

ENROLLED ORIGINAL

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

2001 Edition

**2005 Winter
Supp.**

**West Group
Publisher**

To amend Title 47 of the District of Columbia Official Code to exempt from taxation certain real property owned directly or indirectly through any wholly owned subsidiary by a legitimate theater company, to exempt from taxation certain personal property owned directly or indirectly through any wholly-owned subsidiary by a legitimate theater company, and to exempt from gross sales tax 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 Act of 2004".

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

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

**Amend
§ 47-1002**

(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 or indirectly through one or more wholly-owned subsidiary organizations, by a legitimate theater company is hereby exempt from all real property taxation so long as the property continues to be so owned and occupied, and used for the exempt purposes described in §47-1002(18) and §47-1002(19), providing for exemption of certain real properties;" 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 the theater company" in its place.

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

**Amend
§ 47-1052**

(1) Subparagraph (A) is amended by striking the word "and" .

(2) Subparagraph (B) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new subparagraph (C) is added to read as follows:

"(C) Is the current wholly-owned subsidiary of an entity that is described in the

ENROLLED ORIGINAL

subparagraphs (A) and (B) of this paragraph.”.

(c) Chapter 46 is amended as follows:

(1) The table of contents is amended by adding the section designation "Lot 878, square 456 personal property tax and sales tax exemption." at the end.

(2) A new section 47-4604 is added to read as follows:

“§ 47-4604. Lot 878, square 456 personal property tax and sales tax exemption.

“(a) The personal property of any organization that is wholly-owned by a legitimate theater company, which is a District of Columbia nonprofit corporation, and that acquires any portion of the lot that is designated, as of October 1, 2003, as lot 878 in square 456 in the District of Columbia, shall be exempt from the tax imposed by Chapter 15 to the same extent as if the personal property was owned by the legitimate theater company.

“(b) Sales to any organization that is wholly-owned by a legitimate theater company, which is a District of Columbia nonprofit corporation, and that acquires any portion of the lot that is designated, as of October 1, 2003, as lot 878 in square 456 in the District of Columbia, shall be exempt from the tax imposed by Chapter 20 to the same extent as if the sale was made to the legitimate theater company.”.

New
§ 47-4604

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.

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.

Chairman
Council of the District of Columbia

Mayor
District of Columbia