A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson and Councilmembers Yvette Alexander, Marion Barry, Muriel Bowser, Michael Brown, David Catania, Mary Cheh, Jack Evans, Jim Graham, Kenyan McDuffie, Vincent Orange and Tommy Wells introduced the following bill, which was referred to the Committee on ___________.

To amend the District of Columbia Home Rule Act to provide for local budget autonomy.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Local Budget Autonomy Act of 2012”.
Sec. 2. The District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 et seq.), is amended as follows:

(a) The table of contents is amended by striking the phrase "Sec. 446. Enactment of Appropriations by Congress" and inserting the phrase "Sec. 446. Enactment of local budget by Council" in its place.

(b) Section 404(f) (D.C. Official Code § 1-204.04(f)) is amended by striking the phrase “transmitted by the Chairman to the President of the United States” and inserting the phrase “incorporated in such Act” each time it appears.

(c) Section 412 (D.C. Official Code § 1-204.12) is amended by striking the phrase "(other than an act to which section 446 applies)” in its entirety.

(d) Section 441(b) (D.C. Official Code § 1-204.41(b) is amended to read as follows:

“(b) Authorization To Establish Fiscal Year by Act of Council - The District may change the fiscal year of the District by an Act of the Council. If a change occurs, such fiscal year shall also constitute the budget and accounting year.”.

(e) Section 446 (D.C. Official Code § 1-204.46) is amended to read as follows:

“ENACTMENT OF LOCAL BUDGET BY DISTRICT OF COLUMBIA

“Sec. 446. (a) Adoption of Budgets and Supplements - The Council, within 70 calendar days after receipt of the budget proposal from the Mayor, and after public hearing, and by a vote of a majority of the members present and voting, shall by Act adopt the annual budget for the District of Columbia government. The federal portion of the annual budget shall be submitted by the Mayor to the President for transmission to Congress. The local portion of the annual budget shall be submitted by the Chairman of the Council to the Speaker of the House of Representatives pursuant to the procedure set forth in section 602(c). Any supplements thereto shall also be adopted by Act of the Council after public hearing by a vote of a majority of the members present and voting.

“(b) Transmission to President During Control Years - In the case of a budget for a fiscal year which is a control year, the budget so adopted shall be submitted by the Mayor to the
President for transmission by the President to the Congress; except, that the Mayor shall not transmit any such budget, or amendments or supplements thereto, to the President until the completion of the budget procedures contained in this Act and the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

“(c) Prohibiting Obligations and Expenditures Not Authorized Under Budget- Except as provided in section 445A(b), section 446B, section 467(d), section 471(c), section 472(d)(2), section 475(e)(2), section 483(d), and subsections (f), (g), (h)(3), and (i)(3) of section 490, no amount may be obligated or expended by any officer or employee of the District of Columbia government unless--

“(1) such amount has been approved by an Act of the Council (and then only in accordance with such authorization) and such Act has been transmitted by the Chairman to the Congress and has completed the review process under section 602(c)(3); or

“(2) in the case of an amount obligated or expended during a control year, such amount has been approved by an Act of Congress (and then only in accordance with such authorization).

“(d) Restrictions on Reprogramming of Amounts - After the adoption of the annual budget for a fiscal year (beginning with the annual budget for fiscal year 1995), no reprogramming of amounts in the budget may occur unless the Mayor submits to the Council a request for such reprogramming and the Council approves the request, but and only if any additional expenditures provided under such request for an activity are offset by reductions in expenditures for another activity.

“(e) Definition - In this part, the term “control year” has the meaning given such term in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.”.

(f) Section 446B(a) (D.C. Official Code § 1-204.46b(a)) is amended as follows:

(1) Strike the phrase "the fourth sentence of section 446” and insert the phrase “section 446(c)".
(2) Strike the phrase “approved by Act of Congress” in its entirety.

    (g) Section 447 (D.C. Official Code § 1-204.47) is amended as follows:

        (1) Strike the phrase “Act of Congress” and insert the phrase “act of the Council
        (or Act of Congress, in the case of a year which is a control year)” each time it appears.

        (2) Strike the phrase “Acts of Congress” and insert the phrase “acts of the Council
        (or Acts of Congress, in the case of a year which is a control year)” each time it appears.

    (h) Sections 467(d), 471(c), 472(d)(2), 475(e)(2), and 483(d), and subsections (f), (g)(3),
    (h)(3), and (i)(3) of section 490 of such Act are each amended by striking “The fourth sentence
    of section 446” and inserting “Section 446(c)”.

Sec. 3. Applicability.

    This act shall apply with respect to fiscal year 2015 and each fiscal year thereafter.

Sec. 4. 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. 5. Effective date.

    This act shall take effect as provided in section 303 of the District of Columbia Home