



Councilmember Kenyan R. McDuffie

A BILL

IN THE COUNCIL OF DISTRICT OF COLUMBIA

To amend, on a temporary basis, Chapter 10 of Title 47 of the District of Columbia Official Code to provide a real property tax exemption to the properties on Square 2950, Lots 824 and 826, and to require that development of the property be in compliance with Small and Certified Business Enterprise Development and Assistance Act of 2005 and the First Source Employment Agreement Act of 1984.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Children's Hospital Research and Innovation Campus Phase 1 Temporary Amendment Act of 2020".

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended by adding a new section 47-1099.04 to read as follows:

“§ 47-1099.04. Children's Hospital real property tax exemption.

“(a) Only that portion of real property currently described for assessment and taxation purposes as Square 2950, Lot 808, which is to be subdivided in part into Square 2950, Lots 824 and 826, effective for tax year 2020, and the buildings located thereon (“Property”), owned by Children's National at Walter Reed, LLC, a wholly-owned subsidiary of Children's Hospital, a District of Columbia nonprofit corporation, shall remain exempt from real property taxation to the extent the Property is validly exempt as of the day before the date any lease is granted to certain business entities known as Building 52/53 NMTC Borrower, LLC, and Building 54

NMTC Borrower, LLC (controlled directly or indirectly by Children’s Hospital), and for the period during which the Property is eligible to receive federal tax benefits, including New Markets Tax Credits under 26 U.S.C. § 45D, Opportunity Zone tax benefits under 26 U.S.C. § 1400Z-1, *et seq.*, or Historic Rehabilitation Tax Credits under 26 U.S.C. § 47; provided, that the Property shall be subject to subsection (c) of this section and §§ 47-1007 and 47-1009. The Property shall be subject to the provisions of §§ 47-1005, 47-1007 and 47-1009 where a sublease or lease is made to another entity (other than the certain business entities referenced in this subsection) that would not qualify for exemption under § 47-1002 if it were both the owner and user of the property.

“(b) Any transfer, assignment, or other disposition of all or any portion of the Property, including an assignment of leasehold interest in the Property or a sublease of the Property, between Children’s National at Walter Reed, LLC, and Children’s Hospital, any business entity controlled directly or indirectly by Children’s Hospital, or a security interest instrument, including a deed of trust, secured by the Property or any interest therein, shall be exempt from the tax imposed by §§ 42-1103 and 47-903.).

“(c) That any contract that Children’s Hospital, or a subsidiary of Children’s Hospital, enters into for architectural design services, construction services, or materials needed for the development, remodel, or construction of Phase II of the Children’s National Research & Innovation Campus on the Property is subject to the contracting and procurement requirements under the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), and the

employment and job creation requirements under the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).”.

Sec. 3. Fiscal impact statement.

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

Sec. 4. 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 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.