H. R. 980

To amend the District of Columbia Home Rule Act to make local funds of the District of Columbia for a fiscal year available for use by the District at the beginning of the fiscal year at the rate of operations provided under the local budget act for the fiscal year if the regular District of Columbia appropriation bill for a fiscal year does not become law prior to the beginning of such fiscal year.

IN THE HOUSE OF REPRESENTATIVES

March 9, 2011

Ms. NORTON introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend the District of Columbia Home Rule Act to make local funds of the District of Columbia for a fiscal year available for use by the District at the beginning of the fiscal year at the rate of operations provided under the local budget act for the fiscal year if the regular District of Columbia appropriation bill for a fiscal year does not become law prior to the beginning of such fiscal year.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “District of Columbia Local Funds Continuation Act”.

SEC. 2. AVAILABILITY OF DISTRICT OF COLUMBIA LOCAL FUNDS UPON FAILURE BY CONGRESS TO ENACT LOCAL BUDGET.

(a) In General.—Subpart 1 of part D of title IV of the District of Columbia Home Rule Act is amended by inserting after section 446B the following new section:

“AVAILABILITY OF LOCAL FUNDS UPON FAILURE BY CONGRESS TO ENACT BUDGET

“Sec. 446C. (a) Availability of local funds at rate established by local law if no budget enacted prior to beginning of fiscal year.—

“(1) In general.—If the regular District of Columbia appropriation bill for a fiscal year does not become law prior to the beginning of such fiscal year, there is appropriated, out of any moneys of the government of the District of Columbia not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, the amount provided for any project or activity for which funds are provided in the local budget act for such fiscal year.

“(2) Rate of funding.—An appropriation and funds made available or authority granted for a project or activity for a fiscal year pursuant to this
section shall be at the rate of operations provided for such project or activity under the local budget act for such fiscal year.

“(3) Period of Availability.—An appropriation and funds made available or authority granted for a project or activity for a fiscal year pursuant to this section shall be available for the period—

“(A) beginning with the first day of the fiscal year; and

“(B) ending with the date on which the regular District of Columbia appropriation bill for such fiscal year becomes law.

“(b) Terms and Conditions.—An appropriation and funds made available or authority granted for a project or activity for a fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made and funds made available for the preceding fiscal year, or the authority granted for such project or activity under the applicable law in effect at the time.

“(c) Period of Coverage.—An appropriation and funds made available or authority granted for a project or activity for a fiscal year pursuant to this section shall cover all obligations or expenditures incurred for such
project or activity during the portion of such fiscal year
for which this section applies to such project or activity.

“(d) Restrictions on Programs or Activities
Subject to Other Appropriations Acts.—This sec-
tion shall not apply to a project or activity during any
period of a fiscal year if any other provision of law (other
than an authorization of appropriations)—

“(1) makes an appropriation, makes funds
available, or grants authority for such project or ac-
tivity to continue for such period, or

“(2) specifically provides that no appropriation
shall be made, no funds shall be made available, or
no authority shall be granted for such project or ac-
tivity to continue for such period.

“(e) Protection of Other Obligations.—Nothing
in this section shall be construed to effect obligations
of the government of the District of Columbia mandated
by other law.

“(f) Definitions.—In this section—

“(1) the term ‘local budget act’ means, with re-
spect to a fiscal year, the act of the Council adopt-
ing the annual budget for the District of Columbia
government for such fiscal year, as submitted by the
Mayor to the President for transmission to Congress
pursuant to section 446; and

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“(2) the term ‘regular District of Columbia appropriation bill’ means an annual appropriation bill making appropriations, otherwise making funds available, or granting authority, for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of the District.

“(g) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2012 and each succeeding fiscal year.”.

(b) CONFORMING AMENDMENT.—Section 446 of such Act (sec. 1–204.46, D.C. Official Code) is amended by inserting “section 446C,” after “section 446B,”.

(e) CLERICAL AMENDMENT.—The table of contents of subpart 1 of part D of title IV of the District of Columbia Home Rule Act is amended by inserting after the item relating to section 446B the following:

“446C. Availability of local funds upon failure by Congress to enact budget.”.