

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Mental Health Information Act of 1978 to authorize mental health professionals to disclose mental health information when necessary to request an extreme risk protection order and to require the disclosure of mental health information to the Office of Attorney General in response to a court order; to amend the Firearms Control Regulations Act of 1975 to authorize the Mayor to issue rules, subject to Council review, to implement provisions of the Firearms Control Regulations Act of 1975; to amend the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006 to create a quorum requirement for the Comprehensive Homicide Elimination Strategy Task Force and extend its report submission deadline; to amend the Act to Regulate Public Conduct on Public Passenger Vehicles to designate certain violations of the act civil pedestrian offenses, and to authorize Metro Transit Police Department officers to issue notices of infractions for alleged civil violations; to amend Title 18 of the District of Columbia Municipal Regulations to include a civil fine schedule for violations of the Act to Regulate Public Conduct on Public Passenger Vehicles; to amend the District of Columbia Traffic Adjudication Act of 1978 to make conforming changes; and to amend the Firearms Safety Omnibus Amendment Act of 2018 to prohibit the issuance of a firearm registration certificate to the subject of an extreme risk protection order, to require the Superior Court for the District of Columbia, for good cause shown, to issue such orders as may be necessary to obtain mental health records and other relevant information for the purposes of petitions for relief from disqualifications from firearm registration, to clarify that the Office of Attorney General may intervene and represent the interests of the District of Columbia with respect to petitions for extreme risk protection orders or provide individual legal representation, upon request, to a petitioner, to broaden the court's ability to place records related to extreme risk protection orders under seal, to establish procedures for computing periods of time relating to an extreme risk protection order, to provide for the use of calendar days instead of business days for timelines related to extreme risk protection orders, to require that the court consider the unlawful or reckless use, display, or brandishing of any weapon by the respondent in determining whether to issue an extreme

44 risk protection order, to require that the initial hearing for a petition for a final extreme risk
45 protection order be held within 14 days after the petition was filed, to require the Superior
46 Court for the District of Columbia, for good cause shown, to issue such orders as may be
47 necessary to obtain mental health records and other relevant information for the purposes
48 of petitions for an extreme risk protection order, to modify the duration of ex parte extreme
49 risk protection orders, to establish procedures for the issuance and execution of search
50 warrants accompanying extreme risk protection orders, to add the Office of Attorney
51 General and the Superior Court for the District of Columbia to the list of entities that shall
52 receive from the Metropolitan Police Department information related to extreme risk
53 protection orders, to require the Mayor or the Mayor's designee to submit information
54 about extreme risk protection orders to the National Instant Criminal Background Check
55 System for the purposes of firearm purchaser background checks.

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57 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
58 resolution may be cited as the "Firearms Safety Omnibus Clarification Congressional Review
59 Emergency Declaration Resolution of 2019".

60 Sec. 2. (a) On May 7, 2019, the Council passed the Firearms Safety Omnibus Clarification
61 Emergency Amendment Act of 2019, enacted on May 16, 2019 (D.C. Act 23-49; 66 DCR 6310),
62 which is set to expire on August 14, 2019, during the Council's summer recess.

63 (b) On May 7, 2019, the Council passed the Firearms Safety Omnibus Clarification
64 Temporary Amendment Act of 2019 on first reading. Final reading will occur on June 25, 2019.

65 (c) This congressional review emergency legislation is necessary to prevent a gap in the
66 law between the expiration of the emergency act and the anticipated effective date of the temporary
67 act.

68 Sec. 3. The Council of the District of Columbia determines that the circumstances
69 enumerated in section 2 constitute emergency circumstances making it necessary that the Firearms
70 Safety Omnibus Clarification Congressional Review Emergency Amendment Act of 2019 be
71 adopted after a single reading.

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