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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Firearms Control Regulations Act of 1975 to permit individuals to register a firearm for self-defense in their place of business, to provide a Freedom of Information Act exception, to specify application requirements for applying for a license to carry a concealed pistol, to specify the duration of such licenses and requirements for renewal of licenses, to establish duties of licensees, to provide for revocation of licenses, to create a criminal offense of carrying while impaired, to specify prohibitions on licensees, to establish a Concealed Pistol Licensing Review Board, to provide a Freedom of Information Act exception; to specify penalties for violations, and to require the Mayor to issue rules; and to amend An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to authorize the Chief of Police to issue licenses to carry a concealed pistol to District residents and non-residents provided certain conditions are met.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “License to Carry a Pistol Second Emergency Declaration Resolution of 2014”.

Sec. 2. (a) On July 24, 2014, the United States District Court for the District of Columbia issued a decision in the case of *Palmer v. District of Columbia*, 2014 WL3702854

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39 (D.D.C. 2014), finding the District’s complete ban on the carrying of handguns in public is
40 unconstitutional. This order was made public on July 26, 2014.

41 (b) The Court’s ruling enjoined the District from enforcing local law prohibiting the
42 carrying of firearms in public by District residents, and by non-residents based solely on the fact
43 that they are not residents of the District of Columbia.

44 (c) On July 28, 2014, the District filed a motion to stay the Court’s ruling pending appeal
45 or, in the alternative, for 180 days. The District also asked the Court to grant an immediate stay
46 of its ruling while it evaluated this motion.

47 (d) In response, on July 29, 2014, the Court granted the District’s motion for a stay, for
48 90 days or until October 22, 2014, in order to allow the Council an opportunity to enact
49 legislation consistent with the *Palmer* ruling.

50 (e) On September 23, 2014, the Council approved Bill 20-926, the License to Carry a
51 Pistol Emergency Amendment Act of 2014 (D.C. Act 20-447; 61 DCR 10765) which reflected
52 the Council’s response to the *Palmer* case, and put into place, on an emergency basis, a scheme
53 for the Chief of Police to issue licenses to carry concealed pistols in the District to both residents
54 and nonresidents.

55 (f) Bill 20-930, the License to Carry a Pistol Amendment Act of 2014, a permanent
56 version of Bill 20-926, was introduced simultaneously with Bill 20-926 in order to allow the
57 public full opportunity to comment on the measure with sufficient time for Council approval
58 before the end of the Council Period.

59 (g) On October 7, 2014, the Council approved Bill 20-965, the License to Carry a Pistol
60 Clarification Emergency Amendment Act of 2014 (D.C. Act 20-448) to correct an issue with the
61 applicability of D.C. Act 20-447. Enacting Bill 20-965 was necessary in the interest of public

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62 safety and to ensure that carrying a concealed pistol will not be permitted in the District unless a
63 license to do so has been obtained.

64 (h) On October 7, 2014, the Council also approved Bill 20-927, the License to Carry a
65 Pistol Temporary Amendment Act of 2014 (D.C. Act 20-462), which enacted, on a temporary
66 basis, the provisions of D.C. Act 20-447, as amended by D.C. Act 20-448.

67 (i) The permanent legislation has moved through the committee process, and on
68 November 25, 2014, the Committee on the Judiciary and Public Safety approved Bill 20-930,
69 with amendments.

70 (j) On December 2, 2014, the Committee of the Whole, to which Bill 20-930 was
71 sequentially referred, approved Bill 20-930, with additional amendments.

72 (k) On December 2, 2014, the Council also approved Bill 20-930, as amended by the
73 Committee on the Judiciary and Public Safety and the Committee of the Whole, on 1st reading.

74 (l) Bill 20-930 is scheduled for 2nd reading on December 16, 2014.

75 (m) There exists an immediate need to implement the provisions of Bill 20-930, as
76 amended by the Committee on the Judiciary and Public Safety and the Committee of the Whole,
77 and to supersede D.C. Act 20-447 and D.C. Act 20-462, so that the legislation in place on an
78 emergency basis reflects Bill 20-930 as approved by the Council.

79 (n) This emergency act would implement all of the provisions of Bill 20-930, as
80 amended by the Committee on the Judiciary and Public Safety and the Committee of the Whole.

81 (o) Enacting the License to Carry a Pistol Second Emergency Amendment Act of 2014
82 immediately will ensure implementation of a licensing scheme and enforcement on an immediate
83 basis that is consistent with the provisions of Bill 20-930, and will continue to ensure that the

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84 District has a system in place for law-abiding and qualifying residents and non-residents of the
85 District to apply to carry a concealed pistol in compliance with the Court’s order in *Palmer*.

86 Sec. 3. The Council of the District of Columbia determines that the circumstances
87 enumerated in section 2 constitute emergency circumstances making it necessary that the License
88 to Carry a Pistol Second Emergency Amendment Act of 2014 be adopted after a single reading.

89 Sec. 4. This resolution shall take effect immediately.