

# ENROLLMENT(S)

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 10-15

"District of Columbia Unemployment Compensation  
Comprehensive Improvements Amendment Act of 1993".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 10-52 on first and second readings, June 1, 1993, and June 29, 1993, respectively. Following the signature of the Mayor on July 13, 1993, this legislation was assigned Act No. 10-44, published in the July 30, 1993, edition of the D.C. Register, (Vol. 40 page 5420) and transmitted to Congress on July 15, 1993 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 10-15, effective September 24, 1993.

  
WILLIAM RAY  
Acting Chairman  
of the Council

Dates Counted During the 30-day Congressional Review Period:

July	15,16,19,20,21,22,23,26,27,28,29,30
August	2,3,4,5,6
September	7,8,9,10,13,14,15,16,17,20,21,22,23

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 13, 1993

To amend the District of Columbia Unemployment Compensation Act to restore the Unemployment Fund to solvency by installing 6 tax tables, increasing the taxable wage base, repealing the solvency tax, revising the weekly benefit formula, revising the maximum benefit formula, providing a penalty for simple misconduct, authorizing additional means of overpayment collection, improving methods for collecting unemployment compensation contributions, clarifying provisions with respect to the existence of the Department of Employment Services, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Unemployment Compensation Comprehensive Improvements Amendment Act of 1993".

TITLE I

SUBSTANTIVE AMENDMENTS TO THE UNEMPLOYMENT COMPENSATION LAW

Sec. 101. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-101 *et seq.*), is amended as follows:

(a) Section 1(8) (D.C. Code § 46-101(7)) is amended by striking the period at the end of the section and inserting the words "including any dependent's allowance paid under the provisions of section 8." in its place.

Section  
46-101

(b) Section 1 (D.C. Code § 46-101) is amended by adding a new subsection (z) to read as follows:

Section  
46-101

"(z) The term "most recent work" as used in section 10(a) and (b) shall mean the employer for whom the individual last performed 30 work days of "employment" as defined in subsection (b)(2) of this section: Provided, however, that should the individual subsequently perform services in "employment" on a less than 30 hour per week basis and then become "unemployed" as defined in subsection (e) of this section, the subsequent employer shall be considered the "most recent work" if the individual has earned remuneration in its employ of at least 5 times his weekly benefit amount."

Sec. 102. Section 3 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-103), is amended as follows:

(a) Subsection (c)(2)(A) is amended by striking the final sentence of the subparagraph and inserting a new sentence in its place to read as follows:

"All base period employers whose accounts could be charged with benefits paid to an individual with respect to a claim made pursuant to this chapter shall be given notice of potential charges."

(b) Subsection (c)(2)(B) is amended by striking the period at the end of the subparagraph and inserting the phrase ", except that this subparagraph shall not apply to employers who have elected to make payments in lieu of contributions under subsection (f) or (h) of this section." in its place.

(c) Subsection (c)(2)(E) is amended by striking the period at the end of the subparagraph and inserting the words ", except this provision shall not apply to those employers who have elected to make payments in lieu of contributions under subsection (f) or (h) of this section." in its place.

(d) Subsection (c)(4)(B) is amended to read as follows:

"(B)(i) If the balance of the Fund referred to in section 6 as of September 30, in any calendar year exceeds 3% of the total payrolls of employers subject to contributions under this chapter on the preceding June 30, Table I in subsection (c)(8)(A) of this section shall be used to compute rates for employers pursuant to subparagraph (A) of this paragraph.

"(ii) If the balance of the fund as of September 30 in any calendar year shall be greater than 2.5% but not in excess of 3% of the total payrolls of employers subject to contributions under this chapter on the preceding June 30, Table II in subsection (c)(8)(A) of this section shall be used to compute the rates for employers pursuant to subparagraph (A) of this paragraph.

"(iii) If the balance of the Fund as of September 30 in any calendar year shall be greater than 2% but not in excess of 2.5% of the total payrolls of employers subject to contributions under this chapter on the preceding June 30, Table III in subsection (c)(8)(A) of this section shall be used to compute rates for employers pursuant to subparagraph (A) of this paragraph.

"(iv) If the balance of the Fund on September 30 of any calendar year shall be greater than 1.5% but not in excess of 2% of the total payrolls subject to contributions on the preceding June 30, Table IV in subsection (c)(8)(A) of this section shall be used to compute rates for employers pursuant to subparagraph (A) of this paragraph.

"(v) If the balance of the Fund on September 30 of any calendar year shall be greater than .8% but not in excess of 1.5% of the total payrolls of employers subject to contributions under this chapter on the preceding June 30, Table V in subsection (c)(8)(A) of this section shall be used to compute rates for employers pursuant to subparagraph (A) of this paragraph.

"(vi) If the balance of the Fund on September 30 of any calendar year shall not be greater than .8% of the total payrolls of employers subject to contributions under this chapter on the preceding June 30, Table VI in subsection (c)(8)(A) of this section shall be used

to compute employer rates pursuant to subparagraph (A) of this paragraph."

(e) Subsection (c)(7)(A) is amended by striking the words "25 per centum" wherever they appear and inserting the words "all or substantially all" in their place.

(f) Subsection (c)(8)(A) is amended by striking the 2nd sentence of the subparagraph and Tables I, II, III, and inserting in their place the following language and tables to read as follows:

"The result of this computation shall be known as the employer's reserve and the employer's contribution rate for the ensuing calendar year shall be established under Table I, II, III, IV, V, or VI of this subparagraph in accordance with the provisions of paragraph (4)(B) of this subsection.

TABLE I

"0.1 per centum if such reserve equals or exceeds 8.0 per centum of the employer's average annual taxable payroll;

0.2 per centum if such reserve equals or exceeds 7.5 per centum but is less than 8.0 per centum of the employer's average annual taxable payroll;

0.5 per centum if such reserve equals or exceeds 7.0 per centum but is less than 7.5 per centum of the employer's average annual taxable payroll;

0.8 per centum if such reserve equals or exceeds 6.5 per centum but is less than 7.0 per centum of the employer's average annual taxable payroll;

1.1 per centum if such reserve equals or exceeds 6.0 per centum but is less than 6.5 per centum of the employer's average annual taxable payroll;

1.4 per centum if such reserve equals or exceeds 5.5 per centum but is less than 6.0 per centum of the employer's average annual taxable payroll;

1.7 per centum if such reserve equals or exceeds 5.0 per centum but is less than 5.5 per centum of the employer's average annual taxable payroll;

2.0 per centum if such reserve equals or exceeds 4.5 per centum but is less than 5.0 per centum of the employer's average annual taxable payroll;

2.3 per centum if such reserve equals or exceeds 4.0 per centum but is less than 4.5 per centum of the employer's average annual taxable payroll;

2.6 per centum if such reserve equals or exceeds 3.0 per centum but is less than 4.0 per centum of the employer's average annual taxable payroll;

2.9 per centum if such reserve equals or exceeds 1.5 per centum but is less than 3.0 per centum of the employer's average annual taxable payroll;

3.2 per centum if such reserve equals or exceeds 0.0 per centum but is less than 1.5 per centum of the employer's average annual taxable payroll;

4.2 per centum if such reserve exceeds minus 2.5 per centum but is less than 0.0 per centum of the employer's average annual taxable payroll;

4.5 per centum if such reserve exceeds minus 5.0 per centum but is less than or equal to minus 2.5 per centum of the employer's average annual taxable payroll;

4.8 per centum if such reserve exceeds minus 7.5 per centum but is less than or equal to minus 5.0 per centum of the employer's average annual taxable payroll;

5.1 per centum if such reserve exceeds minus 10.0 per centum but is less than or equal to minus 7.5 per centum of the employer's average annual taxable payroll;

5.4 per centum if such reserve is equal to or less than minus 10.0 per centum of the employer's average annual taxable payroll.

TABLE II

0.6 per centum if such reserve equals or exceeds 8.0 per centum of the employer's average annual taxable payroll;

1.0 per centum if such reserve equals or exceeds 7.5 per centum but is less than 8.0 per centum of the employer's average annual taxable payroll;

1.3 per centum if such reserve equals or exceeds 7.0 per centum but is less than 7.5 per centum of the employer's average annual taxable payroll;

1.6 per centum if such reserve equals or exceeds 6.5 per centum but is less than 7.0 per centum of the employer's average annual taxable payroll;

1.9 per centum if such reserve equals or exceeds 6.0 per centum but is less than 6.5 per centum of the employer's average annual taxable payroll;

## Enrolled Original

2.1 per centum if such reserve equals or exceeds 5.5 per centum but is less than 6.0 per centum of the employer's average annual taxable payroll;

2.3 per centum if such reserve equals or exceeds 5.0 per centum but is less than 5.5 per centum of the employer's average annual taxable payroll;

2.5 per centum if such reserve equals or exceeds 4.5 per centum but is less than 5.0 per centum of the employer's average annual taxable payroll;

2.7 per centum if such reserve equals or exceeds 4.0 per centum but is less than 4.5 per centum of the employer's average annual taxable payroll;

2.9 per centum if such reserve equals or exceeds 3.0 per centum but is less than 4.0 per centum of the employer's average annual taxable payroll;

3.1 per centum if such reserve equals or exceeds 1.5 per centum but is less than 3.0 per centum of the employer's average annual taxable payroll;

3.3 per centum if such reserve equals or exceeds 0.0 per centum but is less than 1.5 per centum of the employer's average annual taxable payroll;

4.6 per centum if such reserve exceeds minus 2.5 per centum but is less than 0.0 per centum of the employer's average annual taxable payroll;

5.9 per centum if such reserve exceeds minus 5.0 per centum but is less than or equal to minus 2.5 per centum of the employer's average annual taxable payroll;

5.2 per centum if such reserve exceeds minus 7.5 per centum but is less than or equal to minus 5.0 per centum of the employer's average annual taxable payroll;

5.5 per centum if such reserve exceeds minus 10.0 per centum but is less than or equal to minus 7.5 per centum of the employer's average annual taxable payroll;

5.8 per centum if such reserve is equal to or less than minus 10.0 per centum of the employer's average annual taxable payroll.

### TABLE III

1.0 per centum if such reserve equals or exceeds 8.0 per centum of the employer's average annual taxable payroll;

## Enrolled Original

1.4 per centum if such reserve equals or exceeds 7.5 per centum but is less than 8.0 per centum of the employer's average annual taxable payroll;

1.7 per centum if such reserve equals or exceeds 7.0 per centum but is less than 7.5 per centum of the employer's average annual taxable payroll;

2.0 per centum if such reserve equals or exceeds 6.5 per centum but is less than 7.0 per centum of the employer's average annual taxable payroll;

2.3 per centum if such reserve equals or exceeds 6.0 per centum but is less than 6.5 per centum of the employer's average annual taxable payroll;

2.5 per centum if such reserve equals or exceeds 5.5 per centum but is less than 6.0 per centum of the employer's average annual taxable payroll;

2.7 per centum if such reserve equals or exceeds 5.0 per centum but is less than 5.5 per centum of the employer's average annual taxable payroll;

2.9 per centum if such reserve equals or exceeds 4.5 per centum but is less than 5.0 per centum of the employer's average annual taxable payroll;

3.0 per centum if such reserve equals or exceeds 4.0 per centum but is less than 4.5 per centum of the employer's average annual taxable payroll;

3.2 per centum if such reserve equals or exceeds 3.0 per centum but is less than 4.0 per centum of the employer's average annual taxable payroll;

3.4 per centum if such reserve equals or exceeds 1.5 per centum but is less than 3.0 per centum of the employer's average annual taxable payroll;

3.6 per centum if such reserve equals or exceeds 0.0 per centum but is less than 1.5 per centum of the employer's average annual taxable payroll;

5.0 per centum if such reserve exceeds minus 2.5 per centum but is less than 0.0 per centum of the employer's average annual taxable payroll;

5.3 per centum if such reserve exceeds minus 5.0 per centum but is less than or equal to minus 2.5 per centum of the employer's average annual taxable payroll;



5.6 per centum if such reserve exceeds minus 7.5 per centum but is less than or equal to minus 5.0 per centum of the employer's average annual taxable payroll;

5.9 per centum if such reserve exceeds minus 10.0 per centum but is less than or equal to minus 7.5 per centum of the employer's average annual taxable payroll;

6.2 per centum if such reserve is equal to or less than minus 10.0 per centum of the employers average annual taxable payroll.

TABLE IV

1.3 per centum if such reserve equals or exceeds 8.0 per centum of the employer's average annual taxable payroll;

1.7 per centum if such reserve equals or exceeds 7.5 per centum but is less than 8.0 per centum of the employer's average annual taxable payroll;

2.0 per centum if such reserve equals or exceeds 7.0 per centum but is less than 7.5 per centum of the employer's average annual taxable payroll;

2.3 per centum if such reserve equals or exceeds 6.5 per centum but is less than 7.0 per centum of the employer's average annual taxable payroll;

2.6 per centum if such reserve equals or exceeds 6.0 per centum but is less than 6.5 per centum of the employer's average annual taxable payroll;

2.8 per centum if such reserve equals or exceeds 5.5 per centum but is less than 6.0 per centum of the employer's average annual taxable payroll;

3.0 per centum if such reserve equals or exceeds 5.0 per centum but is less than 5.5 per centum of the employer's average annual taxable payroll;

3.2 per centum if such reserve equals or exceeds 4.5 per centum but is less than 5.0 per centum of the employer's average annual taxable payroll;

3.4 per centum if such reserve equals or exceeds 4.0 per centum but is less than 4.5 per centum of the employer's average annual taxable payroll;

3.6 per centum if such reserve equals or exceeds 3.0 per centum but is less than 4.0 per centum of the employer's average annual taxable payroll;

## Enrolled Original

3.8 per centum if such reserve equals or exceeds 1.5 per centum but is less than 3.0 per centum of the employer's average annual taxable payroll;

4.0 per centum if such reserve equals or exceeds 0.0 per centum but is less than 1.5 per centum of the employer's average annual taxable payroll;

5.4 per centum if such reserve exceeds minus 2.5 per centum but is less than 0.0 per centum of the employer's average annual taxable payroll;

5.7 per centum if such reserve exceeds minus 5.0 per centum but is less than or equal to minus 2.5 per centum of the employer's average annual taxable payroll;

6.0 per centum if such reserve exceeds minus 7.5 per centum but is less than or equal to minus 5.0 per centum of the employer's average annual taxable payroll;

6.3 per centum if such reserve exceeds minus 10.0 per centum but is less than or equal to minus 7.5 per centum of the employer's average annual taxable payroll;

6.6 per centum if such reserve is equal to or less than minus 10.0 per centum of the employer's average annual taxable payroll.

### TABLE V

1.6 per centum if such reserve equals or exceeds 8.0 per centum of the employer's average annual taxable payroll;

2.0 per centum if such reserve equals or exceeds 7.5 per centum but is less than 8.0 per centum of the employer's average annual taxable payroll;

2.3 per centum if such reserve equals or exceeds 7.0 per centum but is less than 7.5 per centum of the employer's average annual taxable payroll;

2.6 per centum if such reserve equals or exceeds 6.5 per centum but is less than 7.0 per centum of the employer's average annual taxable payroll;

2.9 per centum if such reserve equals or exceeds 6.0 per centum but is less than 6.5 per centum of the employer's average annual taxable payroll;

3.1 per centum if such reserve equals or exceeds 5.5 per centum but is less than 6.0 per centum of the employer's average annual taxable payroll;

## Enrolled Original

3.3 per centum if such reserve equals or exceeds 5.0 per centum but is less than 5.5 per centum of the employer's average annual taxable payroll;

3.5 per centum if such reserve equals or exceeds 4.5 per centum but is less than 5.0 per centum of the employer's average annual taxable payroll;

3.7 per centum if such reserve equals or exceeds 4.0 per centum but is less than 4.5 per centum of the employer's average annual taxable payroll;

3.9 per centum if such reserve equals or exceeds 3.0 per centum but is less than 4.0 per centum of the employer's average annual taxable payroll;

4.1 per centum if such reserve equals or exceeds 1.5 per centum but is less than 3.0 per centum of the employer's average annual taxable payroll;

4.2 per centum if such reserve equals or exceeds 0.0 per centum but is less than 1.5 per centum of the employer's average annual taxable payroll;

5.8 per centum if such reserve exceeds minus 2.5 per centum but is less than 0.0 per centum of the employer's average annual taxable payroll;

6.1 per centum if such reserve exceeds minus 5.0 per centum but is less than or equal to minus 2.5 per centum of the employer's average annual taxable payroll;

6.4 per centum if such reserve exceeds minus 7.5 per centum but is less than or equal to minus 5.0 per centum of the employer's average annual taxable payroll;

6.7 per centum if such reserve exceeds minus 10.0 per centum but is less than or equal to minus 7.5 per centum of the employer's average annual taxable payroll;

7.0 per centum if such reserve is equal to or less than minus 10.0 per centum of the employer's average annual taxable payroll.

### TABLE VI

1.9 per centum if such reserve equals or exceeds 8.0 per centum of the employer's average annual taxable payroll;

2.3 per centum if such reserve equals or exceeds 7.5 per centum but is less than 8.0 per centum of the employer's average annual taxable payroll;

## Enrolled Original

2.6 per centum if such reserve equals or exceeds 7.0 per centum but is less than 7.5 per centum of the employer's average annual taxable payroll;

2.9 per centum if such reserve equals or exceeds 6.5 per centum but is less than 7.0 per centum of the employer's average annual taxable payroll;

3.2 per centum if such reserve equals or exceeds 6.0 per centum but is less than 6.5 per centum of the employer's average annual taxable payroll;

3.4 per centum if such reserve equals or exceeds 5.5 per centum but is less than 6.0 per centum of the employer's average annual taxable payroll;

3.6 per centum if such reserve equals or exceeds 5.0 per centum but is less than 5.5 per centum of the employer's average annual taxable payroll;

3.8 per centum if such reserve equals or exceeds 4.5 per centum but is less than 5.0 per centum of the employer's average annual taxable payroll;

4.0 per centum if such reserve equals or exceeds 4.0 per centum but is less than 4.5 per centum of the employer's average annual taxable payroll;

4.2 per centum if such reserve equals or exceeds 3.0 per centum but is less than 4.0 per centum of the employer's average annual taxable payroll;

4.3 per centum if such reserve equals or exceeds 1.5 per centum but is less than 3.0 per centum of the employer's average annual taxable payroll;

4.4 per centum if such reserve equals or exceeds 0.0 per centum but is less than 1.5 per centum of the employer's average annual taxable payroll;

6.2 per centum if such reserve exceeds minus 2.5 per centum but is less than 0.0 per centum of the employer's average annual taxable payroll;

6.5 per centum if such reserve exceeds minus 5.0 per centum but is less than or equal to minus 2.5 per centum of the employer's average annual taxable payroll;

6.8 per centum if such reserve exceeds minus 7.5 per centum but is less than or equal to minus 5.0 per centum of the employer's average annual taxable payroll;

7.1 per centum if such reserve exceeds minus 10.0 per centum but is less than or equal to minus 7.5 per centum of the employer's average annual taxable payroll;

7.4 per centum if such reserve is equal to or less than minus 10.0 per centum of the employers average annual taxable payroll."

(g) Subsection (e) is amended by designating the existing text as paragraph (1) and adding new paragraphs (2), (3), (4) and (5) to read as follows:

"(2) After January 1, 1993, the term "wages" shall not include any amount in excess of \$9,000 actually paid to any person arising out of employment in any succeeding calendar year.

"(3) After January 1, 1994, the term "wages" shall not include any amount in excess of \$9,500 actually paid to any person arising out of employment in any succeeding calendar year; provided, however that should the balance in the Fund referred to in section 6 exceed \$40 million as of September 30, 1993, then the term "wages" contained in paragraph (2) of this subsection shall be applicable.

"(4) After January 1, 1995, the term "wages" shall not include any amount in excess of \$10,000 actually paid to any person arising out of employment in any succeeding calendar year; provided, however, that should the balance in the Fund referred to in section 6 exceed \$80 million as of September 30, 1994, then the term "wages" contained in paragraph (3) of this subsection shall be applicable; be it further provided, however, that if the term "wages" has the same meaning as in paragraph (2) of this subsection as of December 31, 1994, then the term "wages" shall not include any amount in excess of \$9,500 actually paid to any person arising out of employment in any succeeding calendar year.

"(5) After January 1, 1996, the term "wages" shall not include any amount in excess of \$10,000 actually paid to any person arising out of employment in any succeeding calendar year; provided, however, that should the balance in the Fund referred to in section 6 exceed \$120 million as of September 30, 1995, then the term "wages" contained in paragraph (4) of this subsection shall be applicable."

Sec. 103. Section 4 of the District of Columbia Unemployment Compensation Act, approved August 29, 1935 (49 Stat. 946; D.C. Code § 46-105), is amended as follows:

Section  
46-105

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

(1) By designating the existing text as paragraph (1); and

(2) By adding a new paragraph (2) to read as follows:

"(2) Employers who employ 250 employees or more in a calendar quarter shall file wage reports by magnetic tape or other machine readable method approved by the Director. Employers subject to this provision who fail to file wage reports using magnetic tape or other approved method shall be deemed to have failed to file a timely contribution report and shall be subject to the interest and penalty provisions of subsection (c) of this section until such time as the report is filed using magnetic tape or other approved method."

(b) Subsection (c) is amended by striking the number "10" from the penultimate sentence and inserting the number "25" in its place.

(c) New subsections (m), (n) and (o) are added to read as follows:

"(m)(1) If any employer liable to pay contributions or payments in lieu of contributions under section 3(h) files a wage report for the purposes of determining the amount of contributions due under this chapter but fails to pay contributions, interest, or penalties, the Director may assess the amount of contributions, interest, or penalties due on the basis of the information submitted and shall give written notice of such assessment to the employer. In the event such report is subsequently found to be incorrect additional assessments may be made, notwithstanding paragraph (4) of this subsection.

"(2) If any employer liable to pay contributions, or payments in lieu of contributions under section 3(h), fails to file, on or before the prescribed date, a wage report for purposes of determining the amount of contributions due under this chapter or if such wage report when filed is deemed by the Director to be incorrect or insufficient, then the employer shall file a correct and sufficient report within 10 days after the Director requires same by written notice, and upon failure to do so, the Director shall assess the amount of contributions, interest, penalties due from such employer on the basis of such information as the Director may be able to obtain, and shall give written notice of such assessment to the employer.

"(3) If the Director believes that the collection of any contribution, payment in lieu of contribution, interest, or penalty under the provisions of this chapter will be jeopardized by delay, the Director may, whether or not the time prescribed in this chapter for the filing of reports or the payment of contributions has expired, immediately assess such contributions, payment in lieu of contributions, interest, or penalty and shall give written notice of such assessment to the employer.

"(4) Assessments made pursuant to this subsection shall be final and irrevocably fix the amount of contributions, interest, or penalties due and payable unless the employer shall file an appeal to the Director, pursuant to duly prescribed regulations, within 15 days of the mailing of such determination or the Director on the Director's own motion reduces the amount of the assessment: provided, however, that any employer appealing an assessment shall first pay such contributions, interest and penalties. After a hearing, the appeal tribunal shall enter a decision affirming, modifying, or setting aside the assessment and shall promptly give the employer written notice of its decision.

"(n) The contributions, payments in lieu of contributions, interest, and penalties thereon required by this chapter shall become, from the time due and payable, a personal debt of the person liable to pay the same to the Director. For purposes of this chapter, the term "person" shall include any officer of a corporation having 35 or fewer shareholders, any employee of such corporation responsible for the payment of contributions, interest, and penalties, and any member of a partnership or association responsible for the payment of contributions, payments in lieu of contributions, interest, and penalties, and any member of a partnership or association responsible for the payment of contributions, payments in lieu of contributions, interest, and penalties.

"(o) In addition to all other methods granted to the Director to effect the collection of delinquent contributions payment in lieu of contributions, interest, and penalties, the Director shall have the authority to seek the suspension or cancellation of any business,

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professional, alcoholic beverage, occupancy, or other license held by any employer subject to this chapter."

Sec. 104. Section 7 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-108), is amended as follows:

Section  
46-108

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

(1) Paragraph (1) is amended by striking the words "one twenty-third" from the 1st sentence and inserting the words "one twenty-sixth" in their place.

(2) Paragraph (3)(B) is amended by striking the number "55" and inserting the number "50" in its place.

(3) Paragraph (3)(E) is amended by striking the date "June 30th" and inserting the date "March 31st" in its place.

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

(1) By striking the amounts "\$300" and "\$450" from the 1st sentence and inserting the amounts "\$1300" and "\$1950", respectively, in their place; and

(2) By striking from the 4th sentence the phrase "remuneration for personal services, whether or not such services were performed in employment as defined in this chapter" and inserting the words "wages for employment as defined in this chapter", in their place.

(c) Subsection (g)(1) is amended by adding a new subparagraph (I) to read as follows:

"(I) The provisions of subparagraphs (A) - (G) of this subsection shall not apply to any time these provisions are suspended temporarily or permanently by Federal law. If these provisions are suspended by Federal law, the provisions of this chapter which apply to claims for and the payment of regular benefits shall apply to claims for and the payment of extended benefits."

(d) Subsection (i)(1)(A) is amended by adding a new sub-subparagraph (iii) to read as follows:

"(iii) Provided that no additional benefits period may begin as set forth in sub-subparagraph (i) of this subparagraph before the 14th week following the expiration of a prior additional benefits period."

Sec. 105. Section 9(d) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-110(4)), is amended as follows:

Section  
46-110

(a) By designating the existing text as paragraph (1);

(b) By adding the word "and" following the word "chapter;"; and

(c) By adding a new paragraph (2) to read as follows:

"(2) That he has made a minimum of 2 contacts for new work in such week: provided, that failure to comply with this condition may be excused by the Director in the manner as the condition imposed by paragraph (4)(A) of this subsection."

Sec. 106. Section 10 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-111), is amended as follows:

Section  
46-111

(a) Subsection (a) is amended by striking the phrase "remuneration from employment" wherever it appears and inserting the phrase "wages from employment as defined by this chapter" in its place.

(b) Subsection (b) is amended to read as follows:

"(b)(1) For weeks commencing after January 3, 1993, any individual who has been discharged for gross misconduct occurring in his most recent work, as determined by duly prescribed regulations, shall not be eligible for benefits until he has been employed in each of 10 successive weeks (whether or not consecutive) and, notwithstanding section 1, has earned wages from employment as defined by this chapter equal to not less than 10 times the weekly benefit amount to which he would be entitled pursuant to section 7(b).

"(2) For weeks commencing after January 3, 1993, any individual who is discharged for misconduct, other than gross misconduct, occurring in the individual's most recent work, as defined by duly prescribed regulations, shall not be eligible for benefits for the first eight weeks otherwise payable to the individual or until the individual has been employed in each of eight subsequent weeks (whether or not consecutive) and, notwithstanding section 1, has earned wages from employment as defined by this chapter equal to not less than eight times the weekly benefit amount to which the individual's would have been entitled pursuant to section 7(b). In addition, such individual's total benefit amount shall be reduced by a sum equal to eight times the individual's weekly benefit amount."

Sec. 107. Section 11 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-112), is amended by adding two new subsections (i) and (j) to read as follows:

Section  
46-112

"(i) Testimony in hearings arising under this chapter may be given and received by telephone.

"(j) Any finding of fact or law, determination, judgment, conclusion, or final order made by a claims examiner, hearing officer, appeals examiner, the Director, or any other person having the power to make findings of fact or law in connection with any action or proceeding under this chapter, shall not be conclusive or binding in any separate or subsequent action or proceeding between an individual and his present or prior employer brought before an arbitrator, court, or judge of the District of Columbia or the United States, regardless of whether the prior action was between the same or related parties or involved the same facts."

Sec. 108. Section 13 of the District of Columbia Employment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-114), is amended as follows:

Section  
46-114

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

(1) By striking the words "Board" and "Chairperson of the Board" wherever they appear and inserting the word "Director" in their place; and

(2) By designating the existing text as paragraph (1) and adding a new paragraph (2) to read as follows:

"(2) Prior to the transmission of proposed regulations to the Council, the Director shall submit all proposed regulations to the Board



for approval. The proposed regulations will be deemed approved and transmitted to the Council if the Board does not adopt a resolution of disapproval within 35 calendar days of the Board's receipt of the proposed regulations."

(b) Subsection (f) is amended in the third sentence by adding after the phrase "public employment offices" the phrase, "or the agency of any state or the federal agency charged with the administration of programs for food stamps, parent locator services, public housing, medicaid, and to families with dependent children, and supplemental security income,".

Sec. 109. Section 14(b)(4) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-115(b)(4)), is amended as follows:

Section  
46-115

(a) By striking the figure "\$250,000" and inserting the figure "\$1,000,000" in its place; and

(b) By striking the date "June 30th" and by inserting the date "October 31st" in its place.

Sec. 110. Section 16 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-117), is amended by adding a new subsection (h) to read as follows:

Section  
46-117

"(h) To the extent permissible under the laws of the District of Columbia and the United States, the Director is hereby authorized to enter into reciprocal arrangements with the appropriate and duly authorized agencies of other states or the federal government, or both, providing for the recovery of benefits previously paid to individuals having no entitlement to them by offset of benefits due under the provisions of this chapter, the unemployment compensation laws of other states, or the United States."

Sec. 111. Section 19 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-120), is amended by adding a new subsection (f) to read as follows:

Section  
46-120

"(f) In all cases where an employer subject to this chapter makes an award of back pay to a claimant who has received benefits during the same period covered by the back pay award, the employer shall withhold an amount equal to the benefits paid from the back pay award and shall repay the amount to the Director, who shall deposit it in the Fund and credit the accounts of charged base period employers. If the employer does not comply with this subsection, the Director may treat the unrefunded amount as an unpaid contribution and collect it the manner provided for collection of delinquent contributions."

## TITLE II

### CONFORMING CHANGES TO THE UNEMPLOYMENT COMPENSATION LAW

Sec. 201. Section 1 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-101), is amended as follows:

Section  
46-101

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

(1) By striking from paragraphs (2)(C), (2)(E)(xiii), (2)(H)(i), and (2)(H)(ii), the word "Board" wherever it appears and inserting the word "Director" in its place.

(2) Paragraph (2)(E)(iv)(II) is amended by striking the phrase "Employment Security Board" and inserting the word "Director" in its place.

(b) A new subsection (y) is added to read as follows:

"(y) The term "Director" means the Director, Department of Employment Services, established by Reorganization Plan No. 1 of 1980."

Sec. 202. Section 2(a) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-102(a)), is amended by striking the word "Board" and inserting the word "Director" in its place.

Section  
46-102

Sec. 203. Section 3 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-103), is amended as follows:

Section  
46-103

(a) Subsections (c)(1), (c)(4)(C), (c)(5), (c)(6), (c)(7)(A), (c)(7)(C), (c)(7)(G), (c)(10), (f)(2), (h)(1), (h)(1)(A), (h)(1)(B), (h)(1)(C), (h)(1)(D), (h)(1)(E), (h)(2)(A), (h)(2)(B)(i), (h)(2)(B)(ii), (h)(2)(B)(ii)(II), (h)(2)(B)(ii)(III), (h)(2)(B)(iii), (h)(2)(B)(iv), (h)(2)(E), (h)(3), (h)(3)(C), and (h)(5), are amended by striking the word "Board" wherever it appears and inserting the word "Director" in its place.

(b) Subsection (a)(7)(A)(i) is amended by striking the words "Board", "it" and "its" wherever they appear and inserting the words "Director" "the Director", and "the Director's", respectively, in their place.

(c) Subsection (c)(7)(A)(ii) is amended by striking the words "Board" and "its" wherever they appear and inserting the words "Director" and "the Director's", respectively, in their place.

(d) Subsection (d) is amended by striking the word "Board" where it first appears and inserting the word "Director" in its place.

(e) Subsection (h) is amended as follows:

(1) By striking in paragraph (1) the word "Board" wherever it appears in subparagraphs (A), (B), (C), (D), and (E) and inserting the word "Director" in its place;

(2) By striking in paragraph (1)(F) the word "Board" wherever it appears and inserting the word "Director" in its place and by striking the word "it" from the 1st sentence and inserting the phrase "the Board" in its place;

(3) By striking in paragraph (2) the word "Board" wherever it appears and inserting the word "Director" in its place; and

(4) By striking in paragraph (6) the word "Board" from all but the final sentence and inserting the word "Director" in its place.

Sec. 204. Section 4 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-105), is amended as follows:

Section  
46-105

(a) Subsections (a), (e), and (f) are amended by striking the word "Board" wherever it appears and inserting the word "Director" in its place.

(b) Subsection (b) is amended by striking the words "Council of the District of Columbia" from the 1st sentence and the word "Board"

## Enrolled Original

where it 1st appears in the 3rd sentence and inserting the word "Board" in place of "Council of the District of Columbia" and the word "Director" in place of "Board".

(c) Subsection (h) is amended by striking the words "Board", "its", and "it" wherever they appear and inserting the word "Director" in place of "Board", the words "the Director's" in place of "its", and the word "Director" in place of "it".

(d) Subsection (i) is amended by striking the words "Board" and "its" wherever they appear and inserting the word "Director" in place of "Board" and the words "the Director's" in place of "its".

(e) Subsection (j) is amended by striking the words "Board", "its", and "minutes" wherever they appear and by striking the word "it" where it 1st appears in the 1st sentence and inserting the word "Director" in place of "Board", the words "the Director's" in place of "its", the word "records" in place of "minutes", and the words "the Director" in place of "it".

(f) Subsection (l) is amended as follows:

(1) By striking in paragraph (1) the words "Board" and "minutes" wherever they appear and inserting the word "Director" in place of "Board" and the word "records" in place of "minutes"; and

(2) By striking in paragraph (2) the word "Board" and inserting the word "Director" in its place.

Sec. 205. Section 7(g) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-108(g)), is amended by striking the word "Board" in paragraphs (3) and (6) and inserting the word "Director" in its place.

Section  
46-108

Sec. 206. Section 8 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-109), is amended as follows:

Section  
46-109

(a) By striking the words "Board's" and "Board" from the 1st sentence and inserting the words "District of Columbia" in place of "Board's" and the word "Director" in place of "Board";

(b) By striking the words "Board", "Board's", and "it" from the 2nd sentence and inserting the words "Director" in place of "Board" "District of Columbia's" in place of "Board's", "the Director" in place of "it";

(c) By striking the word "Board" from the 3rd sentence and inserting the word "Director" in its place; and

(d) By striking the words "Board" and "its" from the 4th sentence and inserting the words "Director" in place of "Board" and "the Director's" in place of "its".

Sec. 207. Section 9 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-110), is amended as follows:

Section  
46-110

(a) Striking the word "Board" from the 1st sentence and inserting the word "Director" in its place.

(b) Subsection (a) is amended by striking the phrase "Council of the District of Columbia" and inserting the word "Board" in its place.

## Enrolled Original

(c) Subsection (d) is amended by striking the words "Board" and "Council of the District of Columbia" wherever they appear and inserting the word "Director" in their place.

Sec. 208. Section 10 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-111), is amended as follows: Section 46-111

(a) Subsection (d)(2) is amended by striking the word "Board" and inserting the word "Director" in its place.

(b) Subsection (e) is amended by striking the words "Board" and "it" and inserting the words "Director" in place of "Board" and "the Board" in place of "it".

(c) Subsection (f) is amended by striking the word "Board" wherever it appears and inserting the word "Director" in its place.

Sec. 209. Section 11 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-112), is amended as follows: Section 46-112

(a) Subsection (a) is amended by striking the words "Council of the District of Columbia", "Council", and "Board" wherever they appear and inserting the word "Director" in their place.

(b) Subsection (b) is amended by striking the word "Board" and inserting the word "Director" in its place.

(c) Subsection (c) is amended by striking the words "Board" and "Council of the District of Columbia" wherever they appear and inserting the word "Director" in their place.

(d) Subsection (d) is amended by striking the word "Board" wherever it appears and inserting the word "Director" in its place.

(e) Subsection (e) is amended by striking the words "Boards", "Council of the District of Columbia" and "its" wherever they appear and inserting the words "Director" in place of the word "Board" and the phrase "Council of the District of Columbia", and inserting the phrase "the Director's" in place of "its"

(f) Subsection (f) is amended by striking the word "Board" and Board's wherever they appear and inserting the words "Director" and "Director's" in their place.

(g) Subsection (g) is amended by striking the phrase "Council of the District of Columbia" and inserting the word "Director" in its place.

Sec. 210. Section 12 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-113), is amended by striking the word "Board" and inserting the word "Director" in its place. Section 46-113

Sec. 211. Section 13 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-114), is amended as follows: Section 46-114

(a) Subsection (a) is amended by striking word "Board" wherever it appears and inserting the word "Director" in its place.

(b) Paragraph (b)(1) is amended by striking the words "Board" and "Chairperson of the Board" wherever they appear and inserting the word "Director" in their place.

## Enrolled Original

(c) Subsection (d) is amended by striking the words "Board" and "Congress" and inserting the words "Director" in place of "Board" and "Council of the District of Columbia" in place of "Congress".

(d) Subsection (e) is amended by striking the word "Board" wherever it appears and inserting the word "Director" in its place.

(e) Subsection (f) is amended by striking the words "Council of the District of Columbia" and "Board" wherever they appear and inserting the word "Director" in their place.

(f) Subsection (g) is amended by striking the words "any member of the Board" and inserting the word "Director" in its place.

(g) Subsection (h) is amended by striking the word "Board" and inserting the word "Director" in its place.

(h) Subsection (i) is amended by striking the words "Board" and "it" wherever they appear and inserting the word "Director" in place of "Board" and the words "the Director" in place of "it".

Sec. 212. Section 14 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-115), is amended as follows:

Section  
46-115

(a) Subsection (a) is amended as follows:

(1) By striking the words "Board and "its" in the first 5 sentences and inserting the word "Director" in place of "Board" and the words "the Director's" in place of "its"; and

(2) By striking the words "Board" "its", and "Congress" and inserting the word "Mayor" in place of "Board", the words "the Mayor's" in place of "its", and "Council of the District of Columbia" in place of "Congress".

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

(1) By striking in paragraph (2) the phrase "Board" wherever it appears and inserting the word "Director" in its place;

(2) By striking in paragraph (3) the phrase "Board by resolution duly entered in its minutes" and inserting the words "Director by written statement of authorization" in its place;

(3) By striking in paragraph (3) the words "duly certified copy of the resolution of the Board" and inserting the words "a copy of the written authorization of the Director" in its place; and

(4) By striking in paragraph 4 the word "Board" wherever it appears and inserting the word "Director" in its place.

Sec. 213. Section 15 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-116(b)), is amended by repealing subsections (b) and (d).

Section  
46-116

Sec. 214. Section 16 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-117), is amended by striking the word "Board" wherever it appears and inserting the word "Director" in its place.

Section  
46-117

Sec. 215. Section 17 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-118(a)), is amended as follows:

Section  
46-118

(a) Subsection (a) is amended by striking the words "Council of the District of Columbia", "Board", and "their" wherever they appear

and inserting the word "Director" in place of "Council of the District of Columbia", and "Board" and the phrase "the Director's" in place of "their".

(b) Subsection (b) is amended by striking the word "Board" wherever it appears and inserting the word "Director" in its place.

Sec. 216. Section 18(c) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-119(c)), is amended by striking the words "Board" and "its" wherever they appear and inserting the word "Director" in place of "Board" and the words "the Director's" in place of "its".

Section  
46-119

Sec. 217. Section 19 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-120), is amended as follows:

Section  
46-120

(1) Subsection (d) is amended by striking the word "Board" wherever it appears and inserting the word "Director" in its place.

(2) Subsection (e) is amended by striking the word "Board" wherever it appears and inserting the word "Director" in its place.

Sec. 218. Section 20 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-121), is amended by striking the words "Board" and "it" and inserting the words "Director" and "the Director," respectively, in their place.

Sec. 219. Section 21(a) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Code § 46-122(a)), is amended by striking the word "Board" wherever it appears and inserting the word "Director" in its place, and by striking the word "its" where it last appears in the section and inserting the words "the Director's" in its place.

### TITLE III

#### INTERCEPTION OF DISTRICT OF COLUMBIA INCOME TAX REFUNDS

Sec. 301. Section 11(a) of title 12 of the District of Columbia Income and Franchise Tax Act of 1947, approved July 16, 1947 (61 Stat. 355; D.C. Code § 47-1812.11(a)), is amended as follows:

Section  
47-1812.11

(a) Paragraph (3) is amended as follows:

- (1) By designating the existing text as subparagraph (A);
- and
- (2) By adding new subparagraphs (B) and (C) to read as follows:

"(B) For purposes of collecting an amount determined to be in default under federal student loan programs, the university shall provide the Mayor with the names and any other available identifying information of individuals whom the university has determined to be in default.

"(C) For purposes of collecting an amount determined to be an overpayment of unemployment compensation, the Department of Employment Services, through its Director, shall provide the Mayor with the names and any other identifying information of individuals who the Director has determined to have received benefit overpayments."

(b) Paragraph (4) is amended to read as follows:

"(A) The Mayor shall intercept the income tax refund of an individual who has been determined:

"(i) To owe overdue child support, as defined in 42 U.S.C. § 666(e) for purposes of enforcing an order under any state plan approved under 42 U.S.C. § 651 *et seq.*;

"(ii) To be in default under the provisions of federal student loan programs; or

"(iii) To owe to the District a repayment for benefit overpayment under the District of Columbia Unemployment Compensation Act.

"(B) A determination and notice of default under federal student loan programs shall be made as follows:

"(i) The determination of whether an individual is in default under paragraph (3)(B) of this subsection shall be made pursuant to the National Direct Student Loan Program Regulations ("NDSLPL Regulations"), promulgated January 19, 1981 (34 C.F.R. 674.2; 46 Fed. Reg. 5241). The amount in default shall be limited to the defaulted principal amount outstanding, as defined in the NDSLPL regulations.

"(ii) Immediately upon the university's determination that an individual is in default, the university shall provide that individual with written notice of its determination by registered mail. The individual shall have 10 days from receipt of the notice to inform the university of the individual's intention to contest the validity of the determination.

"(iii) Upon receipt of notice that an individual intends to contest the validity of the university's determination, the university shall provide the individual with a hearing in accordance with the provisions of title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Code § 1-1501 *et seq.*).

"(C) Determination and notice of overpayment of Unemployment Compensation shall be made in accordance with the provisions of sections 11, 12, and 19."

(c) Paragraph (6) is amended to read as follows:

"(6)(A) Prior to interception of any individual's income tax refund, the Mayor shall provide notice to the taxpayer of the referral for tax refund offset and of the opportunity to contest the referral.

"(B) After interception of an individual's income tax refund, but before disbursement of said refund, the Mayor shall provide notice to the taxpayer that his income tax refund has been intercepted or apportioned, whichever is applicable. Such notification shall provide for a period of not less than 30 days after such notice is sent, within which the taxpayer may file a protest with the Mayor regarding the interception or apportionment of his income tax refund. If no protest by the taxpayer referred to in this section is filed in the 30-day period, the interception or apportionment, as determined by the Mayor, shall be final. If a protest is filed within the 30-day period, opportunity for a hearing thereon shall be granted by the Mayor. The Mayor shall promptly notify the taxpayer of any final determination as a result of the protest."

(d) Paragraph (7) is amended to read as follows:

## Enrolled Original

"The Mayor shall refuse to consider a protest for the following reasons:

"(A) The protest solely concerns an issue other than the existence or amount of the arrearage of court ordered child support, default on student loans, or overpayment of unemployment compensation, or the division of a joint refund;

"(B) The protest solely concerns an issue which has been previously decided and no new facts or evidence have been provided; or

"(C) The protest is not filed in a timely manner as set forth in this section."

(e) Paragraph (8) is amended to read as follows:

"If the Mayor determines that a refund should not have been intercepted, or that an excess amount has been intercepted over and above the amount of the taxpayer's arrearages of court ordered child support, default on student loans, or overpayment of unemployment compensation, or that the division of a joint refund was incorrect, the Mayor shall return the refund or the excess amount that has been intercepted, whichever is applicable, to the taxpayer within 30 days of the date of the final determination."

(f) Paragraph (9) is amended to read as follows:

"(A) If no protest is filed within the 30-day period as provided for in this section, or if upon protest it is determined that the interception or apportionment was not in error, then intercepted refunds shall be deposited as follows:

"(i) With the agency of the District responsible for administering the child support program as authorized by Title IV Part D of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. § 651 *et seq.*). All funds deposited pursuant to this section shall be disbursed in accordance with 42 U.S.C. § 657 and the regulations and interpretations thereunder;

"(ii) With the university for refunds withheld from individuals in default under a federal student loan program. All funds deposited with the university shall be applied toward satisfying the amount of principal determined to be in default; or

"(iii) With the Department of Employment Services for refunds withheld from individuals who were overpaid under the District of Columbia Unemployment Compensation Act. All funds deposited with the Department shall be applied toward repaying the Unemployment Compensation Fund.

"(B) If the Mayor is notified in accordance with paragraph (3) of this subsection that a taxpayer owes more than 1 debt that is subject to paragraph (4) of this subsection, he shall apply any refund due that taxpayer to satisfy the debts in the following order:

"(i) First, the refund shall be applied to satisfy any outstanding District of Columbia tax liability including penalties and interest;

"(ii) Second, any remaining overpayment shall be applied to satisfy any court ordered child support pursuant to paragraph (4)(A) of this subsection;

"(iii) Third, any remaining overpayment shall be applied to satisfy defaulted student loans pursuant to paragraph (4)(B) of this subsection; and



## Enrolled Original

"(iv) Fourth, any remaining overpayment shall be applied to satisfy overpayments of unemployment compensation pursuant to paragraph (4)(D) of this subsection."

(g) Paragraph (12) is amended by adding a new subparagraph (C) to read as follows:

"(C) The provisions of this section relating to the interception of income tax refunds of individuals who received overpayments of unemployment compensation shall apply to income tax refunds issued for tax years 1993 and subsequent years."

(h) Paragraph (14) is amended by adding a new subparagraph (C) to read as follows:

"(C) "Unemployment Compensation" means the unemployment compensation benefit paid under the program established by the District of Columbia Unemployment Compensation Act, approved June 7, 1943 (49 Stat. 951; D.C. Code § 46-101 *et seq.*), and administered pursuant to Reorganization Plan No. 1 of 1980, effective April 17, 1980."

Sec. 302. Section 19(d) of the District of Columbia Unemployment Compensation Act, approved June 4, 1943 (57 Stat. 123; D.C. Code § 46-120 (d)), is amended as follows:

Section  
46-120

(a) By adding language to the second sentence of the existing text immediately following the words "in the name of the Director" to read as follows:

"or by the collection remedy set forth in section 11(a) of title 12 of the District of Columbia Income and Franchise Tax Act of 1947, approved July 16, 1947 (61 Stat. 328; D.C. Code § 47-1812.11(a));";

(b) By designating the existing text as paragraph "(1)"; and

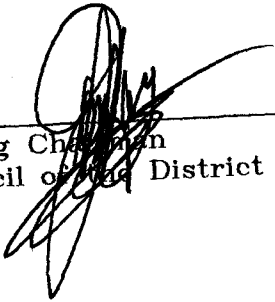
(c) By adding a new paragraph (2) to read as follows:

"(2) The determination of whether a person has received any sum as benefits to which he is not entitled and the review to such a determination shall be made in accordance with sections 11, 12, and 19."

### TITLE IV EFFECTIVE DATE

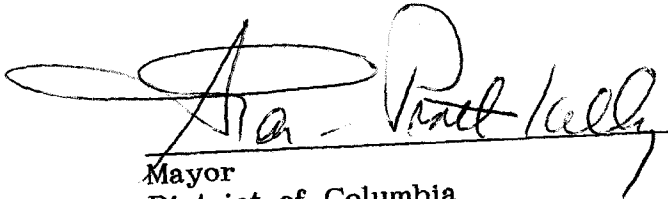
Sec. 401. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in either the District of Columbia Register, the District

of Columbia Statutes-at-Large, or the District of Columbia Municipal  
Regulations.



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Acting Chairman  
Council of the District of Columbia



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Mayor  
District of Columbia

July 13, 1993



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TEN

RECORD OF OFFICIAL COUNCIL VOTE

B10-52

DOCKET NO: \_\_\_\_\_

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 6-1-93

VOICE VOTE: Approved

Recorded vote on request

Absent: Chavous and Jarvis

ROLL CALL VOTE: — RESULT \_\_\_\_\_ (\_\_\_\_/\_\_\_\_/\_\_\_\_)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. RAY					EVANS					SMITH, JR.				
BARRY					JARVIS					THOMAS, SR.				
BRAZIL					LIGHTFOOT									
CHAVOUS					MASON									
CROPP					NATHANSON									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

Reggie Ford  
Secretary to the Council

July 1, 1993  
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 6-29-93

VOICE VOTE: Approved

Recorded vote on request

Absent: Barry and Chavous

ROLL CALL VOTE: — RESULT \_\_\_\_\_ (\_\_\_\_/\_\_\_\_/\_\_\_\_)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. RAY					EVANS					SMITH, JR.				
BARRY					JARVIS					THOMAS, SR.				
BRAZIL					LIGHTFOOT									
CHAVOUS					MASON									
CROPP					NATHANSON									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

Reggie Ford  
Secretary to the Council

July 1, 1993  
Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT \_\_\_\_\_ (\_\_\_\_/\_\_\_\_/\_\_\_\_)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. RAY					EVANS					SMITH, JR.				
BARRY					JARVIS					THOMAS, SR.				
BRAZIL					LIGHTFOOT									
CHAVOUS					MASON									
CROPP					NATHANSON									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
Date