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COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 11- 42

**" Nonprofit Corporation Five-Year Report
Amendment Act of 1995".**

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. 11-52 on first and second readings, May 2, 1995 and June 6, 1995, respectively. Following the signature of the Mayor on June 19, 1995, pursuant to Section 404(e) of "the Act", and was assigned Act No. 11-77 and published in the June 30, 1995, edition of the D.C. Register (Vol. 42 page 3285) and transmitted to Congress on June 22, 1995 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 11-42, effective September 8, 1995.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June	22,23,26,27,28,29,30
July	10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31
Aug.	1,2,3,4
Sept.	5,6,7

AN ACT

D.C. ACT 11-77

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 19, 1995

To amend the District of Columbia Nonprofit Corporation Act to provide for the filing of a 5-year report instead of an annual report, and to increase the fees associated with filings by nonprofit corporations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Nonprofit Corporation Five-Year Report Amendment Act of 1995".

Sec. 2. The District of Columbia Nonprofit Corporation Act, approved August 6, 1962 (76 Stat. 265; D.C. Code § 29-501 *et seq.*), is amended as follows:

(a) Section 83 (D.C. Code § 29-584) is amended as follows:

Section
29-584

(1) By striking the word "Annual" as it appears in the title to the section and inserting the phrase "Five-year" in its place;

(2) By striking in subsection (a) the phrase "prepare an annual report" and inserting the phrase "prepare and submit every 5 years, if there has been no change in material facts, a report" in its place; and

(3) By striking in subsection (b) the phrase "Such annual report" and inserting the phrase "The 5-year report" in its place.

(b) Section 84 (D.C. Code § 29-585) is amended by amending the first sentence to read as follows: "The report of a domestic or foreign corporation shall be delivered to the Mayor on or before the 15th day of April in the 5th year in which its certificate of incorporation or certificate of authority, as the case may be, was issued by the Mayor."

Section
29-585

(c) Section 85 (D.C. Code § 29-586) is amended to read as follows:

Section
29-586

"If any corporation incorporated under this act, or any corporation which has elected to accept this act, or any foreign corporation having a certificate of authority issued under this act, shall fail or refuse to pay any report fee or fees payable under this act, or fail to file an report as required by this act, then, in the case of a domestic corporation, the articles of incorporation shall be void and all powers conferred upon the corporation shall be inoperative, and in the case of a foreign corporation, the certificate of authority shall be revoked and all

powers conferred pursuant to it shall be inoperative."

(d) Section 86(a) (D.C. Code § 29-587(a)) is amended by striking the phrase "any annual report" wherever it appears and inserting the phrase "the 5-year report" in its place."

Section
29-587

(e) Section 88 (D.C. Code § 29-589) is amended to read as follows:

Section
29-589

"Whenever it is established to the satisfaction of the Mayor that any corporation named in the proclamation issued in accordance with section 86 has not failed or refused to pay the 5-year report fee or any report filing fees, or has been inadvertently included in the list of corporations as failing or refusing to pay the 5-year report fee or any report filing fees, the Mayor is authorized to correct the mistake by issuing a proclamation to that effect and restoring the articles of incorporation or certificate of authority, as the case may be, to good standing with like effect as if the proclamation or revocation, as to the corporation, was not issued."

(f) Section 90(a) (D.C. Code § 29-591(a)) is amended in the first sentence by striking the word "annual" wherever it appears.

Section
29-591

(g) Section 91 (D.C. Code § 29-592) is amended to read as follows:

Section
29-592

"Sec. 91. Penalties for failure to file 5-year report.

"Each corporation, domestic or foreign, that fails or refuses to file its 5-year report within the time prescribed by this act shall be subject to a penalty of \$75 to be assessed by the Mayor."

(h) Section 92 (D.C. Code § 29-593) is amended as follows:

Section
29-593

(1) By striking the word "annual" wherever it appears and inserting the phrase "5-year" in its place;

(2) By striking the figure "\$1" wherever it appears and inserting the figure "\$20" in its place;

(3) By striking the figure "\$2" wherever it appears and inserting the figure "\$20" in its place;

(4) By striking the figure "\$5" wherever it appears and inserting the figure "\$25" in its place;

(5) By striking the figure "\$10" wherever it appears and inserting the figure "\$30" in its place; and

(6) By striking the figure "\$25" wherever it appears and inserting the figure "\$100" in its place.

(i) Nothing in this act shall be construed or interpreted as repealing or affecting any requirement of a domestic or foreign corporation to prepare and submit annual tax forms, or to pay any appropriate District or federal tax, as provided in accordance with the laws of the District of Columbia or the United States.

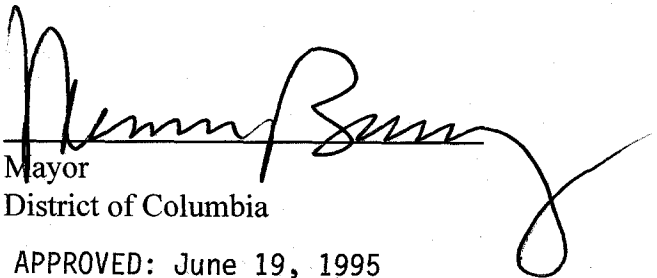
Note, Section
29-584

Sec. 3. 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: June 19, 1995



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B11-52

ITEM ON CONSENT CALENDAR

ACTION & DATE

Adopted First Reading, 05-02-95

VOICE VOTE
RECORDED VOTE ON REQUEST

Approved

ABSENT

all present

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason									
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Quynh Jones
Secretary to the Council

June 9, 1995
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

Adopted Final Reading, 06-06-95

VOICE VOTE
RECORDED VOTE ON REQUEST

Approved

ABSENT

Brazil and Thomas

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X indicates no

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Quynh Jones
Secretary to the Council

June 9, 1995
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE
RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date



B11-52

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

JUN 22 1995

The Honorable Albert Gore, Jr.
President of the Senate
United States Senate
Room S-212
United States Capitol
Washington, D. C. 20510

Re: Transmittal of D.C. ACT 11-77, "Nonprofit Corporation Five-Year
Report Amendment Act of 1995".

Date of Council Action: 06-06-95

Dear Mr. President:

The above named act is hereby transmitted in Accordance with section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198.

Attached to this act, for your information, is the report of the Council's standing committee with jurisdiction over this matter.

To begin the count of the 30-day review by Congress, please acknowledge receipt of this document on the copy attached.

Sincerely,

David A. Clarke
Chairman of the Council

Enclosure

Receipt Acknowledged:

John Tyson T. S. [Signature] 1 6/22/95
Name - PLEASE PRINT Signature Date



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

The Honorable Newt Gingrich
Speaker of the House
U. S. House of Representatives
Room H-209
United States Capitol
Washington, D. C. 20515

JUN 22 1995

Re: Transmittal of D.C. ACT 11-77, "Nonprofit Corporation Five-Year
Report Amendment Act of 1995".

Date of Council Action: 06-06-95

Dear Mr. Speaker:

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Sincerely,

David A. Clarke
Chairman of the Council

Enclosure

Receipt Acknowledged:

Brian Cooper | Brian Cooper | 6-22-95
Name - PLEASE PRINT Signature Date





COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

The Honorable Newt Gingrich
Speaker of the House
U. S. House of Representatives
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David A. Clarke
Chairman of the Council

Enclosure

Receipt Acknowledged:

_____/_____/_____
Name - PLEASE PRINT Signature Date



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

JUN 22 1995

**The Honorable Thomas M. Davis
Chairman, Subcommittee on
the District of Columbia
United States House of Representatives
B349A Rayburn House Office Building
Washington, D. C. 20515**

**Re: Transmittal of D.C. ACT 11-77, "Nonprofit Corporation Five-Year
Report Amendment Act of 1995".**

Date of Council Action: 06-06-95

Dear Mr. Chairman:

The above named act is hereby transmitted for your information.

**A copy of the enclosed act has been transmitted to the Speaker
of the House.**

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Clarke".

**David A. Clarke
Chairman of the Council**

Enclosure