserting the phrase "food or drink" in its place.

Note,
Section
47-2201

(d) Section 212(3)(A) (D.C. Code § 47-2202(3)(A)) is amended to read as follows:

Note,
Section
47-2202

"(A) Food or drink prepared for immediate consumption as defined in section 107a."

Sec. 113. (a) Section 603(a) of the District of Columbia Cigarette Tax Act, approved May 27, 1949 (63 Stat. 137; D.C. Code § 47-2402(a)), is amended by striking the figure "2.50" and inserting the figure "3.25" in its place.

Note,
Section
47-2402

(b) Section 618(a) of the District of Columbia Cigarette Tax Act, effective February 28, 1987 (D.C. Law 6-198; D.C. Code § 47-2418(a)), is amended by striking the date "June 1, 1992" wherever it appears and inserting the date "July 1, 1993" in its place.

Note,
Section
47-2418

(c) The Mayor shall report to the Council within 6 months of implementation on the fiscal impact of this section.

Sec. 114. Section 14(c)(2)(B) of title IX of the District of Columbia Revenue Act of 1937, approved July 10, 1952 (62 Stat. 546; D.C. Code § 47-3310(c)(2)), is amended to read as follows:

Note,
Section
47-3310

"(B) Interest shall be allowed and paid only up to 6 years from the date the vendor filed with the Mayor the bond or prepayment with surety approved by the Mayor on the part of any overpayment that was a bond or prepayment with surety approved by the Mayor, as required by section 26a(d)(1) of A Regulation Governing Vending Businesses in

Public Space, approved December 13, 1974 (Reg. 74-39; 24 DCMR 524.7), except no interest shall be allowed and paid for any months after December 31, 1993."

Sec. 115. Section 1 of Resolution 73-48, the Resolution Fixing the Date of the Annual Real Estate Tax Sale, effective June 5, 1973 (19 DCR 1193), is amended by striking the phrase "the first day of July" and inserting the phrase "the first day of October" in its place.

Sec. 116. A Regulation Governing Vending Businesses in Public Space, approved December 13, 1974 (Reg. 74-39; 24 DCMR 500 *et seq.*), is amended as follows:

DCMR

(a) Section 4 (24 DCMR 599.1) is amended as follows:

(1) By amending the definition of "Certificate of Good Standing" to read as follows:

" Certificate of Good Standing - a certificate issued by the District of Columbia Department of Finance and Revenue that indicates that a vendor has:

"(1) Made all payments in lieu of collecting and remitting sales tax required by section 125a of the District of Columbia Sales Tax Act, approved May 27, 1949 (63 Stat. 112; D.C. Code §§ 47-2001 *et seq.*), and paid any associated interest and penalties; and

"(2) Paid all other District tax liabilities, penalties and interest, if any."; and

(2) By amending the definition of "Vendor in Good Standing" to read as follows:

" Vendor in Good Standing - a vendor who has:

"(1) Made all payments in lieu of collecting and remitting sales tax required by section 125a of the District of Columbia Sales Tax Act and paid any associated interest and penalties; and

"(2) Paid all other District tax liabilities, penalties and interest, if any."

(b) Section 7(b)(5) (24 DCMR 503.7) is amended to read as follows:

"(5) The name and address of a registered agent upon whom service of process and other legal processes may be delivered in the District (if the applicant is not a resident of the District of Columbia). If the applicant does not have a registered agent in the District of Columbia, the Mayor may accept service of process as well as other legal documents directed to the applicant."

(c) Section 11 (24 DCMR 506) is amended to read as follows:

"Section 11. Renewal of Licenses. All licenses shall be valid for the entire licensing period unless revoked or suspended before expiration. Application to renew a license shall be made with the proper renewal not later than forty-five (45) days before the current license period expires. No application to renew a license shall be approved if the applicant has not been issued a certificate of good standing by the Department of Finance and Revenue. If a renewal of a license is approved, the Mayor shall furnish the applicant with a certificate of authority on or before the day the current license expires. If the license renewal application is not approved, the Mayor shall follow the procedures set forth in section 17."

(d) Section 26a (24 DCMR 524) is amended by adding a new subsection (e) to read as follows:

"(e) This section shall not apply after September 30, 1993."

Enrolled Original

Sec. 117. Section 202 of the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1158; D.C. Code § 7-1005), is amended by adding a new sentence after the second sentence to read as follows: "Unenclosed flower and fruit stands shall be charged the same rate as unenclosed sidewalk cafes, and enclosed flower and fruit stands shall be charged the same rate as enclosed sidewalk cafes."

Note,
Section
7-1005

TITLE II - ATTORNEYS' FEES UNDER THE CRIMINAL JUSTICE ACT AND NEGLECT REPRESENTATION EQUITY ACT

Sec. 201. Section 11-2604 of the District of Columbia Code is amended as follows:

(a) Subsection (a) is amended by striking the phrase "at a rate fixed by the Joint Committee on Judicial Administration, not to exceed the rate of \$35 per hour" and inserting the phrase "at a fixed rate of \$50 per hour" in its place.

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

(1) Paragraph (1) is amended by striking the figure "\$900" and inserting the figure "\$1,300" in its place.

(2) Paragraph (2) is amended by striking the figure "\$1700" and inserting the figure "\$2,450" in its place.

(3) Paragraph (3) is amended by striking the figures "\$900" and "\$1700" and inserting the figures "\$1,300" and "\$2,450", respectively, in their places.

Sec. 202. Section 16-2326.1(b) of the District of Columbia Code is amended as follows:

(a) Paragraphs (1) and (2) are amended by striking the figure "\$750" and inserting the figure "\$1,100" in its place.

(b) Paragraph (3) is amended by striking the figure "\$1,000" and inserting the figure "\$1,500" in its place.

(c) Paragraph (4) is amended by striking the figure "\$500" and inserting the figure "\$750" in its place.

TITLE III - GOVERNMENTAL REORGANIZATIONS

Sec. 301. In accordance with section 404(b) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 787; D.C. Code § 1-227(b)), the Office of Business and Economic Development, established pursuant to section 3 of the District of Columbia Business and Economic Development Act of 1976, effective March 29, 1977 (D.C. Law 1-97; D.C. Code § 1-2202), is abolished and all capital project authority and financial balances of the Office of Business and Economic Development shall be transferred to the Office of the Deputy Mayor for Economic Development, established pursuant to Reorganization Plan No. 3 of 1975, effective July 3, 1975 (21 DCR 2793; D.C. Code Vol. 1, 1981 Ed.).

Note,
Section
1-2202

Sec. 302. In accordance with section 404(b) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 787; D.C. Code § 1-227(b)), the Office of International Business, established pursuant to Mayor's Order 87-262, November 24, 1987, is abolished and all the functions and the 2

FTE positions authorized by the Council's actions on the Fiscal Year 1994 Budget Request Act, D.C. Act 10-17, enacted April 15, 1993, shall be transferred to the Office of the Deputy Mayor for Economic Development.

TITLE IV - RENTAL UNIT REGISTRATION FEES

Sec. 401. Section 401 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Code § 45-2541), is amended by amending the first sentence to read as follows:

Note,
Section
45-2541

"Each housing provider required to register under this act, including those otherwise exempt from rental control and registration pursuant to section 205(a)(3), shall pay a fee of \$15 for each rental unit in a housing accommodation registered by the housing provider."

TITLE V - FIRE AND EMERGENCY MEDICAL SERVICES
DEPARTMENT STAFFING REDUCTIONS

Sec. 501. Section 18(c) of Article III of the Rules and Regulations of the Fire and Emergency Medical Services Department (previously Fire Department) of the District of Columbia is amended by striking the word "five" and inserting the word "four" in its place.

TITLE VI - APPLICABILITY

Sec. 601. (a) The following sections shall apply as of July 1, 1993:

- (1) Sections 101 through 109;
- (2) Section 111 (a) - (e), and (i);
- (3) Section 112;
- (4) Section 113;
- (5) Section 115; and
- (6) Section 117, for the rental year beginning July 1, 1993.

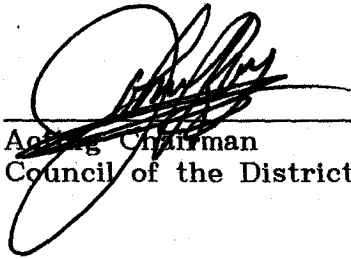
(b) The following sections shall apply as of October 1, 1993:

- (1) Section 110, for the license year beginning January 1, 1994 and all license years thereafter;
- (2) Section 111(f), (g), (h) and (j);
- (3) Section 114;
- (4) Section 116;
- (5) Sections 201 and 202, for services rendered as a result of court appointments made on or after October 1, 1993;
- (6) Sections 301 and 302; and
- (7) Section 401.

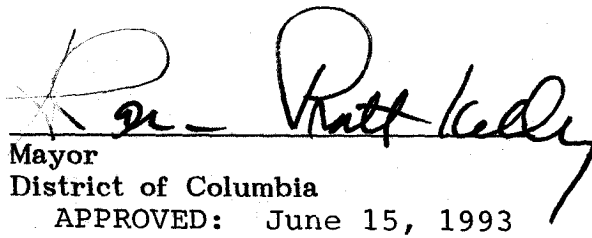
TITLE VII - EFFECTIVE DATE

Sec. 701. (a) This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

(b) This act shall expire on the 225th day of its having taken effect.



Acting Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED: June 15, 1993



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TEN

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B10-259

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 5-4-93

VOICE VOTE: Approved, Thomas voted no

Recorded vote on request

Chavous

Absent:

ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. RAY, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Signature of Secretary to the Council

Secretary to the Council

Date: June 15, 1993

Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 6-1-93

VOICE VOTE: Approved

Recorded vote on request

Absent: Barry and Chavous

ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. RAY, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Signature of Secretary to the Council

Secretary to the Council

Date: June 15, 1993

Date

Item on Consent Calendar

ACTION & DATE:

VOICE VOTE:

Recorded vote on request

Absent:

ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. RAY, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date