

AN ACT

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Columbia  
Official Code

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Retail Incentive Act of 2004 to expand the scope of eligible projects, to permit tenants to apply for assistance under the act, and to proscribe certified business enterprise agreement requirements for such assistance.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Downtown Retail TIF Amendment Act of 2008".

Sec. 2. The Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.71 *et seq.*), is amended as follows:

(a) Section 2(8) (D.C. Official Code § 2-1217.71(8)) is amended as follows:

Amend  
§ 2-1214.71

(1) Strike the phrase "direct onsite retail sales to consumers," and insert the phrase "direct onsite retail sales to consumers or providing a unique entertainment attraction," in its place.

(2) Strike the phrase "general merchandise goods to specialized customers" and insert the phrase "general merchandise goods to specialized customers, or providing a unique entertainment attraction," in its place.

(b) Section 5 (D.C. Official Code § 2-1217.74) is amended as follows:

Amend  
§ 2-1214.74

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

(A) Paragraph (1)(A) through (K) is amended by striking the word "retailer" each time it appears and inserting the phrase "retailer or unique entertainment attraction" in its place.

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

(i) The lead-in text is amended by striking the phrase "A requirement that the owner of any building" and inserting the phrase "A requirement that the owner of any building or tenant applying for the TIF" in its place.

(ii) Subparagraphs (A), (B), (C), (E), (F), and (G) are amended by striking the phrase "owner's agreement" each time it appears and inserting the phrase "owner's agreement or tenant's agreement" in its place.

(iii) Subparagraph (D) is amended to read as follows:

"(D) The owner's agreement or tenant's agreement to sign an LSDBE

certified business enterprise agreement that establishes a goal of hiring LSDBEs to perform construction or operations work, the costs of which equals 35% of the Bond proceeds.”.

(2) Subsection (c) is amended by striking the sentence “Notwithstanding anything to the contrary herein, the Rules of Operation shall provide that a Retail Development Project that, either directly or as part of a larger development project, has already received proceeds of Bonds through another TIF program shall not be designated a TIF Area under this act.”.

**Sec. 3. Fiscal impact statement**

The Council adopts the fiscal impact statement in the committee report 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.**

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.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia