

**Government of the District of Columbia  
Office of the Chief Financial Officer**



**Natwar M. Gandhi**  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Vincent C. Gray  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi  
Chief Financial Officer 

**DATE:** OCT 21 2008

**SUBJECT:** Fiscal Impact Statement: "Smoke and Carbon Monoxide Detector Program Amendment Act of 2008"

**REFERENCE:** Bill Number 17-594, Committee Print dated October 14, 2008

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**Conclusion**

Funds are sufficient in the proposed FY 2009 through FY 2012 budget and financial plan to implement the proposed legislation.

**Background**

The proposed legislation would amend the Smoke Detector Act of 1978<sup>1</sup> to require the Mayor to develop an annual program to test and install smoke and carbon monoxide detectors and batteries in the homes of District residents without working detectors. The bill would also require the Mayor to issue an annual report on the program's progress, as enumerated in Section 6b. Finally, the proposed legislation would authorize the Mayor to accept gifts and grants of smoke and carbon monoxide detectors, batteries, and funds to assist persons who cannot afford smoke detectors or batteries.

The Office of the Chief Financial Officer (OCFO) has confirmed that the Fire and Emergency Medical Services Department (F/EMS) would be responsible for implementing the smoke and carbon monoxide detector program.

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<sup>1</sup> Effective June 20, 1978. D.C. Law 2-81; D.C. Official Code § 6-751.01 *et seq.*

## **Financial Plan Impact**

Funds are sufficient in the proposed FY 2009 through FY 2012 budget and financial plan to implement the proposed legislation.

Although the bill requires the Mayor to develop, and on an annual basis, redevelop, a smoke and carbon monoxide detector program, the conditions of the program, as outlined in Section 6a, are all voluntary. The first sentence of Section 6a(a) reads: "The Mayor *shall* develop a program to test and install smoke and carbon monoxide detectors and batteries..." However, the third sentence of Section 6a(a) reads: "The program *may* include..." The OCFO concludes, as does F/EMS, the Office of the City Administrator, and the Office of Policy and Legislative Affairs, that this can be interpreted as a requirement to create a program with no conditions that must be met. As indicated in the Committee Report (dated October 14, 2008), the Committee Print of this legislation is intended to make the conditions of the program voluntary. Therefore implementation of the proposed legislation does not create a fiscal impact. If F/EMS chooses to implement the conditions outlined in the proposed program, it must do so with existing budget resources.

The OCFO has confirmed with F/EMS that it could absorb the cost of implementing the reporting requirements provision of the proposed legislation with existing resources.