

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification  
District of  
Columbia  
Official Code*

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To amend, on an temporary basis, Title 47 of the District of Columbia Official Code to repeal a provision which would inadvertently repeal a tax increase imposed by the **Ballpark Omnibus Financing and Revenue Act of 2004**, to correct the designation of the utility taxes to be deposited in the Ballpark Revenue Fund, and to correct the basic tax rate for electricity users, and to correct the applicability date of certain utility taxes.

**BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,**  
That this act may be cited as the "Utility Taxes Technical Corrections Temporary Act of 2005".

Note,  
§ 47-368.03

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-368.03(d) is amended as follows:

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

"(1) The rate of tax imposed under § 47-3902 shall be reduced from 11% to 10%, if the annual revenue estimate made in the 4th quarter of a fiscal year exceeds the annual revenue estimate incorporated in the approved financial plan and budget for that fiscal year by at least \$ 105 million. This paragraph shall apply as of January 1, 2005 and shall expire on April 8, 2005."

(2) Paragraph (2) is amended by adding a new sentence to read as follows:

"This paragraph shall expire on January 1, 2005."

Note,  
§ 47-2501

(b) Section 47-2501 is amended as follows:

(1) Subsection (a-1) is amended by adding a new sentence to read as follows:

"This paragraph shall expire on January 1, 2005."

(2) Subsection (a-2) is amended by striking the phrase "One-eleventh of the total tax collected" and inserting the phrase "Beginning, January 1, 2005, one-eleventh of the total tax collected from nonresidential customers" in its place.

(3) Subsection (d-1)(1)(B) is amended as follows:

(A) Sub-subparagraph (i) is amended by striking the phrase “a tax of \$0.0077” **and inserting the phrase** “a tax of \$0.007, as of January 1, 2005,” **in its place.**

(B) Sub-subparagraph (ii)(I) is amended to read as follows: “(ii)(I) **Pay to the Mayor a tax of \$0.0007**, as of January 1, 2005, for each kilowatt-hour of electricity delivered to nonresidential end-users in the District of Columbia for the preceding calendar month.”

(4) Subsection (e) is amended by striking the word “necessary” **and inserting the phrase “necessary or appropriate” in its place.**

Note,  
§ 47-3902

(c) Section 47-3902(d) of the District of Columbia Official Code is amended by striking the phrase “One-eleventh of the total tax collected” **and inserting the phrase “Beginning, April 8, 2005, one-eleventh of the total tax collected from nonresidential customers” in its place.**

### Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Council Budget Director 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. 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.

Chairman  
Council of the District of Columbia

Mayor

District of Columbia