

ENROLLED ORIGINAL

AN ACT

*Codification
District of
Columbia
Official Code*

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an temporary basis, Title 47 of the District of Columbia Official Code to exempt from taxation certain real property owned directly through any wholly-owned subsidiary by a legitimate theater company, to exempt from taxation certain personal property owned directly through any wholly-owned subsidiary by a legitimate theater company, and to exempt from taxation sales to any organization that is wholly-owned by a legitimate theater company.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Lot 878, Square 456 Tax Exemption Clarification Temporary Act of 2004".

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

Note,
§ 47-1002

(a) Section 47-1002 is amended as follows:

(1) Paragraph (19) is amended by striking the semicolon and inserting the phrase ", and the real property (and any interest therein) situated on any portion of the lot that is designated, as of October 1, 2003, as lot 878 in square 456 and that is owned, occupied, and used, directly through one or more wholly-owned subsidiary organizations, by a legitimate theater company so long as the property continues to be so owned and occupied, and used for the exempt purposes described in paragraph (18) of this section and this paragraph;" in its place.

(2) Paragraph (28)(B)(ii) is amended by striking the phrase "a theater company described in paragraph (19) of this section" and inserting the phrase "a theater company described in paragraph (19) of this section or any wholly-owned subsidiary of such theater company" in its place.

Note,
§ 47-1052

(b) Section 47-1052(a)(8) is amended to read as follows:

"(8) "Qualified Theater Company" means any entity that:

"(A)(i) Operates a theater of the type described in § 47-1002(19); and

"(ii)(I) Owns some or all of the Site; or

"(II) Is or was the contract purchaser of some or all of the

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Site as of July 10, 2002; or

“(B) Is the current wholly-owned subsidiary of an entity that is described in subparagraph (A) of this paragraph.”

Note,
§ 47-1508

(c) Section 47-1508(a) is amended by adding a new paragraph (10) to read as follows:

“(10) The personal property of any organization which is wholly-owned by a legitimate theater company, which is a District of Columbia nonprofit corporation, and which acquires any portion of the lot that is designated, as of October 1, 2003, as lot 878 in square 456 as if the personal property was owned by the legitimate theater company.”

Note,
§ 47-2005

(d) Section 47-2005 is amended by adding a new paragraph (36) to read as follows:

“(36) Sales to any organization which is wholly-owned by a legitimate theater company, which is a District of Columbia nonprofit corporation, and which acquires any portion of the lot that is designated, as of October 1, 2003, as lot 878 in square 456 to the same extent as if the sale was made to the legitimate theater company.”

Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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

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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